



## **MAY IT PLEASE THE PANEL CONVENER**

- 1.** This memorandum is provided on behalf of Queenstown Lakes District Council (**QLDC**) in response to Minute 4 of the Panel Convener (**Minute**), regarding the application for approvals for Ridgeburn at 122 Morven Ferry Road, Arrow Junction, Queenstown (**Ridgeburn**). Simpson Grierson has been instructed to act for QLDC in respect of the Application.

### **Confirmation of Attendees**

- 2.** The following will be present at the Convener Conference on behalf of QLDC:
  - (a) Sarah Scott, legal counsel;
  - (b) Fiona Blight, QLDC;
  - (c) Onur Oktem, QLDC; and
  - (d) Marcus Langman, consultant planner.

### **Extent of Engagement by the Applicant both before and following lodgement of the application**

- 3.** The extent of engagement with QLDC has been minimal.
- 4.** The Minister's referral decision included direction about the applicant engaging with QLDC in respect of three waters assessment and transport. The pre-lodgement consultation with QLDC was highly limited, with insufficient information provided in advance of meetings. As a result, discussions in these meetings were necessarily high-level and unsupported by adequate technical analysis. The substantive application does not include any agreements from QLDC on the matters outlined by the Minister.
- 5.** Subsequent to lodging the substantive application, the applicant and QLDC staff agreed in the week of 22 June to weekly meetings between the applicant planning lead and internal planning staff. The first meeting will be on 3 July.

**Identify further information required to accurately scope, amongst other matters, the potential effects of the activity and any information gaps**

6. Because of the limited engagement to date, QLDC's comment on information gaps is indicative and may evolve. QLDC has already raised issues with completeness. Its advice to the EPA in June was that the application failed to achieve s 46 of the FTAA in respect of completeness. Further information is considered necessary in relation to the following:

**Transport / traffic related information**

- (a) **Traffic assessment:** wider network effects beyond the immediate vicinity of the site, cumulative effects on the operation of the wider transport network, and its effect on communities who rely on the nearby state highway to access works and other amenities in Frankton and Queenstown have not been assessed. QLDC consider this is a fundamental gap in the application and the applicant should be directed to complete and provide that assessment;
- (b) Provision of the assessment prepared by Carriageway Consulting Limited on the impact on the **Shotover Bridge** which is referred to in Appendix 27 Transport Peer Review, but is not included in the application documents;
- (c) Information to demonstrate that **Morven Ferry Road** can accommodate forecast travel volumes, including detailed pavement investigations, assessment of existing pavement strength, any upgrade design demonstrating compliance with Council and NZTA pavement design requirements, and outline reconstruction where testing demonstrates the existing paving is inadequate;
- (d) Assessment is required on effects on **Arrow Junction Road**. No detailed active mode assessments for the Arrowtown Trail crossing movements or conflict points have been provided, and no significant upgrades are proposed. Further assessment is required regarding cyclist and pedestrian safety impacts,

- Arrowtown Trail interactions, route choice assumptions and whether additional active mode infrastructure is required;
- (e) Further detail is required on **travel demand management measures and reduced vehicle ownership** assumptions when deriving trip generation forecasts;
  - (f) Further information is needed to understand the legal mechanism for public access on **private roads**, noting that public transport does not generally operate on private roads;

#### **Stormwater**

- (g) Further information is required on a range of matters related to stormwater management, including but not limited to:
  - (i) Consideration of alteration of runoff from future upstream development;
  - (ii) Whether capacity has been assessed for ultimate upstream development;
  - (iii) Evidence that finished floor levels remain protected if pipes, culverts or ponds fail;
  - (iv) Safe conveyance of stormwater during larger (>1%AEP) events;
  - (v) Evaluation of blockage of inlet structures capturing catchment runoff (in particular domed gates);
  - (vi) Consistent details with respect to discharge to 136 Morven Ferry Road, and to either detail flood depth changes at this location or confirmation that no adverse effects occur;
  - (vii) Evidence of treatment sizing to meet discharge water quality standards and demonstration that water contamination risks are appropriately mitigated;
  - (viii) Clarification of intended ownership and future maintenance of stormwater infrastructure outside of the development and any necessary easements identified given that system will be privately owned and not vested;

- (ix) While a peer review on stormwater modelling is included in the application, Council considers that a peer review of the proposed stormwater systems is also required;

#### **Natural Hazards**

- (h) Assessment of natural hazards against the National Policy Statement for Natural Hazards (NPSNH) noting that this has only been completed for flooding.

#### **Other areas:**

- (i) **Cost of establishing infrastructure:** the cost of establishing infrastructure, maintenance and operation of self-sufficient infrastructure on the site is not quantified, nor is it addressed in the Economic Assessment in relation to ongoing costs and affordability, nor is there an understanding of the effects on rates for sites established in the area. The proposed levies to support the infrastructure entity and/or Residents Association are not properly assessed;
- (j) Without quantification of ongoing costs as part of private delivery of infrastructure and services, the benefits arising in relation to **affordable housing provision** is unknown;
- (k) Lack of detail on the effects of the proposal on **social infrastructure** as a result of the proposal, including education, nor consideration of suitable reserve land provision within the site to cater for these activities;
- (l) Significant gaps in the **landscape assessment and supporting documents**, which means that landscape related effects cannot be fully understood or determined. For example, visual simulations from key vantage points, plant growth assumptions, a thorough assessment of the development against PDP 24.22.4 and 24.22.9, assessment of landscape effects associated with the proposed earthworks strategy, and a rating of overall landscape

- effects in terms of the physical, perceptual and associative landscape values as is required by *Te Tangi a te Manu*;
- (m) Gaps (and conflicts) between the **ecological report and draft lizard management plan**;
  - (n) Inadequate analysis of how the proposal achieves a well-functioning urban environment including demonstration of accessibility for people between housing, jobs, community services, natural spaces and open spaces, including by public or active transport, or how the proposal contributes to a reduction in greenhouse gas emissions;
  - (o) No **pedestrian shed analysis** to map walkable catchments (either to possible future bus service or village centre);

**Identify in-house experts and external consultants engaged on this project**

- 7. QLDC staff and external consultants are currently undertaking a detailed review of these documents.
- 8. QLDC has engaged the following consultant firms to carry out peer reviews and provide technical advice:
  - (a) Market Economics Limited: to provide peer review on economics and growth capacity;
  - (b) Marcus Langman Planning Consultant: to provide planning advice and technical planning input;
  - (c) Stantec: to provide technical traffic and transport advice and undertaking peer reviews of the applicant's transport assessments;
  - (d) Ascari Partners Limited: to provide technical advice on transport economics;
  - (e) Harland Urban Design and Planning Limited: to provide technical advice and review of urban design;
  - (f) Bridget Gilbert Landscape Architecture Limited: to undertake a review of the applicant's Landscape Assessment;

- (g) Natural Solutions for Nature Limited: to provide peer review and advice on ecological assessments; and
- (h) Hewland Projects Limited: to provide peer review and advice on development engineering.

9. Additional internal staff input is being received from Parks and Reserves, Property and Infrastructure, Transport and Engineering. This includes:
- (a) Jeannie Galavazi and Dom Harrison (Parks and Reserves);
  - (b) Richard Powell (Three Waters);
  - (c) Monique Barnes and Jeremy Martin (Transport); and
  - (d) Michael Wardill (Land Development Engineering).

**Record processes agreed with the applicant to narrow or reduce any *issues* relevant to the application and the decision that the panel is required to make**

10. As mentioned above the applicant and QLDC staff agreed to commence weekly meetings between the applicant planning lead and internal planning staff, but they are yet to commence.
11. No other processes have been agreed.

**Where there is a difference in opinion between the applicant (and QLDC) identify the principal environmental effects at issue**

12. The information gaps above indicate likely differences in opinion that may be addressed in Council's comment.
13. In addition to those information gaps, QLDC's identification of the principal environmental effects at issue is *preliminary and indicative* at this point, and includes:
- (a) **Significant regional or national benefits**, including:
    - (i) Whether the claimed benefits are justified;

- (b) **Strategic growth issues and potential adverse impacts:**
- (i) That there is already more than sufficient live zoned capacity, and that development in this location is likely to result in substitution / displacement of housing already provided for by the PDP or on rural zoned land elsewhere;
  - (ii) Misalignment with the Queenstown Lakes Spatial Plan and Proposed District Plan;
  - (iii) Whether affordable housing will be delivered, taking into account potential costs associated with maintenance of on-site infrastructure;
  - (iv) Economic and infrastructure impacts as a result of growth and effects on roading network capacity;
  - (v) Effects on education infrastructure;
- (c) **Transportation effects, including:**
- (i) Incomplete coverage of network effects - wider impacts such as Lake Hayes to Frankton, including the Shotover Bridge constraint;
  - (ii) Fails to assess impacts across the same geographic area used to claim benefits;
  - (iii) Underestimation of congestion impacts (exceeds capacity in peak periods in parts of SH6 corridor);
  - (iv) No quantification of wider economic transport costs (applicant does not quantify economic cost of increased congestion, travel time impacts on others, productivity losses across the network);
  - (v) No robust evidence provided to support claims that capacity of the transport network is higher than assumed;
  - (vi) Failure to assess traffic outcomes on a 'with vs without development' basis;
  - (vii) No cumulative effects analysis (does not include for instance other committed or proposed developments);

- (viii) Ridgeburn likely undermines functioning of SH6 corridor particularly at key pinch points e.g. Shotover Bridge;
  
- (d) **Parks and reserves**
  - (i) Vesting and/or public easements;
  - (ii) Conflict between parks and sportsfields and wastewater and stormwater infrastructure;
  - (iii) Appropriateness of open space and recreation areas;
  - (iv) Human health effects in relation to recreation spaces;
  - (v) Space for public community buildings;
  - (vi) Impact on need to travel for most recreation and community facility needs;
  
- (e) **Three waters** including:
  - (i) Conflicting descriptions of the land application system for treated effluent (between BP report, WGA report and McKenzie report).
  
- (f) **Engineering and civil design effects** including:
  - (i) A full understanding of the effects of the development is largely reliant on additional information needed to understand the effects of the application as outlined in paragraph 6;
  
- (g) **Landscape effects** including:
  - (i) the matters set out in the information gap section above; and a preliminary assessment is that the following are not demonstrated and/or not achieved:
    - A. the site is located partly within an ONL (including the Morven Hill ONL Priority Area) with the PDP requiring amongst other things that the values of the ONL, which are set out in a schedule in Chapter 21 of the PDP, be protected;

B. the majority of the built form is proposed to be located in the Wakatipu Basin Rural Amenity Zone (**WBRAZ**) which has relatively recently been subject to a substantial plan change process, with the PDP Chapter 24 provisions that apply to the site subject to a number of Environment Court decisions. In respect of the latter, the site is largely located within Landscape Character Unit 17, Morven Ferry, which has a Moderate-Low capacity to absorb additional development. The PDP policy direction is that the landscape character and visual amenity values identified for each relevant Landscape Character Unit and the landscape character of the Wakatipu Basin as a whole are maintained or enhanced by ensuring that the landscape capacity is not exceeded;

- (h) **Ecological effects** including:
  - (i) Information gaps in relation to wetlands and pond reclamation, and concerns regarding management of and outcomes for wetland areas;
  - (ii) Conflict between spray irrigation on Morven Hill, trapping, and no indication as to how this will be managed as vegetation grows in height;
  
- (a) **Urban design effects** including:
  - (i) Does not promote high density urban development near transport hubs;
  - (ii) Car-centric design with limited employment and community facilities and no provision for schools and no access to public transport;

- (iii) Focus of commercial centre around a carpark missing an opportunity to create a people-centric attractive place-based centre;
  - (iv) Future proofing connections to integrate with possible future adjoining development; including consideration of possible future public transport routes;
  - (v) Road layout includes a substantial amount of cul-de-sacs and laneways providing access to housing, reducing legibility and connectivity and increasing vehicle miles travelled;
  - (vi) Single access in and out reduces resilience of development in event of blockage or maintenance requirements;
  - (vii) Lack of footpaths and treatment of roads as shared space compromises universal access and equity and does not create an inclusive environment;
  - (viii) Concern regarding form of walking and cycling provision and its design; and
  - (ix) In relation to housing typologies, some of the housing designs have poor relationship with the street.
- (b) **Natural hazard effects:** in particular an assessment of geotechnical effects in relation to the NPSNH, effects of failure in relation to stormwater infrastructure, and impacts in relation to natural hazards external to the site (in particular diversion of flood water and/or failure of stormwater management mitigation measures).

### **Describe the complexity of the application**

14. QLDC's preliminary view, which may evolve as the application is reviewed in more detail, is that the application does not contain any *significant* legal complexity relating to untested law or interpretation of statute.

- 15.** Resource consents relevant to QLDC that are sought include land use consents under section 9 and a subdivision under section 11 of the Resource Management Act 1991 (**RMA**). There are a relatively large number of rule triggers for resource consent in Chapters 21 Rural Zone, 24 Wakatipu Basin, 25 Earthworks, 27 Subdivision, 29 Transport, 30 Energy and Utilities and 31 Signs of the Queenstown Lakes Proposed District Plan (**PDP**), which are set out at pages 96-99 of the AEE and Volume H Rules Assessment QLDC (and not repeated here). Additional consents are required under the National Environmental Standard for the Assessment and Management of Soil Contaminants to Protect Human Health (**NESCS**).
- 16.** The Council is not yet in a position to confirm whether this is a full list of resource consent triggers – although QLDC is considering whether additional consents are required for:
- (a) the wastewater spray irrigation system proposed for the Morven Hill ONF (eg under Rules 24.5.2 and 30.5.2.2 of the PDP); and
  - (b) for the proposed park and ride facility (under Rule 29.4.9 of the PDP).
- 17.** The activities if bundled would have a non-complying activity status under the PDP.

**Whether the drafting of proposed consent conditions (including any draft management plan filed) is accepted**

- 18.** QLDC is yet to finalise a position on draft conditions, with many conditions relying on input from expert reporting currently being undertaken. However, it is expected that the conditions will require change.

**Proposed efficient processes to enable the panel to understand, resolve or narrow the scope of any likely *issues* and indicate how those processes may be accounted for under the decision timeframe**

19. QLDC considers there are a number of information gaps in the substantive application. It is for the applicant to determine if or how it intends to address those.
20. The Expert Panel can use its discretion to seek that information from the applicant or commission its own reports. It is not however the council's role to 'fill any gap' in the application.

**QLDC's estimated timeframe**

21. While it is a decision for the Panel Convener to make, QLDC considers that the complexity, scale and nature of approvals sought for the proposal and information gaps in the application means that the Expert Panel should be provided for a longer time period, and potentially up to the maximum of 90 working days after the date specified under s 54 for receiving comment, as allowed for under section 79(2)(b) of the FTAA.
22. Because of the very limited engagement that has occurred up to this point, key issues have not been refined, and QLDC expect its s53 comment to be relevantly significant.
23. Expert conferencing, and hearings on key issues may be necessary. A longer time period would enable those processes to fit into the overall decision-making process for the Panel.

**Issues / Procedural requirements**

24. At present, QLDC is not aware of any particular procedural issues or requirements that need to be addressed. QLDC is willing to engage directly

with the Expert Panel once appointed and the applicant as necessary to advance progress of the application efficiently.

**Composition of the Panel**

**25.** QLDC considers the following skills and areas of expertise would be beneficial for inclusion on the Panel:

- (a) Legal expertise;
- (b) Development engineering;
- (c) Planning and Urban Design; and
- (d) Traffic and Transport.

**Dated:** 29 June 2026



---

S J Scott  
Counsel for Queenstown Lakes Council