

Under the	Fast-track Approvals Act 2024 (FTAA)
In the matter	of the application by Ridgeburn Limited in relation to 122 Morven Ferry Road

**MEMORANDUM OF COUNSEL FOR QUEENSTOWN LAKES DISTRICT COUNCIL
RESPONDING TO MINUTE 7 OF THE PANEL CONVENER**

21 July 2026



Sarah Scott
T: +64 3 968 4018
sarah.scott@simpsongrierson.com
shanae.richardson@simpsongrierson.com
PO Box 874 Christchurch

MAY IT PLEASE THE PANEL CONVENER:

- 1.1** This memorandum is provided on behalf of Queenstown Lakes District Council (**QLDC**) in response to Minute 7 of the Panel Convener (**Minute**) regarding the Ridgeburn Limited application (**Application**). A second Panel Convener Conference is scheduled for 22 July 2026.
- 1.2** At paragraph [11] of the Minute the Panel Convener has directed QLDC to file a memorandum:
- (a) identifying the likely principal issues and those issues capable of resolution through conditions of approval;
 - (b) detailing any arrangements to meet with the local authorities and administering agencies as part of the above process; and
 - (c) proposing efficient processes to enable the panel to understand, resolve or narrow the scope of any likely issues and indicate how these processes may be accounted for under the decision timeframe.
- 1.3** The Panel Convenor also recorded the Applicant's agreement to provide most of the further information sought by QLDC, by 10 August 2026, and at paragraph [10], the Convenor's expectation that, by the same date, the technical experts of the Applicant, QLDC and New Zealand Transport Agency will have met and preferably agreed the content of the Integrated Transport Assessment (**ITA**). QLDC notes that the Applicant has agreed to provide an updated ITA by 10 August 2026 (albeit with a limited scope).
- 1.4** QLDC's position is that the content and scope of the ITA is an issue that will need to be determined by the Panel, noting it will likely require legal argument, and interpretation of certain FTAA provisions such as (but not limited to):
- (a) clause 7(a) of Schedule 5 of the FTAA: The assessment of an activity's effects on the environment under clause 5(4) must cover the following matters: (a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects; and
 - (b) what is an "adverse impact" under s 85(3) of the FTAA.

- 1.5** While early pre-Panel discussions may assist in narrowing issues, QLDC considers it somewhat premature before the Panel is appointed and the substantive application, evidence and expert assessments are before it. Traffic effects are likely to remain a central issue requiring detailed consideration throughout the Panel process.
- 1.6** QLDC also foreshadows that it is aware that at least one neighbouring landowner intends to present expert traffic evidence. This further supports QLDC's position that traffic effects are likely to remain a live issue and require a Panel decision.

Likely principal issues

- 1.7** QLDC prepared and filed a list of the likely principal issues in its memorandum of 29 June 2026. That list was provided on the basis that it is preliminary and indicative, which remains the case given the further information the Applicant has now agreed to deliver and that peer reviews are still being completed. The issues list is attached as **Appendix A** to this memorandum for convenience. Given the Applicant's response on the scope of the ITA, the appropriate scope and content of an ITA given the location of the Ridgeburn Project is a clear issue that QLDC considers will need to be considered and determined by the Panel, which is added in green text.
- 1.8** Following a site visit on 15 July 2026 by ecology, urban design and planning experts for QLDC, some additional issues have been identified. These issues are included in **Appendix A**, in green text.
- 1.9** It is again emphasised that QLDC may address further issues, through its s 55 comment.

Capability of resolution via conditions

- 1.10** QLDC has advised that, given the significant amount of information the applicant has agreed to provide on 10 August 2026, it is uncomfortable giving a position on this point. However, to the best of its ability at this stage, and without prejudice to the position that QLDC will take in its s 53 written comment, some issues have been

identified as possibly capable of resolution via conditions in **Appendix 1**. Some issues could be resolved via the Applicant changing the development layout, which has been foreshadowed in **Appendix 1**.

Detailing arrangements to meet with the local authorities and administering agencies

2. There are no current arrangements to meet with ORC (being the other local authority) or administering agencies. QLDC can meet with ORC where there is overlap in any issues being addressed.

Efficient processes

- 2.1 Council anticipates that expert conferencing, and potentially a hearing on certain issues (in particular the appropriate scope of the ITA and assessment of effects on the community of the Project, and economic benefits) may be required. Conditions workshops may also assist in an efficient process.
- 2.2 On timeframes, QLDC's position remains the same as in its 29 June 2026 memorandum; 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 section 54 for receiving comment, as allowed for under section 79(2)(b) of the FTAA.

Date: 21 July 2026



S J Scott

Counsel for Queenstown Lakes District Council

APPENDIX A – QLDC ISSUES

Changes since 29 June 2026 memorandum in green.

	Issue and whether capable of resolution by conditions	
1.	Significant regional or national benefits, including: (a) Whether the claimed benefits are justified;	No
2.	Strategic growth issues and potential adverse impacts: (a) 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; (b) Misalignment with the Queenstown Lakes Spatial Plan and Proposed District Plan; (c) Whether affordable housing will be delivered, taking into account potential costs associated with maintenance of on-site infrastructure; (d) Economic and infrastructure impacts as a result of growth and effects on roading network capacity; (e) Effects on education infrastructure; (f) Ability for the development to connect to Council's infrastructure in the future.	No Affordable housing possibly could be. No Yes
3.	Transportation effects, including: (a) The appropriate scope and content of the ITA required to assess the transport effects of the Project and any necessary upgrades that aligns with ITA requirements for out of sequence development (i.e. outside a planned development area); (b) 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 state highway to access works and other amenities in Frankton and Queenstown; (c) Incomplete coverage of network effects - wider impacts such as Lake Hayes to Frankton, including the Shotover Bridge constraint;	No No No

	(d) Fails to assess impacts across the same geographic area used to claim benefits; (e) Underestimation of congestion impacts (exceeds capacity in peak periods in parts of SH6 corridor); (f) No quantification of wider economic transport costs (applicant does not quantify economic cost of increased congestion, travel time impacts on others, including tourism and other economic productivity losses across the network); (g) No robust evidence provided to support claims that capacity of the transport network is higher than assumed; (h) Failure to assess traffic outcomes on a 'with vs without development' basis; (i) No cumulative effects analysis (does not include for instance other committed or proposed developments); (j) Ridgeburn likely undermines functioning of SH6 corridor particularly at key pinch points e.g. Shotover Bridge; (k) Traffic movements at the Arrow Junction Road / McDonnell Road intersection are a traffic safety concern.	No No No No No No No Yes
4.	Parks and reserves: (a) Vesting and/or public easements; (b) Conflict between parks and sportsfields and wastewater and stormwater infrastructure; (c) Appropriateness of open space and recreation areas; (d) Human health effects in relation to recreation spaces; (e) Space for public community buildings; (f) Impact on need to travel for most recreation and community facility needs;	(a) to (e) could be addressed through change to the development layout. No
5.	Three waters including: (a) Conflicting descriptions of the land application system for treated effluent (between BP report, WGA report and McKenzie report);	Info request should address.
6.	Engineering and civil design effects including: (a) A full understanding of the effects of the development is largely reliant on additional information needed to understand the effects	Unable to provide given further

	of the application as outlined in Council's memorandum of 29 June at paragraph 6;	information required
7.	Landscape effects including: (a) 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: (i) 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; (ii) 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;	Unlikely

8.	Ecological effects including: (a) Information gaps in relation to wetlands and pond reclamation, and concerns regarding management of and outcomes for wetland areas; (b) Conflict between spray irrigation on Morven Hill, trapping, and no indication as to how this will be managed as vegetation grows in height; (c) Proposed earthworks would substantially modify existing landforms, including filling natural hollows and wetland-adjacent areas; (d) Wetland and intermittent stream systems appear more complex than currently represented in the application; (e) While primarily a DOC matter, the Kawarau escarpment lizard release area appears steep, sandy and less suitable than other proposed release sites; (f) Potential practical / operational constraints and impacts associated with delivering on the restoration planting proposed for the escarpment, including pine removal;	Change to the development layout Potentially No No Potentially via development layout Potentially via development layout
----	--	--

9.	Urban design effects including: (a) Does not promote high density urban development near transport hubs; (b) Car-centric design with limited employment and community facilities and no provision for schools and no access to public transport; (c) Focus of commercial centre around a carpark missing an opportunity to create a people-centric attractive place-based centre; (d) Future proofing connections to integrate with possible future adjoining development; including consideration of possible future public transport routes; (e) Roading layout includes a substantial amount of cul-de-sacs and laneways providing access to housing, reducing legibility and connectivity and increasing vehicle miles travelled; (f) Single access in and out reduces resilience of development in event of blockage or maintenance requirements; (g) Lack of footpaths and treatment of roads as shared space compromises universal access and equity and does not create an inclusive environment; (h) Concern regarding form of walking and cycling provision and its design; (i) In relation to housing typologies, some of the housing designs have poor relationship with the street; (j) Concern regarding the site's topography requiring significant earthworks to accommodate roads and development platforms; (k) Concern regarding the proposed development pattern focuses on perimeter screening and limiting long-term connectivity with surrounding land;	No No (c) to (i) Could be addressed through a layout change No No
10.	Natural hazard effects: (a) 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	No

	particular diversion of flood water and/or failure of stormwater management mitigation measures); (a) Potential rockfall risk from Morven Hill.	Potentially
--	---	-------------