

## APPENDIX 5: SUMMARY REPORT ON THE MINISTER'S EXPECTATION

### Introduction

1. The Minister's expectations are that the TPLM Variation:
  - (a) contributes to providing sufficient opportunities for the development of housing and business land to ensure a well-functioning urban environment including maximising opportunities to enable housing, particularly of the typologies identified as a shortfall in Queenstown's Housing Development Capacity Assessment 2021 (housing suitable for older households, smaller households, and lower and lower-middle income households):
  - (b) ensures that future development will be undertaken in a manner which recognises the limitations of the existing transport network in this location:
  - (c) ensures appropriate and feasible infrastructure is provided for in Te Pūtahi Ladies Mile Zone, including stormwater management that allows for future climate change impacts, and access to everyday needs through transport options that support emissions reduction (such as public and/or active transport):
  - (d) ensures future development will be undertaken in a manner that recognises and protects sensitive receiving environments including in particular Slope Hill, Waiwhakaata / Lake Hayes and the Shotover River.
2. The Minister also expected that in undertaking the SPP as directed, the Council would:
  - (a) continue to engage with Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Hokonui Rūnanga, Te Rūnanga o Awarua, Te Rūnanga o Ōraka Aparima, Te Rūnaka o Waihōpai and Waka Kotahi/New Zealand Transport Agency throughout the SPP:
  - (b) place on a publicly accessible website the dates and anticipated timeframes for the process steps (with updates as necessary).
3. We have set out our responses in our report. This appendix simply summarises some of the key responses to the Minister's expectations.
4. In closing submissions, counsel for the Council concluded that the Council and its witnesses had "clearly given consideration" to the Minister's expectations in making final recommendations to the Hearing Panel on the TPLM Variation.<sup>1</sup>

### First expectation

*Contributes to providing sufficient opportunities for the development of housing and business land to ensure a well-functioning urban environment including maximising opportunities to enable housing, particularly of the typologies identified as a shortfall in Queenstown's Housing Development Capacity Assessment 2021 (housing suitable for older households, smaller households, and lower and middle-income households).*

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<sup>1</sup> Closing submissions at [30]–[31].

5. The s42A Report concluded that the first expectation was fulfilled.<sup>2</sup> Counsel for the Council submitted that the expectation to maximise opportunities to enable housing, particular of typologies for housing suitable for older householders, smaller households and lower and lower-middle income households has been relevant to the recommendation in relation to housing density and affordability.<sup>3</sup> It was a clear driver of Ms Fairgery's evidence and a focus for all residential economic evidence.
6. A key driver for the Council in achieving this outcome was the provision of density minima. As set out in Section 13 of our report based on the evidence, we received we have lowered the minimum density to 40 dwellings per hectare (net) for both the MDR and the HDR precincts. This was based on driving short- and medium-term development with it being clear that higher densities would delay development for least for the long-term (if at all). The density minima proposed are still at the upper end of those in the district.
7. We have clarified Objective 49.2.2 to be clear that the housing choice being sought is non-suburban (except in the LDR areas) and to prioritise density for any development that infringes the standards. We have added a rule to implement this; maximising density, choice and affordability is prioritised first.
8. We consider on the evidence we heard that the density proposed (along with the other TPLM Variation provisions) will drive the delivery of non-suburban housing typologies (as listed in the Minister's expectation).

## **Second expectation**

*Ensures that future development will be undertaken in a manner which recognises the limitations of the existing transport network in this location.*

9. In relation to this expectation, counsel for the Council submitted that recognition of the limitations of the existing transport work have been relevant to the transportation related provisions, and particularly the transport infrastructure triggers (for example the new trigger relating to the NZUP bus lanes west of Shotover Bridge) which also have the effect of supporting emissions reduction through public and/or active transport provision.<sup>4</sup> The s42 Report also concluded that the second expectation was fulfilled.<sup>5</sup>
10. We agree with that assessment. As explained in Section 12 of our report the limitations of SH6 and the need to manage adverse effects on it, was a key issue through the hearing process and we received a lot of expert, and lay, evidence on it in addition to the many submissions.
11. The key response to this is driving change to deliver aspirational mode shift. This requires in our opinion focusing on delivering robust public transport outcomes. As described above through the hearing additional transport works were added to those in the notified version to occur before development within the TPLM Site is completed. The other key method to recognise the existing limitations is our proposed new rule for restricted discretionary activity status for development with the TPLM Site over 1,100 dwellings if a

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<sup>2</sup> At [15.3]-[15.6].

<sup>3</sup> Closing submissions at [31(a)].

<sup>4</sup> Closing submissions at [31(b)].

<sup>5</sup> Section 42A Report at [15.7]-[15.11].

new high school has not been completed. Both of these matters require the Minister to work with her colleagues (and with the councils) so that the Government delivers its infrastructure necessary to unlock housing on the TPLM Site.

12. In addition, the TPLM Variation will reduce trips along SH6 and over the Shotover bridge by enabling all those living in the Shotover Country and Lake Hayes East communities to access a new commercial precinct, employment, petrol station and sports fields (as well as other community activities).
13. We have removed the car parking requirements which were an important 'stick' provision in the notified version. As set out in Section 12 while we accept that it is a valid approach it must be justified. On the evidence we received it was not a particularly effective or efficient option.
14. Overall, we consider that the TPLM Variation provisions we recommend will ensure that future development at the TPLM Site will be undertaken in a manner which recognises the limitations of the existing transport network in line with this expectation.

### **Third expectation**

*Ensures appropriate and feasible infrastructure is provided for in Te Pūtahi Ladies Mile Zone, including stormwater management that allows for future climate change impacts, and access to everyday needs through transport options that support emissions reduction (such as public and/or active transport).*

15. Counsel for the Council submitted that consideration was given to the third expectation through the further amendments to the stormwater provisions to address the impacts of climate change.<sup>6</sup> The s42 Report also concluded that the third expectation was fulfilled.<sup>7</sup>
16. We agree with that assessment. As set out in Section 11 of our report stormwater management has been a focus with an integrated system being our recommendation. This approach responds to climate change utilising conservative predictions (RCP8.5). In relation to freshwater and wastewater the evidence was that the appropriate provision of those key services is feasible. Section 12 of our report also covers the public transport aspects of the variation, with a need to reduce the need for private vehicle trips outside of Ladies Mile, while also providing enhanced opportunities for increased public transport services, and active transport links. The TPLM Variation will also result in many day to day needs of residents in Shotover Country and Lake Hayes Estate will be able to be delivered without travelling along (especially to the west and over the Shotover Bridge) SH6.

### **Fourth expectation**

*Ensures future development will be undertaken in a manner that recognises and protects sensitive receiving environments including in particular Slope Hill, Waiwhakaata/Lake Hayes and the Shotover River.*

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<sup>6</sup> Closing submissions at [31(c)].

<sup>7</sup> Section 42A Report at [15.12]–[15.17].

17. The s42A Report concluded that the fourth expectation was fulfilled.<sup>8</sup> Counsel for the Council submitted that consideration was given to the fourth expectation through the further amendments to the stormwater provisions to ensure that future development will be undertaken in a manner that recognises and protects sensitive receiving environments, in particular Waiwhakaata Lake Hayes.<sup>9</sup> The s42A Reply Report also concluded that the stormwater provisions as recommended fulfil the Minister's expectation.<sup>10</sup>
18. We agree with these conclusions. As explained in detail in Sections 8, 9 and 11 of our report:
- (a) we support amendments that better reflect the desire for pro-active ecological enhancement, preference for use of indigenous vegetation and open space and facilities that can function as ecological corridors;
  - (b) we conclude that the TPLM Variation will not adversely affect the values of the Slope Hill ONF (and with the Extension Area the same for the Shotover River ONF) and have not changed the TPLM Zone boundary along the base of Slope Hill;
  - (c) we accept provisions that provide for integrated stormwater management (at a step change level above those presently applied in the district) that the expert evidence considers will reduce the potential for adverse effects on Waiwhakaata from those presently occurring.
- 18.2 Overall, we consider that the TPLM Variation provisions we recommend recognise, and will protect, sensitive receiving environments.

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<sup>8</sup> Section 42A Report at [15.18]–[15.23].

<sup>9</sup> Closing submissions at [31(c)].

<sup>10</sup> Section 42A Reply Report at [4.22].