

### Full Council

17 April 2025

#### Report for Agenda Item | Rīpoata moto e Rāraki take [3]

**Department: Strategy & Policy**

**Title | Taitara: Retrospective approval of Queenstown Lakes District Council submission on the Resource Management (Consenting and Other Matters) Amendment Bill (RMAA Bill)**

#### Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to seek Queenstown Lakes District Council's (QLDC or Council) retrospective approval of a submission to the Environment Committee on the Resource Management (Consenting and Other Matters) Amendment Bill.

#### Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the information provided in this report on the Resource Management (Consenting and Other Matters) Amendment Bill consultation process; and
2. **Approve** retrospectively QLDC's submission to the Environment Committee on the Resource Management (Consenting and Other Matters) Amendment Bill.

**Prepared by:**



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**Title:** Policy Manager  
21 March 2025

**Reviewed and Authorised by:**



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**Title:** General Manager – Strategy and Policy  
1 April 2025

### Context | Horopaki

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1. QLDC makes submissions on proposals that could have a significant impact on the district. This paper seeks retrospective approval of a submission where consultation timeframes do not align with a Council meeting.
2. The Resource Management (Consenting and Other Matters) Amendment Bill (**RMAA bill**) was referred to the Environment Committee on 10 December 2024. It aims to:
  - streamline consenting processes
  - increase enforcement and compliance penalties
  - make it easier to consent renewable energy for longer
  - use the streamlined planning process for heritage buildings
  - strengthen rules around natural hazards
  - create new regulation-making powers for emergency responses and recovery.
3. The consultation period for the submission closed on 10 February and did not align with a full Council meeting. A draft submission was sent to elected members on 29 January for review and feedback by 4 February. Mayor Glyn Lewers spoke to the submission to Environment Committee in relation to this submission on 3 March.
4. QLDC's submission is included as **Attachment A**.

### Analysis and Advice | Tatāritaka me kā Tohutohu

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#### The RMAA Bill

##### *The proposal*

5. The Ministry for the Environment has signalled that the changes proposed in the RMAA bill would be carried through to replacement resource management legislation, due at the end of 2025, that include:
  - *Infrastructure and energy*: specifying default maximum time frames for consent processing and establishing default consent durations for renewable energy and infrastructure consents to improve processes and outcome certainty for system users.
  - *Going for Housing Growth*: making medium-density residential standards optional for councils and providing plan-making processes that are more flexible and support housing growth.
  - *Natural hazards and emergencies*: providing more tools to deal with natural hazards and emergency events to improve decision-making and efficiency.

- *System amendments*: increasing penalties for non-compliance, removing insurance against penalties, enabling cost recovery for councils, and enabling the consideration of an applicant's compliance history in consent decisions.

### *QLDC's response*

6. Officers submitted a detailed response that sought to maintain a focus on streamlining and efficiency. The biggest gain for streamlining consent processes would be from reducing litigation, however a balance needs to be found with access to natural justice. The submission supported amendments to improve natural hazard risk management and to develop an effective regime for emergency response and recovery. The proposed changes to heritage consenting processes were not supported. The submission sought to achieve enduring reforms through a bipartisan approach.

### **Resolution options**

7. This report identifies and assesses the following reasonably practicable options for assessing retrospective approval as required by section 77 of the Local Government Act 2002.
8. **Option 1 (recommended option)** – Agree to retrospectively approve the contents of the attached submission to the Justice Committee.

#### *Advantages:*

- The submission has been considered by the Environment Committee in making their recommendations on the bill.

#### *Disadvantages:*

- There are no obvious disadvantages to this option.

9. **Option 2** – Request withdrawal of the submission to the Environment Committee.

#### *Advantages:*

- Any inaccurate representation of QLDC's position would be clarified to the Environment Committee.

#### *Disadvantages:*

- Withdrawal of the submission would not correct any influence the submission has already had on the views of Environment Committee members. Once a consultation period has closed, the submission is taken as having been read and to have influenced the Committee's views. The public has a right to know the submissions that committee members have been

provided and what they have considered. Withdrawing a submission therefore has a very high threshold and is not considered an effective tool.

### Consultation Process | Hātepe Matapaki

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#### Significance and Engagement | Te Whakamahi i kā Whakaaro Hiraka

10. The decision to make a submission on this matter is of low significance, as determined by reference to criteria set out in the Council's Significance and Engagement Policy.
11. The persons who are affected by or interested in this matter are residents and ratepayers of the district.

#### Māori Consultation | Iwi Rūnaka

12. Council did not engage with Iwi or Rūnaka in preparing the submission.

### Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

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13. This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK10019 Central Government reforms impact on Council achieving its objectives within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
14. The approval of the recommended options will allow Council to retain the risk at its current level. It will support Council by allowing it to implement additional controls for this risk. Future changes in government policy, legislation and regulation will be monitored so issues that directly affect QLDC and the district's community can be addressed.

### Financial Implications | Kā Riteka ā-Pūtea

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15. There are no financial implications for Council to submit on these consultations.

### Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

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16. The following Council policies, strategies and bylaws were considered:
  - QLDC Strategic Framework
  - Vision Beyond 2050
  - 30 Year Infrastructure Strategy
  - Climate and Biodiversity Plan
  - Operational and Proposed District Plan
  - 2024-34 Long Term Plan
17. The recommended options are consistent with the principles set out in the named policies, plans and strategies.

### Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

18. Section 10 of the Local Government Act 2002 (**LGA**) states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.
19. Feedback provided by QLDC in the submission/s will guide decision making across both processes to better prioritise the social, economic, environmental, and cultural wellbeing of the district's present and future communities. As such, the recommendations in this report are appropriate and within the ambit of Section 10 of the LGA.
20. The recommended option to retrospectively approve the submission/s:
- Can be implemented through current funding under Council's Long Term Plan and Annual Plan.
  - Is consistent with the Council's plans and policies.
  - Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

### Attachments | Kā Tāpirihaka

A	QLDC submission to the Environment Committee on the Resource Management (Consenting and Other Matters) Amendment Bill
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