

**File number: RM25.206 and RM25.117**

## **MEMORANDUM**

**To:** Joanna Gilroy, General Manager Environmental Delivery  
**From:** Alexandra King, Manager Consents  
**Date:** 10 July 2025  
**Re:** Recommendation on request for referral to Environment Court

### **Purpose**

To provide a recommendation on whether RM25.206 and RM25.177 as applied for by Queenstown Lakes District Council (QLDC) should be referred under Section 87D to the Environment Court.

### **Background**

QLDC has applied for two resource consent applications RM25.206 and RM25.177. These applications relate to the following activities:

- divert the Shotover River to ensure the discharge is always going to running water;
- disturb the bed of the Shotover River to create and maintain diversion channel;
- discharge consent for remobilising sediment from the Shotover River when creating the channel;
- discharge treated wastewater to the Shotover River from the Shotover Wastewater Treatment Plant;
- disturb the bed of the Shotover River for the purpose of installing a riprap outfall structure; and
- vary Condition 1 and 2 of RM13.215.01.

On 27 June 2025 a letter was received requesting that the applications for resource consent RM25.206 and RM25.177 be directly referred to the Environment Court under section 87D of the Resource Management Act (RMA).

Under Section 87E(6) of the RMA Council needs to consider this request within 15 working days. This means Council must make a decision by 18 July 2025. Under section 87F(2), Council must continue to process the applications for resource consent and must comply with 87F(3) to (7). Further information under s92(1) of the RMA has been requested for both applications. These requests were sent 19 June 2025. QLDC has agreed to provide further information requested under section 92A(1)(b) and that an updated date of 11 August has been set for its provision under section 92A(2)(a).

QLDC has requested public notification. Once all information from s92 has been received the notification decision can be made. Once submissions close Council will have 20 working days to prepare a report under s87(F)(3-7) if the request for direct referral is approved.

### **Recommendation**

In accordance with Section 87E of the Resource Management Act 1991 (RMA), it is recommended that the Otago Regional Council grants the request from QLDC for direct referral of RM25.206 and RM25.177.

I recommend that:

1. Council continue to process the applications in accordance with section 87F(2).
2. The section 92 process continues to apply, as time has stopped under sections 88B and 88C.
3. Council publicly notify the applications as requested by QLDC, following receipt of the requested information.
4. Council prepare a report under 87F(3) within 20 working days after the close of submissions.



Alexandra King

**Manager Consents/Manager Environmental Delivery Data and Systems**

### **Decision**

The request is approved under delegation.



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Joanna Gilroy

**General Manager Environmental Delivery**

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Date: 11 July 2025

### **Attached:**

Request for referral letter from QLDC