

QLDC Council  
10 October 2019

Report for Agenda Item | Rīpoata moto e Rāraki take: 2

Department: Corporate Services

Title | Taitara: National Policy Statement: Submission from QLDC

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

---

- 1 The purpose of this report is to present a draft submission on the proposed National Policy Statement – Urban Development, and seek the Council’s feedback and approval on its content. The submission is due at 5pm, 10 October 2019.

RECOMMENDATION | NGĀ TŪTOHUNGA

---

That Council:

1. **Note** the contents of this report; and
2. **Approve** the contents of the attached submission for submitting to the Ministry for the Environment today, 10 October 2019.

Prepared by:



Patricia McLean, Policy Advisor  
Ian Bayliss, Planning Policy  
Manager

27/09/2019

Reviewed and Authorised by:



Tony Avery  
GM, Planning and Development

27/09/2019

## CONTEXT | HOROPAKI

---

- 2 Consultation is underway on the proposed National Policy Statement – Urban Development (NPS-UD), which will replace the existing National Policy Statement on Urban Development Capacity (NPS-UDC). Submissions to the Ministry for the Environment are due on 10 October 2019.
- 3 The proposed NPS-UD provides direction to local authorities about when and how cities should plan for growth. It aims to remove unnecessary restrictions on development and allow for growth ‘up’ and ‘out’ in locations that have good access to existing services and infrastructure.
- 4 The NPS-UD contains the following key proposals:
  - a. Councils are required to carry out long-term planning by producing a future development strategy every three years that states how their cities will grow in the future;
  - b. Councils are required to provide for enough capacity for housing, business, and associated infrastructure to meet future demand;
  - c. Councils are required to enable more dense housing (i.e. more compact, multi-unit dwellings) in certain areas close to public transport, commercial centres and the Central City;
  - d. Allow for consideration of urban development where land has not yet been released or not identified for urban development;
  - e. The ability of councils to regulate the number of car parks required for a development is limited;
  - f. There are new requirements for councils to gather evidence about the housing market to inform their planning decisions;
  - g. Councils are encouraged to work together on implementing the NPS-UD and on engaging with iwi, hapū and infrastructure providers.
- 5 In addition to the NPS-UD, the Government is developing national policy statements on highly productive land and freshwater management. These draft documents are out for consultation and Council staff are preparing submissions, which are due on 10 October and 17 October respectively. Given the timeframes, these submissions will be signed by the Chief Executive.

## ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

---

- 6 The draft submission has been prepared to ensure that Queenstown Lakes District’s unique circumstances and environment as a high growth area are properly considered in the development of the NPS-UD.
- 7 The key points made in the submission are:

- a. The policies around out-of-sequence greenfield development are contrary to the plan-led approach of the rest of the NPS-UD; in particular the requirements to integrate a Future Development Strategy with plans for future infrastructure. Out-of-sequence greenfield developments are unlikely to align with our long term plan and asset management plans, and there is currently no certainty that alternative funding proposals will manage the resulting problems adequately.
  - b. New policy directives promoting greenfield developments need a clearer policy framework that articulates circumstances where new greenfield developments can and should be avoided.
  - c. Descriptions of what constitutes a quality urban environment need more detailed explanation to give effective direction to plan making and decision making under the RMA. The opportunity to integrate and promote urban design principles to achieve better urban planning outcomes should be embraced if increased intensification is going to be beneficial.
  - d. The NPS-UD is likely to promote litigation seeking greater intensification and more greenfield development than what the QLDC Proposed District Plan enables, notwithstanding the fact there is no clear need for additional capacity according to current capacity analysis and growth projections. The NPS Highly Productive Land will equally promote advocacy against urban growth without clear explanation of how to manage this tension between the different policy statements.
  - e. The requirements to align LTP processes with a future development strategy that includes large buffers of additional capacity over and above predicted demand is problematic for the strict constraints that govern a long-term plan.
  - f. The process and timing of the consultation, including reduced timeframes and consultation occurring directly prior to local body elections and an 18-month implementation timeframe for multiple documents, are very difficult.
  - g. The proposals to reframe how district plans address amenity may significantly reduce communities' ability to define and protect the values that are important to them. Unless the NPS-UD addresses this specifically, there is a risk that local planners and Councils could be pitted against their own communities.
  - h. The specific policies promoting intensification close to centres and removing minimum parking standards from plans are supported in principle but need to be very carefully managed and are not clear enough to be supported at present.
  - i. Crown Law advice should be provided on a series of key issues across these documents to ensure consistent interpretation, and to avoid unconstructive Court decisions and unnecessary
- 8 Option 1 to agree the contents of the attached submission for submitting today, 10 October 2019

Advantages:

- 9 The submission will reach the Ministry for the Environment by the deadline of 5pm on 10 October 2019. This enables QLDC's position to be formally acknowledged by the Ministry for Environment.

Disadvantages:

There are no clear disadvantages to this option.

- 10 Option 2- to agree to the submission subject to amendments.

Advantages:

- 11 Elected members are satisfied with the content of the submission.

Disadvantages:

- 12 Depending on timeframes the submission deadline of 5pm 10 October 2019 may be missed. QLDC's position may not be formally acknowledged by the Ministry for Environment and a late submission request would be placed.

- 13 Option 3- to reject the submission in its entirety.

Advantages:

- 14 There are no clear advantages to this option.

Disadvantages: QLDC's position would not be understood by the Ministry for Environment.

- 15 This report recommends Option 1, or Option 2 if Elected Members wish to amend the submission's content with all efforts made by staff to submit before the deadline.

## **CONSULTATION PROCESS | HĀTEPE MATAPAKI:**

---

### **> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA**

- 16 This matter is of medium significance, as determined by reference to the [Council's Significance and Engagement Policy](#) because it could have an impact on Council's Financial Strategy, Ten Year Plan and Annual Plans and deals with a matter of interest to a range of individuals, organisations, groups and sectors in the community affected by Council's decisions.

- 17 The persons who are affected by or interested in this matter are residents/ratepayers of the Queenstown Lakes district community, land owners, developers, infrastructure providers and persons involved in planning matters.

- 18 The Council will carry out appropriate consultation with interested or affected parties in any implementation activities that come out of the NPS UD.

### **> MĀORI CONSULTATION | IWI RŪNANGA**

- 19 Iwi has not been consulted during the drafting of the attached submission.

## RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

---

- 20 This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK00056 Ineffective provision for the future planning and development needs of the district. This risk has been assessed as having a moderate inherent risk rating.
- 21 The approval of the recommended option will support the Council by allowing us to avoid the risk. This shall be achieved by seeking changes to the proposed NPS UD to address issues particular to QLDC.

## FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

---

- 22 There are no financial implications.

## COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

---

- 23 The following Council policies, strategies and bylaws were considered during the development of the draft submission:
- Stages 1, 2 and 3 of the Proposed District Plan
  - Long Term Plan/Annual Plan
  - Master Plans
  - Asset Management Plan
  - 30 Year Infrastructure Strategy.

## LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

---

- 24 The recommended option:
- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by contributing to the development of the NPS-UD;
  - Can be implemented through current funding under the Ten Year Plan and Annual Plan;
  - Is consistent with the Council's plans and policies; and
  - Would not alter significantly 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 | NGĀ TĀPIRIHANGA

---

- A Submission from the Queenstown Lakes District Council on the proposed National Policy Statement on Urban Development