

**Full Council**

**19 March 2026**

**Report for Agenda Item | Rīpoata moto e Rāraki take [10]**

**Department: Planning & Development**

**Title | Taitara: Authorisation to seek approval from the Minister for the Environment to progress selected plan changes**

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

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The purpose of this report is to seek approval to apply to the Minister for the Environment for exemptions under the “plan stop” legislation that would provide Council options to enable selected plan changes in the district plan review to continue to be progressed.

**Recommendation | Kā Tūtohuka**

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That the Council:

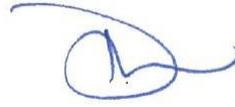
1. **Note** the contents of this report; and
2. **Agree** to proceed with applying for “plan stop” exemption applications that seek approval from Central Government for Council to continue to progress the following plan changes /variations:
  - a. Operative District Plan Queenstown Town Centre Zone (‘PC50’ land) Plan Change;
  - b. Proposed District Plan Te Tapuae Southern Corridor Variation(s);
  - c. Operative District Plan Frankton Flats A & B Special Zones Plan Change;
  - d. Operative District Plan Remarkables Park Special Zone Plan Change;
  - e. Operative District Plan Gorge Road Area not affected by significant Natural Hazards Plan Change; and
  - f. Proposed District Plan Hāwea Mapping Variation.

**Prepared by:**



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25 February 2026

**Reviewed and Authorised by:**



**Name:** David Wallace  
**Title:** GM Planning & Development

25 February 2026

## Context | Horopaki

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1. The “plan stop” legislation limits Council’s options regarding the plan changes that can occur during the transition to the new planning system. The resolutions sought would enable applications to be made to the Minister that, if granted, would give Council the option of using the Schedule 1 plan change process to progress selected plan changes.
2. Any decisions as to whether the plan changes will be progressed (using either the Schedule 1 or Streamlined Planning Process) would be via separate decisions of Council.

## Background

### *RMA Reform and Plan Stop*

3. The Resource Management (Consenting and Other System Changes) Amendment Act 2025 (Amendment Act) was passed into law on 20 August 2025. The Amendment Act included new clauses in the Resource Management Act 1991 (RMA) that place tight parameters around councils’ ability to make changes to their district plans until 31 December 2027. This is to maintain stability in the planning system while resource management system reform is implemented.
4. Automatic exemptions apply to certain plan changes, including private plan changes, streamlined planning processes, and changes required for Treaty settlement obligations or natural hazard management. Councils can also apply for ministerial exemption for plan changes that meet criteria set out in the RMA<sup>1</sup>.
5. Exemption applications must meet one or more of the following criteria in order to be eligible to apply. These criteria are set out in section 80W(2) of the RMA and are reproduced below:
  - a. Better enable the provision of municipal drinking water, stormwater, or wastewater in accordance with the Water Services Act;
  - b. Fix plan provisions with unintended consequences, that are unworkable, or have led to inefficient outcomes;
  - c. To respond to a change in the RMA;
  - d. Better enable climate change to be managed;
  - e. Support the transition of high risk land so as to better manage the risk of erosion;
  - f. Better enable Treaty Settlements to be upheld;

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<sup>1</sup> For more background information on plan stop, please see this agenda item:

<https://www.qldc.govt.nz/media/qn3h5uil/8-council-report-27-nov-2025-exemption-under-sections-80v-and-80w-of-rma.pdf>

- g. Enable a response to a recommendation from the Environment Court; and
  - h. Anything else the Minister considers appropriate.
6. The process for exemption applications is as follows (in summary):
- The application must include certain information, and include sufficient detail to enable the Minister to assess whether and how the application meets the exemption criteria;
  - Pre-application meetings are encouraged to occur with Ministry for the Environment staff regarding the information requirements;
  - Once the application is formally submitted, the Minister may request further information or changes to the application, and the local authority may amend the application;
  - The Minister’s decision will be provided in writing, and may grant the exemption, or may decline it in whole or part; and
  - The Amendment Act does not stipulate a timeframe for the Minister’s decision.
7. Councils have until 31 December 2027 to apply for exemptions for any plan change that has not yet been notified.

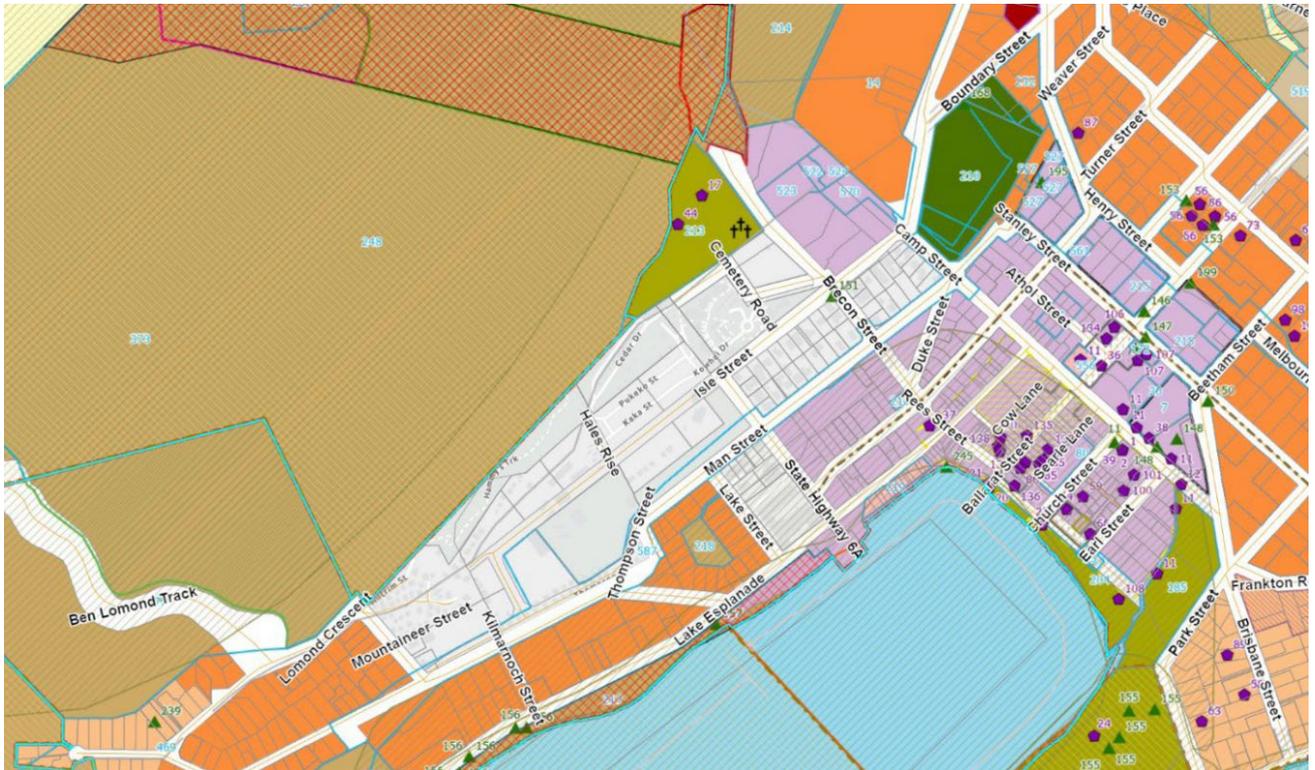
#### Analysis and Advice | Tatāritaka me kā Tohutohu

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8. The following paragraphs contain a summary of the selected plan changes for which approval is sought to progress through the ‘plan stop’ exemption application process.

**PC 50 Queenstown Town Centre Zone (currently governed by the Operative District Plan (ODP))**

9. Comprises 14.7ha of land currently zoned Operative District Plan (ODP) Queenstown Town Centre Zone, shown here in grey:



10. The plan change would bring this land into the Proposed District Plan (PDP) and would include a review of the current heights and density of urban form.

- Key known resource management issues include appropriate management of reverse sensitivity effects, traffic, earthworks, noise, open space, impacts on Outstanding Natural Features and Landscapes (ONFLs).
- The current ODP provisions have been operative since July 2016, and the land contains areas suitable for significant redevelopment.
- National Policy Statement on Urban Development (NPS-UD) Policy 5 intensification requirements have not yet been applied to this land, which is located in the most accessible part of the District.
- The relevant exemption criteria are the following:
  - a. Criterion 80W(2)(b): **rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient**

**outcomes:** PC50 land had been excluded from the Urban Intensification Variation (UIV) as it was envisaged that the PC50 land would be reviewed under the planned Special Zones Review and zoned accordingly giving effect to the NPS-UD Policy 5 directives to review heights and density. Since the Plan Stop announcement, we are unable to continue to progress the Special Zones Review. This will result in delays for private landowners seeking that the provisions be reviewed to implement the NPS-UD.

This issue is urgent, as the reasonable high yield of this highly accessible area within the Queenstown Urban area may not be realised unless this plan change is progressed. Further PC50 area landowners risk being disadvantaged by plan stop because NPS-UD Policy 5 (Intensification) has recently been implemented on adjacent town centre land via the Urban Intensification Variation to the PDP. The ability to implement the NPS-UD in only part of Queenstown Town Centre results in misalignment in Central Government-sought planning outcomes in different parts of the town centre and is a direct consequence of plan stop.

- b. Criterion 80W(2)(d): **Better enables climate change to be managed:** There is an opportunity to consolidate urban form in a highly accessible location. Increasing density in areas with strong access to centres, active transport networks, and public transport reduces car dependency and limits pressure for outward urban expansion. This directly supports climate change mitigation objectives by enabling more sustainable patterns of development.
- c. Criterion 80W(2)(h): **Enable work to be progressed that, for any other reason, the Minister considers appropriate:** The location of this land is strategically important for supporting intensive growth within and around the Queenstown Town Centre. The current zoning became operative prior to the NPS-UD and has not been updated to give effect to current national direction. It is unlikely that Private Plan Changes will be progressed as a large proportion of the site (area bounded by Man, Isle, Brecon and Hay Streets) has fragmented ownership and coordination between those landowners would likely be unmanageable and ineffective.

### ***Te Tapuae Southern Corridor (currently governed by the PDP)***

11. Queenstown Lakes District Council (QLDC) formally adopted the Te Tapuae Southern Corridor (TTSC) Structure Plan on 4 September 2025, following two rounds of public non-statutory consultation along with additional stakeholder engagement and significant expert reporting under the LGA. The Structure Plan includes an implementation section related to RMA plan changes and the district plan. There are two workstreams noted:

- a. **Year 1** - Notify a change to the Proposed District Plan to support the development of new residential and social infrastructure areas, intensification of existing residential areas and the town centre network.

- b. **Year 1 or 2** - Notify a change to the Proposed District Plan to support the development of the Coneburn mix use / industrial area.

12. This area, identified in spatial planning for more intensive development, represents one of the last remaining areas to deliver an integrated urban node in the Whakatipu Basin, is shown below:



- 13. The current zoning within the Structure Plan boundary shown above comprises a mixture of PDP zones bounded by the ONL/ONF (Outstanding Natural Landscape/Outstanding Natural Feature)
- 14. The current residential, plan enabled capacity of the Southern Corridor is approximately 3,982 dwellings. The projected residential capacity in the Structure Plan (on a 30 year long term scale) would increase the plan-enabled capacity to approximately 9,300 dwellings. Part of that yield has been consented via the recently approved Homestead Bay Fast-track consent that will yield approximately 2,500 residential units.

15. Amending the PDP to implement the Structure Plan will assist with leading strategic growth in the Southern Corridor, which is currently at risk of ad hoc and uncoordinated growth.
16. The relevant exemption criteria are the following:
- Criterion 80W(2)(b): **rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes:** Capacity data demonstrates that without action in the near term, a significant gap in the plan-enabled capacity will occur compared to the future need. The current residential, plan enabled capacity of the corridor is approximately 3,982 dwelling units, and the projected residential capacity in the Structure Plan is approximately 9,300 dwelling units.
  - Criterion 80W(2)(h): **Enable work to be progressed that, for any other reason, the Minister considers appropriate:** The location of this land is strategically important for supporting growth in the wider Queenstown area and is identified in the Queenstown Lakes District Spatial Plan as a Priority Area for urban growth. The plan change would implement the Spatial Plan and subsequent Structure Plan providing for growth in the right locations. The current zoning became operative prior to the NPS-UD and has not been updated to give effect to current national direction.

***Frankton Flats A and B (currently governed by the ODP)***

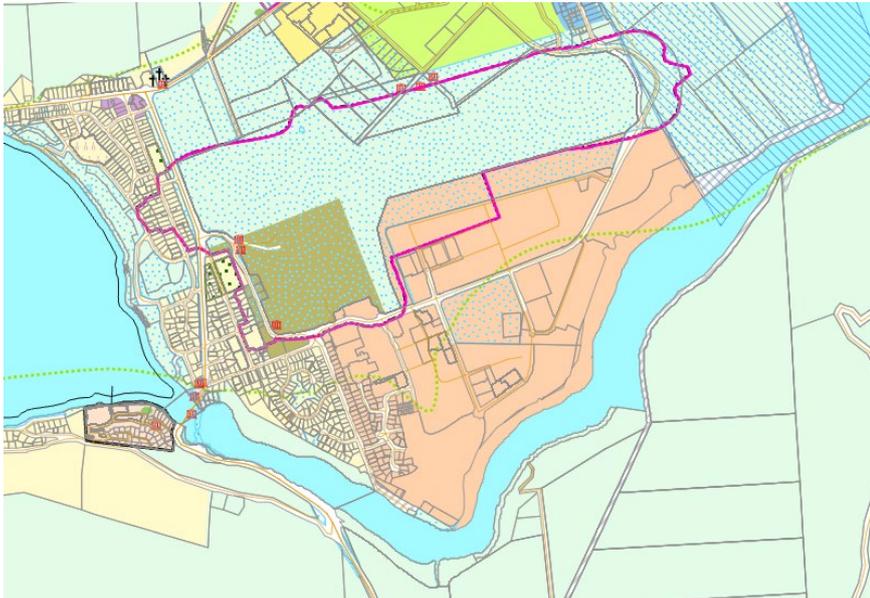
17. This plan change would review the two Frankton Flats Special Zones (Frankton Flats A, also known as 5 Mile, and Frankton Flats B, also known as Queenstown Central) simultaneously, and bringing them into the Proposed District Plan (PDP). The zones occupy approximately 68ha of land, shown below:



18. The zoning and provisions that apply to Frankton Flats date back 20 years or more and need review to reflect how Frankton and the District have developed over the past two decades.
19. The review would also enable Council to give effect to national direction that has come into force in the intervening time, including the NPS-UD. For example, a plan change would provide opportunity to zone for additional industrial capacity, to meet shortfalls identified in the Housing & Business Development Capacity Assessment (HBA) 2025, and opportunity to reassess height and density requirements, currently regarded as overly stringent, to increase the commercial and residential capacity of both Zones.
20. A Frankton Structure Plan is currently being prepared (led by the Strategic Growth Team) for the wider Frankton Flats area. This plan change would be prepared concurrently with the Structure Plan and would be a key method for implementing it.
21. The plan change also provides the opportunity to consider applying more standardised zoning, reducing the complexity of the current provisions, and increasing the effectiveness and efficiency of the consenting process.
22. The relevant exemption criteria are the following:
  - a. Criterion 80W(2)(b): **rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes:** The zoning and provisions across Frankton Flats date back 20 years or more and require revision to reflect how Frankton and the District have developed over the past two decades. For example, the Zone's height restrictions, once deemed necessary for landscape protection, are now regarded as overly stringent and unnecessary barriers to urban intensification and growth. A plan change would reassess landscape protection requirements in relation to the need to increase the commercial and residential capacity of both Zones. Introducing more standardised zoning through a plan change could reduce the complexity of provisions, increase the effectiveness and efficiency of the consenting process, and better deliver the desired outcomes for the Zone.
  - b. Criterion 80W(2)(h): **Enable work to be progressed that, for any other reason, the Minister considers appropriate:** A key objective of the new resource management system is to unlock capacity for business growth alongside housing growth, and to enable mixed-use development in Tier 2 councils. The plan change has the potential to increase the supply of commercial and industrial land through amendments to the Zone that would modify its functions and increase heights and densities where appropriate.

***Remarkables Park (currently governed by the ODP)***

23. This plan change comprises the review of ODP Remarkables Park Zone, which is currently only partially developed and therefore provides an opportunity for greater density of residential and commercial development. The Zone was initially made operative in 2007 and was last reviewed in 2012. The area comprises approximately 150 ha, and is shown in orange below:



24. Via the plan change, the zone has the potential to accommodate an additional 200 dwelling units and 350,000m<sup>2</sup> commercial GFA including provision for Visitor Accommodation by enabling greater heights and densities within the current zone extent.
25. The Zone includes a Structure Plan which is divided into eight Activity Areas which manage different types of activities, buildings and development. A plan change would reassess the activity areas in relation to the need to increase the commercial, residential and industrial capacity of this Zone as well as consider applying more standardised zoning, reducing the complexity and duplication of the current provisions, and increasing the effectiveness and efficiency of the consenting process.
26. The Zone and the surrounding Frankton area are identified in QLDCs Spatial Plan as having high potential dwelling capacity in the long-term if developed to the density and extent envisioned by the Spatial Plan. Reviewing the Zone's current provisions is an opportunity for better alignment with the outcomes sought by the Spatial Plan. It is unlikely the same gains would be realised for the community via a Private Plan Change.
27. A Frankton Structure Plan is currently being prepared (led by the Strategic Growth Team) for the wider Frankton Flats area. This plan change would be prepared concurrently with the Structure Plan and would be a key method for implementing it.
28. The relevant exemption criteria are the following:
- Criterion 80W(2)(b): **rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes:** The current standards for the Zone's activity areas have created unintended consequences – such as restricting certain activities which has resulted in inefficient outcomes within the

Zone. The Zone and the surrounding Frankton Area are identified in QLDCs Spatial Plan as having high potential dwelling capacity in the long-term if developed to the density and extent envisioned by the Spatial Plan. Reviewing the Zone's current provisions will better align its standards with the densities envisaged in the Spatial Plan.

- b. Criterion 80W(2)(h): **Enable work to be progressed that, for any other reason, the Minister considers appropriate:** A key objective of the new resource management system is to unlock capacity for business growth alongside housing growth, and to enable mixed-use development in Tier 2 councils. The plan change has the potential to increase the supply of mixed use land through amendments to the Zone that would modify its functions and increase heights and densities where appropriate. This may also contribute to addressing the expected shortfall of 72,000m<sup>2</sup> of business floorspace (6.1 ha of land) and a net shortfall of 18 ha of industrial land as identified in the HBA.

***Gorge Road Areas not affected by significant Natural Hazard s(currently governed by the ODP)***

29. This plan change would review the current planning provisions that apply to land located in the Gorge Road area, excluding the areas susceptible to known significant natural hazards. The land comprises approximately 23ha located within walking distance of Queenstown town centre, shown below:



30. The land is currently zoned in the ODP for high density residential activities (with restrictive height limits of 7-8m), as well as light industrial and commercial activities. It is strategically located and is highly accessible and situated in a location of high demand.

31. NPS-UD Policy 5 intensification requirements have not yet been applied to this land.

32. The relevant exemption criteria are the following:

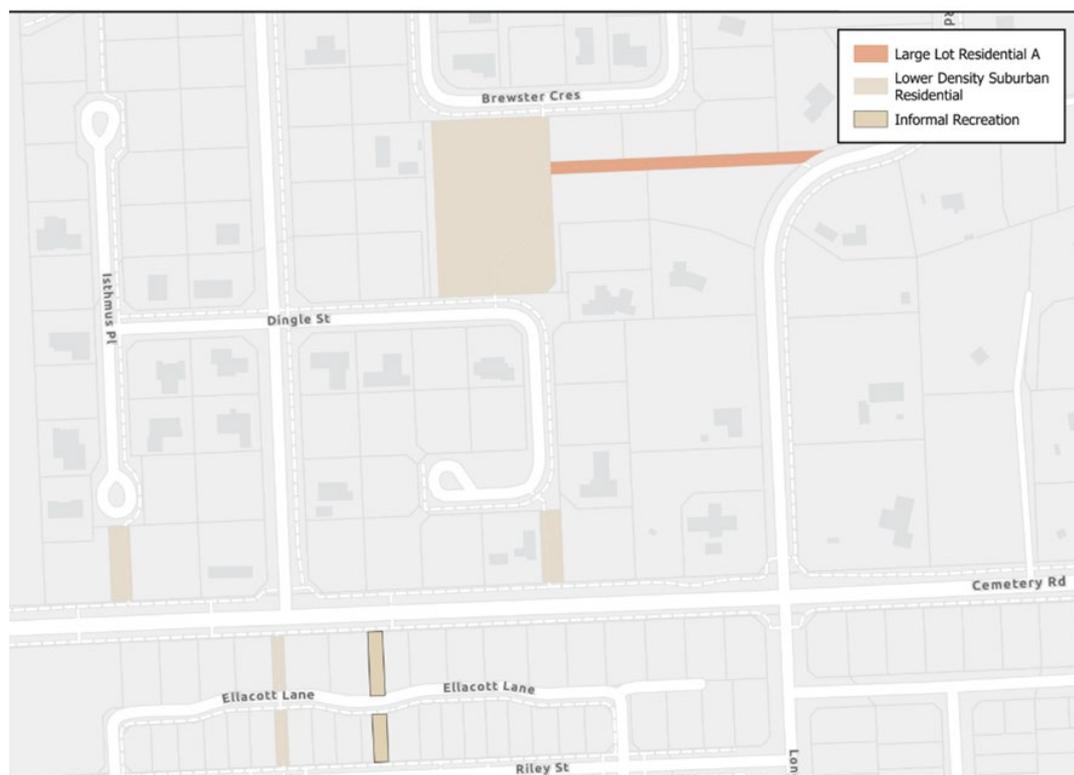
- a. Criterion 80W(2)(d): **Better enables climate change to be managed:** There is an opportunity to consolidate urban form in a highly accessible location. Increasing density in areas with strong access to centres, active transport networks, and public transport reduces car dependency and limits pressure for outward urban expansion. This directly supports climate change mitigation objectives by enabling more sustainable patterns of development. Review of the provisions that apply to this land will also provide an opportunity for current methods of stormwater management to be reviewed and amended if appropriate.

- b. Criterion 80W(2)(h): **Enable work to be progressed that, for any other reason, the Minister considers appropriate:** The location of this land is strategically important for supporting growth within walking distance of Queenstown Town Centre. The current zoning became operative in the early 2000s and has not yet been reviewed through the district plan review process, nor updated to reflect national direction introduced since that time including the NPS-UD.

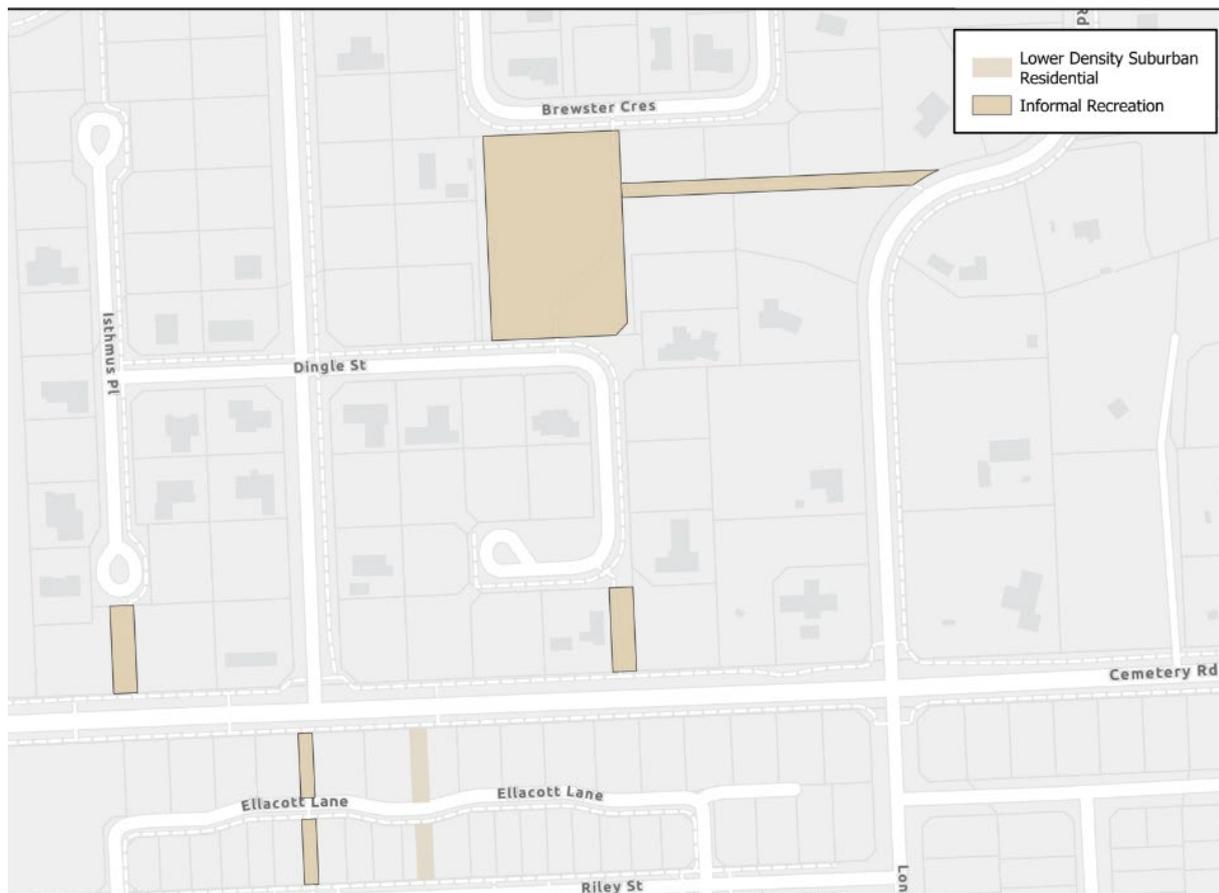
**Hāwea Mapping Variation (land currently governed by the PDP)**

- 33. This variation seeks to resolve minor mapping inconsistencies affecting approximately thirty properties identified in Hāwea that, in summary, would:
  - a. Correct a mapping error by rezoning two residential lots at Longview to Lower Density Suburban Residential Zone (LDSRZ), which were erroneously zoned Informal Recreation Zone via an Environment Court Consent Order; and
  - b. Update PDP mapping to rezone land currently zoned LDSRZ to an appropriate Open Space and Recreation Zone, to formally acknowledge that the land is now vested in Council for reserves purposes. This is a standard process following the completion of subdivision.
- 34. The two maps below show one area, which is subject to this variation. The first map shows the existing PDP zoning, and the second map shows proposed PDP zoning. Informal recreation zoning can be identified by the black line outlining the zoned area.

Area 2: Existing PDP zoning of land proposed to be rezoned



## Area 2: Proposed Hāwea Mapping Variation zoning



35. This variation was approved for non-statutory public consultation by the Planning and Strategy Committee on 10 June 2025<sup>2</sup> and is at a stage of near completion due to it being prepared just prior to the plan stop legislation being announced. Therefore, limited time and resources are required to complete this variation for notification, should the exemption be granted.
36. On 12 June 2025, initial consultation letters were served to all 31 properties identified as directly affected by this proposal advising that a variation to PDP mapping was going to be undertaken. Whilst no feedback was sought on the proposal, there were several responses from the property owners which were mainly enquiries regarding the process and if the current erroneous zoning, which this variation is seeking to resolve, will have significant impacts if they are wanting to apply for resource consent prior to this matter being resolved. Landowners have expressed that they would prefer council resolve the erroneous zoning, since they did not want to apply for a resource consent nor be bound by the more restrictive rules this zoning currently holds.
37. The letters for formal notification have been prepared, and the draft Section 32 has been prepared. Additionally, the necessary consultation required by clause 3 of the First Schedule of the RMA was undertaken between June-August 2025, including advising the Minister for the Environment, ORC and iwi authorities of our intentions to undertake this variation.

<sup>2</sup> [item-4-hāwea-mapping-variation-to-the-proposed-district-plan.pdf](#)

Due to the localised nature of the mapping issues, the variation can be progressed using the limited notification process in the First Schedule of the RMA.

38. The relevant exemption criteria are the following:

- a. Criterion 80W(2)(b): **rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes:** The current erroneous zoning has had unintended consequences for residential properties where an Open Space and Recreational Zoning has been applied. These changes are necessary to ensure that the development of the lots that were intended to be zoned residential (and are currently erroneously zoned open space) are not subject to stringent resource consent requirements for reasonably anticipated activities. This variation will also reflect and formalise the anticipated use of nearby Council reserves.

39. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

40. Option 1: Agree to proceed with applying to Central Government for exemptions to continue the plan changes specified in this report

*Advantages:*

- The plan changes for which exemption is sought have been carefully selected to align with the exemption criteria and would enable plan changes to be furthered that have a community expectation to be progressed.
- For the plan changes that review land that is currently governed by the Operative District Plan (**ODP**), continuing the review of the ODP land has many benefits, including implementing current national direction to enable greater heights and densities of urban form in urban locations that are highly accessible and/ or in high demand.
- The exemptions sought for plan changes to review ODP land would also consolidate existing zones by transitioning out of the ODP zones, bringing greater standardisation to the district plan and reducing current complexity for plan-users.
- Work on some of the plan changes for which exemption is sought is well underway and has included pre-consultation with landowners, developers and manawhenua, and engagement with elected members. The grant of approval to continue the plan changes would provide the opportunity for a return on the investment made to date.
- The reform of the resource management system is a process that has now been underway for many years under two governments and will continue in some form following the November election. The breadth of the current reform agenda is significant, and it will take time to fully realise the potential of the new resource management system. In the meantime,

having the opportunity to progress key plan changes will enable Council to continue to be responsive to local resource management issues.

- The grant of exemptions does not mean Council has to undertake all plan changes approved by the Minister. Therefore, if all or several exemptions are granted, flexibility will remain as to which plan changes are furthered. Each plan change would still require a Council decision regarding formal notification, as required by the First Schedule of the RMA. This agenda item provides authorisation for Council to continue working on these specific zonings. If Council initiated Plan Changes are not undertaken in the short term, the work produced by Council through this process will be then utilised when choosing and supporting new zones under the future Planning Act.

*Disadvantages:*

- Whilst each exemption application will meet one or more of the exemption criteria in the Amendment Act, the process for applying for exemptions is new and untested. There is uncertainty regarding the Minister's appetite to grant exemptions. However, pre-application discussions with MfE staff will assist with ensuring that the information included in each application is correctly pitched and includes the appropriate level of detail.
- The Amendment Act does not include a timeframe for the Minister's response. Resultant uncertainty regarding the timing of the Minister's decision.
- Should the exemptions be granted, the plan changes would require Council funding to be furthered. However, should funding be a constraint, the grant of exemptions does not compel Council to further every plan change exemption approved by the Minister. However, when implementing the future Planning Act, Council will still need to provide evidence and substantiation for amending the District Plan to new Chapters of the Land Use Plan developed under the Planning Act.

41. Option 2: Do not apply for exemptions to continue the plan changes specified in this report

*Advantages:*

- No resourcing needed on the plan changes until plan stop finishes on 31 December 2027. The Planning Policy team would focus on other priorities, including private plan changes, plan changes undertaken using the Streamlined Planning Process, and plan changes that meet the automatic exemption criteria, and preparation for implementing the legislation that will replace the RMA.
- May result in some developers choosing to use the private plan change process to further their development aspirations. Private plan changes can be cost-recoverable to Council, however there are limitations on Council's ability to influence private plan changes as opposed to Council led plan changes.

*Disadvantages:*

- Would not provide an opportunity for a return on the investment made to date on the plan changes for which exemption is sought. Would narrow the planning policy work programme and would not further work that seeks to progress the transition out of the ODP or implement national direction. Whilst planstop pauses the RMA requirement to review district plans during the transition to the new planning system, having the option of progressing selected plan changes using the Schedule 1 process is considered appropriate, and is provided for via the planstop exemption process.
- Queenstown Lakes District is a high growth district with significant development pressure. Would limit the options available to strategically provide for and manage growth via Council-led plan changes.
- Would not implement the Spatial Plan and TTSC Structure Plan, leaving the Structure Plan with limited statutory weight. In the Southern Corridor, Council would continue to process resource consents using current PDP provisions. The private plan change process and fast-track consent process would continue to be available to developers. However, there is a risk that continued developer-led growth in the Southern Corridor will be uncoordinated, ad hoc, and will not achieve the strategic benefits of the Spatial Plan or provide a return on Council's significant investment in the TTSC Structure Plan.
- Regarding the Hāwea Mapping Variation, as pre-consultation has occurred with affected landowners (via individual letters to 31 landowners sent on 12 June 2025), there is an expectation that the variation would be limited notified to enable the mapping errors to be addressed. This option would result in the owners of two residential lots continuing to have restrictions on the residential activities they can undertake on their land due to the current Open Space & Recreation Zoning applying to parts of these sites. The reserves would retain residential zoning, therefore restricting appropriate controls for activities otherwise anticipated on these reserves.
- In the event of a change of government in the November 2026 election, there may be significant changes to the current RMA reform programme as it does not have cross-party support. There is therefore a risk that this option may simply result in delays to the plan review work programme and the transition out of the ODP.

42. Option 3: Only apply for exemptions for selected plan changes specified in this report (i.e. not all 6 plan changes specified in this report)

*Advantages:*

- Same advantages as Option 1, only for the plan changes selected.
- For the plan changes that aren't selected, the same advantages as Option 2.
- The Streamlined Planning Process (SPP) may still be able to be used to progress some of the plan changes, however an analysis against the SPP criteria has not been undertaken for each plan change and that option for a SPP process is not removed by applying for these exemptions.

*Disadvantages:*

- Same disadvantages as Option 1, only for the plan changes selected.
  - For the plan changes that aren't selected, the same disadvantages as Option 2.
  - The six plan changes that are subject to this agenda paper have been selected from the district plan review work programme due to their alignment with the planstop exemption criteria. These have been selected from the wider work programme that was being progressed prior to planstop.
  - Whilst the SPP is able to be used during planstop, any plan change that uses the SPP would still need to meet the entry criteria for SPPs and would be subject to the Minister's approval. To use the SPP, any proposed plan change would need to be drafted prior to it being lodged with the Minister for approval to proceed using the SPP. This means the SPP requires significant upfront resourcing prior to the Minister's approval. The planstop exemption pathway, however, does not require plan changes to be drafted in full and submitted to the Minister for approval (rather, it requires an application form to be completed that describes the plan change). The planstop exemption pathway therefore requires less up-front investment in the preparation of the plan change prior to the Minister's approval.
43. This report recommends **Option 1** for addressing the matter because it will enable exemption applications to be submitted, and the Minister for the Environment's decision on the exemptions will determine whether certain plan changes can continue. The plan changes specified in this report would address known resource management issues, whilst providing a return on the existing investment in each plan change and implementing Council Strategies and national direction. It is considered appropriate for these plan changes to have the opportunity to be furthered during plan stop. Option 2 would not provide this opportunity.

## **Consultation Process | Hātepe Matapaki**

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### **Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka**

44. This matter is of medium significance, as determined by reference to the Council’s Significance and Engagement Policy 2024 because it represents a decision that would enable select plan changes in the district plan review work programme the opportunity to be progressed. The plan changes will also assist with implementing the Spatial Plan and the TTSC Structure Plan.
45. If the exemption applications are approved, the plan changes will be progressed using the plan change process in the First Schedule of the RMA, which includes consultation with statutory bodies, a Council decision to notify or not, public submissions, a Council hearing and decisions, and the opportunity for appeals to the Environment Court.

### **Māori Consultation | Iwi Rūnaka**

46. The Council has not undertaken consultation with Rūnaka on this matter, however if exemptions are granted and the plan changes are progressed, consultation will be undertaken in accordance with the First Schedule of the RMA.

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

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47. This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK10056 Ineffective provision for the future planning and development needs of the district within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.
48. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by enabling Council to apply to central government for the exemptions to enable the plan changes to be progressed.

## **Financial Implications | Kā Riteka ā-Pūtea**

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49. The recommended option will enable applications to be made to central government to continue work on certain plan changes. If exemptions are granted, the plan changes will be funded through the Long Term Plan and the Annual Plan as part of the ongoing implementation and maintenance of the District Plan.

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

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50. The following Council policies, strategies and bylaws were considered:

- Queenstown Lakes Spatial Plan 2021
- Te Tapuae Southern Corridor Structure Plan 2025

- Climate and Biodiversity Plan 2025 - 2028
- Significance and Engagement Policy 2024
- Proposed District Plan
- Operative District Plan

51. The recommended option is consistent with the principles set out in the policies above.

52. The recommended option will enable applications to be made to central government to continue work on the plan changes. If exemptions are granted, the plan change process will require funding. However, this would not require additional funding as it can be implemented through current funding under the Long Term Plan and the Annual Plan as part of the ongoing implementation and maintenance of the District Plan.

#### **Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture**

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53. The recent Amendment Act has placed significant restrictions on councils' ability to undertake changes to district plans. The Amendment Act acknowledges that there will be instances when it is appropriate for work on district plans to continue and provides for this via the exemption application pathway. **Option 1**, which seeks Council's agreement to apply for specific exemptions is recommended in order for Council to have the ability to continue to progress certain plan changes through the Schedule 1 RMA plan change process during 'plan stop'.

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

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54. 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 well-being of communities in the present and for the future.

55. This item responds to these matters by providing the opportunity for certain district plan changes to be furthered. The plan changes respond to local resource management issues and will be subject to democratic local decision-making via the plan changes process in the First Schedule of the RMA. Each plan change will include an evaluation report required by s32 of the RMA. The evaluation will identify the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the planning provisions.

56. Plan stop exemptions would enable the plan changes to be furthered using the process set out in the First Schedule of the RMA. This process includes Council decisions for notification, a Council hearing and Council decision on each plan change.

57. As such, the recommendation in this report, is appropriate and within the ambit of Section 10 of the LGA.

58. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- 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.