

Attachment A: QLDC Submission to the MfE on Infrastructure, Development and Primary Sector National Direction

27 July 2025

ndprogramme@mfe.govt.nz

SUBMISSION TO MINISTRY FOR THE ENVIRONMENT ON INFRASTRUCTURE, DEVELOPMENT AND PRIMARY SECTOR NATIONAL DIRECTION

Thank you for the opportunity to present this submission on the proposed national direction; new National Policy Statement for Infrastructure (**NPS-I**), National Environmental Standards for Granny Flats (**NES-GF**), National Environmental Standards for Papakāinga (**NES-P**), the National Policy Statement for Natural Hazards (**NPS-NH**) and amended National Policy Statement for Highly Productive Land (**NPS-HPL**).

The Queenstown Lakes District Council (**QLDC**) is largely supportive of the proposed national direction changes. This submission outlines the key points that are supported by QLDC and recommendations:

- QLDC strongly supports the need for enduring national direction in relation to resource management.
- Clear guidance is needed on how different National Policy Statements and Environmental Standards interact, and which instruments take precedence when overlapping provisions apply.
- The draft national direction packages do not include national direction on Outstanding Natural Landscapes and Features (ONL/Fs). As 97% of QLD's land area is classed as ONL/F, which is of critical importance to the National and International tourism sector and the local community, any future national direction on these landscapes will have high significance for QLDC and may have bearing on the application of the proposed NESs and NPSs in QLD.
- **National Policy Statement for Infrastructure (NPS-I)**: QLDC supports the direction set in NPS-I to councils to plan and enable infrastructure. It is recommended that draft definitions are refined, clarity is provided on how provisions will apply to ONL/Fs, and further guidance is provided to ensure consistent decision-making.
- **National Environmental Standards for Granny Flats (NES-GF)**: QLDC is supportive of the NES-GF and its intent to support housing supply and the provision for local authorities to maintain more lenient standards. QLDC recommends minor changes to permitted activities (i.e., floor area, building setbacks, site coverage and maximum distances from Primary dwellings in sensitive rural environments). QLDC notes that its Proposed District Plan already includes provision for 70m² residential flats in locations in the urban environment where residential units are enabled.
- **National Environmental Standards for Papakāinga (NES-P)**: QLDC supports the intent of the NES-P but seeks clarification on permitted activities and recommends terminology aligns with that in National Planning Standards and the RMA.
- **National Policy Statement for Natural Hazards (NPS-NH)**: QLDC supports a consistent, risk-based approach to hazard management and recommends the NPS-NH includes stronger direction on proportional management, improves hazard management for areas of existing development through planning mechanisms restricting future development, and further guidance for decision-makers.
- **National Policy Statement for Highly Productive Land (NPS-HPL)**: QLDC is generally supportive of amendments to the NPS-HPL alongside its Regional Deal partners Otago Regional Council and Central Otago District Council, however, seeks clarity that amendments will retain the ability for councils to map and protect land not classified as LUC 1-2.

QLDC would not like to be heard at any hearings that result from this consultation process. It should be noted that due to the timeline of the process, this submission will be ratified by Council retrospectively at the next council meeting. Thank you again for the opportunity to comment.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Glyn Lewers', with a stylized, flowing script.

Glyn Lewers
Mayor

A handwritten signature in black ink, appearing to be 'Mike Theelen', with a stylized, flowing script.

Mike Theelen
Chief Executive

SUBMISSION TO MINISTRY FOR THE ENVIRONMENT ON INFRASTRUCTURE, DEVELOPMENT AND PRIMARY SECTOR NATIONAL DIRECTION

1.0 Context of the Infrastructure, Development and Primary Sector National Direction in relation to QLDC

- 1.1 The district is one of Aotearoa, New Zealand's premier visitor destinations, drawing people from all over the world to enjoy its spectacular wilderness experiences, world renowned environments and alpine adventure opportunities. The majority of land within the district is classified as an ONL/FS and is a major attraction for international visitors and a material factor for community wellbeing. The Queenstown Lakes District (QLD) has an average daily population of 81,660 (visitors and residents) and a peak daily population of 122,490. By 2055 this is forecast to increase to 147,518 and 221,276 respectively¹.
- 1.2 These geographical and growth conditions generate housing affordability, natural hazard, infrastructure capacity and resilience challenges for the district.
- 1.3 QLDC has been working collaboratively with Kāi Tahu, our community, Otago Regional Council (ORC) and central government partners. This relationship has resulted in the Grow Well Whaiora Partnership and a first-generation Spatial Plan for the district. The Spatial Plan directs growth in a way that will make positive changes to the environment, enable housing development and infrastructure, enable economic and productivity growth and promote the wellbeing of the community. For example, QLDC is proactively planning for growth of the district and has released a draft structure plan for one of the Spatial Plan's Priority Development Areas, Te Tapuae Southern Corridor. This is currently out for public feedback. The structure plan proposes approximately 9,300 homes, and commercial and mixed-use areas, increased industrial zoning, better transport options and potentially new ways to access the area. To put this level of growth in perspective, the number of houses proposed was equivalent to the number of existing houses in the Whakatipu ward in 2023 (Census, 2023).
- 1.4 ORC, QLDC and Central Otago District Council (Otago Central Lakes Sub-Region) have partnered and applied to apply to central government for a Regional Deal, which will be a strategic 10-year partnership to progress joint priorities including economic growth, enablement of housing, better management and utilisation of local assets, and closing the infrastructure deficit. It was announced in July 2025 that the Otago Lakes Region, alongside Auckland and Western Bay of Plenty has been selected to progress with negotiations for a Regional Deal.
- 1.5 QLDC has been reviewing its operative district plan in stages since 2015. The Proposed District Plan (PDP) now applies to around 98% of the district's land area and represents a considerable step forward in managing the district's complex land use management challenges and aligns well with the RMA's existing suite of existing national direction instruments. QLDC, along with businesses, Mana Whenua and the community, have invested heavily in the development of the PDP. The Urban Intensification Variation to implement Policy 5 of the National Policy Statement on Urban Development is in train and will enable greater building heights and densities in the urban environment, resulting in more efficient use of urban land and increased development capacity.
- 1.6 Council's Housing Development Capacity Assessment identifies that the district has district plan-enabled capacity to accommodate housing growth that is more than sufficient to meet the projected demand across the short, medium and long term, as required by the National Policy Statement on Urban Development 2020 (NPS-UD). Further to meet existing requirements of National Direction, a range of notified variations to the PDP have been sought to increase greenfield capacity and upzone residential and commercial areas in the

¹ <https://www.qldc.govt.nz/community/population-and-demand>

last year. The inability to provide infrastructure to support all this developable land now is the key issue for QLD.

- 1.7 In QLDC's Long-Term Plan 2024–34² and Strategic Framework there is a strong focus on providing for growth and building resilience for the future. The Long-Term Plan allocates a \$2.4 billion capital infrastructure portfolio, with strong focus in years one to three towards three waters services. QLDC is currently consulting on a proposed model where a Water Services Council Controlled Organisation (WSCCO) owned by QLDC is responsible for the future delivery of water services.
- 1.8 QLDC recently released its draft Climate and Biodiversity Plan 2025-2028 for public feedback, that focuses on “accelerating transformation through partnership” and an integrated mitigation, adaption and biodiversity action approach which includes hazard risk management and renewable energy.

2.0 Overview and outline of this submission

- 2.1 QLDC broadly supports the intent of the national direction reforms to simplify and improve resource management within Aotearoa New Zealand. Local government input on these significant matters is critical and QLDC has significant expertise to contribute. Due to the scale of national directions being consulted on (as part of this package and others) and the timing of the consultation period, QLDC's submission focuses on the following instruments:
 - 2.1.1 New National Policy Statement for Infrastructure.
 - 2.1.2 New National Environmental Standards for Granny Flats (Minor Residential Units).
 - 2.1.3 New National Environmental Standards for Papakāinga.
 - 2.1.4 New National Policy Statement for Natural Hazards.
 - 2.1.5 Amendments to the National Policy Statement for Highly Productive Land.
- 2.2 The submission outlines recommendations, feedback on each instrument and an appendix for detailed comments in relation to the National Policy Statement for Infrastructure.

² <https://www.qldc.govt.nz/your-council/council-documents/long-term-plan-ltp/>

Recommendations

R.1 Clear guidance is required on how different National Policy Statements and Environmental Standards interrelate, and which instruments take precedence when overlapping provisions apply.

R.2 Clear guidance on Outstanding Natural Landscapes and Outstanding Natural Features (ONL/Fs) within the proposed national direction to ensure alignment with Section 6(b) of the Resource Management Act 1991 (RMA), or successor legislation is recommended.

Proposed National Policy Statement for Infrastructure recommendations:

R.3 Include in the scope and definition for additional infrastructure (D1) critical community infrastructure delivered by councils, such as active travel networks, community facilities, events centres, reserves, cemeteries and cultural facilities.

R.4 Provide guidance and clear direction across all proposed policies on how decision-makers should assess infrastructure against the proposed provisions to ensure consistency and predictability. For example:

- Including categories like Regionally or Nationally Significant Infrastructure to support more nuanced decision-making, noting that the concept of Nationally Significant Infrastructure is already used and defined in the NPS-UD.
- Providing a framework for how to weigh and prioritise different benefits, especially when they might not be all achieved or may be in conflict (e.g. environmental protection).
- Given that some adverse amenity effects may not be able to be fully avoided, provide guidance for decision makers to assess and operate consistently.
- Explaining which international and national standards are considered “relevant” under the policy, and how to apply or demonstrate compliance with them.
- Offering guidance on how to assess provisions when not all can be met.
- Defining how terms like “efficient and timely delivery” will be demonstrated. Similarly, defining what must be demonstrated for ‘technical, logistical, or operational characteristics or constraints’ within the definition of operational need or to determine infrastructure ‘can only’ occur in a particular environment for functional need.
- Defining term ‘compatible infrastructure’ at a national level.
- Clarify whether the proposed policy outlining what decision makers must consider when ‘assessing and managing the effects of proposed infrastructure activities on the environment’ (P6) is intended to be an exhaustive list of matters that decision-makers will have regard to when making planning decisions on infrastructure activities. If so, it is recommended that impacts on the receiving environment particularly in instances when the effects generated by the infrastructure extend beyond the application site are included i.e., noise, odour, visual, lighting, hours of operation etc.
- Clarifying how infrastructure providers can prove they have adopted best practice standards and methods at a cost that is acceptable to the rate payer / taxpayer.
- Avoiding a proliferation of piecemeal bespoke infrastructure solutions as opposed to well considered comprehensive servicing solutions providing for long term growth of spatially planned areas in different ownerships.

S.5 QLDC recommends that the NPS-I further strengthens the linkage between spatial planning and planning decisions on infrastructure activities by requiring decision-makers ‘to give effect to spatial plans/FDS’ (P3).

R.6 Revise P4(2a) which directs decision-makers to ‘recognise the role of the infrastructure provider to identify the preferred location for the infrastructure activity’ to reflect the critical role of strategic planning to manage existing and planned activities and plan comprehensive development of areas, avoiding piecemeal infrastructure solutions which are expensive and difficult to manage by the asset owner.

R.7 That the provision for ‘planning for and managing the interface and compatibility of infrastructure with other activities’ (P9) acknowledges additional requirements for councils to ascertain information from

infrastructure providers and guidance for when information is not available. NPS-I should, where possible, enable flexible, adaptive approaches.

R.8 Revise provision P3(b) to protect against unintended consequences. As currently drafted, it presents a risk because some infrastructure providers are not required to publicly consult on masterplans. Public consultation provides for the identification of impacts on other infrastructure or the community. Additionally, QLDC strongly recommends that this policy is reviewed to ensure that public infrastructure providers are not adversely impacted, as public providers may not have the same resourcing and funding available to review and develop masterplans as private providers.

R.9 When applying P10 to the existing urban environment it will need to be balanced against other factors, including impacts on existing development and existing use rights. It is recommended that there is a provision included for public infrastructure providers to be consulted on or have appeal rights, in the event a development is approved near existing or planned infrastructure in a spatial plan (or FDS).

Proposed National Environmental Standards for Granny Flats (Minor Residential Units) recommendations:

R.10 Provide clarity on whether an accessory building associated with the MRU is included in the 70m² maximum internal floor area (PAS1).

R.11 Enable transportable, tiny homes that are not in 'common ownership' as the principal residential unit on a site that is not able to be subdivided (PAS2) to further the intended housing outcomes of the NES-GF.

R.12 Delete the 'maximum building coverage per site' provision (PAS3) and the underlying zone site coverage rules apply, as applying a standard maximum building coverage to Low Density and Large Lot Residential Zones would create poor outcomes and inefficient use of urban land.

R.13 Remove the 'building setbacks from the principal residential unit' provision (PAS5), as it will prevent MRUs from being attached or part of the footprint of the principal residential unit which has been successful in QLD and be at odds with the outcomes sought by the NPS-UD.

R.14 Remove parking and access from the list of matters councils cannot apply to MRUs (R2) to ensure that councils may consider access for emergency services vehicles, ensure safety for occupants, road users and pedestrians and ensure parking dimensions and maneuverability.

R.15 Include a provision for an MRU to be located within a specified distance from the principal residential unit on rural sites on any identified rural building platform. This co-location of building is to limit the visual impact of buildings in rural areas, to promote efficient use of infrastructure and access, and to effectively manage effects on sensitive receiving environments.

R.16 Include a provision that MRUs cannot be enabled at ground floor level in commercial or mixed-use zones as this would compromise the social and economic benefits of having commercial and retail activities at street level.

Proposed National Policy Statement for Papakāinga recommendations:

R.17 Clarify whether 'ancillary non-residential activities / ancillary activities' (PA2), are required to be on the same site as the papakāinga development (or also located on Māori Ancestral Land, as defined) as provided for papakāinga development (PA1)

R.18 Clarify whether the permitted activity status for Ancillary Activities is intended to apply to Ancillary Activities located on Treaty Settlement Land (PA2), restricted discretionary activities, or covered by non-residential activities that are not permitted (RD4).

R.19 Ensure that terminology used for the applicable rules of the underlying zone (PAS3) aligns with that used in National Planning Standards and the RMA.

Proposed National Policy Statement for Natural Hazard recommendations:

R.20 The list of hazards is removed and the NPS simply states that its provisions apply to any type of natural hazard or adopts the definition for natural hazard provided in the RMA. Without a clear rationale for the listed natural hazards, the inclusion of a list of hazards introduces the potential risk of disagreements about how natural hazards are classified or whether other hazards are captured.

R.21 Provide a clear directive on the proportionate response for local authorities at each level of risk, for known risks, and how/when management of risks would be undertaken as risks evolve. For example:

- a. significant risk/intolerable: avoid new development and/or reduce risk for existing development through management of future land uses where necessary.
- b. moderate/tolerable risk: do not increase the level of risk and manage risk through future land use restrictions to ensure it does not become a significant risk/intolerable.
- c. low risk: enable development without restrictions related to natural hazards.

R.22 Consider options to improve natural hazard risk management for existing development, including by managing existing uses or utilising risk thresholds provided in the Australian Geomechanics Society (AGS) guidelines for landslide risk management (higher risk thresholds than those applied to new development).

R.23 Confirm that detailed assessment of natural hazards will occur at the structure plan, plan change and resource consent stages and areas of significant risk will be determined on a case-by-case basis, opposed to risk assessments being undertaken at spatial plan level. A similar approach could be taken as the HAZ – Hazards and risks section and APP6 of the Otago Regional Policy Statement.

R.24 Confirm that any development on land that is already developed is considered new development. If not specify what scale would be considered new development i.e., an increase or extension of a specified number of metres/floor area.

R.25 Direct local authorities on the 'best available information' in planning and resource consent decision-making, on how to apply best available information, especially when data is incomplete.

Amendment to National Policy Statement Highly Productive Land recommendations:

R.26 Clarification is provided as to whether the provision in the current NES-HPL to enable councils to map and protect land not classified as LUC 1-2 will be retained or whether the introduction of 'Special Agricultural Areas' would change the ability for councils to protect this land.

R.27 Timeframes for mapping the NPS-HPL are suspended so it can be completed through the new resource management system (i.e. spatial plans).

3.0 The proposed national direction reforms must align with each other and consider future changes in order to provide clarity and certainty

- 3.1 Bipartisan support for resource management reforms in Aotearoa New Zealand is essential for providing enduring policy, long-term certainty and stability for councils and anyone implementing planning and environmental regulations. Frequent changes in central government direction create confusion, delay critical projects, and increase compliance costs. Accordingly, efforts to build cross-party support is strongly supported.
- 3.2 It is critical that there is alignment and consistency between the proposed national direction instruments and how they interrelate to one another. Clear direction is needed on what National Policy Statement (NPS) takes precedence and how each is to be considered when multiple NPS's are engaged at the same time. This is essential to support councils to reconcile multiple instruments and to provide certainty during plan-making and consenting processes. QLDC has identified the following overlapping instruments and recommends that guidance is provided within the national directions to support implementation:
 - 3.2.1 Clarify how the proposed National Environmental Standards for Papakāinga (NES-P) will interact with the National Environmental Standards for Granny Flats (NES-GF). Specifically, whether the ten papakāinga residential units enabled by the NES-P will be eligible to include ten Minor Residential Units (MRUs) as enabled by NES-GF.
 - 3.2.2 Clarify the interface between the NES-P and the NPS-I. The NPS-I generally has an enabling regime for infrastructure activities and requires councils to identify land where restrictions should apply on new activities that may be sensitive to the effects of infrastructure activities. This may include future papakāinga on Māori ancestral land as enabled by NPS-P.
 - 3.2.3 As between the proposed amendments to the NPS for Renewable Electricity Generation (NPS-REG) or the existing NPS on Urban Development (NPS-UD), clarification is needed to identify which instrument takes precedence. Policies 3 and 5 of the NPS-UD require councils to enable greater urban intensification. However, proposed amendments to Policies B, D, and F of the NPS-REG include provisions which create a policy tension with existing intensification guidance, including building taller buildings:
 - 3.2.3.1 Avoid, where practicable, loss of renewable electricity generation output (Policy B),
 - 3.2.3.2 Protect existing renewable electricity generation assets from adverse effects of nearby activities (Policy D), and
 - 3.2.3.3 Provide for small and community-scale renewable electricity generation systems (Policy F).

4.0 The proposed national direction is silent on Outstanding Natural Landscapes and Features

- 4.1 The draft national direction packages do not include national direction on Outstanding Natural Landscapes and Features (ONL/F). In the QLD, 97% of land area is classified as ONL/F. These natural landscapes make QLD one of Aotearoa, New Zealand's premier visitor destinations, drawing people from all over the world to enjoy its spectacular wilderness experiences, world renowned environments and alpine adventure opportunities. Additionally, the landscapes are a critical source for community wellbeing.
- 4.2 It appears that the draft instruments have not considered s6(b) landscapes, and the consultation package therefore has a significant policy gap, which results in uncertainty as to how the instruments would be applied in QLD. With the majority of land within the district is classified as an ONL/FS any future national direction on these landscapes will have high significance for QLDC and may have bearing on the application of the proposed NESs and NPSs in QLD. The following changes are examples of how the proposed national direction fails to acknowledge ONL/Fs:
 - 4.2.1 NES-P enables papakāinga and ancillary activities as a permitted activity on Rural General Zone land, including ONL/Fs. This may lead to urban development in an ONL/F that could have

- significant landscape effects and would fail to meet the requirement of section 6(b) of the RMA, which requires the protection of ONL/Fs from inappropriate subdivision, use and development.
- 4.2.2 NPS-I must clarify how it is applied to RMA section 6(b) landscapes in relation to the operational and functional needs to provide assurance of ongoing protections for landscapes and features and guidance of when/if operational and functional need would take precedent, if applicable.
- 4.3 QLDC is strongly supportive of clear national direction to ensure the ongoing protection and preservation of these significant landscapes. The absence of national direction on ONL/Fs may result in the need for iterative changes to the instruments in the future when national direction is provided, an iterative approach will result in inefficiency and uncertainty.

5.0 New National Policy Statement for Infrastructure (NPS-I)

- 5.1 QLDC is largely supportive of the intent behind the proposed NPS-I, particularly that decision-makers must recognise the national, regional, and local benefits of infrastructure and that infrastructure often has specific location and design requirements – functional needs that must be explicitly considered and provided for in decisions. These considerations are critical for QLD which is facing significant growth pressures in a unique and constrained geographical context.
- 5.2 QLDC recommends the scope and definition of NPS-I *additional infrastructure* (D1) is broadened to include critical community infrastructure delivered by councils including active travel networks, community facilities, events centres, reserves, cemeteries, cultural facilities so that these are within scope of the NPS-I.
- 5.3 It is important that the NPS-I provides further guidance on how decision-makers should assess infrastructure against the proposed provisions. This is critical to ensure clear direction for decision-makers and infrastructure providers, in order to achieve consistency and enable predictability. For example:
- 5.3.1 Including categories like Regionally or Nationally Significant Infrastructure to support more nuanced decision-making, noting that the concept of Nationally Significant Infrastructure is already used and defined in the NPS-UD.
 - 5.3.2 Providing a framework for how to weigh and prioritise different benefits, especially when they might not be all achieved or may be in conflict (e.g. environmental protection).
 - 5.3.3 Given that some adverse amenity effects may not be able to be fully avoided, provide guidance for decision makers to assess and operate consistently.
 - 5.3.4 Explaining which international and national standards are considered “relevant” under the policy, and how to apply or demonstrate compliance with them.
 - 5.3.5 Offering guidance on how to assess provisions when not all can be met.
 - 5.3.6 Defining how terms like “efficient and timely delivery” will be demonstrated. Similarly, defining what must be demonstrated for ‘technical, logistical, or operational characteristics or constraints’ within the definition of operational need or to determine infrastructure ‘can only’ occur in a particular environment for functional need.
 - 5.3.7 Defining term ‘compatible infrastructure’ at a national level.
 - 5.3.8 Clarify whether the proposed policy outlining what decision makers must consider when ‘assessing and managing the effects of proposed infrastructure activities on the environment’ (P6) is intended to be an exhaustive list of matters that decision-makers will have regard to when making planning decisions on infrastructure activities. If so, it is recommended that impacts on the receiving environment particularly in instances when the effects generated by the infrastructure extend beyond the application site are included i.e., noise, odour, visual, lighting, hours of operation etc.
 - 5.3.9 Clarifying how infrastructure providers can prove they've adopted best practice standards and methods at a cost that is acceptable to the rate payer / taxpayer paying for it.

- 5.4 QLDC recommends that the NPS-I further strengthens the linkage between spatial planning and planning decisions on infrastructure activities by requiring decision-makers to 'must give effect to spatial plans/FDS'.. It is noted that currently district plans are required to 'must have regard to' FDSs, including infrastructure planning. Working more collaboratively with infrastructure providers in the development of FDSs and spatial plans to find alignment would be positive. It is noted that additional benefit could be achieved through applying a policy consideration of spatial planning (including FDSs) to planning decisions on infrastructure proposals via the designation or resource consent process. This would provide decision makers with policy support for already planned infrastructure as well as large out-of-sequence development which was not considered through strategic or spatial planning.
- 5.5 QLDC recommends provisions such as P4(2a) recognise the critical role of strategic planning that manages existing and planned activities on land that might be subject to effects of infrastructure. Additionally, the provision for planning for and managing the interface and compatibility of infrastructure with other activities (P9), relies on well-developed, spatially defined infrastructure planning over a long-time horizon. Success will require councils to engage with a wide range of infrastructure providers, navigate complex interdependencies, and develop approaches to manage the diverse range of potential interfaces fairly and consistently. This places additional requirements for councils to ascertain information from infrastructure providers to 'identify' buffer areas/methods that provide more certainty for adjoining land uses for long term projects where information might not always be available. NPS-I should, where possible, enable flexible, adaptive approaches and recognise the information, capability constraints for councils to undertake this planning.
- 5.6 The application of P3(b) in the proposed NPS-I raises some concerns for QLDC. It presents a risk because some infrastructure providers are not required to publicly consult on masterplans. Public consultation, or at least consultation with Council, would provide for the identification of impacts on other infrastructure or the community. Additionally, QLDC strongly recommends that this policy is reviewed to ensure that public infrastructure providers (delivering a broad range of infrastructure) are not adversely impacted, as public providers may not have the same resourcing and funding available to review and develop masterplans as private providers.
- 5.7 Regarding managing the interface between infrastructure and other activities (P10), it will be effectively applied to greenfield urban expansion where constraints and opportunities are mapped as part of an FDS or Spatial Plan. However, when applying P10 to the existing urban environment it will need to be balanced against other factors, including impacts on existing development and existing use rights. It is recommended that there is a provision included for public infrastructure providers to be consulted on or have appeal rights, in the event a development is approved near existing or planned infrastructure in a Spatial Plan (or FDS).
- 5.8 Detailed responses to the consultation questions on the NPS-I are provided in *Appendix One* to this submission.

6.0 New National Environmental Standards for Granny Flats (Minor Residential Units) (NES-GF)

- 6.1 QLDC is supportive of the proposed new NES-GF. Facilitating the delivery of housing that meets the community's needs is a key objective for the district that has several components and challenges. Residential flats have been an important source of housing for a considerable period of time in urban zones across the QLD, and are enabled through the Proposed District Plan. Therefore, QLDC is supportive of the NES-GF which provides permissive national direction for Minor Residential Units (MRU).
- 6.2 QLDC's policy for residential flats is more permissive than the proposed NES-GF, permitting up to 70m² maximum floor area with accessory buildings associated with the MRU exempt from the floor area calculation.

Accordingly, the proposed provision to allow district or unitary plans to have more lenient permitted activity standards for MRUs than those set out in the NES is highly supported.

6.3 To support the intended outcomes and implementation of proposed NES-GF, QLDC recommends that the NES-GF be amended to:

- 6.3.1 provide clarity on whether an accessory building associated with the MRU is included in the 70m² maximum internal floor area (PAS1).
- 6.3.2 enable transportable, tiny homes that are not in 'common ownership' with the principal residential unit on a site that is not able to be easily subdivided (PAS2) due to density restrictions, to further the intended housing outcomes of the NES-GF.
- 6.3.3 delete the proposed provision 'maximum building coverage per site' (PAS3), allowing the underlying zone site coverage rules apply. Applying a standard maximum building coverage to Low Density and Large Lot Residential Zones would create poor outcomes, inefficient use of urban land and be out of line with site coverage rules in existing district plans. If the provision is maintained it must clarify whether the proposed 50% coverage applies to the gross or net site area of the site.
- 6.3.4 delete proposed provision 'building setbacks from the principal residential unit' (PAS5), as it may result in inefficient use of urban land, prevent MRUs from being attached / a part of the footprint of the principal residential unit which has been successful in QLD, and be at odds with the outcomes sought by the NPS-UD.
- 6.3.5 remove parking and access from the list of matters councils cannot apply to MRUs (R2). This is to ensure:
 - 6.3.5.1 access for emergency services vehicles can be adequately considered
 - 6.3.5.2 standards for access can be assessed, when vehicle access is provided to an MRU, to ensure safety for occupants, road users and pedestrians. Access should be required to comply with access requirements, e.g. in the district plan and/or the relevant council Code of Practice for Subdivision & Development
 - 6.3.5.3 when the developer proposes on-site parking in conjunction with an MRU, it is appropriate for the parking to be subject to standards to ensure the parking does not compromise traffic and pedestrian safety, and because the MRU may have various owners in the future who will have expectations that the provided onsite parking met standards and was useable. It is recommended that the proposal to exclude any standards relating to parking from applying to MRU's is deleted.
- 6.3.6 include provision for a MRU to be located in proximity to the principal residential unit on rural sites. Co-location of buildings is a method used to limit the visual impact of buildings in rural areas, to promote efficient use of infrastructure and access, and to effectively manage effects on sensitive receiving environments such as water bodies. QLDC recommends that a requirement is included in NES-GF for MRUs in the General Rural Zone and Rural Lifestyle Zone to be located within a specified proximity to the principal residential unit and located on any identified rural building platform. In the QLD, rural building platforms are identified on certificates of title and are an established method.
- 6.3.7 include a provision that MRUs cannot be enabled at ground floor level in commercial or mixed-use zones as this would compromise the social and economic benefits of having commercial and retail activities at street level.

6.4 It is critical that the proposed amendments through the Building and Construction (Small Standalone Dwellings) Bill are considered alongside the proposed NES-GF. QLDC is highly supportive of the changes to ensure homeowners must notify council of their intention to build an MRU prior to commencing work and provide a set of plans within 20 working days after the completion of works. These amendments will ensure councils are informed when a MRU is being established and connections are made to council services allowing for accurate record keeping and rates/development levies may be collected. It is critical to ensure growth pays

for growth by having robust mechanisms in place to ensure local authorities can charge development contributions and increase rates due to increased servicing requirements arising from new residential flats.

7.0 New National Environmental Standards for Papakāinga (NES-P)

7.1 QLDC is supportive of the proposed new NPS-P and is actively working to strengthen support for papakāinga through updates to its Proposed District Plan. The NES-P will provide enabling processes for papakāinga, a high level of certainty of the land that the NES-P would apply to, as well as a low risk that a change in ownership will impact how NES-P applies. To support the intended outcomes and implementation of proposed NES-P, QLDC recommends that the NES-P:

- 7.1.1 makes clear that ‘ancillary non-residential activities / ancillary activities’ (PA2), are required to be on the same site as the papakāinga development (or also located on Māori Ancestral Land, as defined) as provided for papakāinga Development (PA1)
- 7.1.2 clarifies whether the permitted activity status for Ancillary Activities is intended to apply to Ancillary Activities located on Treaty Settlement Land (PA2), or whether they are intended to be restricted discretionary activities (akin to papakāinga development on Treaty Settlement Land (RD3)), or if they are to be covered by non-residential activities that are not permitted (RD4).
- 7.1.3 aligns terminology with that used in National Planning Standards the RMA to be more consistent. For example, refer to ‘access’ as opposed to ‘accessways’ and ‘waterbody/waterbodies’ as opposed to ‘waterways’ (PAS3).

8.0 New National Policy Statement for Natural Hazards (NPS-NH)

8.1 QLDC is generally supportive of the proposed new NPS-NH as it represents a positive step towards the implementation of a consistent risk-based approach to land use decision-making.

8.2 It is critical that local authorities retain discretion to manage through the use of planning tools all hazards that are relevant to their specific geographies. For example, in the QLD, active faults, flooding, wildfire and snow/ice hazards, landslide, alluvial fans present significant and increasing risks, particularly in alpine and rural-urban interface areas. These are not included in the seven nationally directed hazards, yet they may pose high or increasing risks due to climate and land use change. The provision in the NPS-NH that explicitly allows councils to manage additional hazards (i.e. “NPS is not limiting” provision) therefore is strongly supported. QLDC recommends that the list of hazards is removed and the NPS simply states that its provisions apply to any type of natural hazard or adopts the definition for natural hazard provided in the RMA. Without a clear rationale for the listed natural hazards, the inclusion of a list of hazards introduces the risk of disagreements or inconsistencies about how natural hazards are classified or whether other hazards are captured at all.

8.3 The NPS-NH establishes clear expectations and minimum requirements for assessing and managing natural hazard risk. This will provide greater certainty for councils, applicants, and communities, and reduce variability in how hazard risks are addressed across different regions. It will also assist in defending planning decisions through a consistent national framework. By requiring key components to be considered in all risk assessments (e.g. likelihood, consequences, residual risk), the provisions should help embed a stronger evidence base in land use and consenting decisions. The requirement to assess hazard risk over a 100-year timeframe should also help align land use decisions with climate change adaptation needs. This is especially important for fast-growing, hazard-exposed areas like the QLD, where long-term infrastructure and urban form decisions need to be future-proofed.

8.4 QLDC is supportive of the risk assessment matrix and the definition of significant risk from natural hazards (D1) as it aligns broadly with other risk assessment tools used in emergency management, infrastructure,

and regional policy (e.g. ORC's APP6 in the Otago Regional Policy Statement³). This will support cross-sector integration, alignment in planning and communication.

- 8.5 It is strongly recommended that NPS-NH is more directive and clearly identifies the proportionate response for local authorities at each level of risk for known risks, and how/when management of risks would be undertaken as risks evolve. Managing risk through restrictions on land use activities can be very litigious for territorial authorities and as such, it is important that as much direction and detail is provided within the NPS-NH itself in order to avoid costly and lengthy disputes. QLDC recommends that the NPS-NH clearly identifies what is the proportionate response for local authorities, for example:
- 8.5.1 significant risk/intolerable: avoid new development and/or reduce risk for existing development through management of existing uses where necessary.
 - 8.5.2 moderate/tolerable risk: do not increase the level of risk and manage risk through future land use restrictions to ensure it does not become a significant risk/intolerable.
 - 8.5.3 low risk: enable development without restrictions related to natural hazards.
- 8.6 The application of the NPS-NH to all new subdivisions and development would enable efficient and effective decision-making by ensuring areas for new urban development are not subject to high levels of natural hazard risk, and reducing decision-making delays associated with ongoing litigation relating to natural hazard considerations. However, QLDC recommends that the NPS-NH consider options to improve natural hazard risk management for existing development, including by managing existing uses or utilising risk thresholds provided in the Australian Geomechanics Society (AGS) guidelines for landslide risk management (higher risk thresholds than those applied to new development). Areas of existing development which are subject to intolerable/significant levels of risk are a significant issue. Currently, the NPS-NH as it does assist territorial authorities to manage the highly complex issue of managing risk for existing developments.
- 8.7 Spatial planning already considers natural hazards when considering future growth areas, therefore QLDC is supportive of more detailed assessment of natural hazards at the structure plan, plan change and resource consent stages. The natural hazard assessment for Te Tapuae Southern Corridor in the QLD has been a significant investment for QLDC, supported by ORC, but it has enabled a greater understanding to inform both plan change and resource consent applications. QLDC seeks confirmation that areas of significant risk will be determined on a case-by-case basis, opposed to risk assessments being undertaken being spatially identified. A similar approach could be taken as the HAZ – Hazards and risks section and APP6 of the Otago Regional Policy Statement. The NPS-NH is an opportunity for a standardised approach/implementation method to be established and consistently applied. However, any requirement for councils to identify locations of significant risk will have significant time and resourcing requirements for both councils and landowners seeking to engage in a plan change process and should be signalled in advance.
- 8.8 The NPS-NH must provide clear guidance on the best available information in planning and resource consent decision-making and on how to apply best available information, especially when data is incomplete. A “best available” approach should help councils to respond to emerging evidence and local knowledge, rather than relying solely on outdated or formalised datasets. Access to consistent, high-quality national hazard information would be beneficial. This could involve provision of national-scale hazard layers (e.g. flood, coastal inundation, fault rupture, liquefaction, wildfire, etc.).
- 8.9 QLDC also notes the increased demand on council resources for hazard mapping and data analysis and technical expertise to assess and interpret risk. The risk-based, proportionate approach will introduce new layers of assessment and potentially increase the complexity of plan-making and resource consent decision-making. Smaller councils may need targeted funding or grants to undertake hazard studies, plan updates and training.

³ Proposed Otago Regional Policy Statement June 2021, Otago Regional Council <https://www.orc.govt.nz/media/rl2nu0ke/clean-appeals-version-porps-21-june-2025.pdf>

- 8.10 Additionally, QLDC needs to confirm that any development on land that is already developed is considered new development. If not, specify what scale would be considered new development i.e., an increase or extension of a specified number of metres/floor area.
- 8.11 It is acknowledged that the proposed NPS-NH is an interim tool. It is critical that future iterations of the NPS-NH explicitly incorporate infrastructure and the primary production sector. Critical infrastructure networks, e.g. transport, energy, water, and communications, are essential to community wellbeing and business continuity, particularly in hazard-prone areas like the QLD. Excluding infrastructure and primary production from the NPS may lead to inconsistent and fragmented hazard management across activities.

9.0 Amendments to the National Policy Statement for Highly Productive Land (NPS-HPL)

- 9.1 QLDC is generally supportive of amendments to the NPS-HPL alongside its regional deal partners Otago Regional Council and Central Otago District Council. The QLD has a very limited amount of highly productive land, with a higher proportion for primary productive land in the broader Otago region, which highlights the importance of working in partnership and adopting a regional perspective for primary production and local food security.
- 9.2 QLDC is supportive of local authorities-led urban rezoning, as achieved currently through spatial planning or in the future development strategy. This ensures ongoing strategic management and protection of land suitable for primary productive purposes while managing significant growth pressures for the district.
- 9.3 It is noted that the current NPS-HPL enables councils to map and protect land not classified as LUC 1-3, if the land is highly productive for land-based primary production. This feature of the existing NPS is important for Otago as the most highly productive land in the region (for example, for horticulture and viticulture) is not classified as LUC 1-3. Clarification required as to whether the introduction of 'Special Agricultural Areas' would change the ability to map highly productive land outside of LUC 1-3.
- 9.4 In terms of the timeframes for mapping in the NPS-HPL, QLDC recommends that the current mapping requirements be suspended so that it can be completed through the new resource management system (i.e. spatial plans).

Appendix One: QLDC response to consultation questions for New National Policy Statement for Infrastructure (NPS-I)

Consultation questions	Submission points
Is the scope of the proposed NPS-I adequate?	The clear national direction for infrastructure and the scope which includes the broad range of infrastructure projects critical for community growth and resilience is supported.
Do you agree with the definition of 'infrastructure', 'infrastructure activities' and 'infrastructure supporting activities' in the NPS-I?	QLDC is broadly supportive of the proposed definitions. It provides the following recommendations: • clarification of the sources of definitions is provided; it is recommended that definitions align with the RMA. • active travel networks, community facilities, events centre, reserves, cemeteries, cultural facilities are included in additional infrastructure (D1). • clarification is provided as to whether parks are included in the definition of social infrastructure, it is referenced as included in the discussion document however not included in the definition D1. • the definition of infrastructure (D7) expands the definition of transport network infrastructure beyond what is currently provided for in the RMA, to include active travel infrastructure. • further detail and guidance is provided within the definitions (i.e. <i>infrastructure</i>, <i>additional infrastructure</i> and <i>minor upgrades</i>) to support decision-makers to assess or prioritise infrastructure and ensure consistency. For example, within the definition for <i>Infrastructure</i> there could be sub-category of Regionally Significant Infrastructure (RSI) and Nationally Significant Infrastructure (as provided for in the operative NPS-HUD) or a provided hierarchy.
Does the proposed objective reflect the outcomes sought for infrastructure?	The objectives are supported.
Does the proposed policy adequately reflect the benefits that infrastructure provides?	The direction set in NPS-I to recognise and provide for the benefits of infrastructure is strongly supported. Particularly, the recognition of the interdependent and interconnected nature of infrastructure networks in provision P1(3c), as this is particularly important in high growth areas such as QLD, where a proliferation of local/subdivision level solutions can compromise the efficiency and effectiveness of a district or regional network approach. QLDC recommends that: • guidance is provided for how decision-makers should assess benefits alongside one another or when they may conflict, i.e., are the benefits equally weighted or prioritised within the list (P1). For example, all benefits might be achieved except "helping to protect and restore the natural environment". • consideration is given to whether the provision P1(1a) should include the wellbeing of existing and future generations. • clarification is provided for decision-makers on what must be demonstrated to assess infrastructure is '...providing for' infrastructure necessary to provide sufficient development capacity to meet demand for housing and business land, as outlined in provision P1(1b).
Does the proposed policy sufficiently provide for the operational and functional needs for infrastructure to be located in particular environments?	The direction set in NPS-I to recognise the functional and operational need for infrastructure to be located in particular environments where there may be no feasible or viable alternatives is strongly supported. QLDC recommends that: • clarification is provided for how the operational and functional needs is applied to RMA section 6(b) landscapes, to provide assurance of ongoing protections for landscapes and features and guidance of when/if operational and functional need would take precedent, if applicable. • guidance is provided for decision-makers within the definition of operational and functional need, to ensure a clear and consistency assessment framework. For example, clarifying 'characteristics or constraints' within the definition of <i>operational need</i> and define what needs to be demonstrated to ascertain infrastructure 'can only' occur in a particular environment for <i>functional need</i>.
Considering spatial planning and other strategic plans	District plans are required to 'have regard to' Future Development Strategies (FDS), including infrastructure planning. It is noted that additional benefit could be achieved through applying it to planning decisions on infrastructure proposed via resource consent decisions,

	particularly for large out-of-sequence development which was not considered through strategic or spatial planning. QLDC recommends: • Revise provision P3(b) to protect against unintended consequences. The application of P3(b) in the proposed NPS-I raises some concerns for QLDC. It presents a risk because some infrastructure providers are not required to publicly consult on masterplans. Public consultation, or at least consultation with Council, would provide for the identification of impacts on other infrastructure or the community. Additionally, QLDC strongly recommends that this policy is reviewed to ensure that public infrastructure providers (delivering a broad range of infrastructure) are not adversely impacted, as public providers may not have the same resourcing and funding available to review and develop masterplans as private providers.
Would the proposed policy help improve the efficient and timely delivery of infrastructure?	QLDC is supportive of the direction to provide pathways for operation and delivery of community infrastructure activities. Additionally, recognition of innovation, the use of new technology, more effective use of existing infrastructure, and continuous improvement, resilience and improving environmental outcomes. QLDC recommends: • the proposed provisions such as P4 2(a) acknowledge the importance of planning in FDS, which identifies existing and planned activities on land subject to effects generated by the infrastructure activities. QLDC is supportive of the infrastructure provider being best placed to determine a preferred location; however, consideration will need to be given to managing scenarios where there are competing demands for usage of an identified area as achieved in spatial planning. It is noted that there are additional benefits that can be gained by councils and infrastructure providers working collaboratively to develop spatial plans and FDS to find alignment. • guidance is required for how decision-makers are to assess the provisions against one another or if not all considerations are fulfilled. • guidance is required on how decisions makers will be expected to measure or assess 'enable the efficient and timely delivery of all infrastructure activities' P4(1A). • consideration is given as to whether it is appropriate or efficient for decision-makers to consider or determine 'opportunities for continuous improvement and environmental outcomes', these additional assessments will have time and resource requirements P4(1E). • consideration is given to the implications for public infrastructure providers of the provision for 'continuous improvement and environmental outcomes' P4(1E) and whether improvement over longer time periods is appropriate, given funding constraints and implications.
Do the proposed policies sufficiently provide nationally consistent direction on assessing and managing the adverse effects of infrastructure?	The proposed policies to provide nationally consistent direction on assessing and managing adverse effects is supported. QLDC makes the following recommendations: • Clarity is provided as to whether the proposed policy 'assessing and managing the effects of proposed infrastructure activities on the environment, decision-makers must consider' (P6) is intended to be an exhaustive list of matters that decision-makers will have regard to when making planning decisions on infrastructure activities. If so, it is recommended that impacts on the receiving environment particularly in instances when the effects generated by the infrastructure extend beyond the application site are included. These effects can include noise, odour, visual, traffic (including impacts on the network, site vehicle movements and parking), lighting, hours of operation etc. • That the policy is better aligned with the NPS-UD, particularly Objective 1 (requirement to achieve well-functioning urban environments) and Objective 6 (requirement for local decisions on urban development that affect urban environments to be integrated with infrastructure planning and funding decisions). • Clarification and guidance are provided for decision-makers on what international, national, and regional standards and methods are 'relevant' and how infrastructure providers would demonstrate standards and best practice methodologies have been 'adopted' P6 (1d), while ensuring it is at a cost that is acceptable to the rate payer / taxpayer paying for it. • Guidance is provided to inform how decision makers assess and achieve consistency and enable predictability when assessing 'the financial and timing implications of mitigation measures and consent conditions' P61(e). • Clarification is required for how decision-makers manage the interface between P4 and P6 with regard to existing infrastructure.

	P6(1c) states 'where considering a proposal involving existing infrastructure only consider any change or increase in environmental effects. However, P4 1(e) states 'consider opportunities for continuous improvement in service delivery and environmental outcomes'.
Do the proposed policies sufficiently provide for the interface between infrastructure and other activities including sensitive activities?	The intent to promote the integration of infrastructure planning, both between infrastructure types, and alongside other relevant activities is supported. It will be effectively applied to greenfield development areas where constraints and opportunities are mapped as part of an FDS. However, it is noted that when applying this policy to areas of existing development it may be difficult to implement in practice, particularly as it may place additional restrictions on properties that are proximate to land identified for infrastructure. This policy relies on well-developed, spatially defined infrastructure planning over a long-time horizon. Success will require councils to engage with a wide range of infrastructure providers, navigate complex interdependencies, and develop approaches to manage the diverse range of potential interfaces fairly and consistently. This places additional requirements for councils to ascertain information from infrastructure providers to 'identify' buffer areas/methods that provide more certainty for adjoining land uses for long term projects where information might not always be available. QLDC recommends: • NPS-I should, where possible, enable flexible, adaptive approaches. • Guidance is provided for decision makers to assess and operate consistently, given that some adverse amenity effects may not be able to be fully avoided, while also ensuring infrastructure providers have confidence and certainty. • Clarification is provided as to whether there will be an accompanying requirement for infrastructure providers to provide information or remain within their 'identified proximate and future activities'. • Consideration is given to the uplift in capability and capacity within councils will be required, to perform this additional analysis and assessment and willingness and time from all providers. NPS-I should allow time to develop this integrated planning and consider prioritising core utilities and critical interfaces/enablers. • Clarity is required on how decisions will be made when plans are undeveloped or outdated; particularly how potential impacts and conflicts with other infrastructure or activities will be identified and assessed. • Clear national guidance is required for 'compatible infrastructure' 1(a) and 1(c) to reduce reliance on local interpretation. • Clarification and guidance is required for decision-makers on what international and national standards, regulations and guidance are 'relevant' P9(2d). • provide a mechanism or pathway for infrastructure providers to prevent reverse sensitivity and provide for appeal of those protection in the event a development is approved near infrastructure.