

17 November 2025

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SUBMISSION TO ENVIRONMENT COMMITTEE ON FAST-TRACK APPROVALS AMENDMENT BILL

Thank you for the opportunity to present this submission to the Environment Committee on the Fast-track Approvals Amendment Bill (the Bill).

The Queenstown Lakes District (the district or QLD) 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 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.

This growth, together with the district's unique geographical constraints generates considerable housing affordability, infrastructure and resilience challenges. As such, QLDC is generally supportive of unlocking opportunities for high quality growth.

However, Queenstown Lakes District Council's (QLDC) experience with Fast Track Approvals Act 2024 (FTAA) applications has shown that constraints exist in maintaining effective checks and balances for achieving quality social, economic, cultural, and environmental outcomes. QLDC considers the Bill requires amendments to ensure a more effective and efficient assessment process that is consistent with the intent of the FTAA. With this in mind, QLDC's submission builds on the following key messages:

- The Bill creates uncertainty for local authorities regarding which expenses can be recovered. QLDC opposes these changes and is concerned that the amendments would unfairly shift financial burdens to ratepayers.
- QLDC opposes all amendments which reduce processing timeframes. Such amendments would place additional strain on already limited resources. The proposed amendments in this regard are impractical and likely to undermine input from local authorities.
- QLDC opposes amendments that reduce mandatory consultation with local authorities before referral and substantive applications. This consultation is crucial for resolving disagreements and ensuring efficient processing consistent with the FTAA's intent.
- QLDC opposes section 46 (conditions relating to infrastructure) of the Bill. The intent of the amendment is unclear and may result in fast-track proposals consuming existing infrastructure capacity or require unplanned upgrades undermining strategic investment decisions and prudent financial management.
- QLDC faces a significant affordable housing shortage despite existing supply-side measures. It is recommended that the Bill be amended to require a 5% land or financial contribution from fast-tracked residential developments to provide ongoing affordable housing.
- QLDC supports amendments in the Bill that require applications to contain a thorough evaluation of anticipated and known adverse effects. QLDC favours measures that allow applicants to address deficiencies in their submissions by allowing requests for further information.

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

QLDC has provided detailed submissions on earlier resource management engagement processes including the initial FTAA bill, fees and levies for fast track approval applications, Resource Management (Consenting and Other Matters) Amendment Bill, Going for Housing Growth, and National Direction reforms, and the Government Policy Statement on Housing and Urban Development. QLDC emphasises the importance of ongoing and meaningful engagement with local authorities on future reforms

QLDC would like to be heard at any hearings that result from this consultation process.

Thank you again for the opportunity to comment.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'D. Wallace', with a stylized flourish extending from the end.

David Wallace
General Manager – Planning and Development

1.0 The proposed changes will limit cost recovery and introduce financial burden for ratepayers

- 1.1. The proposed amendments relating to cost recovery create significant uncertainty for local authorities about which costs they may recover. The scope of recoverable costs is currently limited to the 'actual and reasonable' costs associated with performing or exercising functions, duties and powers under the FTAA. For local authorities, this includes: consultation; advising on competing applications; advising on existing resource consents for the same activity; providing written comments; providing other information or advice as requested; attending hearings; and reviewing draft conditions. Section 53 of the Bill proposes amendments to allow regulations to determine 'actual and reasonable cost'.
- 1.2. QLDC opposes the changes due to their high potential to limit cost recovery, which will result in further burden to rate payers. The Bill is likely to introduce additional expectations on local authorities during the application process that do not warrant a reduction or limitation on recovering the costs being incurred to effectively consider applications and advise decision makers. In QLDCs experience, the panel convener and, when established, the panels, expect local authorities to be heavily engaged in the process and have a comprehensive understanding of applications.
- 1.3. Further, QLDC considers that the removal of mandatory consultation (discussed below) and other changes should have no impact on local authorities' ability to recover costs from the applicant or Environmental Protection Authority (EPA). In particular, QLDC is concerned that it will be unable to recover costs where it provides an applicant with a response after receiving written notification.

2.0 Reduced processing timeframes are impractical and will adversely impact the quality of decision making

- 2.1. QLDC is concerned by changes in the Bill which reduce application processing timeframes. Due to demanding timelines, all directions relating to legal submissions, requests for further information and expert conferencing already entail an extremely tight turnaround. This heavily impacts QLDC resources, expert/consultant availability, requiring changes to resourcing commitments and impacting the delivery of other significant projects.
- 2.2. QLDC opposes all of the proposed amendments which would further exacerbate timeframe challenges for local authorities, and in particular, section 9 of the Bill. The timeframe for invited persons to provide comments on a referral application has been reduced from 20 to 15 working days. Alongside the removal of mandatory consultation prior to lodging a referral application, this amendment means it is likely local authorities will not have an opportunity to consider a project that is sought to be referred prior to being asked to comment under section 17(1) of the FTAA. Referral applications are not made public, nor is there any statutory requirement that they be 'served' on a local authority. QLDC considers that 15 working days is insufficient for local authorities to consider, and provide meaningful feedback on, the large volume of documents that come with applications.
- 2.3. QLDC also opposes the proposed amendments in section 6 which would require a party that has received written notification of a referral application or substantive application for a listed project, to provide a response within 15 working days if it wishes to comment. This is a highly unrealistic timeframe which will impact the quality of the process and its outcomes.
- 2.4. While QLDC supports the proposed change to require referral applications to assess effects, there is very little capability for QLDC to actually assess such information in 15 working days.

3.0 Reduced consultation requirements are unlikely to deliver efficient or certain outcomes

- 3.1. QLDC opposes amendments which reduce mandatory consultation obligations with local authorities, prior to the lodgment of a referral application and a substantive application for a listed project. This consultation process is

imperative to narrowing or resolving areas of disagreement, and provides processing efficiencies consistent with the FTAA's intent.

- 3.2. The proposed changes that look to remove non-government organisations' involvement places a heavy reliance on local authorities to 'speak' for local communities and the public interest, therefore making it even more imperative that there is no 'cap' on costs or criteria for the quantification of costs. Local authorities should not be relied upon to fill potential information gaps on matters they may not have expertise in or knowledge of. Further, this is likely to introduce a further step to the application process if insufficient information is received and additional information then needs to be sought from such parties. This runs counter to the intent of the FTAA, adding processing time and uncertainty for applicants.
- 3.3. If mandatory consultation is removed (a change which is opposed), QLDC supports the section 6 requirement that local authorities are given written notification that an applicant intends to lodge a referral application. Without that notice, local authorities could potentially have no indication that significant resource and costs are about to be required of them.
- 3.4. Further, while QLDC is supportive of the change to section 30 that would mean a territorial authority does not need to give a response on the identification of existing resource consents for the same activity, QLDC considers that it is imperative that local authorities are given notice that a substantive application will be lodged within a set time period, and importantly, be served with the application when it is lodged. The latter change should be included in the Bill. If consultation is no longer mandatory, the first time a local authority may see an application is when it is asked to give a view on the section 46 completeness/scope question. It will be nearly impossible to undertake the necessary assessment in that time frame, if the application has not been received, and opportunities taken to start obtaining technical input.

4.0 Amendments to infrastructure conditions may undermine local authority control over strategic infrastructure planning and funding

- 4.1. QLDC opposes section 46 of the Bill. The current wording is unclear and could be interpreted in various ways. A fast-track proposal has the potential to consume already allocated infrastructure capacity, including requiring unplanned upgrades of connected infrastructure and impacting other developers' planned developments. Some housing projects are located in the rural environment, outside of any future growth area, outside infrastructure boundaries (including any boundary used for taking development contributions). If the intention is to allow a Panel to mandate an applicant's funding of infrastructure upgrades or delivery through a developer's agreement, even if not offered up by the applicant as an Augier condition, that is supported as a concept, although QLDC considers that the drafting of new section 84A needs to be clear on the intention. That would address a current issue being experienced in that it would be unlawful to apply such a condition to a consent without the applicant's agreement, as it would amount to a condition that could frustrate the delivery of the consent.
- 4.2. Section 46 is opposed if its intention is to give the Panel power to mandate local authorities to deliver/construct out of sequence infrastructure, interfere with separate infrastructure/funding decisions under other legislation, or interfere with separate decisions on allowing connections to its private infrastructure.
- 4.3. A fast-track application should not be enabled to leapfrog existing infrastructure networks or rely on connecting infrastructure that simply does not exist. Further, the decisions that local authorities make on the funding of infrastructure remain separate to the FTAA. There is a risk that section 46 will undermine strategic planning, lead to conflicts with local authorities' long-term plans, and does not support prudent financial decision making.

5.0 Amend the Bill to mandate affordable housing contributions from FTAA applications that seek residential development

- 5.1. QLD has a significant shortage of affordable housing. Supply-side measures alone cannot counteract strong external demand for housing in the district. At the same time, the district is receiving a large number of FTAA applications for residential development. The FTAA includes criteria for referral in relation to whether the project will increase housing supply and address housing needs.
- 5.2. Significant 'land value uplift' occurs when granting fast-track approval for a large residential subdivision. The Bill presents an important opportunity to 'capture' a portion of that value and invest it back into affordable housing. This value is best captured as a 5% contribution of land or equivalent financial contribution, which is then administered by a registered community housing provider. The affordable housing contribution would then deliver perpetual affordable housing. As such, QLDC considers that section 46 of the Bill (New section 84A (Conditions relating to infrastructure)) should be amended to explicitly address affordable housing and allow conditions to be imposed to collect a 5% contribution of land or equivalent financial contribution for the purpose of perpetual affordable housing.
- 5.3. This recommendation is also part of the submission from the Otago Central Lakes (OCL) group on this Bill. OCL is a sub-regional group formed to place an application to the government's City and Regional Deal process. It consists of QLDC, Central Otago District Council and the Otago Regional Council.

6.0 Amendments which require complete effects assessments and enable requests for further information promote better processes and outcomes

- 6.1. QLDC supports the following proposed changes in the Bill:
 - i. Section 7: Referral applications must include an assessment of the significance of the project's anticipated and known adverse effects on the environment. However, the validity of such assessment should be assessed by local authorities as part of their section 17(1) comment;
 - ii. Section 8: A series of changes clarifying the Secretary for the Environment may seek further information from an applicant instead of returning a referral application that is incomplete or not within scope;
 - iii. Section 25: The EPA can request further information from an applicant instead of returning a substantive application that is incomplete or not within scope.
- 6.2. For both points (ii) and (iii) above, it is more efficient for local authorities' roles in the process, that applicants have the opportunity to resolve inadequacies rather than the process starting from scratch again. In any event, local authorities should have the opportunity to consider any additional information received to ensure full and complete contributions.

7.0 Recommendations

- 7.1. Section 53 of the Bill should not introduce limits, criteria or categories for costs that may be recovered by local authorities when considering FTAA applications.
- 7.2. The removal of mandatory consultation and other changes to consultation requirements should have no impact on local authorities' ability to recover costs when considering FTAA applications.
- 7.3. The Bill should not reduce any processing times for FTAA applications.
- 7.4. The Bill should not reduce any mandatory consultation obligations with local authorities and non-government organisations.

- 7.5. If mandatory consultation with local authorities is removed, the section 6 requirement that local authorities are given written notification that an applicant intends to lodge a referral application must be retained.
- 7.6. The Bill should ensure local authorities are given notice that a substantive application will be lodged, and be served with the application when it is lodged.
- 7.7. Section 46 of the Bill should be amended to make it clear that it is limited to allowing a Panel to mandate an applicant's funding of infrastructure upgrades or delivery through a developer's agreement, even if not offered up by the applicant as an Augier condition.
- 7.8. Section 46 of the Bill should not give the Panel power to mandate local authorities to deliver/construct out of sequence infrastructure, interfere with separate infrastructure/funding decisions under other legislation, or interfere with separate decisions on allowing connections to its private infrastructure.
- 7.9. Section 46 of the Bill should be amended to provide conditions to be applied to applications for residential development by enabling the collection of a 5% land contribution or an equivalent financial payment for the purpose of providing perpetual affordable housing.
- 7.10. Amendments at section 7 of the Bill are supported subject to the validity of assessments relating to the significance of anticipated and known adverse effects being assessed by local authorities as part of their section 17(1) comment.
- 7.11. The Bill should be amended to provide for local authorities to have the opportunity to consider and provide comments on any additional information received as a result of amendments at section 8 and 25 of the Bill.