

COVID-19 Recovery (Fast-track Consenting Act) 2020

LP 17 Queenstown Arterials Project Consent Application and Notice of Requirement by Queenstown Lakes District Council

M-6 Minute of the Queenstown Arterials Project Expert Consenting Panel – 10 May 2021

1. On 16 April 2021 the Queenstown Arterials Project Expert Consenting Panel (the panel), granted, subject to conditions, Queenstown Lakes District Council resource consents to construct the Queenstown Town Centre urban arterials road, and confirmed the notice of requirement subject to conditions, under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act).

Minor Correction to Notice of Requirement

2. In accordance with clause 40 of Schedule 6 of the Act, a panel may correct a requirement for a designation before the earlier of the following:
 - the day on which the territorial authority includes the designation in its district plan and any proposed district plan under clause 41 of Schedule 6 of the Act; and
 - the day that is 40 working days after the day on which any appeals relating to the requirement have been determined or all rights of appeal under this Act have been exhausted or have expired.
3. The Environmental Protection Authority (EPA) has received a request from legal counsel for the Hall Family Trust¹ (the Trust), to correct condition 1(a) of the Notice of Requirement, stating:
“Broadly, the Trust considers that the panel has made a decision that means the Trust’s submission to obtain access to its land and to not have its land acquired have been granted on both counts. The Trust considers that the land requirement element of the conditions is acceptable. The Trust considers that the conditions of the consent are not satisfactory for the purpose of giving legal effect to the Panel’s decision to provide access to the Hall Family Trust land in the form of the design proposed by the Council.”
4. The request proposed the following wording for condition 1(a) (new wording underlined, deleted text struck out):
Land requirement plans in Appendices 4, 5 and 6 as amended by the Requiring Authority’s Response To Comments (including the transport and road design amendments described within those appendices) provided under Schedule 6, Clause 18 dated 8 March 2021;
5. The Panel has carefully considered the request, and is confident that the condition as granted gives legal effect to its decision. However, as the matter has been raised, for clarity and completeness, the panel has resolved to amend condition 1(a), under clause 40 of Schedule 6 of the Act in a manner that provides certainty. In particular, we have amended the references to Appendices 4, 5 and 6 to more accurately reflect their actual contents. The Panel has also realised that there is a minor error in the condition, in which it incorrectly refers to clause 18 rather than clause 19.

¹ Being a person who was invited to comment on the application in accordance with clause 17(2) of Schedule 6 of the Act

6. The Panel therefore amends condition 1(a) of the Notice of Requirement to read as follows:

Land requirement plans outlined in the Preliminary Engineering Plans in Appendix 4, Land Requirement Plans in Appendix 5, and Zoning Plans in Appendix 6, as amended by the Requiring Authority's Response to Comments (including the transport and road design amendments described within the appendices to the Response), provided under Schedule 6, Clause 19 dated 8 March 2021.

7. The amended conditions to the Notice of Requirement can be found on the EPA's website here:

<https://www.epa.govt.nz/fast-track-consenting/listed-projects/queenstown-arterials-project/decision-and-appeals/>



Heather Ash

Chairperson

Queenstown Arterials Project Expert Consenting Panel