



# FTC #26: Application for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decision to 12 November 2020

#### s 9(2)(f)(iv)

s 9(2)(ba)(i), s 9(2)(k)

## Application 2020-23 – Wooing Tree Estate

Date Submitted:	12 November 2020	Tracking #: 2020-B-07280	O	,00
Security Level	In-Confidence	MfE Priority:	U	Irgent

	Action	sought:	Response by:
To Hon David Parker, Minister for the Environment	Decisio	n	ТВА

Actions for Minister's Office Staff	Send out attached letters (if agreed and signed).
omeo otan	Return the signed briefing to MfE.
Number of appendices and attachments	Titles of appendices:  1. Letters from the Minister for the Environment to relevant Ministers of the Crown.

## Ministry for the Environment contacts

Position	Name	Cell phone	1 <sup>st</sup> contact
Principal Authors	Rachel Ducker, Md Arif Hasan		
Responsible Manager	Sara Clarke	s9(2)(a)	✓
Director	Keita Kohere	s9(2)(a)	

## FTC #26: Application for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decision to 12 November 2020

### **Key Messages**

 We are seeking your decision on three applications for referral of a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), for the below applicants:

s 9(2)(f)(iv)

s 9(2)(ba)(i), s 9(2)(k)

c. Wooing Tree Estate – Wooing Tree Property Development LP

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2.	s 9(2)(ba)(i), s 9(2)(k), s 9(2)(f)(iv)	

- 4. The Wooing Tree Estate project involves construction and operation of a staged (over 5 years) residential subdivision, dwellings, a neighbourhood commercial centre, cellar door facility for Wooing Tree Vineyard and associated works and infrastructure. It enables creation of 287 residential lots and construction of 46 homes in Cromwell, Otago.
- 5. The Wooing Tree Estate site was rezoned to enable increased density development. While the development density proposed by the project is not supported by the current zoning, the Central Otago District Council have identified this site as being suitable for higher density development in the Cromwell Spatial Framework Plan. The applicant has advised that Council is proposing a plan change to implement this strategic work in 2021.
- 6. We have undertaken an initial (Stage 1) analysis of these applications and recommend you progress all three applications to the next stage inviting comments under section 21, seeking further information about the application from the applicant under section 22, and obtaining a report regarding Treaty of Waitangi obligations under section 17 of the Act.
- 7. With regards to matters under section 19 of the Act, the projects have the potential to achieve the purpose of the Act (section 18(2)).
- 8. Pursuant to section 23 of the Act, you are able to determine that the projects be declined before obtaining a report under section 17, inviting comments under section 21 or requesting further information under section 22. A decision to decline an application for referral can be made under section 23(1) and (2) of the Act.
- 9. A summary of the analysis and our recommendations for the applications is provided in Table A. You are the sole decision maker for these projects (these are not in the Coastal Marine Area).

10. Table B indicates how applications we have received for referred projects under the Act are advancing through the fast-track process. Table C indicates progress of Listed Projects received by the Environmental Protection Authority. We will continue to monitor and report progress to you.

## **Action sought**

11. Please indicate your decision on the recommendation for the application listed in Table A

**Signatures** 

Sara Clarke Manager

**Fast Track Consenting** 

Table A: Stage 1 initial assessment of project eligibility – projects where the Minister for the Environment is the only decision maker Projects to progress

	Assessment against the purpose of the Act										
Project details	oject details Project Project eligi description Funding crite		Project eligibility criteria met [s18(3)]	Economic benefits and costs [s19(a)]	Effect on social and cultural wellbeing [s19(b)]	and cultural project will wellbeing progress faster		Potential for significant adverse effects [s19(e)]	Any other matters [s19(f)]	Recommendation	Decision
s 9(2)(f)(iv)						[s19(c)]					

Project details Project detail						Assessme	nt against the purpo	se of the Act				
ader the provision Act 1982	Project details	Project description	roject Project eli escription Funding cri	eligibility criteria met	benefits and costs	and cultural wellbeing	project will progress faster under the Act		significant adverse effects	Any other matters [s19(f)]	Recommendation	Decision
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Project details	Project description	Project Funding	Project eligibility criteria met [s18(3)]	Economic benefits and costs [s19(a)]	benefits and and cultural project will [s19(d)] significant adverse Any other matters costs wellbeing progress faster effects [s19(f)]						
s 9(2)(ba)(i), s 9(2)(k)							or oil				

Application name	Construction and	The applicant	The project is	The applicant	An increase in	There is a	Based on the	Overall, this project has	The applicant has	a. agree to progress the Wooing	Yes/No
	operation of a	proposes to	not disqualified	estimates that the	housing supply is	likelihood that a	information	the potential to have	advised that Waka	Tree Estate Project to Stage 2	i
Wooing Tree Estate	staged (over 5	fund the	from referral as,	project could	likely to meet the	decision made on	provided we	adverse environmental	Kotahi NZ Transport	of the process. The project	i
	years) residential	development	based on	generate 650 FTE	social needs of the	this application	consider the	effects. However, at	Agency (NZTA) has	warrants further analysis	i 1
Applicant	subdivision,	from existing	available	jobs between	community which is	under a standard	application is	this stage we	agreed that it will	because it has potential to	i I
	dwellings, a	cash reserves	information it	2021 and 2026.	experiencing a	RMA consent	likely to have a	recommend seeking	construct a	achieve the purpose of the	1
Wooing Tree	neighbourhood	and provided	does not:		growing housing	process, would be	public benefit	further information to	roundabout and	Act.	i 1
Property	commercial centre,	information	<ul> <li>include any</li> </ul>	The applicant	demand.	appealed given	including	better understand these	pedestrian underpass		i 1
Development LP	cellar door facility	regarding their	prohibited	estimates that the		the proposed	positive	effects and whether	to service both	b. agree to seek further	Yes/No
	for Wooing Tree	financial	activities	project will		increased	employment,	they can be mitigated.	existing	information from the applicant	ı I
Project location	Vineyard and	position from		stimulate [59(2)(b)(1)			increased	There are potential		on neighbourhood centre, the	i I

			Assessme	nt against the purpo							
Project details	Project description	Project Funding	Project eligibility criteria met [s18(3)]	Economic benefits and costs [s19(a)]	Effect on social and cultural wellbeing [s19(b)]	Likelihood project will progress faster under the Act [s19(c)]	Public benefit [s19(d)]	Potential for significant adverse effects [s19(e)]	Any other matters [s19(f)]	Recommendation	Decision
64 Shortcut Road, Corner SH8b and SH6, Cromwell, Otago  Background  Plan change 12 (2018) approved site development for 210 residential lots, and a 10000m² maximum floor area for a neighbourhood centre. The current proposal seeks a higher density residential development than that enabled by plan change 12.  A resource consent has previously been granted for stage 1 (33 lots) of the proposed subdivision (under construction. A current subdivision and land use application proposes to increase the development density of Stage 1 by 8 additional homes.	and 9 road lots	KPMG accountants.	include land returned under a Treaty settlement  coccur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011.  Our initial assessment indicates that this project has the potential to meet the purpose of the Act as it will: provide short term construction jobs and facilitate opportunities in tourism in the Central Otago region, an area adversely impacted by COVID-19 strengthen the region's economy.	s 9(2)(b)(ii) in commercial construction.  The applicant's estimate is that the application will add s 9(2)(b)(ii) to the Central Otago economy.	No information is provided on cultural well-being, s 19(b).	development density.  The applicant advises that the fast-track consenting process is considered likely to shorten the timeframes to at least 18 months and will reduce appeal rights.	housing supply and providing improved pedestrian and cycle connectivity across the site and with the Cromwell town centre.	adverse effects relate to:  increased development density transport effects infrastructure effects site contamination effects on a notable tree "Wooing Tree".  A panel could consider the appropriateness of increased development density.  A transport assessment proposes mitigation measures. Access to later stages of the subdivision is contingent on works to SH8b. Comments on the inclusion of these works in this application could be sought from NZTA.  The applicant states that infrastructure is sufficient to service the site and inground soakage is adequate for stormwater.  The applicant considers the level of contaminants does not trigger consents for earthworks on contaminated land.  The "Wooing Tree' notable tree is proposed to be retained.	development in Cromwell South and the Wooing Tree Estate.  Central Otago District Council has prepared the Cromwell Spatial Framework Plan which identifies this site for future medium and high-density housing. A plan change is proposed to implement the Cromwell Spatial Framework Plan in 2021.	construction of the proposed roundabout and underpass and the effects of the application on cultural wellbeing including on te ao Māori, s 19(b).  c. agree to seek comment from Ministers listed in s21(6) of the Act.  d. agree to seek comment from Waka Kotahi NZ Transport Agency (NZTA) regarding any agreements or partnerships with the applicant and the timing of building the new roundabout and pedestrian underpass under SH8B.  e. agree to seek comments from the relevant local authorities.	Yes/No Yes/No

Signed:

Hon David Parker Minister for the Environment

Date