Ministry for the Environment
Manatū Mō Te Taiao

OIAD-105

9(2)(a)

Dear 9(2)(a)

Thank you for your email of 10 August 2021 requesting the following under the Official Information Act 1982 (the Act):

> *We made a request to the Ministry pursuant to section 12 of the Official Inf rmation Act 1982 (the Act) on 23 February 2021 (Request) seek ng a copy of the Application and a copy of any reports or documentation relating t the Ministry's decision to refer the Application to the fast-track consenting process. A copy of the Request is attached for reference.*
>
> *We received a response from the Ministry on 22 March 2021 (Response) refusing the Request, in particular refusing to provide four of the documents under section 18(d) of the Act, on the basis the information would soon be made publicly available. The Response stated the documents were expected to be published within five to eight working weeks. A copy of the Response is attached for reference.*
>
> *In accordance with the Response, the documents should have been made publicly available by 20 May 2021*
>
> *The documents have not been made publicly available.*
>
> *As such we again request that the M nistry provide the information sought pursuant to section 12 of the Act. Please provide the documents within 20 working days.*

On behalf of the Ministry for the Environment (the Ministry), I apologise that the documents requested were not published in the outlined timeframes in our previous response to you.

The Ministry has released three documents in part, with some information withheld under the following sections of the Act:

- 9(2)(a) to protect the privacy of natural persons;
- 9(2)(b)(ii) the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty; and

One document has been released to you in full.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

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You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website, at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work, the Ministry for the Environment publishes responses to requests for official information on our website, at: www.environment.govt.nz/about-us/official-information-act-requests/. If you have any queries about this, please feel free to contact our Ministerial Services team, at: ministerials@mfe.govt.nz.

Yours sincerely

Sara Clarke,
**Director – Delivery and Oversight**

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## Document schedule

| Document no. | Document date | Content | Decisions | OIA sections applied |
|---|---|---|---|---|
| 1 | 13 October 2020 | Application for a project to be referred to an expert consenting panel | Released in part | Section 9(2)(a) |
| 2 | 29 October 2020 | FTC#24: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decision to 29 October 2020 | Released in full | N/A |
| 3 | 27 November 2020 | COVID 19 Recovery (Fast Track Consenting) Act 2020 – Winery, Restaurant, Education and Event Complex – Request for Information | Released in part | Section 9(2)(a)<br>Section 9(2)(b)(ii) |
| 4 | 10 December 2020 | FTC#31: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act – Stage 2 decision | Released in part | Section 9(2)(a)<br>Section 9(2)(g)(i) |

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Ministry for the Environment
Manatu Mo Te Taiao

New Zealand Government

# Application for a project to be referred to an expert consenting panel

## (Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

*For office use only:*

Project name: Winery, restaurant, education and event complex
Application number: PJ-0000716
Date received: 13/10/2020

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared Fast-track guidance to help applicants prepare applications for projects to be referred.

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# Part I: Applicant

### Applicant details

Person or entity making the request: Otago Viticulture and Oenology (Trading as Brennan Wines)

Contact person: Sean Brennan

Job title: Owner/winemaker

Phone: s 9(2)(a)

Email s 9(2)(a)

Postal address:

s 9(2)(a)

### Address for service (if different from above)

Organisation: JCarter Planning

Contact person: Jenny Carter

Job title: Resource Management Planner

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service: jenny@carterplanning.nz

Postal address:

s 9(2)(a)

# Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

110 Gibbston Back Road, Gibbston, Otago, 9371, New Zealand

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

Part Lot 16 Deposited Plan 23707 held in CFR OT18D/74

Registered legal land owner(s):

Murray Frederick Brennan

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

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# Part III: Project details

**Description**

Project name: Winery, restaurant, education and event complex

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

To construct a winery complex that provides onsite wine making including bottling and storage, restaurant and cellar door, education and event facilities

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail

Brennan Wines is an established vineyard located at Gibbston Back Road, within the Gibbston Valley. The owners currently run a small cellar door, with wine making and barrel storage located within separate buildings on the site. Most staff are from overseas, with harvests and pruning typically bringing in workers from Vanuatu. Wine is made on site and then transported to Cromwell for bottling. The vast majority of the wine is then transported back to the winery for storage and sale.

In 2016, the owners started working on concepts for a new winery building that would accommodate a large barrel hall, wine making facilities (including bottling and storage), restaurant and cellar door with some conference/meeting facilities. The concept has progressed to the preparation of resource consent documents.

Post Covid 19, the owners are proposing that the facility is also used for education. This addresses two post-Covid issues; one being the inability for migrant workers to travel to New Zealand, and second being the redeployment of New Zealanders. Providing an education facility on site provides for the long term sustainability of the winery itself, as well as the wider viticulture industry within the Gibbston Valley and elsewhere in New Zealand. It improves the resilience of the wine industry, recognising the need to help get New Zealanders trained to work within the vineyards to reduce the reliance on overseas workers.

Gibbston Valley is world renowned for its wine making, and this is recognised in the Queenstown Lakes District Plan, which supports the growth of vineyard activities particularly within the Gibbston Valley. The proposal is complementary to the sustainable management of the Gibbston Valley and the wine industry that it supports.

The following outlines the activities proposed within the winery building. The building is architecturally designed and provides three levels providing space for wine making, cellar door and restaurant, events and meetings. The plans of the winery building are attached and marked [**A**].

***Restaurant and cellar door:***

The building provides a café / restaurant and tasting room of 681m2 floor area. This would provide casual dining and wine tasting. Depending on demand the restaurant will focus on casual day time dining but will potentially open at night most likely up to three times per week as well as for evening functions. The cellar door will offer wine tasting up to seven days a week, catering for small wine tours as well as independent travellers.

***The barrel hall***

In addition to the storage of barrels, the barrel hall has been designed to accommodate small, intimate concerts. There is space to place the barrels at the outer edges of the hall and accommodate up to 400 persons within an acoustically designed indoor setting. The events are aimed at providing an upmarket venue for high quality artists.

***Education***

The existing vineyard and the proposed winery complex will provide a hands on training facility to support training for winemaking, viticulture, hospitality and potentially arts.

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Class sizes would generally be small, with up to 15 students. There is indoor teaching space, but most of the learning would be hands on and undertaken within the vineyard. It is anticipated that training programmes would be run using local vintners, or educators from outside of Queenstown. Larger seminars, presentations, and the like could also be held, in the barrel room or other larger spaces within the building.

***Wine making, including bottling and storage***

An important component of the proposed facility is the wine making. This will be undertaken within the lower level of the building. Currently, the wine is all transported to Cromwell for bottling. The proposed building will accommodate a bottling plant for the Brennan wine as well as other wines from within the Gibbston valley This reduces travel expenditure, providing a one-stop shop within the winery complex.

***Weddings and events***

In addition to the concerts identified above, the venue will also cater for weddings and private events (eg 50th birthday celebrations) of up to 300 persons, and it is estimated that these larger private events would be held up to 5 times per year. Smaller weddings or similar private functions that cater for 100-150 persons would be held more often. These events could be located within the restaurant and outdoor courtyard, or in the barrel hall.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

The complex will be completed in one stage

## Consents / approvals required

Relevant local authorities: Otago Regional Council, Queenstown Lakes District Council

Resource consent(s) / designation required:

Land-use consent, Discharge permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

| Legal description(s) | Relevant plan | Zone | Overlays | Other features |
|---|---|---|---|---|
| Lot 16 Deposited Plan 23707, held in Title OT18D/774 | Queenstown Lakes Proposed District Plan | Gibbston Character Zone | Nil | nil |

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

| Relevant plan / standard | Relevant rule / regulation | Reason for consent | Activity status | Location of proposed activity |
|---|---|---|---|---|
| Queenstown Lakes Proposed District Plan | 23.4.14 Retail sales 23.4.15 Winery and farm buildings The construction, addition or alteration of a farm building or winery 23.5.2 Building Size 23.5.7 Setback of buildings from water bodies The minimum | Breach of standards as above | Non Complying (for education activities) | 86 Gibbston Back Road |

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| | | | | |
|---|---|---|---|---|
| | setback of any building from the bed of a water body shall be 20m Education activities 23.4.20 Any other activity not listed in Table 1 Education is not listed in Table 1. Education is also listed as a community activity. However, community activity is also not listed. Chapter 29 Transport 29.5.1 Minimum Parking Requirements 29.5.3 Size of Parking Spaces and Layout 29.5.12 Lighting of Parking Areas 29.5.13 Bicycle Parking and the Provision of Lockers and Showers 29.5.14 Access and Road Design 29.5.16 Width and Design of Vehicle Crossings Events 35.4.4 any other temporary events provided that: 35.4.14 Any temporary activity or relocated building | | | |

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

No previous applications have been made for this proposal.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

nil

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

Building consent will be required.
The discharge of wastewater, given the quantity (because of the winery) will require discharge consent from Otago Regional Council.

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### Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

Once resource consent is obtained an anticipated start date can be established. It is anticipated that the building would take around 18 months to build. Therefore assuming consent is obtained in 7-8 months from lodgement with the EPA, and taking into account the time required to finalise funding, it anticipated that the build could commence in the final quarter of 2021, with completion in 2023. It is noted that the detailed assessment of effects and specialist reports are all but ready to go, and so the application could be lodged swiftly with the EPA if the Minis er decides to refer the project for the fast-track consenting process.
Smaller scale training would likely need to commence immediately and into the short term (ir espective of the grant of consent to the new proposal). Until completion of the new facility, this would have to be undertaken within the existing buildings and vineyard.

## Part IV: Consultation

### Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

A meeting via zoom with MFE staff was held on 16 Septemb r 2020

### Local authorities

Detail all consultation undertaken with relevant local authorities:

Pre application lodged with QLDC 29 September 2020
Site visit with QLDC planner Friday 9 October 2020

### Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

Neighbours s9(2)(a)

Detail all consultation undertaken with the above persons or parties:

Affected party approval has been obtained from s9(2)(a)
Communication with s9(2)(a) has commenced

## Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to Te Kāhui Māngai – Directory of Iwi and Māori Organisations.

### Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

| Iwi authority | Consultation undertaken |
|---|---|
| No details | |

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Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

| Treaty settlement entity | Consultation undertaken |
|---|---|
| No details | |

### Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

N/A

## Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

### Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

N/A

### Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

N/A

## Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

An AEE has been prepared, which relies on expert reports including servicing, landscape, acoustic and traffic. In summary, the known adverse effects will be

- Landscape and visual amenity
- Acoustic
- Traffic, from increased vehicle movements.
- Potential effects on water quality

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The landscape and visual amenity effects will be mitigated by the proposed landscaping and the architectural design of the building, which is set in to the natural contour and clad in natural and recessive materials.
The barrel hall will be acoustically insulated. Noise effects from vehicle movements and outdoor music can be managed by implementing a noise management plan.
Water quality effects can be managed through providing effective on site waste water and stormwater management. A discharge consent is required from the Otago Regional Council and this will be sought in due course.
There will be temporary effects from construction. These can be mitigated by implementation of an environmental management plan and managing hours of operation.
The site benefits from its location within the Gibbston Character Zone of the District Plan, which supports the viticultural activities including winery buildings.

## Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

The National Policy Statement for **Freshwater Management 2020** (NPS-FW) came into effect on 3 September 2020. Its objective is provided at page 9 and reads:
*(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*
*(a) first, the health and well-being of water bodies and freshwater ecosystems*
*(b) second, the health needs of people (such as drinking water)*
*(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future*
The proposal will use existing water permits for potable supply, required for winemaking and the restaurant and cellar door.
A wastewater system can be designed to accommodate the discharges associated with both wine making and restaurant and cellar door. It is proposed that to reduce stormwater and better utilise the water resource, that rainwater is collected from the roof and stored for use. A large pond is proposed that will provide both an attractive landscape setting as well as firefighting water supply.
During construction, particularly earthworks to create the building footprint and car park areas, there is potential for run off. All earthworks and construction would be undertaken in accordance with an environmental management plan. This would ensure that any potential effects on water bodies would be avoided or reduced.
The construction of the building does not result in the loss of any wetland, and discharges can be managed to avoid adverse effects on water quality. The proposal represents an efficient use of the water resource.
Providing education on site can assist in communicating best practice for the wine industry. It enables the community to provide for their social, economic and cultural wellbeing in a way that is consistent with the NPS-FW.
**National Policy Statement for Assessing and Managing Contaminants in Soil to Protect Human Health (NPS-C)**
A Preliminary Site Investigation has been prepared. The proposed site for the winery is in pasture (with some vineyard) and has not been used for storage of agrichemicals or other HAIL activity. The proposed winery does not represent a change in use to a more sensitive activity.

## Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to "urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources".

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

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### Project's economic benefits and costs for people or industries affected by COVID-19:

The project represents a diversification, using the existing activities on site as a base from which to establish a facility that provides ongoing training, education and cultural activities, alongside winemaking and viticultural activities. With the borders closed there is a lack of skilled viticultural workers available. The project will provide training for New Zealanders. It will have a long term economic benefit by upskilling New Zealanders into the viticultural and winemaking workforce.

Wine making has been impacted by Covid 19, particularly the cellar door and wine sales, and the availability of labour. There is a lack of skilled workers available which will soon become very problematic. This project is an opportunity to diversify and improve the vineyard's resilience, so that the vineyard can provide a range of services and facilities that are not reliant on tourism alone. It will contribute positively to the viticultural industry and enable New Zealanders to obtain the skills they need for employment in this sector.

The construction of the building will have short term economic benefit, employing a range of construction workers, from project managers, architects to electricians, builders and landscape gardeners.

### Project's effects on the social and cultural wellbeing of current and future generations:

The project will have positive effects on the social and cultural wellbeing of the current and future generations. This would be achieved through the provision of training facilities within a world renowned winemaking region. It provides an opportunity to upskill, so that locals can gain employment. Culturally it offers the opportunity for film, theatre or other arts. In this way the community would also benefit from the provision of an events venue.

### Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

*Please note: The Resource Consents team is currently dealing with heavy volumes of applications. To manage your expectations, it is likely that most applications will take the full 20 working days to process. To limit time delays at your end it is important that your application is complete.*

This note has been provided on all such letters for more than two years and indicates that the Council staff are under pressure. It is not unusual for a notified or limited notified resource consent to take more than a year to process. Small scale applications that are not notified generally take more than the 20 working days. Experience is also that an applicant can spend significant time working with the Council to try to achieve non notification (e.g many months).

### Whether the project may result in a 'public benefit'

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

### Employment/job creation:

Yes; the project will generate employment in the short term during the construction phase. It will also generate employment on a longer term basis, with staff required for running cellar door, restaurant and events and education. It is estimated that these activities will require at least two management staff. The cellar door will require at least 4 full time staff, increasing to 8 or more in the busy seasons. There could be a further 2-3 staff hosting winery tours, and the restaurant would require 3-8 full time equivalent restaurant staff with potentially additional part time staff. Providing a bottling facility on site would require 3-4 skilled staff, with an extra 5- 6 staff to pack boxes etc. Part time staff would be required for larger runs.

The events would require significant staff numbers, with frontline staff, in addition to contractors for caterers, toilets, traffic management, lighting and sound.

In addition, the education facility will require educators and it is anticipated that here would be class sizes of up to 15 persons. As identified above, the education will assist long term employment by enabling New Zealanders to upskill. It represents an improvement to the wine industry's resilience, by training staff on site, reducing the reliance on overseas workers. It is anticipated that the education component will grow as the facility becomes established.

### Housing supply:

The proposal does not increase housing supply

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Contributing to well-functioning urban environments:

The proposal is located in the rural environment, providing a hands on educational experience.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

The proposal provides the facilities needed to improve economic and employment outcomes and increase productivity. It utilises the winery complex to facilitate an improved economic resilience within the industry. It improves employment capabilities by providing on-site training that uses the existing vineyard operations and the proposed winery facility to provide hands on education.
Providing the on-site infrastructure for bottling wine within the Gibbston Valley is a significant improvement on current practices. It reduces travel and its associated costs. The provision of on-site training impr ves productivity. As discussed above there is no bottling facility within Gibbston, necessitating all of the wine that is produced in the val ey to be transported through to Cromwell for bottling. Once bottled, it is understood that most of he wine is t en transported back to Gibbston for sale and distribution. Providing an on-site bottling plant therefore reduces truck movements through the Kawarau Gorge. This is a significant benefit, increasing the resilience of the local wine industry, reducing impacts on the road network and reducing emissions by reducing ehicle movements.
A servicing report has been prepared in support of the application, which ou lines the infrastructure that is necessary for the proposal. The facility will be self-sufficient in that the site will contain a wastewater sy tem, stormwater will be managed on site and water supply will be provided via existing permits.

Improving environmental outcomes for coastal or freshwat r quality, air quality or indigenous biodiversity:

The infrastructure has been designed to ensure that effects on freshwater quality will be avoided or mitigated. There will be no effects on air quality, or indigenous biodiversity. The site is within a working vineyard and as such has been modified.

Minimising waste:

The proposal is to construct a sustainable build ng that utilises natural materials. The applicants are committed to waste reduction. The building is designed to re-use water; providing on site stormwater retention and integrating fire-fighting supply into landscaping reduces requirement for separated water storage.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

Providing for a one-stop shop within the Gibbston Valley reduces travel

Promoting the protection of historic heritage:

The site does not contain heritage features.

Strengthening envi onmental, economic, and social resilience, in terms of managing the risks from natural haza ds and the effects of climate change:

Geotechnical investigations have been undertaken for the site. These found that the site is subject to an alluvial fan hazard and susceptible to ground shaking from earthquakes. Recommendations are made with respect to reducing the effects. The geotechnical recommendations will be incorporated into the building design and the conditions of consent. This ensures that the effects from natural hazards can be managed effectively.

Other public benefit:

Providing on site bottling reduces truck movements between Gibbston Valley and Cromwell, reducing impacts on the road

Whether there is potential for the project to have significant adverse environmental effects:

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There is not potential for the project to have significant adverse effects.

## Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

The site is not subject to significant natural hazards, in particular, the site is not subject to flood hazards which could be exacerbated by climate change. The most significant natural hazard risk is earthquake and this risk is accounted for in the building design.
The Gibbston Valley is naturally well suited to wine making and this suitability is unlikely to be significantly impacted by the effects of climate change.

## Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

| Local authority | Compliance/Enforcement Action and Outcome |
|---|---|
| Queenstown-Lakes District Council | nil |

## Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application may be released if requested under the OIA.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

| | |
|---|---|
| Jenny Carter | 13/10/2020 |
| **Signature of person or entity making the request** | **Date** |

## Important notes:

- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the

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OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

## Checklist

Where relevant to your application, please provide a copy of the following information.

| | |
|---|---|
| Yes | Correspondence from the registered legal land owner(s) |
| Yes | Correspondence from persons or parties you consider are likely to be affected by the project |
| No | Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement. |
| No | Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area. |
| No | Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area. |

Released under the provision of the Official Information Act 1982

**PROJECT DESCRIPTION – BRENNAN WINERY:**

**NEW WINERY, RESTAURANT, EDUCATION AND EVENT COMPLEX**

Brennan Wines is an established vineyard and cellar door located at Gibbston Back Road, within the Gibbston Valley. The owners currently run a small cellar door, with wine making and barrel storage located within separate buildings on the site. Most staff have tended to be from overseas, with harvests and pruning typically bringing in workers mostly from Vanuatu.

In 2016, the owners started working on concepts for a new winery building that would accommodate a large barrel hall, wine making facilities, restaurant and cellar door with some conference/meeting facilities. The concept has progressed to the preparation of resource consent documents.

Post Covid 19, the owners have considered how to diversify further, recognising the need to help get New Zealanders trained to work within the vineyards. This addresses two post-Covid issues; one being the inability for migrant workers to travel to New Zealand and the other being the redeployment of New Zealanders. It also contributes to the long term sustainability of the winery itself, and the wider viticulture industry within the Gibbston Valley (and elsewhere in New Zealand).

Gibbston Valley is world renowned for its wine making, and this is recognised in the Queenstown Lakes District Plan, which supports the growth of vineyard activities particularly within the Gibbston Valley. The proposal is complementary to the sustainable management of the Gibbston Valley.

The following outlines the activities proposed within the winery building. The building is architecturally designed and provides three levels providing space for wine making, cellar door and restaurant, events and meetings. The plans of the winery building are attached and marked [**A**].

***Restaurant and cellar door:***

The building provides a café / restaurant and tasting room of 681m$^2$ in floor area. This would provide casual dining and wine tasting. Depending on demand the restaurant will focus on casual day time dining, but will potentially open at night most likely up to three times per week as well as for evening functions. The cellar door will offer wine tasting up to seven days a week, catering for small wine tours as well as independent travellers.

***The barrel hall***

In addition to the storage of barrels, the barrel hall has been designed to accommodate small, intimate concerts, including its acoustical setting. There is space to place the barrels at the outer edges of the

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hall, and accommodate up to 400 persons within an acoustically designed indoor setting. The events are aimed at providing an upmarket venue for high quality artists.

***Education***

The existing vineyard and the proposed winery complex will provide a hands on training facility to support training in the new building for winemaking, viticulture and potentially arts.

Class sizes would generally be small, with up to 15 students. There is indoor teaching space with most of the learning undertaken within the vineyard. It is anticipated that training programmes would be run using local vintners, or educators from outside of Queenstown. Larger seminars presentations, and the like could also be held, in the barrel room or other larger spaces within the building.

***Weddings and events***

In addition to the concerts identified above, the venue will also cater for weddings and private events (eg 50th birthday celebrations) of up to 300 persons, and it is estimated that these larger private events would be held up to 5 times per year. Smaller weddings or similar private functions that cater for 100-150 persons would be held more often. These events could be located within the restaurant and outdoor courtyard, or in the barrel hall.

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# AFFECTED PERSON'S APPROVAL

## FORM 8A

QUEENSTOWN LAKES DISTRICT COUNCIL

Resource Management Act 1991 Section 95

## RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

Brennan Wines

## AFFECTED PERSON'S DETAILS

I/We s9(2)(a)

Are the owners/occupiers of s 9(2)(a) s 9(2)(a)

## DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Brennan Wines proposes a new winery building at their vineyard located on Gibbston Back Road, Gibbston Valley. The proposed building is located to the south of the existing tasting rooms, with two entrances off Gibbston Back Road. The proposed building has been designed by Dravitzki Brown Architects and uses natural materials and strong architectural form. The building will be set into the natural contour, so that from the Gibbston Back road it will have the appearance of a schist wall. At level one the building will contain bottle store and winemaking . Level 2 contains 437m2 for storage of wine barrels, in addition to conference room, storage, kitchen and offices. Level 3 provides space for tasting, dining and a deli.

The tasting, conference and restaurant facilities will provide for a maximum of 300 persons. It is proposed that the restaurant will cater for 40-50 persons and the restaurant and tasting will be open seven days per week between 10am and 6pm. If the restaurant does well, it is envisaged it will open for night time dining up to four nights per week, and until 11pm.
The barrel hall has been designed to accommodate concerts and it is proposed that concerts accommodating up to 400 persons would occur 3-4 times per year. These would commence around 7pm and have a closing time of 12pm. The venue will also cater for weddings of up to 300 persons, and it is estimated that these larger weddings would be held up to 5 times per year. Smaller weddings that cater for 100-150 persons would be held around 10 times per year. Most if not all persons attending functions will be transported to the site by bus or coach.

at the following subject site(s):

110 Gibbston Back Road

☑ PLEASE TICK I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.

☑ PLEASE TICK I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

## WHAT INFORMATION/PLANS HAVE YOU SIGHTED

☑ PLEASE TICK I/We have sighted and initialled ALL plans dated and approve them.

20 Sept 2020



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## APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

**A**

s9(2)(a)

Contact Phone / Email address
s 9(2)(a)
s 9(2)(a)

s9(2)(a)

Date 20/09/2020

**B**

s9(2)(a)

Contact Phone / Email address
s 9(2)(a)

Signature
s9(2)(a)

Date 24/09/2020

**C**

Name (PRINT)

Contact Phone / Email address

Signature

Date

**D**

Name (PRINT)

Contact Phone / Email address

Signature

Date

Note to person signing written approval

Conditional written approvals cannot be accepted.
There is no obligation to sign this form, and no reasons need to be given.
If this form is not signed, the application may be notified with an opportunity for submissions.
If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Released under the provision of the Official Information Act 1982

Released under the provision of the Official Information Act 1982

| Sheet Number | Sheet Name | Revision |
|---|---|---|
| A0.0 | Cover Sheet | A |
| A1.1 | Site Plan | A |
| A2.0 | Floor Plan Level 1 | A |
| A2.1 | Floor Plan Level 2 | A |
| A2.2 | Floor Plan Level 3 | A |
| A2.3 | Roof Plan | A |
| A3.1 | Elevations - N & E | A |
| A3.2 | Elevations - S & W | A |

Dravitzki Brown
ARCHITECTURE

**RC ISSUE**

**BRENNAN WINERY - GIBBSTON VALLEY**

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Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY · GIBBSTON VALLEY**

21 Glenfiddich Road · Jacks Point · Queenstown · PO Box 2324 Wakatipu Phone 03-442 8891

Site Plan

SCALE : 1:250 @ A1 1/2 @ A3
DATE : 22/02/2019 11:37:34 AM
JOB NO : 18.10

A1.1

ISSUE A

Prelim For Resource Consent

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1 Floor Plan Level 1
A3.1 Scale 1:100

Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

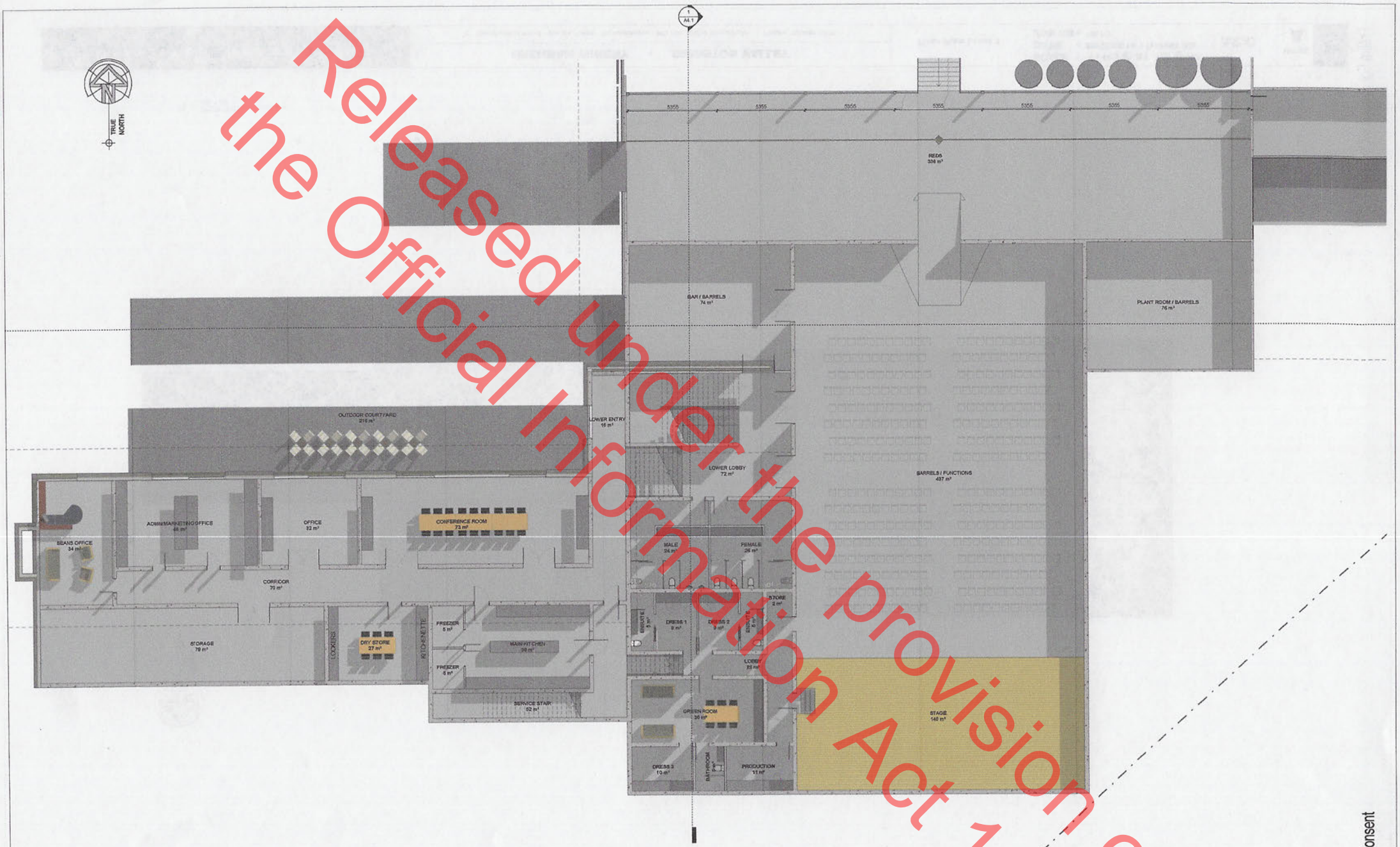
**Floor Plan Level 1**

SCALE : 1 : 100 @ A1 1/2 @ A3
DATE : 22/02/2019 11:37:44 AM
JOB NO: 18.10

A2.0

ISSUE A

Prelim For Resource Consent

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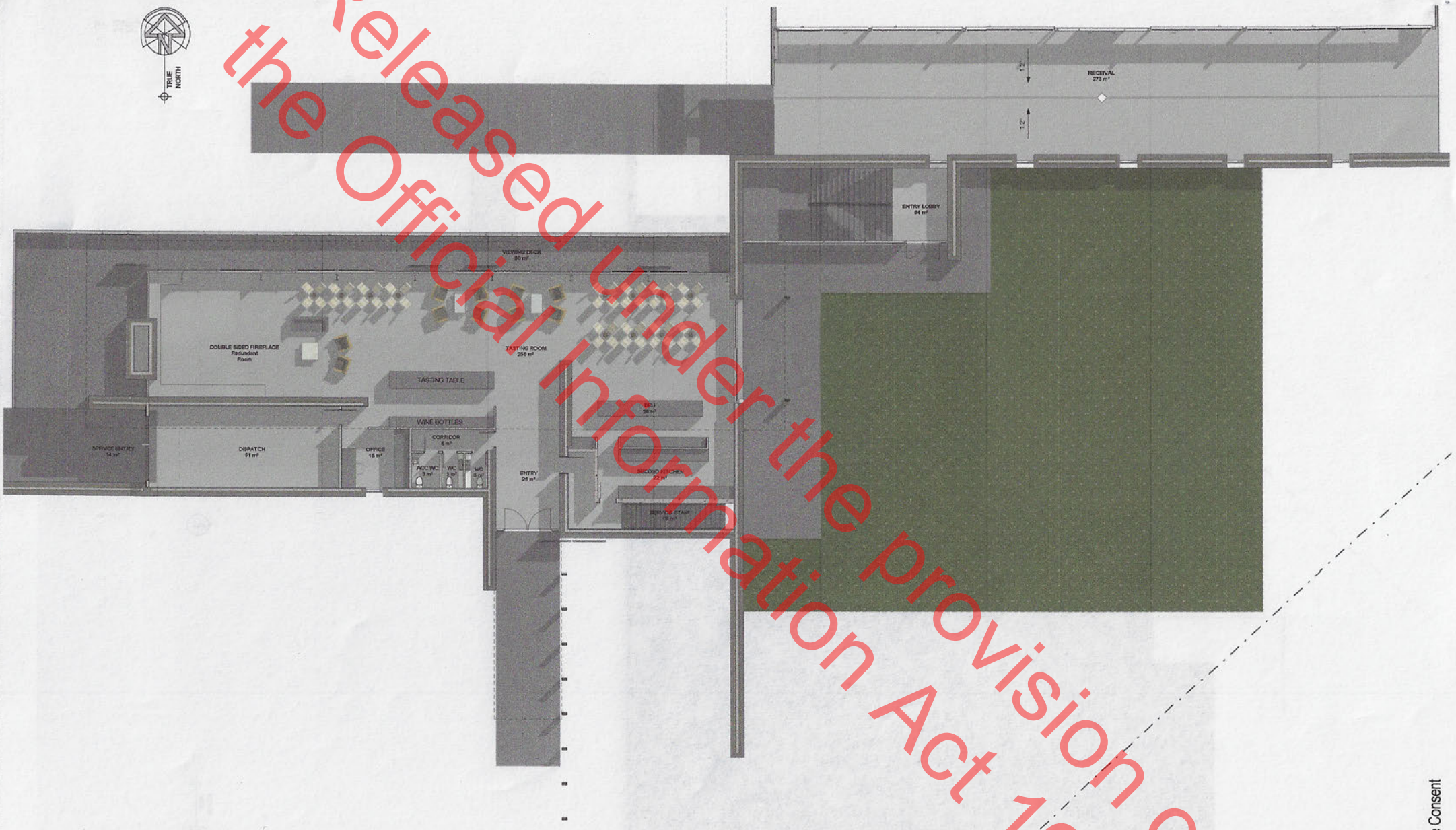
Prelim For Resource Consent

| | | | | |
|---|---|---|---|---|
| Dravitzki Brown ARCHITECTURE | BRENNAN WINERY - GIBBSTON VALLEY<br>21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891 | Floor Plan Level 2 | SCALE : 1: 100 @ A1 1/2 @ A3<br>DATE : 22/02/2019 11:37:51 AM<br>JOB NO : 18.10 | A2.1 | ISSUE A |




1 Floor Plan Level 3
A1.1 Scale 1:100

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Prelim For Resource Consent

| | | | | | |
|---|---|---|---|---|---|
| Dravitzki Brown ARCHITECTURE | BRENNAN WINERY - GIBBSTON VALLEY<br>21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891 | Floor Plan Level 3 | SCALE : 1:100 @ A1 1/2 @ A3<br>DATE : 22/02/2019 11:38:01 AM<br>JOB NO : 18.10 | A2.2 | ISSUE A |

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Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY · GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

Roof Plan

SCALE : 1 : 150 @ A1 1/2 @ A3
DATE : 22/02/2019 11:38:06 AM
JOB NO : 18.10

A2.3

ISSUE A

Prelim For Resource Consent

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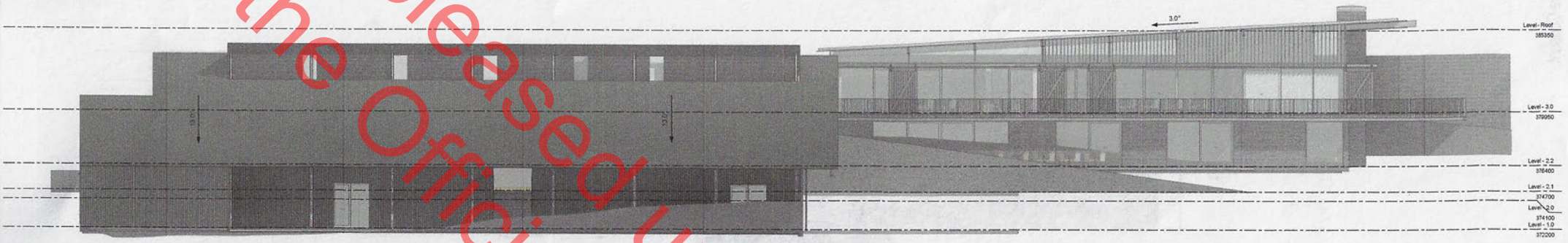
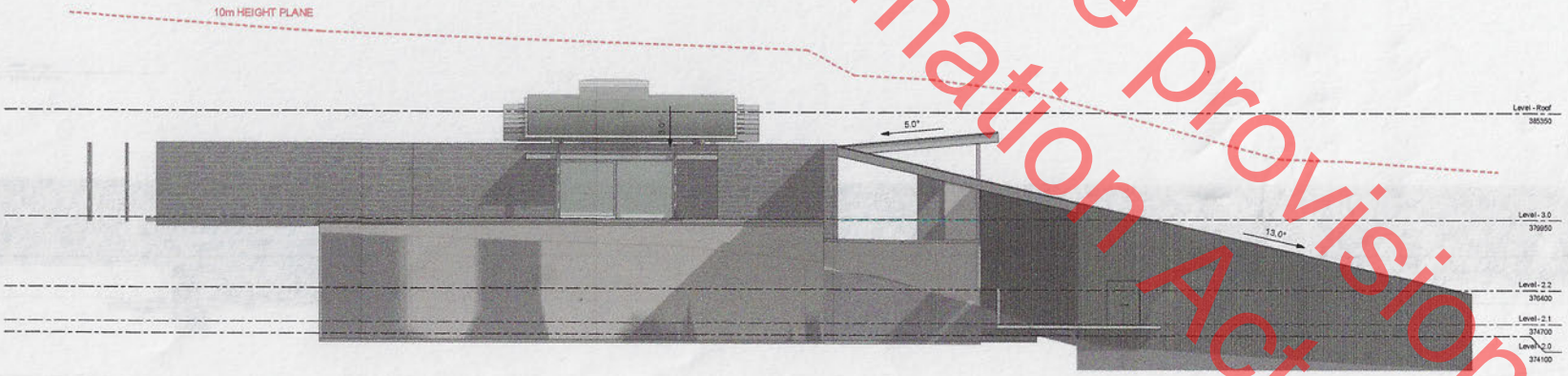



1 North Elevation
A2.3 Scale 1:125




2 East Elevation
A2.3 Scale 1:125

Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

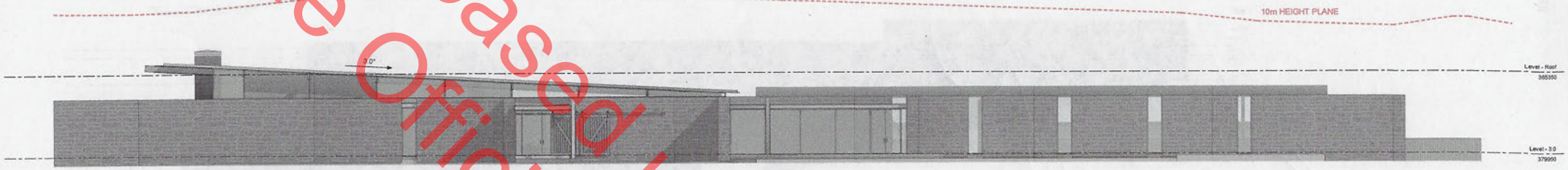
Elevations - N & E

SCALE : 1:125 @ A1 1/2 @ A3
DATE : 22/02/2019 11:38:27 AM
JOB NO : 18.10

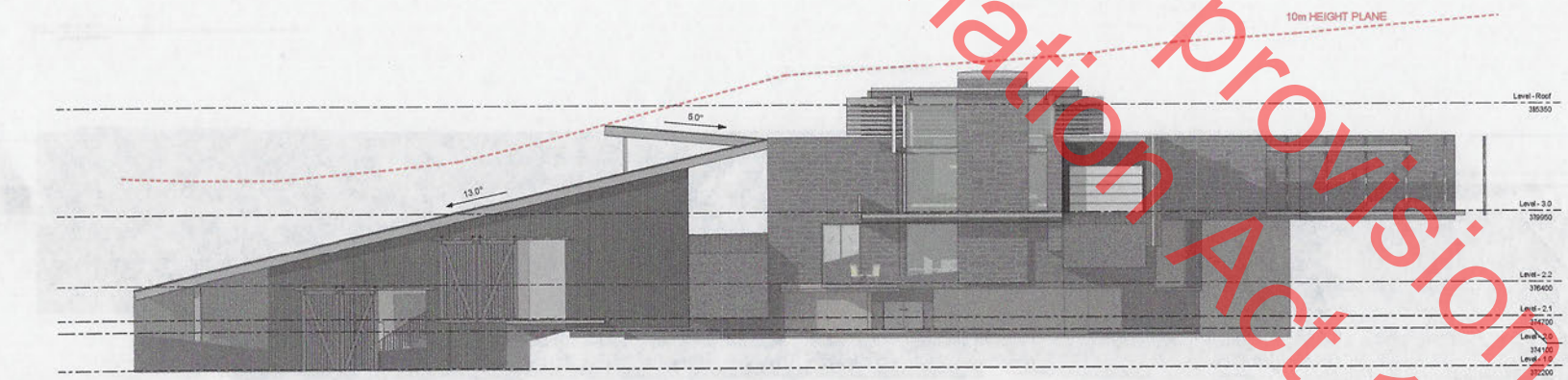
A3.1

ISSUE A

Prelim For Resource Consent




1 South Elevation
A2.3 Scale 1 : 125




2 West Elevation
A2.3 Scale 1 : 125

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Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY • GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

Elevations - S & W

SCALE : 1 : 125 @ A1 1/2 @ A3
DATE : 22/02/2019 11:38:41 AM
JOB NO : 18.10

A3.2

ISSUE A

Prelim For Resource Consent

# AFFECTED PERSON'S APPROVAL

## FORM 8A

QUEENSTOWN LAKES DISTRICT COUNCIL

Resource Management Act 1991 Section 95

## RESOURCE CONSENT APPLICANT'S NAME AND/OR RM #

Otago Viticulture and Oenology Limited, trading as Brennan Wines

## AFFECTED PERSON'S DETAILS

I/We s 9(2)(a)

Are the owners/occupiers of s 9(2)(a)

## DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

To construct a winery complex that provides onsite wine making including bottling and storage, restaurant and cellar door, education and event facilities

at the following subject site(s):

Part Lot 16 Deposited Plan 23707 held in CFR OT18D/74

☑ PLEASE TICK I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.

☐ PLEASE TICK I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

## WHAT INFORMATION/PLANS HAVE YOU SIGHTED

☑ PLEASE TICK I/We have sighted and initialled ALL plans dated and approve them. 13/10/2020



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## APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

**A**

| | |
|---|---|
| Name (PRINT) s 9(2)(a) | |
| Contact Phone / Email address s 9(2)(a) | |
| Signature s 9(2)(a) | Date 13.10.20 |

**B**

| | |
|---|---|
| Name (PRINT) | |
| Contact Phone / Email address | |
| Signature | Date |

**C**

| | |
|---|---|
| Name (PRINT) | |
| Contact Phone / Email address | |
| Signature | Date |

**D**

| | |
|---|---|
| Name (PRINT) | |
| Contact Phone / Email address | |
| Signature | Date |

Note to person signing written approval

Conditional written approvals cannot be accepted.
There is no obligation to sign this form, and no reasons need to be given.
If this form is not signed, the application may be notified with an opportunity for submissions.
If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

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# RECORD OF TITLE
# UNDER LAND TRANSFER ACT 2017
# FREEHOLD

**Search Copy**

R.W. Muir
Registrar-General
of Land

| | |
|---|---|
| **Identifier** | **OT18D/774** |
| **Land Registration District** | **Otago** |
| **Date Issued** | 15 October 1998 |

**Prior References**
OT15D/429

| | |
|---|---|
| **Estate** | Fee Simple |
| **Area** | 4.8558 hectares more or less |
| **Legal Description** | Part Lot 16 Deposited Plan 23707 |

**Registered Owners**
Murray Frederick Brennan

**Interests**

Subject to Section 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

962007.27 Transfer creating the following easements - 9.2.1999 at 10.10 am

| Type | Servient Tenement | Easement Area | Dominant Tenement | Statutory Restriction |
|---|---|---|---|---|
| Convey water | Lot 26 Deposited Plan 23709 - CT OT18C/220 | A-B DP 24427 | Part Lot 16 Deposited Plan 23707 - herein | |
| Convey water | Lot 26 Deposited Plan 23709 - CT OT18C/220 | D-E DP 24427 | Part Lot 16 Deposited Plan 23707 - herein | |
| Convey water | Lot 3 Deposited Plan 26546 - CT OT18C/219 | D-E DP 24427 | Part Lot 16 Deposited Plan 23707 - herein | |
| Convey water | Lot 26 Deposited Plan 23709 - CT OT18C/220 | C DP 24427 | Part Lot 16 Deposited Plan 23707 - herein | |

962007.28 Transfer creating the following easements - 9.2.1999 at 10.10 am

| Type | Servient Tenement | Easement Area | Dominant Tenement | Statutory Restriction |
|---|---|---|---|---|
| Convey water | Lot 24 Deposited Plan 23709 - CT OT15D/435 | E-F DP 24427 | Part Lot 16 Deposited Plan 23707 - herein | |
| Convey water | Lot 24 Deposited Plan 23709 - CT OT15D/435 | F-A1 DP 24427 | Part Lot 16 Deposited Plan 23707 - herein | |

962007.29 Transfer creating the following easements - 9.2.1999 at 10.10 am

| Type | Servient Tenement | Easement Area | Dominant Tenement | Statutory Restriction |
|---|---|---|---|---|
| Convey water | Section 41 Block III KAWARAU Survey District - CT OT10C/78 | A1-B1 DP 24425 | Part Lot 16 Deposited Plan 23707 - herein | |

962007.78 Encumbrance to Gibbston Valley Irrigation Limited - 9.2.1999 at 10.10 am

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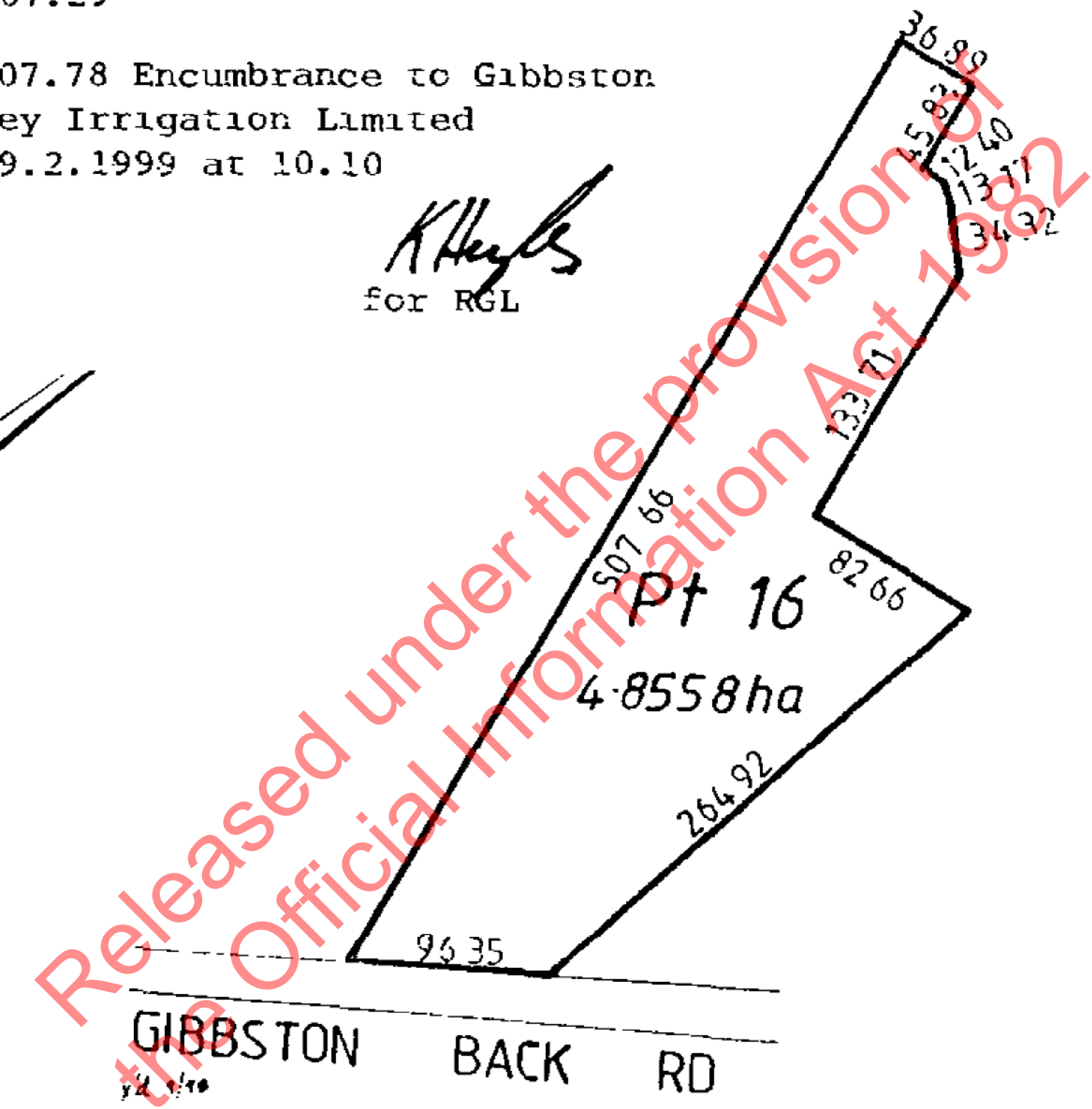
07.29

07.78 Encumbrance to Gibbston
ey Irrigation Limited
9.2.1999 at 10.10

for RGL




over

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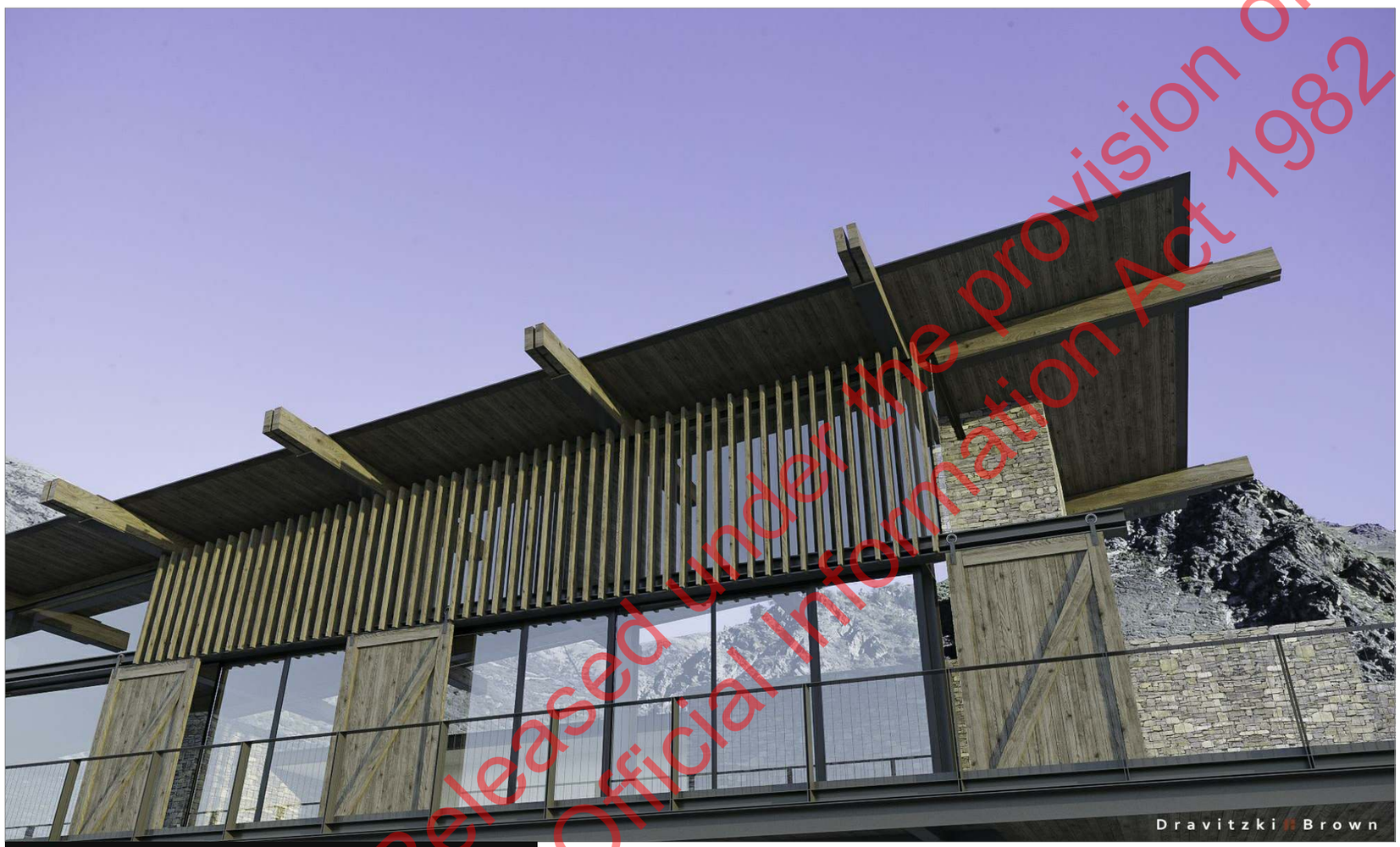


| Sheet Number | Sheet Name | Revision |
|---|---|---|
| A0.0 | Cover Sheet | A |
| A1.1 | Site Plan | A |
| A2.0 | Floor Plan Level 1 | A |
| A2.1 | Floor Plan Level 2 | A |
| A2.2 | Floor Plan Level 3 | A |
| A2.3 | Roof Plan | A |
| A3.1 | Elevations - N & E | A |
| A3.2 | Elevations - S & W | A |

Dravitzki Brown
ARCHITECTURE

**RC ISSUE**

**BRENNAN WINERY - GIBBSTON VALLEY**

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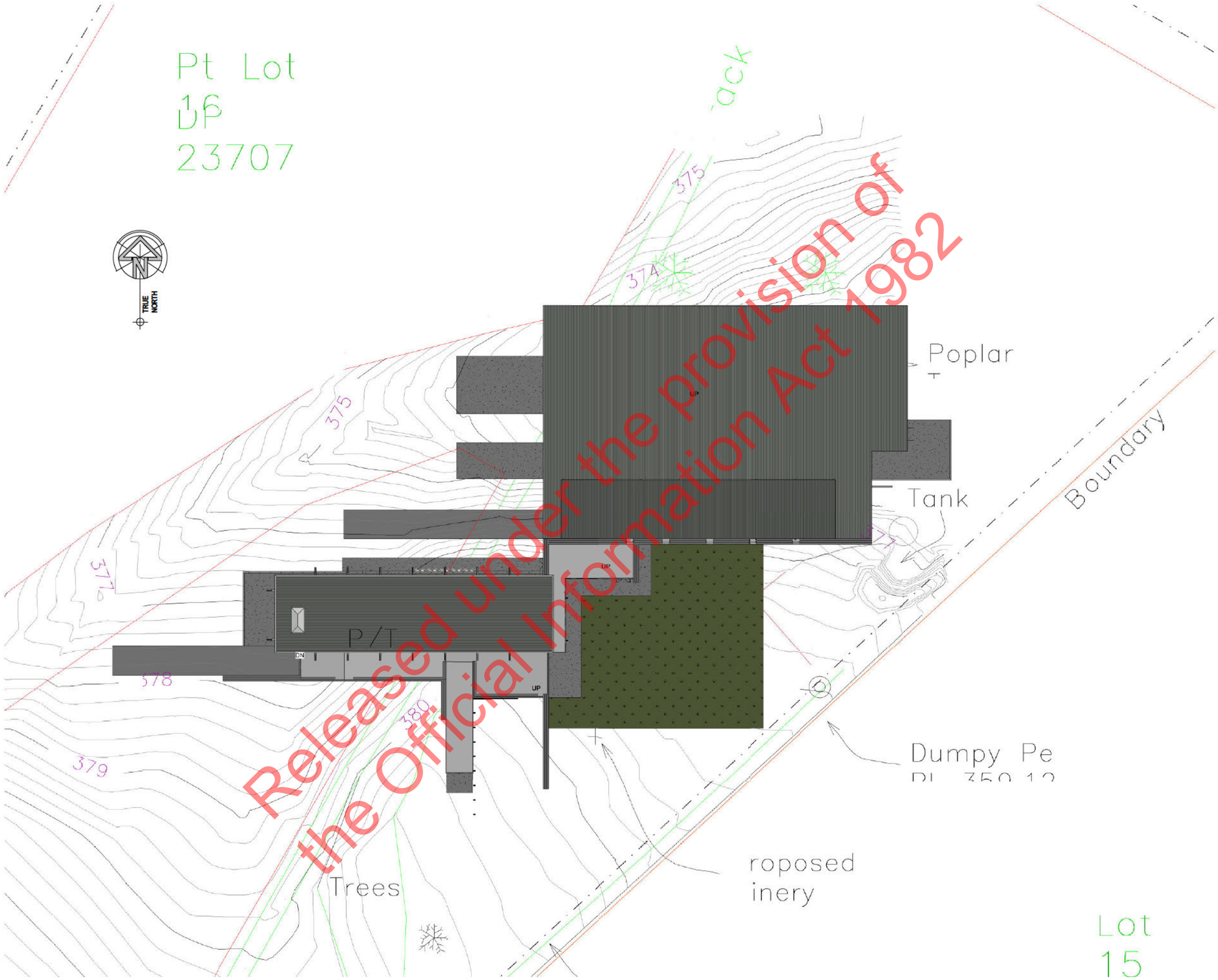


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Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

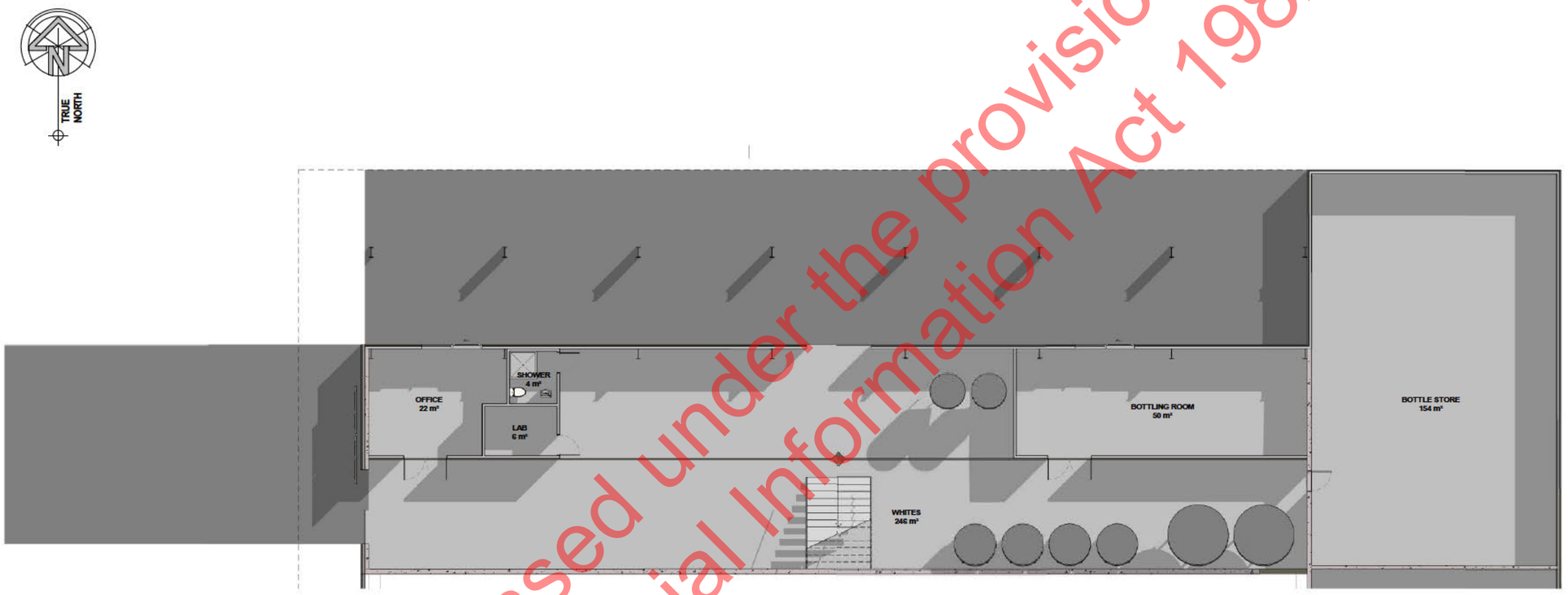
**Site Plan**

**SCALE** : 1 : 250 @ A1 1/2 @ A3
**DATE** : 22/02/2019 11:37:34 AM
**JOB NO** : 18.10

**A1.1**

**ISSUE** A

Prelim For Resource Consent




1 A3.1 Floor Plan Level 1
Scale 1 : 100

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Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

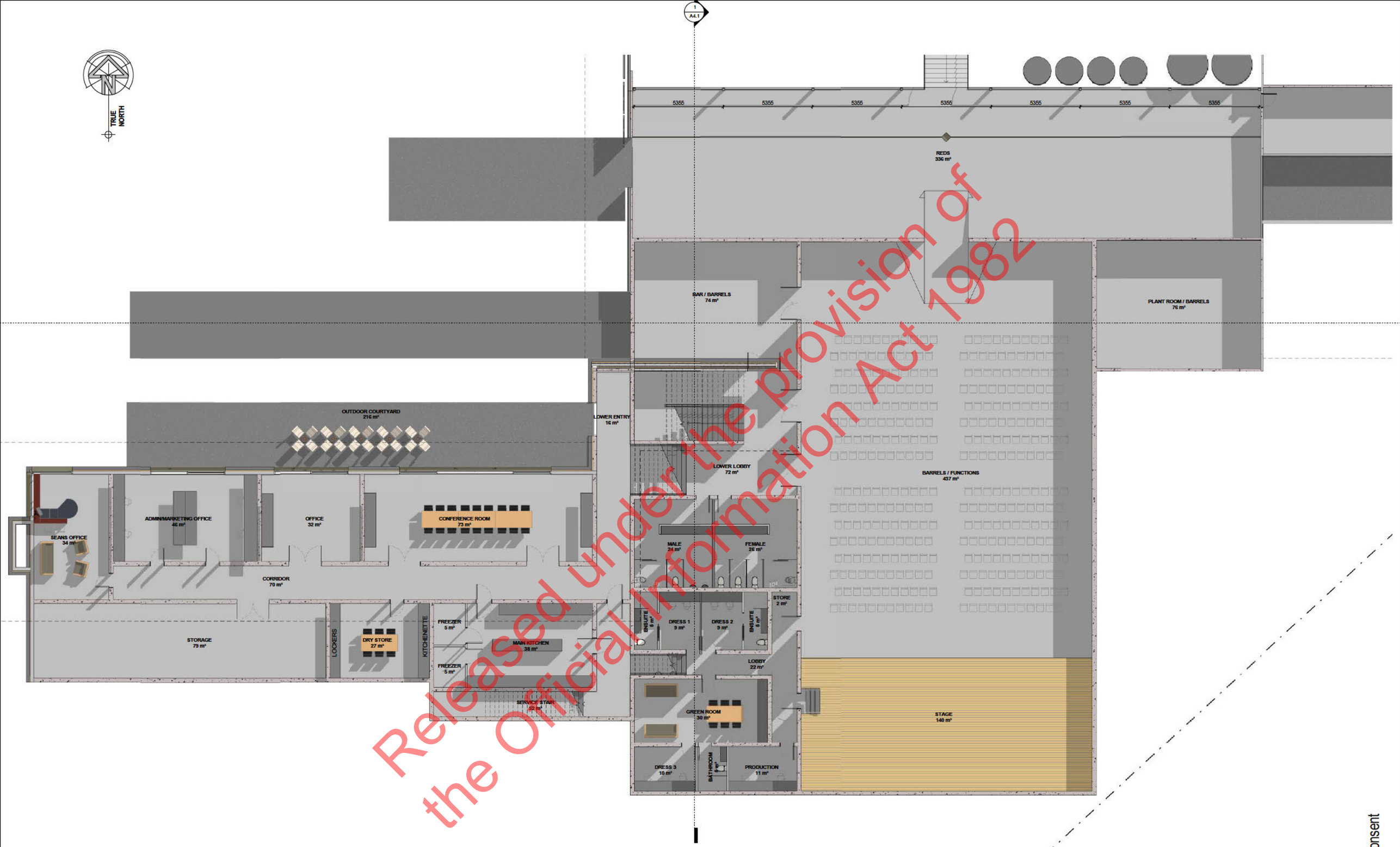
**Floor Plan Level 1**

**SCALE** : 1 : 100 @ A1 1/2 @ A3
**DATE** : 22/02/2019 11:37:44 AM
**JOB NO** : 18.10

**A2.0**

**ISSUE** A

Prelim For Resource Consent

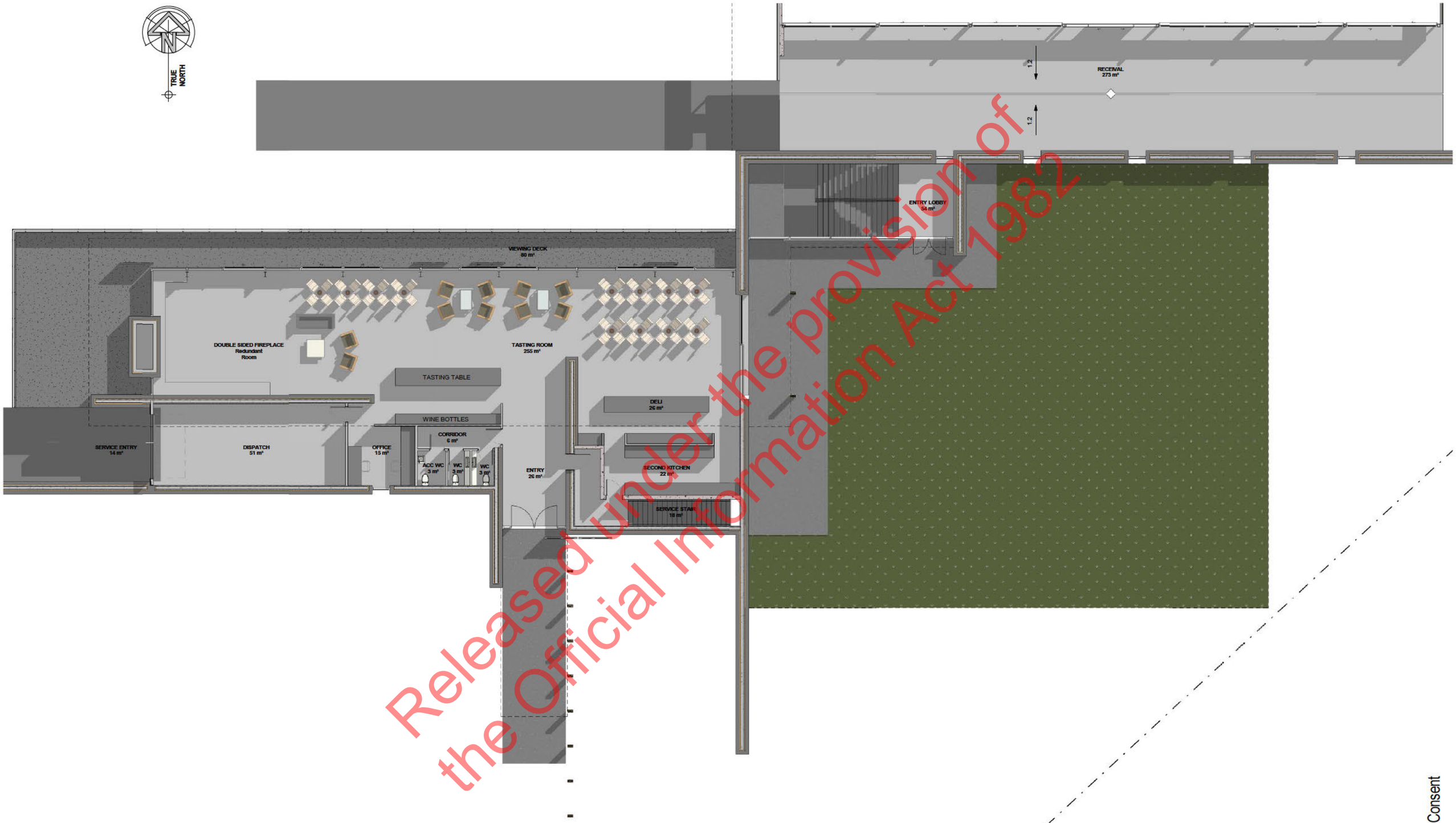



1 Floor Plan Level 2
A3.1 Scale 1 : 100

Released under the provision of the Official Information Act 1982

Prelim For Resource Consent

| | | | | | |
|---|---|---|---|---|---|
| Dravitzki Brown ARCHITECTURE | BRENNAN WINERY - GIBBSTON VALLEY<br>21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891 | Floor Plan Level 2 | SCALE : 1 : 100 @ A1 1/2 @ A3<br>DATE : 22/02/2019 11:37:51 AM<br>JOB NO : 18.10 | A2.1 | ISSUE A |




1 Floor Plan Level 3
A3.1 Scale 1 : 100

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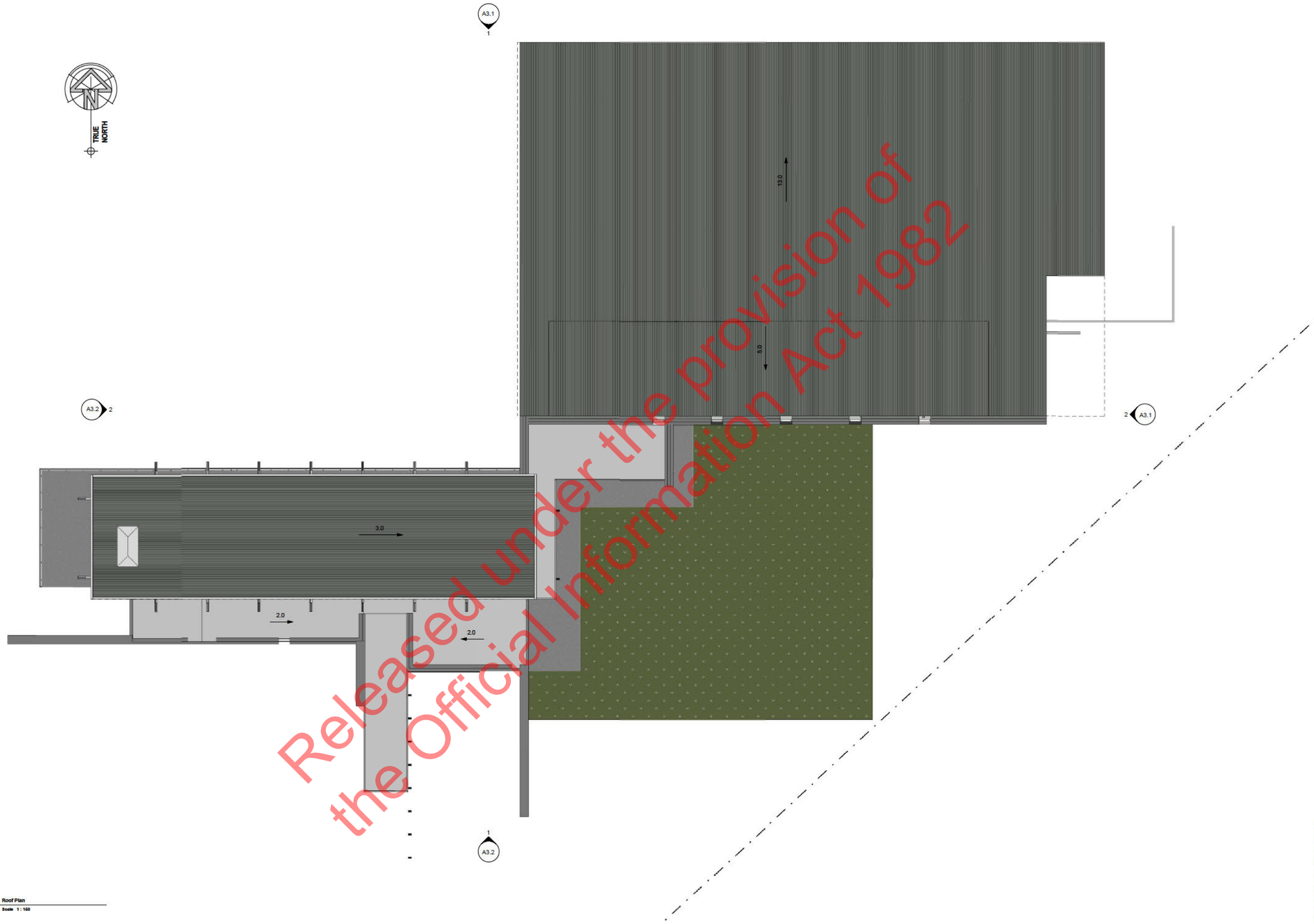
Prelim For Resource Consent

| | | | | |
|---|---|---|---|---|
| Dravitzki Brown ARCHITECTURE | BRENNAN WINERY - GIBBSTON VALLEY<br>21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891 | Floor Plan Level 3 | SCALE : 1 : 100 @ A1 1/2 @ A3<br>DATE : 22/02/2019 11:38:01 AM<br>JOB NO : 18.10 | A2.2 / ISSUE A |




1 A3.1 Roof Plan
Scale 1 : 150

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Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

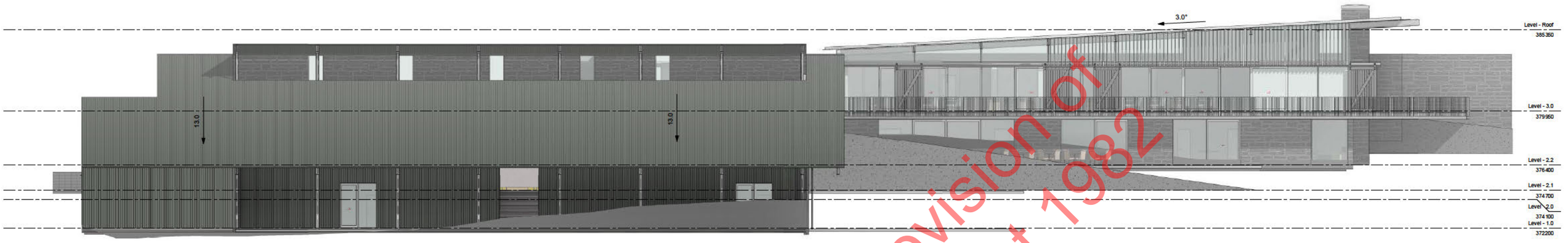
**Roof Plan**

**SCALE** : 1 : 150 @ A1 1/2 @ A3
**DATE** : 22/02/2019 11:38:06 AM
**JOB NO** : 18.10

**A2.3**

**ISSUE A**

Prelim For Resource Consent




1 North Elevation
A2.3 Scale 1 : 125

2 East Elevation
A2.3 Scale 1 : 125

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Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

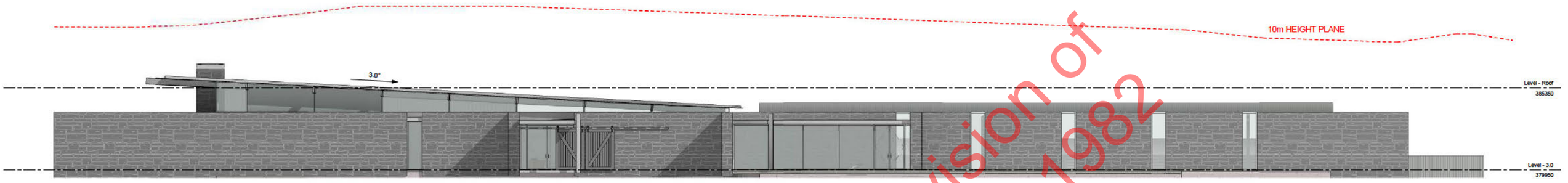
**Elevations - N & E**

SCALE : 1 : 125 @ A1 1/2 @ A3
DATE : 22/02/2019 11:38:27 AM
JOB NO : 18.10

**A3.1**

ISSUE **A**

Prelim For Resource Consent




1 A2.3 South Elevation
Scale 1 : 125

2 A2.3 West Elevation
Scale 1 : 125

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Prelim For Resource Consent

| | | | | |
|---|---|---|---|---|
| Dravitzki Brown ARCHITECTURE | BRENNAN WINERY - GIBBSTON VALLEY<br>21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891 | Elevations - S & W | SCALE : 1 : 125 @ A1 1/2 @ A3<br>DATE : 22/02/2019 11:38:41 AM<br>JOB NO : 18.10 | A3.2 / ISSUE A |

**APPENDIX 2:** LANDSCAPE SITE PLAN

## LEGEND

| | |
|---|---|
| 1 | Visitor Entrance |
| 2 | Maintenance / Secondary Access / Bus |
| 3 | Primary Parking (21) |
| 4 | Secondary Carpark (24) |
| 5 | Overflow Parking (30 - 40) |
| 6 | Bus Parking & Turn-Around |
| 7 | Bus 'Drop Off' Pedestrian Access |
| 8 | Main Entry |
| 9 | Existing Vines Retained |
| 10 | Utility & Services Area |
| 11 | Outdoor Courtyard |
| 12 | Native Planting |
| 13 | Specimen Tree |
| 14 | Lawn |
| 15 | Existing Planting Retained |
| 16 | Fire Fighting Storage Pond (420 m2 ) |
| 17 | Bridge |

Note
* This drawing should be read in conjunction with Landscape Detail Plan & 3D Views

## SAMPLE PLANT LIST

| Latin Name | Common Name | | |
|---|---|---|---|
| **TREES** | | **SHRUBS** | |
| Cordyline australis | Cabbage Tree | Carex buchananii | Leatherleaf Sedge |
| Fraxinus angustifolia | Claret Ash | Calamagrostis spp | Feather Reed Grass |
| Kunzea ericoides | Kanuka | Chionochloa spp | Toe Toe / Red Tussock |
| Liquidamber | | Coprosma propinqua | Mingimingi |
| Plangianthis regius | Ribbonwood | Corokia spp | |
| Pseudopanax ferox | Lancewood | Lavender spp | |
| Olea spp | Olive | Libertia grandiflora | NZ Iris |
| | | Muehlenbeckia spp | |
| **GROUND COVERS** | | Prunus lusitanica | Portuguese Laurel |
| | | Poa cita | Silver tussock |
| Acaena purpurea | Bidibidi | Raphiolepsis spp | |
| Leptinella plats black | Brass Buttons | Rosemarinus spp | Rosemary |
| Libertia peregrins | NZ Spreading Iris | | |
| Muehlenbeckia spp | | | |

## PLANTING STRATEGY

Generally speaking the proposed planting pallete is fairly simple
The concept is to let the surrounding iconic landscape filled with natural features and signature grape vines become the highlight
The proposed planting and tree placement is designed to enhance the experience and architecture within the existing natural & agricultural landscape. .

vivian+espie
resource management and landscape planning

BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 2 - LANDSCAPE SITE PLAN
Stephen Quin - Landscape Architect - 11.09.19

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RBT DESIGN
MASTER PLANNERS
GOLF COURSE ARCHITECTS
LANDSCAPE ARCHITECTS

BRENNAN WINERY
QUEENSTOWN , NEW ZEALAND

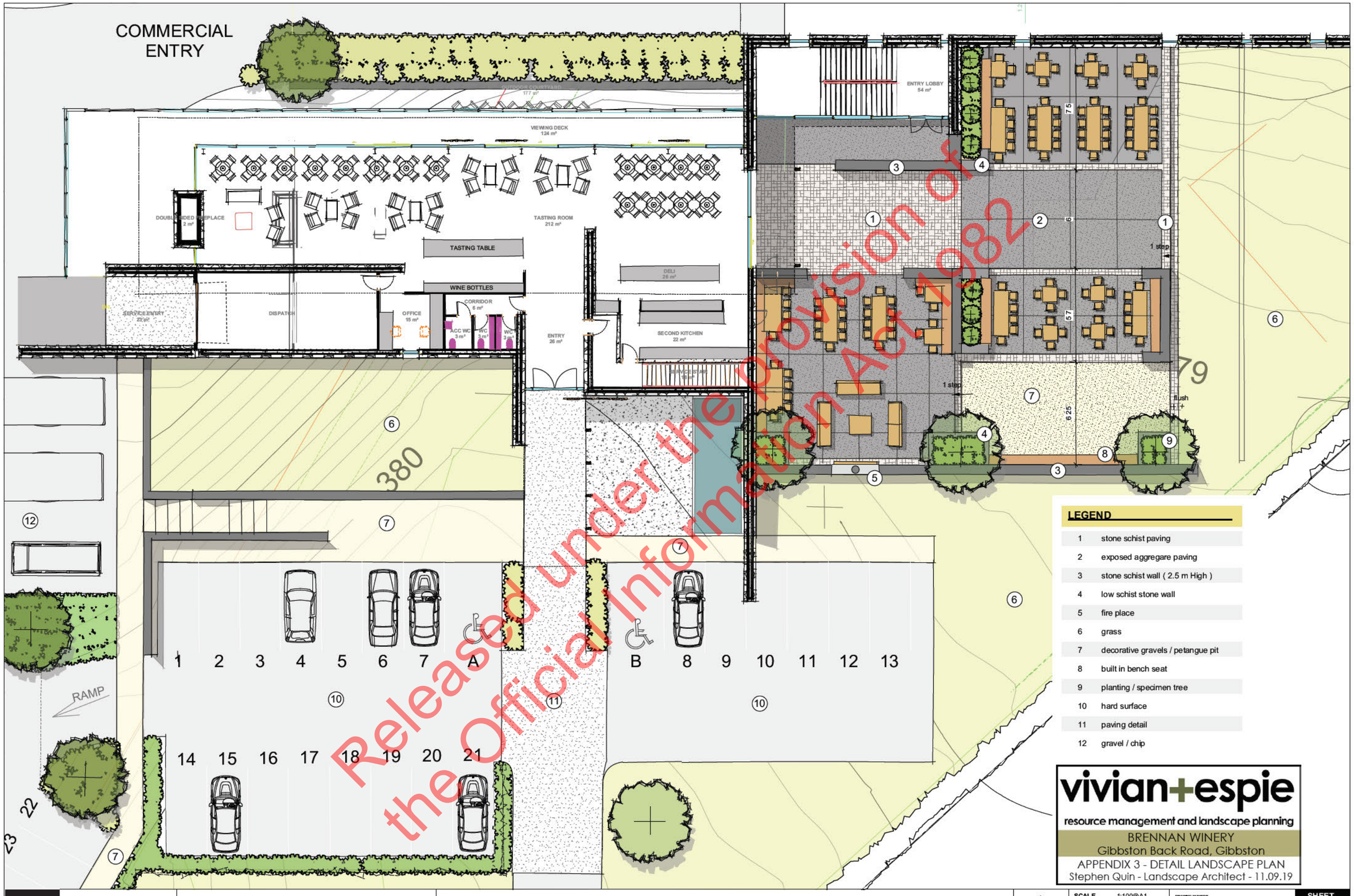
LANDSCAPE SITE PLAN

| | |
|---|---|
| SCALE | 1:350@A1 |
| DATE | 11 Sept 2019 |
| DRAWN | NKAY |
| VERIFIER | BThomson |

DRAWING NUMBER
L-BRENNAN-MASTER-01
FOR DISCUSSION ONLY*

SHEET 1.0
REV D

**APPENDIX 3:** DETAIL LANDSCAPE PLAN

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BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 3 - DETAIL LANDSCAPE PLAN
Stephen Quin - Landscape Architect - 11.09.19

RBT DESIGN
MASTER PLANNERS
GOLF COURSE ARCHITECTS
LANDSCAPE ARCHITECTS

BRENNAN WINERY
QUEENSTOWN , NEW ZEALAND

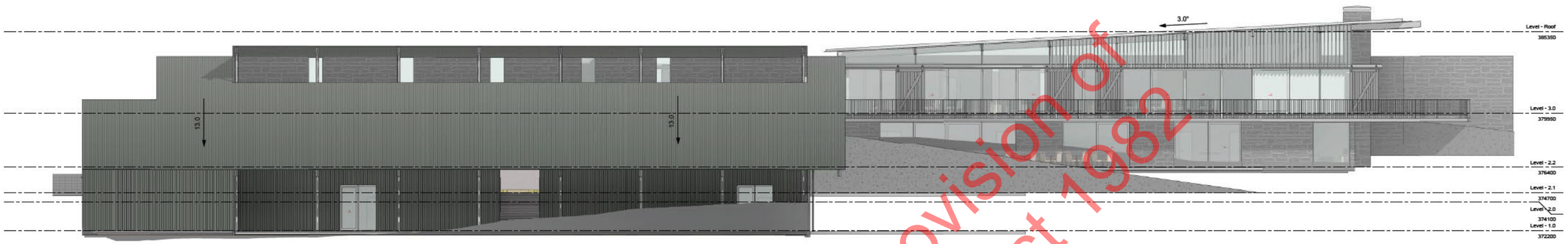
**DETAIL LANDSCAPE PLAN - option 2**

| | |
|---|---|
| SCALE | 1:100@A1 |
| DATE | 26 March 2019 |
| DRAWN | NKAY |
| VERIFIER | BThomson |

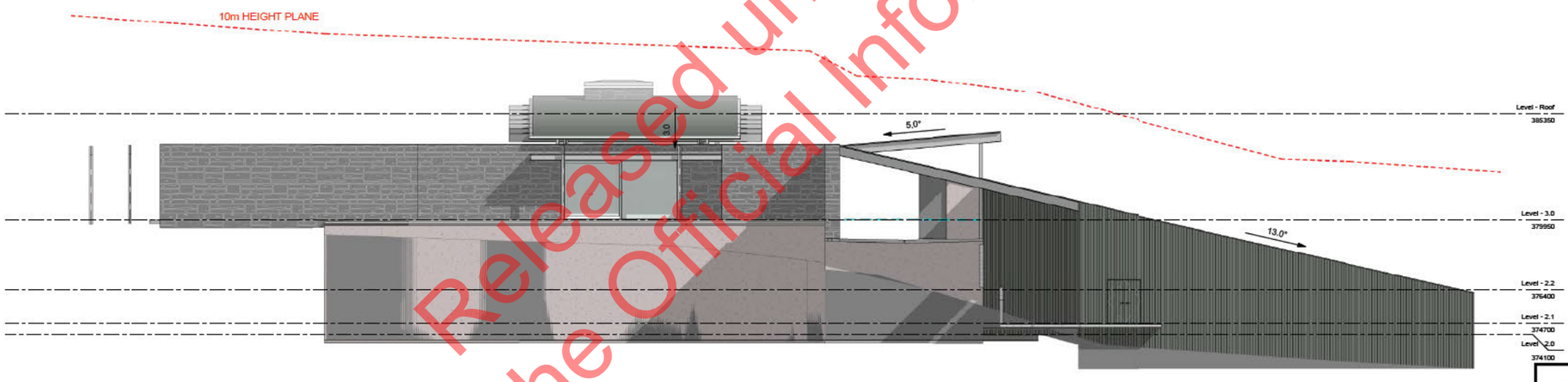
DRAWING NUMBER
L-BRENNAN-MASTER-02
FOR DISCUSSION ONLY*

SHEET 1.1
REV B

**APPENDIX 4:** BUILDING ELEVATIONS




1 A2.3 North Elevation
Scale 1 : 125




2 A2.3 East Elevation
Scale 1 : 125

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BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 4 - BUILDING ELEVATIONS
Stephen Quin - Landscape Architect - 04.09.19

Prelim For Resource Consent

Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

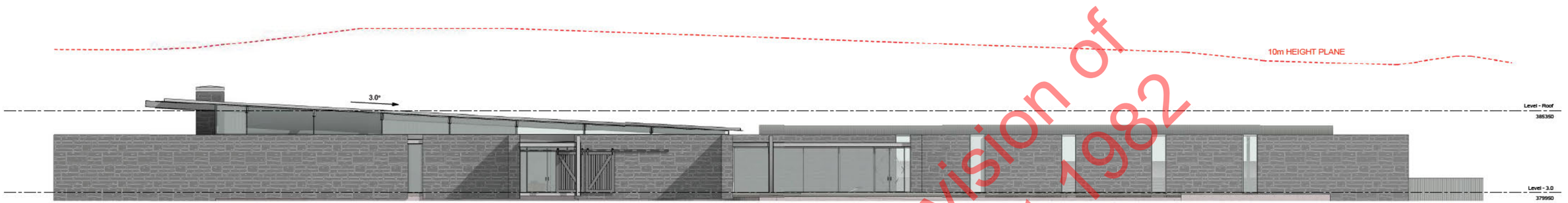
**Elevations - N & E**

**SCALE** : 1 : 125 @ A1 1/2 @ A3
**DATE** : 22/02/2019 11:38:27 AM
**JOB NO** : 18.10

**A3.1**

**ISSUE** A

**APPENDIX 4:** BUILDING ELEVATIONS




1 South Elevation
A2.3 Scale 1 : 125

2 West Elevation
A2.3 Scale 1 : 125

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BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 4 - BUILDING ELEVATIONS
Stephen Quin - Landscape Architect - 04.09.19

Prelim For Resource Consent

Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

**Elevations - S & W**

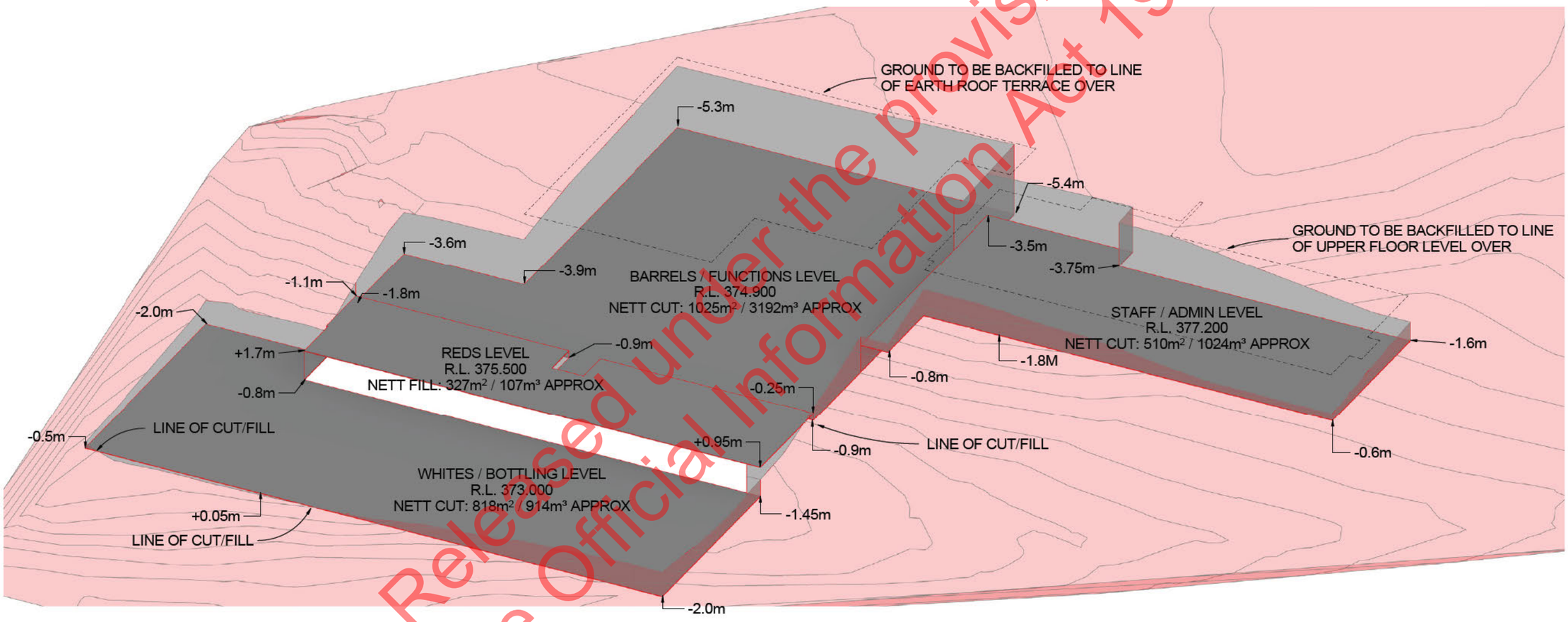
**SCALE** : 1 : 125 @ A1 1/2 @ A3
**DATE** : 22/02/2019 11:38:41 AM
**JOB NO:** 18.10

**A3.2**

**ISSUE** A

**APPENDIX 5:** CUT/FILL PLAN

NOTE:
-VOLUMES OF CUT/FILL ARE INDICATIVE FOR COMPACTED NATURAL GROUND.
-ALLOW FOR EXPANSION DURING EXCAVATION.
-NOT BE BE USED FOR PRICING.
-CUT EXCAVATION TO BE SPREAD WITHIN EXISTING RURAL SITE.




CUT / FILL PERSPECTIVE

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BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 5 - CUT/FILL PLAN
Stephen Quin - Landscape Architect - 04.09.19

TOTAL CUT: 2353m² / 5130m³
TOTAL FILL: 327m² / 107m³

Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**
21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

Cut / Fill

SCALE : @ A1 1/2 @ A3
DATE : 11/03/2019 5:14:30 PM
JOB NO : 18.10

A0.9

ISSUE

Prelim For Resource Consent

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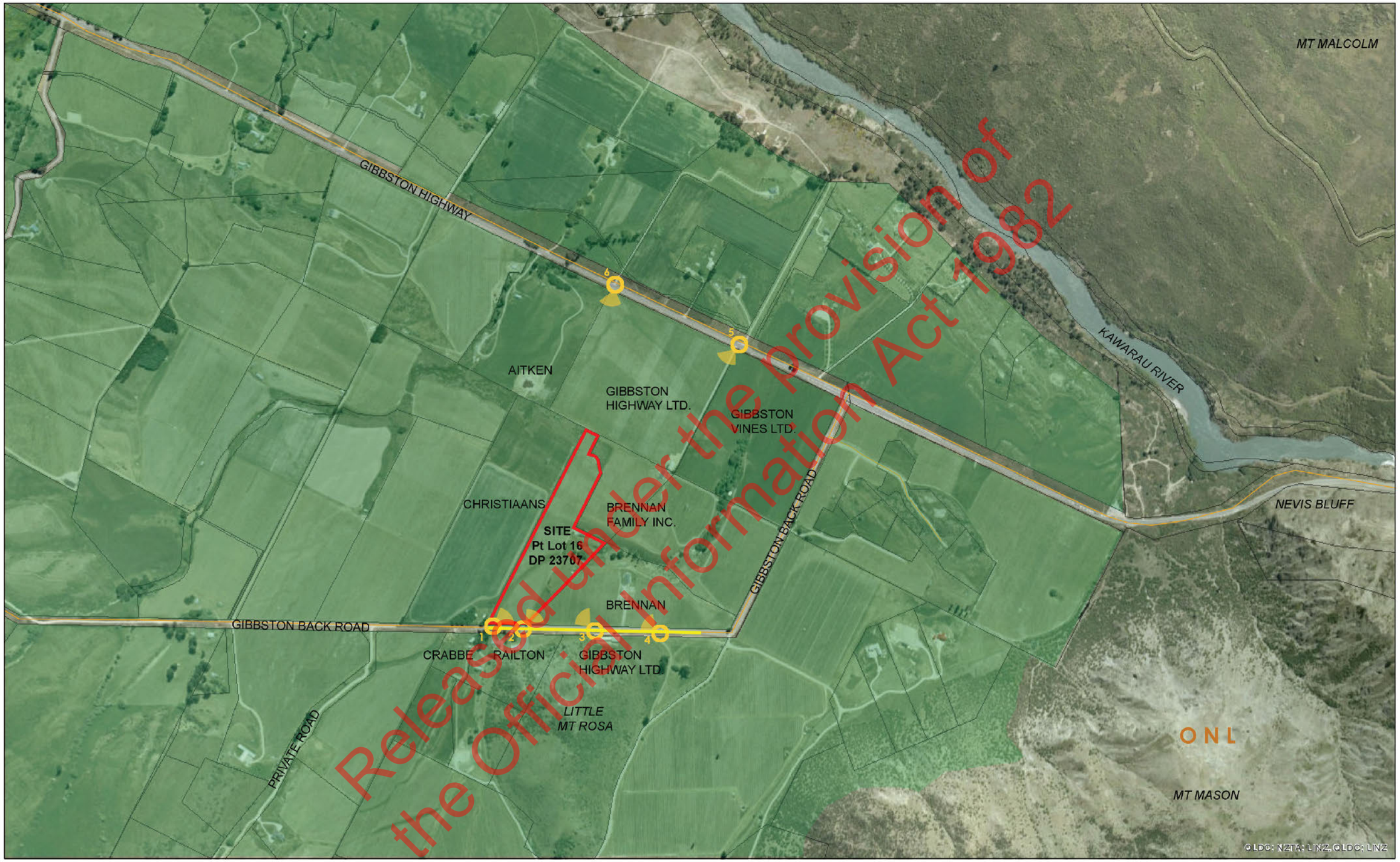
**APPENDIX 6:** VIEWPOINT LOCATION AND CONTEXT MAP

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**KEY**

- site boundary
- Gibbston Character Zone as per the Proposed District Plan
- extent of intermittent public visibility to proposed building
- viewpoint location and direction

plan scale: 1 - 8,000 @ A3

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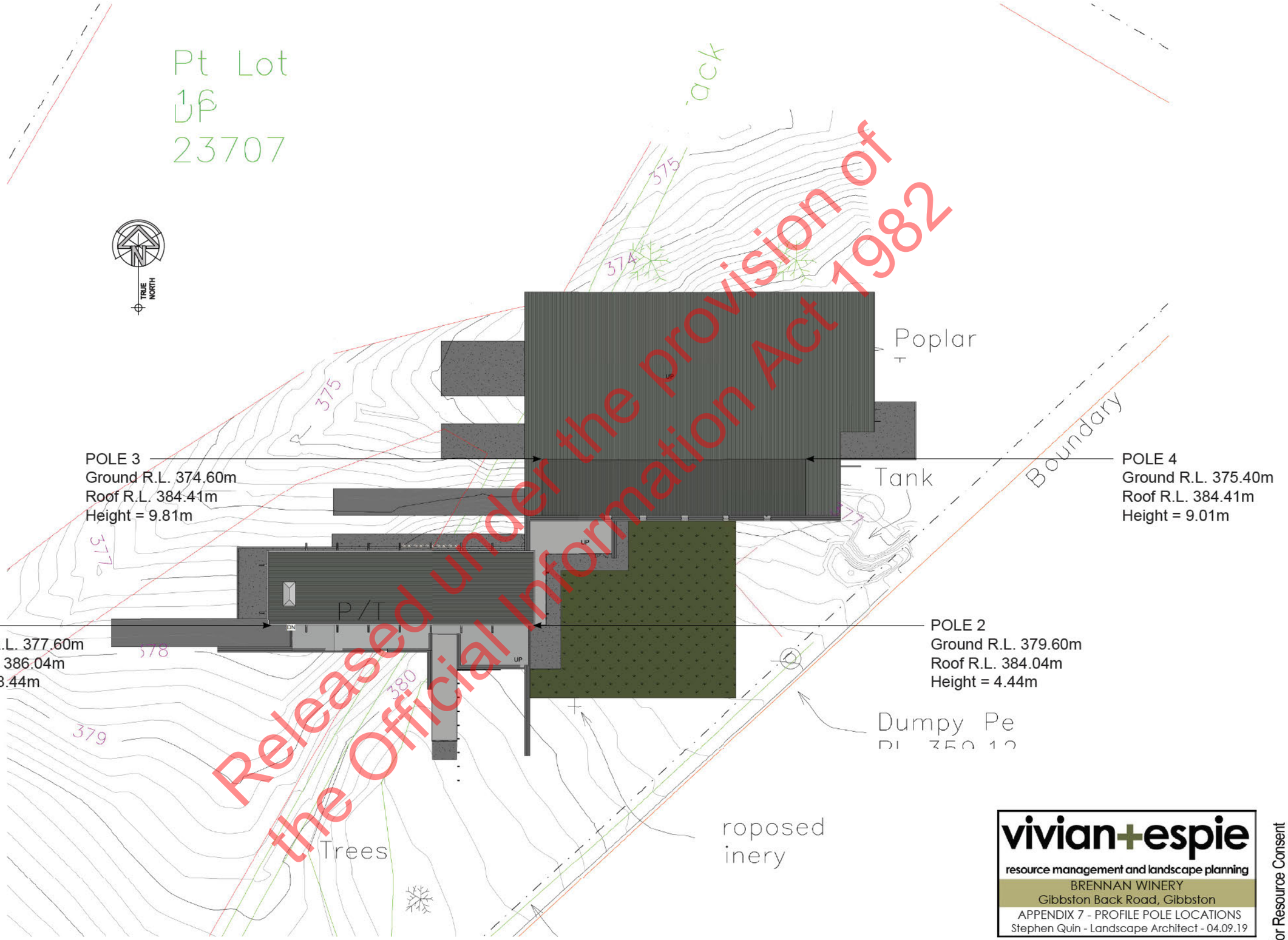
BRENNAN WINERY
Gibbston Back Road, Gibbston

APPENDIX 6 - VIEWPOINT LOCATION AND CONTEXT MAP
Stephen Quin - Landscape Architect - 04.09.19

**APPENDIX 7:** PROFILE POLE LOCATIONS

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BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 7 - PROFILE POLE LOCATIONS
Stephen Quin - Landscape Architect - 04.09.19

Dravitzki Brown ARCHITECTURE

**BRENNAN WINERY - GIBBSTON VALLEY**

21 Glenfiddich Road - Jacks Point - Queenstown - PO Box 2324 Wakatipu Phone 03-442 8891

Site Plan

SCALE : 1 : 250 @ A1 1/2 @ A3
DATE : 22/02/2019 11:37:34 AM
JOB NO : 18.10

A1.1

ISSUE A

Prelim For Resource Consent

**APPENDIX 8:** VIEWPOINT LOCATION 1 - Located on Gibbston Back Road at the south west corner of the site looking north east to east towards the proposed building location. Profile poles 2 and 4 are located to the right of poles 1 and 3, and are obscured by vegetation. All photographs have been captured using a digital camera with a 50mm focal length. Image Composite Editor software has been u ed to stitch and crop three photographs into the panoramic image.

**APPENDIX 8:** VIEWPOINT LOCATION 2 - Located on Gibbston Back Road adjacent to the existing/proposed access on site's south boundary looking north to north east towards the proposed building location. Profile poles 2 and 4 are located to the right of poles 1 and 3, and are obscured by vegetation. Image Composite Editor software has been used to stitch and crop four photographs into the panoramic image.

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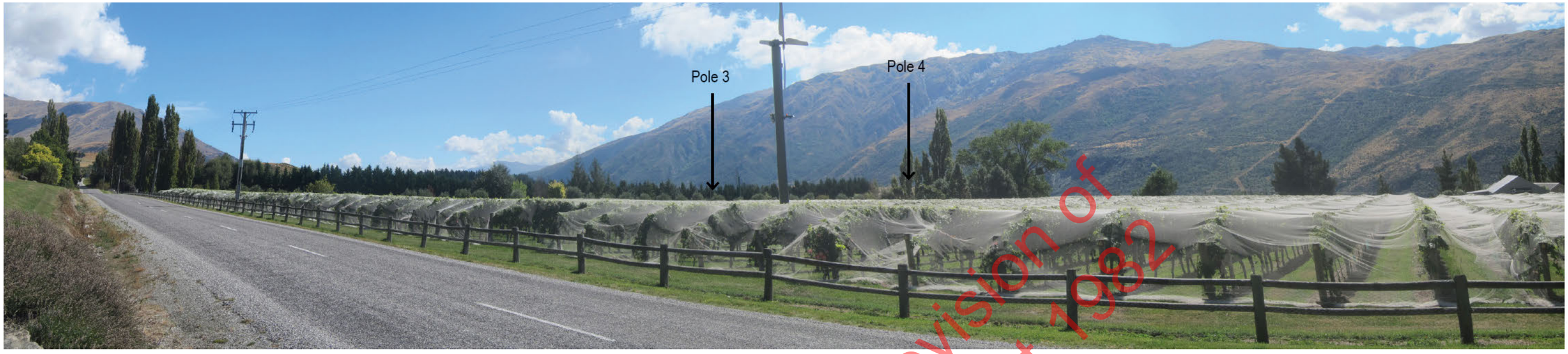
BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 8 - PHOTOGRAPHS
Stephen Quin - Landscape Architect - 04.09.19




**APPENDIX 8:** VIEWPOINT LOCATION 3 - Located on Gibbston Back Road adjacent to the Mt Rosa Tasting Room east of the site looking north west to north towards the proposed building location. Profile pole 1 is located to the left of pole 3 and is obscured by vegetation. Profile pole 2 is between poles 3 and 4 and is obscured by the windmill in the foreground of picture. Image Composite Editor software has been used to stitch and crop five photographs into the panoramic image.

**APPENDIX 8:** VIEWPOINT LOCATION 4 - Located on Gibbston Back Road east of the Mt Rosa Tasting Room and further east of the site looking west to north west towards the proposed building location. Image Composite Editor software has been used to stitch and crop three photographs into the panoramic image.

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BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 8 - PHOTOGRAPHS
Stephen Quin - Landscape Architect - 04.09.19

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**APPENDIX 8:** VIEWPOINT LOCATION 5 - Located at the entrance to 2404 Gibbston Highway north of the site looking south to south west towards the proposed building location. The profile poles are not visible - they are located below the line of the covered grape vines in the midground of picture. Image Composite Editor software has been used to stitch and crop three photographs into the panoramic image.

**APPENDIX 8:** VIEWPOINT LOCATION 6 - Located at the entrance to 2367 Gibbston Highway north of the site looking south west to south east towards the proposed building location. The profile poles are not visible - they are located below the line of the covered grape vines in the midground of picture. Image Composite Editor software has been used to stitch and crop three photographs into the panoramic image.

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BRENNAN WINERY
Gibbston Back Road, Gibbston
APPENDIX 8 - PHOTOGRAPHS
Stephen Quin - Landscape Architect - 04.09.19

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**DRAWING INDEX**

EXISTING SITE PLAN

LANDSCAPE MASTER PLAN

LANDSCAPE DETAIL PLAN

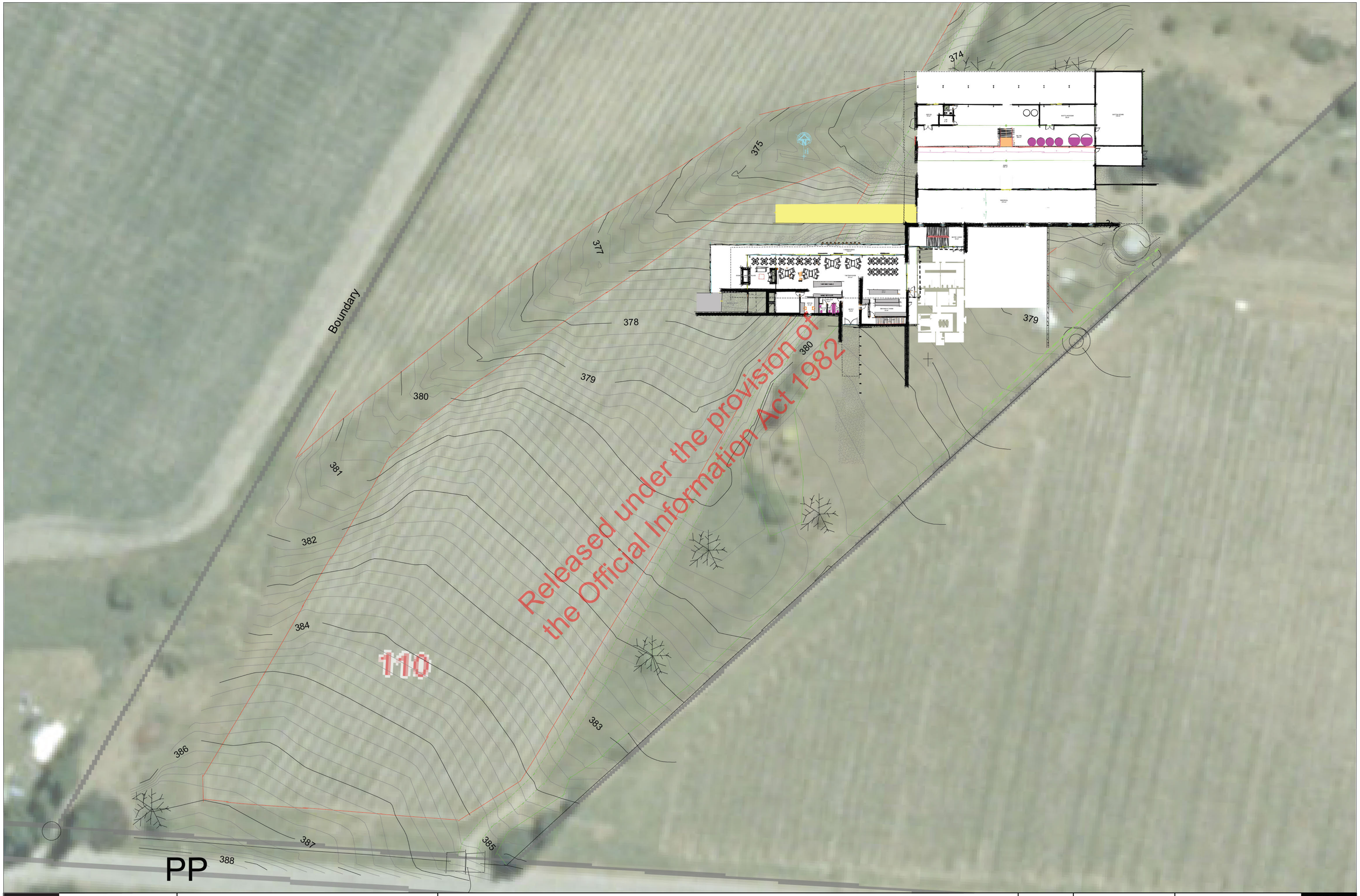
3D VIEW

RBT DESIGN

# *Landscape Proposal - Brennan Winery*

Brennan

DRAFT

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RBT DESIGN

MASTER PLANNERS
GOLF COURSE ARCHITECTS
LANDSCAPE ARCHITECTS

**BRENNAN WINERY**

**QUEENSTOWN , NEW ZEALAND**

# EXISTING SITE PLAN

| | |
|---|---|
| **SCALE** | 1:350@A1 |
| **DATE** | 11 Sept 2019 |
| **DRAWN** | NKAY |
| **VERIFIER** | BThomson |

DRAWING NUMBER

**L-BRENNAN-SITE-01**

FOR DISCUSSION ONLY*

**SHEET 0.1**

**REV D**

## LEGEND

| | |
|---|---|
| 1 | Visitor Entrance |
| 2 | Maintenance / Secondary Access / Bus |
| 3 | Primary Parking (21) |
| 4 | Secondary Carpark (24) |
| 5 | Overflow Parking (30 - 40) |
| 6 | Bus Parking & Turn-Around |
| 7 | Bus 'Drop Off' Pedestrian Access |
| 8 | Main Entry |
| 9 | Existing Vines Retained |
| 10 | Utility & Services Area |
| 11 | Outdoor Courtyard |
| 12 | Native Planting |
| 13 | Specimen Tree |
| 14 | Lawn |
| 15 | Existing Planting Retained |
| 16 | Fire Fighting Storage Pond (420 m2 ) |
| 17 | Bridge |

Note :
* This drawing should be read in conjunction with Landscape Detail Plan & 3D Views

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## SAMPLE PLANT LIST

| Latin Name | Common Name |
|---|---|
| **TREES** | |
| Cordyline australis | Cabbage Tree |
| Fraxinus angustifolia | Claret Ash |
| Kunzea ericoides | Kanuka |
| Liquidamber | |
| Plangianthis regius | Ribbonwood |
| Pseudopanax ferox | Lancewood |
| Olea spp | Olive |
| **GROUND COVERS** | |
| Acaena purpurea | Bidibidi |
| Leptinella plats black | Brass Buttons |
| Libertia peregrins | NZ Spreading Iris |
| Muehlenbeckia spp | |

| | |
|---|---|
| **SHRUBS** | |
| Carex buchananii | Leatherleaf Sedge |
| Calamagrostis spp | Feather Reed Grass |
| Chionochloa spp | Toe Toe / Red Tussock |
| Coprosma propinqua | Mingimingi |
| Corokia spp | |
| Lavender spp | |
| Libertia grandiflora | NZ Iris |
| Muehlenbeckia spp | |
| Prunus lusitanica | Portuguese Laurel |
| Poa cita | Silver tussock |
| Raphiolepsis spp | |
| Rosemarinus spp | Rosemary |

## PLANTING STRATEGY

Generally speaking the proposed planting pallete is fairly simple.
The concept is to let the surrounding iconic landscape filled with natural features and signature grape vines become the highlight.
The proposed planting and tree placement is designed to enhance the experience and architecture within the existing natural & agricultural landscape.

RBT DESIGN
MASTER PLANNERS
GOLF COURSE ARCHITECTS
LANDSCAPE ARCHITECTS

**BRENNAN WINERY**

**QUEENSTOWN , NEW ZEALAND**

# LANDSCAPE SITE PLAN

| | |
|---|---|
| SCALE | 1:350@A1 |
| DATE | 11 Sept 2019 |
| DRAWN | NKAY |
| VERIFIER | BThomson |

DRAWING NUMBER
**L-BRENNAN-MASTER-01**
FOR DISCUSSION ONLY*

SHEET **1.0**
REV D

COMMERCIAL ENTRY

OUTDOOR COURTYARD 177 m²
VIEWING DECK 124 m²
DOUBLE SIDED FIREPLACE 2 m²
TASTING ROOM 212 m²
TASTING TABLE
WINE BOTTLES
DELI 26 m²
SERVICE ENTRY 23 m²
DISPATCH
OFFICE 15 m²
CORRIDOR 6 m²
ACC WC 3 m²
WC 3 m²
WC 3 m²
ENTRY 26 m²
SECOND KITCHEN 22 m²
SERVICE STAIR 28 m²
ENTRY LOBBY 54 m²
1 step
1 step
flush
7.5
6
5.7
6.25
380
379
RAMP
1 2 3 4 5 6 7 A B 8 9 10 11 12 13
14 15 16 17 18 19 20 21
22
23

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## LEGEND

| | |
|---|---|
| 1 | stone schist paving |
| 2 | exposed aggregare paving |
| 3 | stone schist wall ( 2.5 m High ) |
| 4 | low schist stone wall |
| 5 | fire place |
| 6 | grass |
| 7 | decorative gravels / petangue pit |
| 8 | built in bench seat |
| 9 | planting / specimen tree |
| 10 | hard surface |
| 11 | paving detail |
| 12 | gravel / chip |

RBT DESIGN

MASTER PLANNERS
GOLF COURSE ARCHITECTS
LANDSCAPE ARCHITECTS

**BRENNAN WINERY**

QUEENSTOWN , NEW ZEALAND

# DETAIL LANDSCAPE PLAN - option 2

| | |
|---|---|
| SCALE | 1:100@A1 |
| DATE | 26 March 2019 |
| DRAWN | NKAY |
| VERIFIER | BThomson |

DRAWING NUMBER
L-BRENNAN-MASTER-02
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REV B

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| | | | | | | |
|---|---|---|---|---|---|---|
| RBT DESIGN<br>MASTER PLANNERS<br>GOLF COURSE ARCHITECTS<br>LANDSCAPE ARCHITECTS | **BRENNAN WINERY**<br>QUEENSTOWN , NEW ZEALAND | **3D VIEWS** | | SCALE NTS<br>DATE 25 Sep 2018<br>DRAWN NKAY<br>VERIFIER BThomson | DRAWING NUMBER<br>L-BRENNAN-3D-01 | SHEET 2.0<br>REV A |

Ministry for the Environment
Manatū Mō Te Taiao

Making Aotearoa New Zealand the most liveable place in the world
Aotearoa – he wāhi mana kura mo te tangata

# FTC #24: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decision to 29 October 2020

## Application 2020-25 – Winery, restaurant, education and event complex, Queenstown

| | | | |
|---|---|---|---|
| Date Submitted: | 29 October 2020 | Tracking #: 2020-B-07243 | |
| Security Level | In-Confidence | MfE Priority: | Urgent |

| | **Action sought:** | **Response by:** |
|---|---|---|
| To Hon David Parker, Minister for the Environment | Decision | TBA |

| | |
|---|---|
| Actions for Minister's Office Staff | **Send out attached letters** (if agreed and signed).<br>**Return** the signed briefing to MfE. |
| Number of appendices and attachments | Titles of appendices:<br>1. Letter from the Minister for the Environment to relevant Ministers of the Crown. |

## Ministry for the Environment contacts

| Position | Name | Cell phone | 1st contact |
|---|---|---|---|
| Principal Author | Rebecca Perrett | | |
| Responsible Manager | Sara Clarke | 021 708 305 | ✓ |
| Director | Liz Moncrieff | 022 048 2314 | |

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# FTC #24: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decision to 29 October 2020

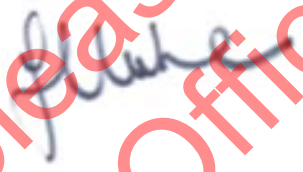
## Key Messages

1. We are seeking your decision on one application for referral of a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), for Otago Viticulture and Oenology (Trading as Brennan Wines).
2. We have undertaken an initial (Stage 1) analysis of this application and recommend you progress this application to the next stage.
3. A summary of the analysis and our recommendation for the application is p ovided in Table A. You are the sole decision maker for this project (this is not in the Coastal Marine Area)
4. This application has the potential to achieve the purpose of the Act. To confirm the public benefit of the project and that it will progress faster under the Act we recommend further information on the number of jobs created and confirmation of finance for the project be obtained.
5. Table B indicates how applications we have received for referred projects under the Act are advancing through the fast-track process. Table B also includes progress of Listed Projects received by the Environmental Protection Agency. We will continue to monitor and report progress to you.

## Action sought

6. Please indicate your decision on the re ommendation for the application listed in Table A.

## Signatures



Sara Clarke
Manager
**Fast Track Consenting**

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

### Project to progress

| Project details | Project description and location | Project Funding | Project eligibility criteria met [s18(3)] | Assessment against the purpose of the Act | | | | | Any other matters [s19(f)] | Recommendation | Decision |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | 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)] | | | |
| **Application name**<br>Winery, restaurant, education and events complex<br><br>**Applicant**<br>Otago Viticulture and Oenology (Trading as Brennan Wines)<br><br>**Project location**<br>110 Gibbston Back Road, Gibbston, Otago. | Construction and operation of a winery complex that provides onsite wine making including bottling and storage, restaurant and cellar door, training, and event facilities.<br><br>Proposed as a single stage the development includes:<br>• earthworks<br>• construction of a three-storey building<br>• carparking areas<br>• landscaping.<br><br>Consent is required for land use under the Queenstown-Lakes Proposed District Plan and discharge permit under the Regional Plan.<br><br>It is recommended that further information is sought from the applicant on any relevant provisions under the Queenstown-Lakes Operative District Plan. | The applicant has not provided any information on funding of the project, noting only that once resource consent is obtained the funding would be finalised. | Yes.<br><br>We recommend that you request information to satisfy s18(2) and s19 the purpose of the Act regarding:<br>• Full time equivalent jobs created during construction to demonstrate urgent employment benefits<br>• Evidence on the project's investment certainty and construction readiness, including funding. | The project has the potential to create short term economic benefit, employing a range of construction workers, from project managers, architects to electricians, builders and landscape gardeners. The scale of which will be confirmed with the applicant.<br><br>The project has the potential to create long-term jobs with approximately 19 - 31 full time equivalent jobs (depending on seasonal demand) and part time seasonal workers to run the cellar door, restaurant, events and education. | The project provides training and a range of employment opportunities.<br><br>The application has not considered the effects of the project from a cultural perspective.<br><br>If the project progresses to stage 2, it is recommended that further information is sought from the applicant on the projects effect on cultural wellbeing. | The applicant advised that the project is likely to progress faster through the fast-track consent process due to potential delays with Council processing and the potential for notification.<br><br>Given the timeframes proposed in the application for project works to begin, being the last quarter in 2021, there is the potential that using the processes under this Act would not deliver the project any faster than the standard RMA processes.<br><br>It is recommended that Queenstown-Lakes District Council (QLDC) and Otago Regional Council (ORC) be invited to comment on the appropriateness of this project progressing using the fast-track consenting process. | The project will generate employment.<br><br>It is however unclear, from the information provided in the application, the likely number of new jobs created, and whether the project and its benefits will be fast tracked.<br><br>As noted under s18(3) analysis, if the project progresses to stage 2, it is recommended that further information is requested from the applicant. | The applicant does not anticipate any adverse environmental effects that cannot be adequately managed.<br><br>It is considered unlikely that the proposed development in an established vineyard in an area zoned for viticulture has the potential for significant adverse effects on the natural environment.<br><br>In regard to the built environment, the building has been designed to comply with the rolling height standards (as illustrated on the Architectural plans), and landscaping is incorporated into the design. The use of the site for events, however, has the potential for environmental effects on character and amenity. The expert consenting panel would be required to assess these effects and consider whether mitigation is sufficient if the application progresses. | The applicant has identified three adjoining neighbours as being potentially adversely affected by the project and included in the application written approvals from two parties.<br><br>If the project is referred to an expert consenting panel, comments are required to be sought from owners and occupiers of adjacent land (Schedule 6, Clause 17(6)(g)). | a. **agree** to progress the Winery, restaurant, education and event complex Project to Stage 2 of the process. The project warrants further analysis because it has potential to achieve the purpose of the Act.<br><br>b. **agree** to seek further information from the applicant on meeting the requirements of s19(b) in relation to te ao Māori cultural effects, full time equivalent jobs, investment certainty and funding, any provisions of the Operative District Plan, and feedback on engagement with Queenstown-Lakes District Council.<br><br>c. **agree** to seek comment from<br>• Ministers listed in s21(6) of the Act<br><br>d. **agree** to seek comments from the relevant local authorities<br>• Otago Regional Council<br>• Queenstown-Lakes District Council | Yes/No<br><br>Yes/No<br><br>Yes/No<br><br>Yes/No |

**Signed:**

Hon David Parker
**Minister for the Environment** **Date**

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Document 3

JCarter Planning Limited
Queenstown
s 9(2)(a)

J Carter Planning

Sarah Clark
Manager, Fast Track Consenting Team
PO Box 10362
Wellington
6143

27 November 2020

Dear Sarah

**COVID 19 RECOVERY (FAST TRACK CONSENTING) ACT 2020- WINERY, RESTAURANT, EDUCATION AND EVENT COMPLEX- REQUEST FOR INFORMATION**

Thank you for the request for information, received on 16 November 2020. The following, along with the attached, provides a response to the information requested under Section 22 of the Act.

1. Further evidence of the design and construction jobs created by the application, including clarification on job numbers, to demonstrate the project's delivery of employment.

The letter attached and marked [A] has been obtained via the architect and outlines the anticipated employment generated for the construction of the building. In terms of the design team, a local architect has been, and would be, used. The preparation of the design has to date employed a traffic engineer, acoustic consultant, civil engineer, landscape architect, contaminated soils expert and planner.

2. Feedback on the pre-application engagement undertaken with QLDC, including any formal pre-application meeting minutes/advice.

A preliminary discussion was held between myself and Katrina Ellis, team leader within the resource consents team at QLDC. A formal pre application request was sent to Ms Ellis on 29 August 2020. Following that request, Mr Kenny MacDonald, senior planner with QLDC, undertook a site visit with Sean Brennan and Sharyn McWilliams. It is understood that no formal minutes were taken from that site visit.

3. Assessment of the project's effect on te ao Māori cultural wellbeing.

Please see a brief assessment attached and marked [B]. The attached assesses the proposal against the Kai Tahu ki Otago Resource Management Plan and Chapter 5 of the Proposed District Plan. The site is not within an area that has been identified as culturally significant and will not adversely affect te ao Maori cultural wellbeing. It is recommended that any resource consent should be subject to an accidental discovery protocol.

4. Assessment of any Operative District Plan Resource Consent requirements.

Pursuant to Section 86F of the Resource Management Act the rules of the Proposed District Plan are to be treated as operative, and the previous rules of the Operative District Plan as inoperative. In

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JCarter Planning Limited
Queenstown
s 9(2)(a)

particular, the rules of the Gibbston Character Zone, within which the site is located, are operative. The application provided on 13 October 2020 lists the resource consent requirements.

5. Further evidence on the project's investment certainty and construction readiness, including certainty of funding, to demonstrate that the project will be able to deliver on the objectives of the Act. For example, you may want to provide:
   • information on how the project will be funded and the timing of the funding
   • business referees
   • other evidence demonstrating the financial health of the company.

The build cost has been estimated at approximately s 9(2)(b)(ii) .

s 9(2)(b)(ii)

We trust that the above and attach d respond adequately to the information request. Please let us know if any further information is required.

Kind regards

Jenny Carter
On behalf of Brennan Wines Limited

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CARPENTRY SOUTH LTD

Brennan Wines
Attn Sean Brennan
88 Gibbston Back Road
Queenstown

**RE: Proposed New Winery Building**

Hi Sean,

I have been approached by Alister Brown from Dravitski Brown Architecture to look at the construction of your proposed new Winery Building.

Looking at the construction drawings presented at this stage, I would expect this bui ding to have a construction timeframe of 18-24 months.

During this period, I would expect this project to create employment for 180 200 persons to complete all the manufacturing and construction required to complete this complex build.

If you require any further information or clarification, please do not hesitate to contact me.

Yours sincerely

Damian Davis
Director
Carpentry South Ltd
s 9(2)(a)

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***Assessment of the project's affect on te ao Maori cultural wellbeing***

Iwi management plans are the primary tool to assist in identifying and addressing the issues of resource management significance to Ngāi Tahu. Ngāi Tahu recognises the following iwi management plans that relate to the Queenstown Lakes District:

*Kāi Tahu ki Otago Natural Resource Management Plans 1995 and 2005. (KTKO 2005)*

*Te Tangi a Tauira: The Cry of the People, the Ngāi Tahu ki Murihiku Iwi Management Plan for Natural Resources 2008.*

The site is located within the Clutha/Mata-au catchment, and it is considered that the Kai Tahu Ki Otago Natural Resource Management Plan 2005 (KTKO NRMP) is the most relevant when assessing effects on te ao cultural wellbeing. The Queenstown Lakes Proposed District Plan (PDP) has been guided by the NRMP in formulating Chapter 5: Tangata Whenua. These documents are addressed as follows:

**Kai Tahu ki Otago Natural Resource Management Plan (NRMP)**

The NRMP is the principle document for Kai Tahu ki Otago. It represents the view of the Treaty partner and has been developed to:

- *Provide the principal planning document for Käi Tahu ki Otago.*
- *Provide information, direction and a framework to achieve a greater understanding of the natural resource values, concerns and issues of Käi Tahu ki Otago*
- *Provide a basis from which Käi Tahu ki Otago participation in the management of the natural, physical and historic resources of Otago is further developed.*
- *The KTKO NRMP 2005 shall provide the basis, but not substitute, for consultation and outline the consultation expectations of Käi Tahu ki Otago.*

Importantly, being within the Gibbston Valley, the site is not within an area of known cultural significance. It is not within or near a tat tory acknowledgment area.

Chapter 10 of the NRMP provides issues, objectives and policies for the Clutha Mata-au catchment.

10.2 provides for Wai Maori. Key issues are dams, land use including lack of reticulated sewage schemes, land use intensification, increase in lifestyle farm units and their increasing demand for water, and sedimentation of waterways from urban development.

The proposal supp rts the ongoing sustainability of the viticultural industry already established within the Gibbston Valley. The proposal will, by necessity, increase demand for water, and wastewater from the winery will increase from existing activities. The proposed development has been designed to reduce water use as far as possible with use rainwater tanks to provide additional supply and reduce stormwater discharge, and amenity ponds to contribute to firefighting storage. Importantly discharges wi l be to land, and an onsite wastewater system will be designed and installed that avoids and mitigates potential effects on water quality.

10.3 Wahi tapu states:

*There are a range of wähi tapu of particular significance within the Clutha/Mata-au Catchments. Urupä are the best modern day example of wähi tapu, but physical resources such as mountaintops,*

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*springs and vegetation remnants are other examples. Urupä and some significant sites of conflict are located all along the Clutha/Mata-au River.*

The proposal is located within the Gibbston Valley, and therefore does not affect the mountaintops, springs or vegetation remnants. Map 13 of the NRMP provides statutory acknowledgments, none of which are in close proximity to the Gibbston Valley.

It is recommended that any development approvals would include conditions requiring accidental discovery protocols are adopted. This ensures that, in the event that any artefacts are uncovered during earthworks, the correct procedures are followed. It is understood that while the Gibbston Valley was not the site of a permanent settlement, it was used as a trail connection into the interior. It is accepted that conditions would be imposed on the development that require an accidental discovery protocol is in place.

10.4 relates to Mahika Kai and biodiversity. Because the site is located inland and is within an existing working vineyard it will not affect mahika kai or biodiversity values

Section 10.5 provides for 'Cultural Landscapes'. It includes:

*Ara Tawhito The Clutha/Mata-au River was used as a highway into the interior, and provided many resources to sustain travellers on that journey. Thus there was numerous tauraka waka along it. Most of today's access routes and roads follow trails established by Kä Papatipu Rünaka. Trails are an indicator of how Käi Tahu ki Otago used this rive . Linkages include:*

*• Access for the South Coast was either up via the Mata-aura Rive to the bottom end of Lake Wakätipu, or up the Nevis River to the Kawa au Gorge.*

The issues are listed at 10.5.2 as follows:

*10.5.2 Cultural Landscapes Issues in the Clutha/Mata-au Catchment*

*• Lack of recognition and implementation of the Cultural Redress components of the Ngäi Tahu Claims Settlement Act 1998 by local authorities namely :*

*Statutory Acknowledgements.*

*Place names.*

*Nohoaka site .*

*• The powe and movement of the Clutha/Mata-au rushing through the restrictive gorges with many rapids has been changed to smooth, slow water.*

*• Modifications throughout the catchment have resulted in a disassociation between the landscape, the stories and place names.*

*• Land use intensification, particularly dairying and horticulture, have impacted on the cultural landscapes in the Clutha/Mata-au Catchment.*

*• Extensive spread of jetties and moorings in particular in Lake Wakätipu, Lake Wänaka and Lake Häwea and adjacent to nohoaka sites.*

*• Limited recognition of cultural landscapes and Kä Papatipu Rünaka interests and values in the landscape.*

*• The encroachment of subdivisions, lifestyle farms and infrastructure up the sides of mauka.*

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• *Cumulative effects of subdivisions.*

• *Increasingly tourism ventures want to take clients to culturally significant sites.*

• *Kā Papatipu Rūnaka use and enjoyment of nohoaka sites (including those recognised under the NTCSA) is affected by access, usefulness of the sites and encroaching inappropriate activities.*

• *Dust storms at low lake levels.*

The proposal does not add to these issues. As identified above, it is not within or near a known nohoaka site and is within the valley where viticultural activities have been established over a long time. It is physically separated from the Kawarau River and will not affect the river flow. It does not represent the spread development up the side of the mauka, and does not represent intensification of land use. The proposal does not involve tourism activities where clients are taken to culturally sensitive sites.

It is recognised that further work could be undertaken in terms of place names and stories so that an improved understanding of the cultural landscape values is achieved.

**Queenstown Lakes District Proposed District Plan**

Chapter 5 of the Proposed District Plan recognizes and provides for tangata whenua values and has built on the NRMP.

The outcomes sought by Ngai Tahu are provided at section 5.3 as:

*Outcomes Sought*

- *Recognition and implementation of the cultural redress components of the Ngāi Tahu Claims Settlement Act 1998, especially around Statutory Acknowledgements, place names and nohoanga.*
- *Protection of wāhi tūpuna and all their components including wāhi tapu and mahinga kai.*
- *Provision for a strong Ngāi Tahu presence in the built environment.*

The areas of cultural significance are provided at page 40 of the District Plan. This is attached; the Gibbston Valley is not identified on that map.

The objective and associated policies are provided as follows

*5.3.1 Objective - Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan*

*Policies 5.3.1.1*
*Ensure that Ngāi Tahu Papatipu Rūnanga are engaged in resource management decision-making and implementation on matters that affect Ngāi Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.*
*5.3.1.3*
*When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account iwi management plans.*
*5.3.1.4*
*Recognise that only tangata whenua can identify their relationship and that of their culture and*

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*traditions with their ancestral lands, water sites, wāhi tapu, tōpuni and other taonga.*

*5.3.2 Objective - Ngāi Tahu have a presence in the built environment*

*Policies 5.3.2.1*
*Collaborate with Ngāi Tahu in the design of the built environment including planting, public spaces, use of Ngāi Tahu place names and interpretive material. Enable the sustainable use of Māori land.*

As identified above, the site is not located within or near a site of cultural significance. The proposal, by necessity, requires increased water takes. The water use will be sustainably managed as far as possible by adopting measures such as collection of roof water; this reduces stormwater run-off and provides additional supply. It is proposed that firefighting supply will be provided via amenity ponds.

Wastewater will be disposed to land, and a disposal system will be designed to avoid and reduce potential effects on water quality.

**Conclusion**

It is considered that, given the location, and nature and scale of this project the proposal does not necessitate consultation with mana whenua, and through its nature, scale and location it will not adversely affect cultural wellbeing.

Aukaha is a standalone, independent runganga based consultancy that works with people across Otago to assist with resource management planning. Their website provides the following, which assists in understanding when consultation should be undertaken:

*Aukaha recommends that it is best practice for applicants to undertake consultation with Kāi Tahu as mana whenua when developing proposals that are within an area of interest to Kāi Tahu, or where the work involves resources of particular interest to Kāi Tahu.*

*Where councils have identified that mana whenua may be affected by a proposal, applicants should consult at the earliest possible stage in the development of their proposals to ensure that any concerns can be identified and addressed.*

*The aspiration of Kāi Tahu is to assume their kāitiaki role as mana whenua ki Otago to its fullest, as protected and guaranteed by Article II of the Treaty of Waitangi. Aukaha supports this aspiration through engagement via statutory processes under the Resource Management Act 1991 and through direct engagement with our clients.*

*Our work is guided by the Kāi Tahu ki Otago Natural Resource Management Plan 2005. The kaupapa of the Plan is 'Ki Uta ki Tai' (Mountains to the Sea), which reflects the holistic Aukaha philosophy of resource management. The Plan expresses Kāi Tahu values, knowledge and perspectives on natural resource and environmental management issues.*

This proposal is not within an area of interest to Kāi Tahu, and the work does not involve resources of particular interest to Kāi Tahu. The Council has not identified that mana whenua may by affected by the proposal.

The applicant is willing to consult with Ngāi Tahu through Aukaha around any cultural protocols, or to invite feedback on final design, and any cultural practices that might be observed prior to construction commencing, as well as prior to any formal opening of the centre. This would assist in gaining a better understanding of how the place names and stories could be interwoven into the proposal's design and

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operation. Further, this could invite feedback on the built form, consistent with the QLDC PDP policy 5.3.2.1.

It is also recommended that an accidental discovery protocol is imposed as a condition of any consent.

In summary, the proposal is located appropriately and will not adversely impact on cultural wellbeing. It is important that an accidental discovery protocol condition is imposed. There is an opportunity to engage with mana whenua as the design progresses.

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Maps created by QLDC GIS Department

Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from L NZ under the L NZ Licence Agreement

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Legend

- Statutory Acknowledgements
- Topuni
- Nohoanga
- Mount Aspiring National Park
- Territorial Authority Boundary
- State Highways
- QLDC Region

Dublin Bay Lake Wanaka

Camp Ground Lake Hawea

Western Shore Lake Hawea

Timaru Creek Lake Hawea

Maori Point Shotover River

Hawea River Albert Town

Tuckers Beach Shotover River

Wye Creek Lake Wakatipu

Waterfall Creek Lake Wanaka

Mata-au / Clutha River

Westland District

Waitaki District

Central Otago District

Southland District

Mount Aspiring National Park

Tititea / Mount Aspiring

Te Koroka / Dart (Slip stream)

Pikirakatahi / Mount Earnslaw

Lake Wanaka

Lake Hawea

The Neck

Hawea

Wanaka

Cardrona River

Clutha River

Glenorchy

Greenstone River

Queenstown

Arrowtown

Von River

Lochy River

Whakatipu-wai-māori / Lake Wakatipu

Kingston

SH6

SH6A

SH8

SH8A

SH84

0 0.25 Km

0 2.5 Km

0 0.5 Km

0 5 10 15 20 Km

N

QUEENSTOWN LAKES DISTRICT COUNCIL

# Proposed District Plan Map 40 - Areas of Cultural Significance

Date Published: 26/08/2015

40

# FTC#31: Application for referred project under the COVID-19 Recovery (Fast-track Consenting) Act – Stage 2 decision on:

## Application 2020-25 – Winery, restaurant, education and event complex

| | | | |
|---|---|---|---|
| Date Submitted: | 10 December 2020 | Tracking #: 2020-B-07284 | |
| Security Level | In-Confidence | MfE Priority: | Urgent |

| | **Action sought:** | **Response by:** |
|---|---|---|
| To Hon David Parker, Minister for the Environment | Decision | 14 December 2020 |

| | |
|---|---|
| Actions for Minister's Office Staff | **Return** the signed briefing to MfE. |
| Number of appendices and attachments | Titles of appendices and attachments (ie, separate attached documents):<br>1. Application for a project to be referred to an expert consenting panel (and further information received on 27 November 2020)<br>2. Stage 1 Briefing Note and Decision<br>3. Statutory Framework for making decisions<br>4. Draft Notice of Decision Letter to JCarter Planning on behalf of Otago Viticulture and Oenology (Trading as Brennan Wines)<br>5. Section 17 Treaty of Waitangi Report<br>6. Comments received from Ministers and Local Authorities |

## Ministry for the Environment contacts

| Position | Name | Cell phone | 1st contact |
|---|---|---|---|
| Principal Author | Rebecca Perrett | | |
| Responsible Manager | Sara Clarke | 021 708 305 | ✓ |
| Director | Keita Kohere | 021 157 3336 | |

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# FTC#25: Application for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act – Stage 2 decision

## Key Messages

1. This briefing relates to the application received under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) from Otago Viticulture and Oenology Limited (Trading as Brennan Wines) for a winery, restaurant, education and event complex.
2. This application is for a project that involves the construction of a winery complex that will expand current facilities at the site providing for onsite wine making including bottling and storage, restaurant and cellar door, training, and event facilities (the Project). A copy of the Project application is included in Appendix 1.
3. The Project is located at 110 Gibbston Back Road, Otago, an established vineyard, located within the Gibbston Valley.
4. This briefing seeks your decision on whether the Project should be referred to an expert consenting panel. This is the second briefing relating to this application. A copy of the first briefing (2020-B-07243) regarding this application is included in Appendix 2.
5. Officials recommend you accept the application for referral under section 24 of the FTCA and refer it to an expert consenting panel for fast-track ng.

## Statutory Framework Summary

6. The statutory framework for making your decision is set ou in Appendix 3. You must apply this framework when you are assessing the application. You may accept all or any part of a project for referral to an expert consenting panel if you are satisfied that the Project meets the referral criteria in section 18 inc uding that it will help to achieve the purpose of the FTCA.
7. Even if a project meets the eferral criteria in section 18 of the Act, section 23(2) of the FTCA permits you to decline to refer a project f r any other reason.

## Analysis

### Our Advice

8. A summary of our analysis for this application is provided in Table A. Before making your decision, in addition to considering our analysis in Table A, you must consider the application and any furthe information provided in time by Otago Viticulture and Oenology Limited (Trading as Brennan Wines) (in Appendix 1), the Treaty of Waitangi report (in Appendix 5), local authority and Ministers' comments (in Appendix 6).
9. As our analysis in Table A demonstrates, we consider the project meets the referral criteria in section 18 and will help achieve the purpose of the FTCA.
10. We recommend you accept the application under section 24 of the FTCA and that the Project be referred to an expert consenting panel.
11. We consider that directions should also be made to specify Waka Kotahi NZ Transport Agency as an organisation from whom a Panel must invite comments on a consent application under section 24(2)(e) of the FTCA as the scale of the development and activities may generate potential adverse effects on State Highway 6.

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## Next Steps

12. Once you make your decision on an application, you must give notice of this decision, and the reasons for it, to the applicant and the persons, entities and groups listed in section 25 of the FTCA. We have attached a letter to the applicant based on our recommendations (refer Appendix 4). The Ministry will work with your office to give notice to the persons invited to comment on your behalf.
13. To refer a project, you must recommend that a referral order be made by way of an Order in Council (OiC).
14. Cabinet has agreed that you can issue drafting instructions to PCO without the need for a policy decision to be taken by Cabinet in the first instance[1]. Final decisions on an OiC will still be taken to the Cabinet Legislation Committee, followed by Cabinet confirmation.

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[1] Following the first OIC, the Minister for the Environment (and Minister of Conservation for projects in the Coastal Marine Area) can issue drafting instructions directly to the Parliamentary Counsel Office. Cabinet has also agreed that a Regulatory Impact Assessment is not required for OIC relating to projects to be referred to a Panel [ENV-20-MIN-0033 and CAB-20-MIN-0353 refer].

## Recommendations

1. We recommend that you:

   a. **Note** that section 23(1) of the COVID-19 Recovery (Fast-track Consenting) Act (FTCA) requires you to decline an application for referral unless you are satisfied that the project meets the referral criteria in section 18 of the FTCA.

   b. **Note** that if you are satisfied that all or part of a project meets the referral criteria in section 18 of the FTCA you may:

      i. decline an application for any reason under section 23(2) of the FTCA;

      ii. refer all or part of a project to an expert consenting panel; or

      iii. refer the initial stages of a project to the panel while deferring decisions about the project's remaining stages.

   c. **Note** that if you do refer all or part of a project you may:

      i. specify restrictions that apply to the project

      ii. specify the information that must be submitted to the panel;

      iii. specify the persons or groups from whom the panel must invite comments; and/or

      iv. set specific timeframes for the panel to complete their process.

   d. **Note** that before deciding to accept an application for referral under section 24(1) of the FTCA you must consider:

      i. the application; and

      ii. the Treaty of Waitangi report obtained under section 17; and

      iii. any comments received; and

      iv. any further information requested and provided within the required timeframe.

   e. **Agree** that the winery, restaurant, education and event complex meets the referral criteria in section 18 of the FTCA.

      Yes/No

   f. **Agree** the winery, restaurant, education and event complex will help achieve the purpose of the FTCA as it has the potential to:

      i. provide specialist and local employment opportunities for construction jobs and ongoing additional permanent jobs in the Otago wine-making region and other regions

      ii. enable construction to start sooner than if approvals were sought through standard Resource Management Act (RMA) processes

      iii. provide economic benefits for the winemaking industry, being an industry affected by COVID-19.

      Yes/No

   g. **Agree** to refer all of the winery, restaurant, education and event complex project to an expert consenting panel.

      Yes/No

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h. **Agree** that an expert consenting panel be required to invite comments from Waka Kotahi NZ Transport Agency under section 24(2)(e) of the FTCA.

Yes/No

i. **Agree** to the Ministry for the Environment issuing drafting instructions to the Parliamentary Counsel Office for an Order in Council to refer the winery, restaurant, education and event complex project to an expert consenting panel in accordance with your decisions recorded herein.

Yes/No

j. **Sign the attached (Appendix 4)** notice of decision to Otago Viticulture and Oenology Limited (Trading as Brennan Wines).

Yes/No

k. **Note** that the Ministry for the Environment is required to publish the decision, the reasons, and the section 17 Treaty of Waitangi report on the Ministry for the Environment's website as required by section 25(3) of the FTCA.

## Signatures

Sara Clarke
**Manager – Fast Track Consenting**

**Date:** 10 December 2020

Hon David Parker
**Minister for the Environment**

**Date:**

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**Table A: Stage 2 - Project Summary Analysis**

| Project details | Project description | Does all or part of the Project meet the referral criteria in section 18? | | Summary of comments received | Does the Project help achieve the purpose of the Act (sections 18(2) and 19)? | Section 24 Assessment |
|---|---|---|---|---|---|---|
| | | Is the Project ineligible for referral? (section 18(3a - d)) | Treaty of Waitangi report (section 17) – summary of key findings | | | |
| **Project name**<br>Winery, restaurant, education and event complex<br><br>**Applicant**<br>Otago Viticulture and Oenology Limited (Trading as Brennan Wines)<br><br>**Location**<br>110 Gibbston Back Road, Otago, Gibbston Valley. | This application is for a project that involves the construction of a winery complex that will expand current facilities at the site providing for:<br>• onsite wine making including bottling and storage<br>• restaurant and cellar door<br>• training and event facilities. | The project is not ineligible under section 18(3)(a-d) as based on available information:<br>• it does not include any prohibited activities<br>• it does not include land returned under a Treaty settlement<br>• the works do not occur in a customary marine title area or protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011. | The section 17 report identifies the matters in section 17(3) including the relevant iwi authorities.<br>Full report attached at **Appendix 5.** | **Ministers**<br>s9(2)(g)(i)<br><br>**Local authorities**<br>Queenstown Lakes District Council (QLDC) considers that the proposal is likely to be fast track appropriate given the public benefit and the general alignment with the Council's District Plans. The comments raise relevant matters requiring assessment, including landscape values, wastewater disposal and the transport network. The comments also raised concern regarding potential adverse effects from the scale of the development and activities on State Highway 6 and suggest that it may be appropriate for a Panel to seek comment from Waka Kotahi NZ Transport Agency.<br><br>Otago Regional Council (ORC) do not support the fast-track consenting process for this project. ORC advise that there is no reason why this application could not go through the standard RMA consent process. The comments note the applicant's intent to separately seek Regional discharge consent. ORC also comment that a new water permit is also likely to be required.<br><br>All responses received by parties invited to comment are attached in **Appendix 6.** | We consider the Project will help to achieve the purpose of the FTCA by:<br>• provide specialist and local employment opportunities for construction jobs and ongoing additional permanent jobs in the Otago wine-making region and other regions<br>• enable construction to start sooner than if approvals were sought through standard Resource Management Act (RMA) processes<br>• provide economic benefits for the winemaking industry, being an industry affected by COVID-19.<br><br>Any potential adverse effects arising from the application and mitigation measures can be tested through the expert consenting panel having regard to Part 2 of the RMA and the purpose of the FTCA. | With response to the considerations under section 24(2) of the FTCA, no reasons have been identified in the consultation/assessment process to:<br>• limit the scope of the Project by referring it only in part<br>• refer the application in stages<br>• place any restrictions on the Project<br>• specify information that must be submitted to a panel. While QLDC s 9(2)(g)(i) raised relevant matters requiring assessment, including servicing, landscape, acoustic, traffic, freshwater and indigenous biodiversity, it is not considered necessary to direct that this information is provided through the referral order as the applicant is already required to provide it under the information requirements in clauses 9 and 10 of Schedule 6. In any event, we note the applicant has acknowledged that an assessment of environmental effects has been prepared, which relies on expert reports on these matters<br>• impose specific timeframes for a Panel consideration.<br><br>We recommend that under section 24(2)(e) comments are invited from Waka Kotahi NZ Transport Agency in addition to those listed in clause 17, Schedule 6. This is in response to QLDC's concerns that the scale of the development and activities may generate potential adverse effects on State Highway 6. |

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**Schedule of Appendices and Attachments**

Appendix 1 – Winery, restaurant, education and event complex – Application form and Additional Information Received

Appendix 2 – 2020-B-07243 FTC#24 – Application for referred project under the COVID-Recovery Act - Stage 1 decision on Winery, restaurant, education and event complex Application

Appendix 3 – Statutory Framework for making decisions

Appendix 4 – Draft Notice of Decision letter to JCarter Planning

Appendix 5 – Section 17 Treaty of Waitangi Report

Appendix 6 – Comments received from Ministers and Local Authorities

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# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

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| **Local authority providing comment** | Queenstown Lakes District Council |
| **Contact person (if follow-up is required)** | Fiona Blight |
| | Manager Resource Consents |
| | s 9(2)(a) |

## Comment form

Please use the table below to comment on the application. Provide primarily for vit culture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley

| | |
|---|---|
| **Project name** | Brennan Wines - Winery, restaura t education and e ent complex |
| **General comment – potential benefits** | Queenstown Lakes Dist ict Council (QLDC or Coun il) onsiders that the proposal is likely to be fast track appropria e gi en the public benefit and the general alignment with the Council's District Plans.<br><br>Within the Que nstown Lakes Dis rict the Gibbston Valley supports a significant volume of viticultura activ ties and is a well re owned wine producing area. The area is popular with visitors and makes a notable contributi n to the District's economic activity. The Brennan winery site is zoned Gibbston Characte in the Proposed District Plan, which (as per the zone purpose statement), provides primarily for iticulture and commercial activities with an affiliation to viticulture within th confined space o the Gibbston Valley. The proposed winery, restaurant, education and event complex align with the zone purpose and intent.<br><br>The policy fra ew rk in the Operative District Plan also provides for viticultural and other appropriate act vities that rely on the rural resource. Both policy frameworks seek to avoid or mitigate adverse effects on landscape, and minimising the impact that non anticipated activities may hav on the ability for anticipated activities, and particularly viticulture, to contribute to the dis rict economy. The establishment of other activities that are complementary to the character and viability of the zone are provided for. |
| **General commen – significant issues** | Development in the zone should maintain the landscape values of the Gibbston Valley. The proposal should also demonstrate that adverse effects in relation to foul water disposal and effects on the transport network, including State Highway 6 within the Gibbston Valley, are avoided or mitigated. |
| **Is Fas -track appropriate?** | QLDC considers the fast-track consenting process to be appropriate in this case.<br><br>This proposal through the normal RMA process is not exempt from notification and would need to be assessed against the notification tests. The fast-track consenting process would expedite the project by removing this assessment and process. Obtaining consent through the fast-track consenting process would enable the applicants to implement the Project more quickly, thereby achieving the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020, while providing |

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| | the benefits outlined in the application to the Minister, with less risk, and in a shorter timeframe than otherwise provided for.<br>With regard to Section 18 of the Act, the project is not a prohibited activity under the Resource Management Act 1991 or the Queenstown Lakes Operative or Proposed District Plans. The activity would not occur on land returned under a Treaty settlement, and would not occur in a customary marine title area or a protected customary rights area. |
| **Environmental compliance history** | QLDC has no record of environmental compliance or enforcement matters in relation to the applicant. |
| **Iwi and iwi authorities** | Ngai Tahu through its established RMA organisations for the QLDC area, being Aukaha and Te Ao Marama. These two organisations undertake any required liaison with the seven runanga affiliated to the District, and with Te Runanga o Ngai Tahu (TRoNT), and provide comments and o approvals on behalf of Runanga on projects. |
| **Relationship agreements under the RMA** | N/A |
| **Insert responses to other specific requests in the Minister's letter (if applicable)** | ***Are there any reasons that you consider it more appropriate for the project, or pa t of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the Act?***<br><br>No. In general terms, and subject to greater con ideration of landscape, nfrastructure and traffic effects, the proposal is relatively well-aligned with the policy framework of the Operative and Proposed District Plans and would appea to be consistent with he purpose of the COVID-19 Recovery (Fast-track Consenting) Act.<br><br>***Feedback on the pre-applicati n engagement undertaken with the applicant, including any formal pre-application meeting minutes/advice.***<br><br>Pre-application engagement was undertaken on an informal basis by the applicant and as more of an information shari g exercise and to enable t at Council resource consent officers would be familiar with the proposal when contacted by the Minister re the Fast Track application. It consisted of an informal meeting on-site which served to further outline the applicant's intent for the building and the activities proposed, and to discuss the logic for the design and location of the building. V rbal advice was given in relation to further information which the applicant would be expected o provide, notab y in r lation to provision of services to the building and identification and as essment of adve se effe ts on landscape values and the transport network.<br><br>***Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your district?***<br><br>QLDC has no record of environmental compliance or enforcement matters in relation to the applicant. |
| **Other onsiderations** | The scale of the development and activities proposed to occur within the building have the potential to generate adverse effects on State Highway 6, particularly in relation to the intersection of local roads likely to be utilised by this development. With this in mind, it may be appropriate to seek comment from Waka Kotahi NZ Transport Agency. |

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to n Off cial Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to th release of any information contained in your comments, including your name and contact details. You have the right to req est access to or to correct any personal information you supply to the Ministry.

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# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

*This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.*

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| **Local authority providing comment** | Otago Regional Council |
| **Contact person (if follow-up is required)** | Joanna Gilroy |
| | Manager Consents |
| | s 9(2)(a) |

## Comment form

Please use the table below to comment on the application.

| | |
|---|---|
| **Project name** | Winery, restaurant, education and event complex |
| **General comment – potential benefits** | No Comment. This is more appropriate to be addressed by the Queenstown Lakes District Council. |
| **General comment – significant issues** | No Comment. This is more appropriate to be addressed by the Queenstown Lake District Council. |
| **Is Fast-track appropriate?** | Otago Regional Council does not think Fast-Track is appropriate. There is no reason why this application could not go through the standard RMA consent process. |
| **Environmental compliance history** | There is no known compliance history for this site or applicant. |
| **Iwi and iwi authorities** | Te Rūnanga o Ngāi Tahu (for notified applications only) and Aukaha and Te Ao Marama (consultancies operating on behalf of iwi). |
| **Relationship agreements under the RMA** | Not Applicable |
| **Insert responses to other specific requests in the Minister's letter (if applicable)** | Not Applicable |
| **Other considerations** | A discharge consent for the winery will be sought separately from this application in due course as stated in the application.<br><br>Given the potential scale of the proposed activities, a new water permit will be required. The application states "The proposal will use existing water permits for potable supply, required for winemaking and the restaurant and cellar door." The proposed activities on this site are unlikely to fit within the purpose given for the existing permit. Therefore, |

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| | new permits may be required. I.e. Events with 400 people and educational activities will likely increase water usage.<br>There are no identifiable Natural Hazards posing a risk to the proposal.<br><br>It is unclear in the application how it will address the overseas worker issue in New Zealand, but this is not a consideration for ORC. |

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

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**Hon David Parker** BCom, LLB

Attorney-General
Minister for the Environment
Minister for Oceans and Fisheries
Minister of Revenue
Associate Minister of Finance

2020-B-07284

17 DEC 2020

Jenny Carter
Resource Management Planner
JCarter Planning
s 9(2)(a)

Dear Jenny Carter

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Notice of Decision (Section 25) – Winery, Restaurant, Education and Event Complex**

Thank you for Otago Viticulture and Oenology Limited (Trading as Brennan Wines) application under section 20 of COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking that the Winery, Restaurant, Education and Event Complex Project (the Project) be referred to an expert consenting panel for consideration under the FTCA.

The Project involves constructing a winery complex that will expand current facilities at an established vineyard in the Gibbston Valley near Queenstown. It will provide for onsite wine making including bottling and storage, restaurant and cellar door, training, and event facilities at 110 Gibbston Back Road, Otago.

The purpose of the FTCA is to urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

I can only refer a project to an expert consenting panel for consideration under the FTCA, if the project meets the referral criteria in section 18 of the FTCA which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider the project will help to achieve the FTCA's purpose because it has the potential to:

1. provide specialist and local employment opportunities for construction jobs and ongoing additional permanent jobs in the Otago wine-making region and other regions (section19(d)(i) of the FTCA).
2. enable construction to start sooner than if consents were sought through standard Resource Management Act (RMA) processes (section19(c) of the FTCA).
3. provide economic benefits for the winemaking industry, being an industry affected by COVID-19 (section19(a) of the FTCA).

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand
s 9(2)(a) | beehive.govt.nz

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Any potential adverse effects arising from the application and mitigation measures can be considered and determined by an expert consenting panel having regard to Part 2 of the Resource Management Act and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the Project to an expert consenting panel.

I consider that this information will inform an expert consenting panel's assessment of the application's effects and whether to invite comment from persons or groups in addition to those specified in clause 17 Schedule 6 of the FTCA. This does not preclude an expert consenting panel from requiring you to provide any additional information on any application lodged with the Environmental Protection Authority (EPA) under the FTCA.

These directions also do not preclude a panel from inviting other parties to comment on any application lodged with the EPA under this FTCA.

I will progress an Order in Council through Executive Council for the Project. Once this Order is made you are able to lodge your application with the EPA for a consent decision by an expert consenting panel. Please do not publicly release my decision or this notice until the Order in Council for the Project has been approved by Cabinet and published in the *New Zealand Gazette*.

The FTCA requires that:

1. I provide a copy of this decision to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. my decision, the reasons for my decision and the section 17 report will be published on the Ministry for the Environment's website under section 25(3) of the FTCA.

Please contact officials at the Ministry for the Environment (fasttrackconsenting@mfe.govt.nz) if you have any questions or wish to discuss this decision.

Yours sincerely

Hon David Parker
**Minister for the Environment**

cc Ministers of/for:

Infrastructure; Māori Crown Relations: Te Arawhiti; Housing; Education; Arts, Culture, and Heritage; Treaty of Waitangi Negotiations; Local Government; Land Information; Defence; Transport; Conservation; and Climate Change

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