

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.

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 viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley

Project name	Brennan Wines - Winery, restaurant, education and event complex
General comment – potential benefits	Queenstown Lakes District Council (QLDC or Council) 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. Within the Queenstown Lakes District the Gibbston Valley supports a significant volume of viticultural activities and is a well renowned wine producing area. The area is popular with visitors and makes a notable contribution to the District's economic activity. The Brennan winery site is zoned Gibbston Character in the Proposed District Plan, which (as per the zone purpose statement), provides primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley. The proposed winery, restaurant, education and event complex align with the zone purpose and intent. The policy framework in the Operative District Plan also provides for viticultural and other appropriate activities 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 have on the ability for anticipated activities, and particularly viticulture, to contribute to the district economy. The establishment of other activities that are complementary to the character and viability of the zone are provided for.
General comment – 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 Fast-track appropriate?	QLDC considers the fast-track consenting process to be appropriate in this case. 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

	the benefits outlined in the application to the Minister, with less risk, and in a shorter timeframe than otherwise provided for. 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 or 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)	<i>Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the Act?</i> No. In general terms, and subject to greater consideration of landscape, infrastructure and traffic effects, the proposal is relatively well-aligned with the policy framework of the Operative and Proposed District Plans and would appear to be consistent with the purpose of the COVID-19 Recovery (Fast-track Consenting) Act. <i>Feedback on the pre-application engagement undertaken with the applicant, including any formal pre-application meeting minutes/advice.</i> Pre-application engagement was undertaken on an informal basis by the applicant and as more of an information sharing exercise and to enable that 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. Verbal advice was given in relation to further information which the applicant would be expected to provide, notably in relation to provision of services to the building and identification and assessment of adverse effects on landscape values and the transport network. <i>Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your district?</i> QLDC has no record of environmental compliance or enforcement matters in relation to the applicant.
Other considerations	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 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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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. 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,

	new permits may be required. I.e. Events with 400 people and educational activities will likely increase water usage. There are no identifiable Natural Hazards posing a risk to the proposal. 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.
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