



# FTC #2: Applications for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions to 30 July 2020

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Date Submitted:	31 July 2020	Tracking #: 2020-B-07058	Ó
Security Level	In-Confidence	MfE Priority:	Urgent
		Action sought:	Response by:
To Hon David P	arker, Minister for the Environment	Decision	4 August 2020

Actions for Minister's Office Staff	Send out attached letters (if agreed and signed).
	Return the signed briefing to MfE.
Number of appendices	Titles of appendices:
and attachments	<ol> <li>Consultation letters from the Minister for the Environment to relevant Ministers of the Crown, local authorities and Heritage New Zealand</li> </ol>
	<ol><li>Request for further information letters from the Minister for the Environment to three applicants</li></ol>
	3. Decline letters from the Minister for the Environment to two applicants

# Ministry for the Environment contacts

		*	
Position	Name	Cell phone	1 <sup>st</sup> contact
Principal Author	Sara Clarke		
Responsible Manager	Sara Clarke	s 9(2)(a)	✓
Director	Liz Moncrieff	s 9(2)(a)	

# FTC #2: Applications for referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020 – Stage 1 decisions to 30 July 2020

### Key Messages

- We are seeking your decision on eight applications for referral of projects to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), as follows:
  - Four applications received between 9 July and 17 July 2020 and analysed in 2020-B-07024 - FTC#1: Applications for referred projects under the COVID-19 Recovery (Fasttrack Consenting) Act 2020 – Stage 1 decisions to 24 July 2020;
  - b. One additional application received on 16 July, as mentioned in 2020-B-07024; and
  - c. Three applications received between 20 July and 24 July.
- We have undertaken an initial (Stage 1) analysis of all of the applications.
- 3. A summary of the analysis and our recommendations for the applications are provided in Table A. You are the sole decision maker for all of the projects (none are in the Coastal Marine Area).
- 4. We recommend that you consult on 6 applications and decline 2 applications.
- 5. s 9(2)(k), s 9(2)(b)(ii)

## Action sought

 Please indicate your decisions on the recommendations for each application listed in Table A.



Sara Clarke

Manager Natural and Built System

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

# Projects to progress

					Assessmen	nt against the purpose	of the Act					
Project name	Applicant	Project description and location	Project Funding	Project eligibility criteria [s18(3)]	Economic benefits and costs [s19(a)]	Effect on social and cultural wellbeing [s19(b)]	Likelihood project will progress faster under the Act [s19(c)]	Public benefit [s19(d)]	Potential for significant adverse effects [s19(e)]	Any other matters [s19(f)]	Recommendation	Decision
1 - Northbrook Arrowtown Retirement Village Arrowtown (included in 2020-B- 07024 - FTC#1)	Winton Property Limited	Construct and operate a 162 unit retirement village and 36-bed private hospital, with associated facilities (café/community centre, recreation facilities, medical centre and childcare centre). Located at Ayr Avenue, Arrowtown.	This project is being carried out by a private developer. Further due diligence will be carried out on funding in Stage 2 but there are no current concerns about the ability of the developer to fund the project.	Yes	The project will create 250 - 1,472 jobs per year over the 5- year construction phase and 118 jobs when the village is operational.	Will provide quality aged-care facilities for residents. Will provide childcare and medical centre facilities, and active transport options for residents and the public. Effect on cultural wellbeing is unknown.	Could be advanced by up to 18 months by fast tracking.	Generating employment. Increasing housing supply.	Potential for greater adverse effects than the application indicates. Need better information on the significance of effects to be confident they can be addressed by an expert consenting panel: • rural and landscape amenity and character • council infrastructure • historic heritage • effects from construction.	May set a precedent for projects to undermine the RMA plan-making process. Key district plan provisions directly relevant to this project are under appeal to the Environment Court. Our high-level review of the proposed provisions indicates the project may not be aligned with the policy intent of the zone.	<ul> <li>a. agree to progress Northbrook Arrowtown Retirement Village to Stage 2 of the process. The project warrants further analysis because it has potential to achieve the purpose of the Act and we are not aware of it including any disqualification criteria.</li> <li>b. agree to seek comment from <ul> <li>Ministers listed in s21(6) of the Act</li> <li>the Minister for Seniors</li> <li>Queenstown Lakes District Council</li> <li>Otago Regional Council</li> </ul> </li> <li>c. agree to seek further information from the applicant and local authorities to better understand how the application will help to achieve the purpose of the Act.</li> </ul>	Yes / No Yes / No Yes / No
2 - Northbrook Wanaka Retirement Village Wanaka (included in 2020-B- 07024 - FTC#1)	Winton Property Limited	Construct and operate a 92 unit retirement village and associated activities including a private hospital, park, walking and cycling facilities, cafes, gym, pool, and community centre. Located at Outlet Road, Wanaka	This project is submitted by a private developer. Further due diligence will be carried out on funding in Stage 2 but there are no current concerns about the ability of the developer to fund the project.	Yes	The project will create between 80 to 700 jobs during the construction phase and 83 when the village is operational	Will provide quality aged-care facilities.	Could be advanced by 12-18 months by fast tracking	Increase housing supply	Potential for adverse effects. We think effects could be managed by conditions issued by the panel.	None	<ul> <li>a. agree to progress Northbrook Wanaka Retirement Village to Stage 2 of the process. The project warrants further analysis because it has potential to achieve the purpose of the Act and we are not aware of it including any disqualification criteria.</li> <li>b. agree to seek comment from <ul> <li>Ministers listed in s21(6) of the Act</li> <li>the Minister for Seniors</li> <li>Queenstown Lakes District Council</li> <li>Otago Regional Council</li> </ul> </li> <li>c. agree to seek further information from the applicant and the local</li> </ul>	Yes / No Yes / No Yes / No
4 - Tucker Beach to Arthurs Point to Arrowtown Cycle Trail Wakatipu Basin (included in 2020-B- 07024 - FTC#1)		An 18km cycle trail connecting Tucker Beach, Arrowtown and Arthur's Point. The project will require earthworks, riparian margin disturbance, vegetation clearance, modification of a wāhi tūpuna area, safety signage and construction of multiple boardwalk	This project is submitted by a private developer. Further due diligence will be carried out on funding in Stage 2.	Yes	The project will create 25 jobs during construction (2021) and up to 185 jobs in trail related business over the next 10 years.	Will provide recreational benefit Will provide alternative commuter route between Arrowtown, Arthurs Point and Tuckers Beach Will provide social and health benefits	The applicant considers that joint decision making (district and regional consents) by an expert consenting panel, and the limited opportunity for appeal, could be beneficial. Given the nature of the application and the details provided to date, we are	Generating employment, notably in tourism around Queenstown. Contributing to well-functioning urban environments. Providing infrastructure.	The application includes the clearance of indigenous vegetation, disturbance of a wāhi tūpuna area, new access to a heritage feature (tunnel), and will involve construction of a bridge over the Shotover river. The	None	<ul> <li>authorities to better understand how the application will help to achieve the purpose of the Act.</li> <li>a. agree to progress Tucker Beach to Arthurs Point to Arrowtown Cycle Trail to Stage 2 of the process. The project warrants further analysis because it has potential to achieve the purpose of the Act and we are not aware of it including any disqualification criteria.</li> <li>b. agree to seek comment from: <ul> <li>Ministers listed in s21(6) of the Act</li> <li>Queenstown Lakes District Council</li> </ul> </li> </ul>	Yes / No Yes / No

					Assessment against the purpose of the Act							
Project name	Applicant	Project description and location	Project Funding	Project eligibility criteria [s18(3)]	Economic benefits and costs [s19(a)]	Effect on social and cultural wellbeing [s19(b)]	Likelihood project will progress faster under the Act [s19(c)]	Public benefit [s19(d)]	Potential for significant adverse effects [s19(e)]	Any other matters [s19(f)]	Recommendation	Decision
		and bridge structures along the length of the trail. The project includes an 80m long suspension bridge across the Shotover River and use of an existing heritage tunnel (not currently accessible to the public).					concerned that this process could take longer than the usual RMA process and recommend seeking information from QLDC and ORC to enable further analysis.	Climate Change benefits through decreasing reliance on private vehicles. Strengthening community resilience. Promoting protection of heritage.	applicant indicates that the effects can be mitigated and that relevant parties (DoC, QLDC, landowners) have been consulted and are supportive. We are not satisfied with the level of information related to the construction of the bridge and recommend seeking further information.	3	<ul> <li>Otago Regional Council</li> <li>agree to request further information from the applicant to better understand how the application will help to achieve the purpose of the Act and to understand the effects of construction of the bridge on the:         <ul> <li>Shotover River</li> <li>location of works in relation to a closed landfill site</li> <li>engagement/feedback to date with an 'interested' residents association (as referenced in the application)</li> </ul> </li> <li>d. agree to seek further information from QLDC and ORC to better understand how the application will help to achieve the purpose of the Act. We recommend specifically requesting information on the processing of the applications through standard RMA processes, and how they might approach a joint hearing (should one be required).</li> </ul>	Yes / No
5 - 'The Vines' Affordable Subdivision	Jason and Angela Mudgway	Create 48 residential allotments, as well as additional allotments for roads, a recreation reserve and a walkway reserve. The project includes land use consent for dwellings and associated servicing infrastructure but does not include the actual construction of houses or building consents. Houses will be constructed by the people that buy the allotments.	This project is submitted by a private developer. Further due diligence will be carried out on funding in Stage 2.	Yes	The Vines' subdivision will contribute approximately \$25M into the local economy. The applicant anticipates the project to provide employment for 42 people during the subdivision stage and some 210 during the subsequent construction phase. There may be ongoing jobs created and economic benefits when the houses are constructed on the lots created by this subdivision.	The project provides affordable sections for first home and younger buyers. The applicant states that the sections will be delivered to the market s 9(2)(b)(ii) cheaper than sections on the market currently. The applicant is proposing to ensure the housing is affordable by imposing limits on housing size and through restrictive covenants that attach to the property titles. No evidence is provided that demonstrates that the measures proposed (limiting house size and/or covenants) will ensure that houses built remain affordable.	The project could proceed faster under this legislation.	The project intends to provide a number of affordable sections and enable the creation of construction- related jobs.	The proposed sub- division is non- complying in the Rural zone. However, the site is within a future urban area identified in the Tasman Nelson Future Development Strategy. This has not been transferred into a proposed or operative plan. The Tasman District Council assessment (against the requirements for a special housing area) noted that the development will have minor effects on infrastructure and aligns with most of the provisions in the Tasman District Plan. The proposed site is surrounded by orchards.	Tasman District Council requested that this development be made into a Special Housing Area. Request was not progressed as the legislation expired shortly after the request was made.	<ul> <li>a. agree to progress 'The Vines' Affordable Subdivision to Stage 2 of the process. The project warrants further analysis because it creates employment and has the potential to provide for social wellbeing by developing affordable sections.</li> <li>b. agree to seek comment from: <ul> <li>Ministers listed in s21(6) of the Act</li> <li>Tasman District Council (Unitary)</li> </ul> </li> </ul>	Yes / No Yes / No

s 9(2)(k), s 9(2)(b)(ii)

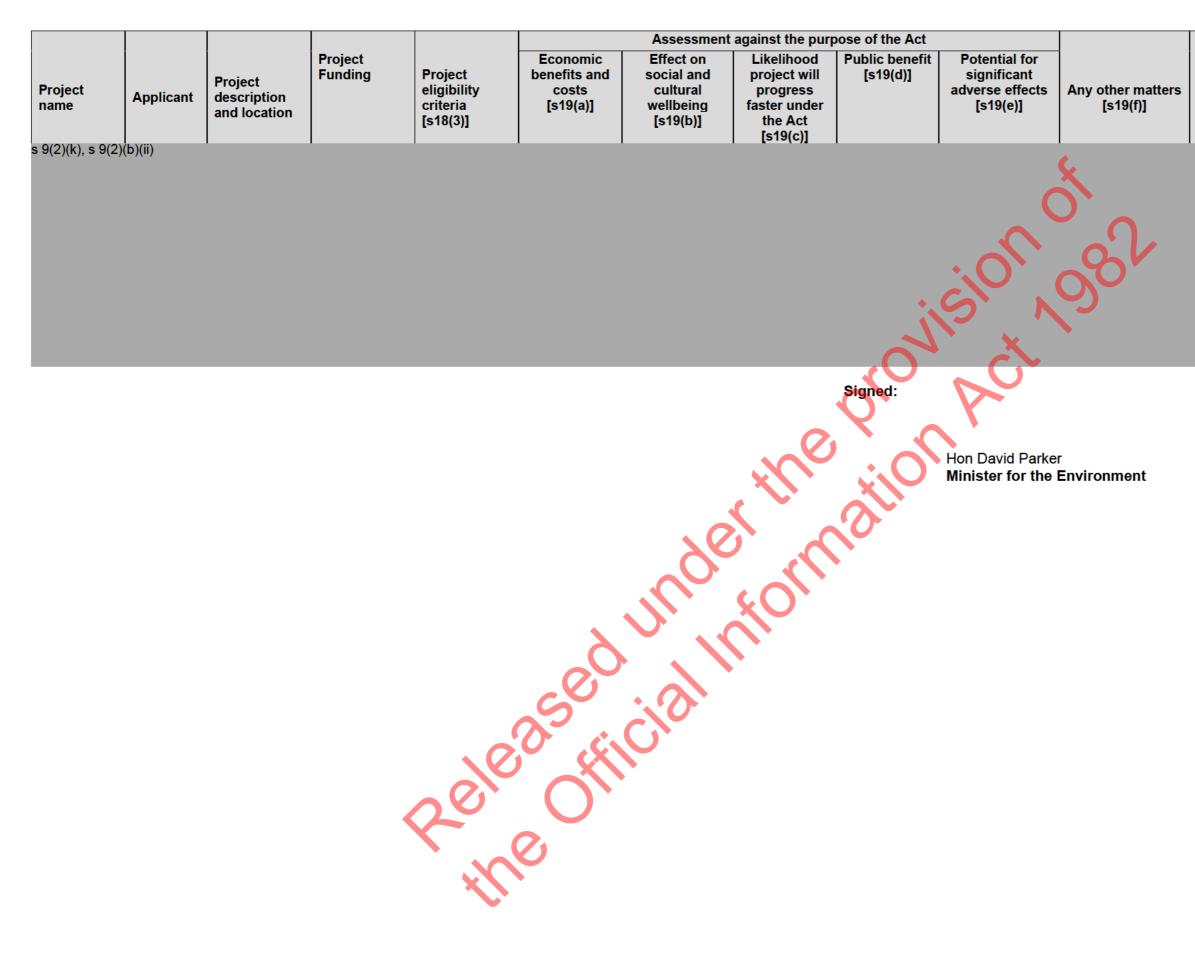
Released under the provision of 2002 Released under the provision Act 1982 Released under the provision Act 1982 Released under the provision Act 1982

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8 - Adapt the Executive Wing of Parliament	Parliamentary Services, Manager Buildings and Safety, David Wills	Adapt the Executive Wing of Parliament involving the demolition of the Press Gallery and construction of a building to accommodate new Ministerial suites.	This project is submitted by the Parliamentary Service with Crown funding.	Yes	COVID-19 is expected to have a negative impact on the construction industry in the short to medium term. This is a medium sized construction related project that could provide construction and related services jobs in central Wellington. The location of the project and the presence of workers on the site will provide flow on effects to central city business in the immediate vicinity.	The enhancement of the way in which Parliamentary services, Members of Parliament and Parliament works through co-location. Enabling Ministers to be accommodated 'under one roof promotes the social and cultural well-being of current and future generations.	The project would proceed faster under this legislation.	Job creation is one obvious public benefit. The public is also likely to benefit from the improved urban design as seen from Museum Street. There is public benefit in the removal of an earthquake prone building.	The project will result in the demolition of an existing heritage building (the Press Gallery) which could be considered a significant adverse effect. Heritage NZ's initial view (in 2017) is that the proposal is appropriate and that heritage effects can be appropriately managed. There are no other significant adverse effects.	3	<ul> <li>a. agree to progress The Adaptation of the Executive Wing of Parliament to Stage 2 of the process. The project warrants further analysis because it creates employment and provides for the social wellbeing of the community and provides for future generations.</li> <li>b. agree to seek comment from: <ul> <li>Ministers listed in s21(6) of the Act</li> <li>Wellington City Council</li> <li>Heritage New Zealandp</li> </ul> </li> </ul>	Yes / No Yes / No

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# Projects to decline

-					Assessment against the purpose of the Act							
Project name	Applicant	Project description and location	Project Funding	Project eligibility criteria [s18(3)]	Economic benefits and costs [s19(a)]	Effect on social and cultural wellbeing [s19(b)]	Likelihood project will progress faster under the Act [s19(c)]	Public benefit [s19(d)]	Potential for significant adverse effects [s19(e)]	Any other matters [s19(f)]	Recommendation	Decision
3 - River Terrace masterplanned Residential Community Cromwell (included in 2020-B-07024 - FTC#1)	Winton Property Limited	Subdivision to create 751 residential allotments <sup>\$ 9(2)(b)(ii)</sup> Construction of 701 residential dwellings. Construction and operation of a 100 unit retirement village and 36- bed private hospital (Northbrook Cromwell Retirement Village). Construction and operation of a neighbourhood commercial centre.	This project is submitted by a private developer. Further due diligence will be carried out on funding in Stage 2.	Yes	The project will create 1900 jobs during peak construction, and 342 annually post- construction.	Will provide aged care facilities, residential dwellings, and commercial activities. In November 2019, an independent hearing panel declined a private plan change to the Central Otago District Plan (Plan Change 13) requested by River Terrace Development Limited (a wholly owned subsidiary of the Winton Group) to enable a residential development at the same site. The independent hearing panel's decision included that it is unlikely that the development would provide for the social and cultural wellbeing of people and communities.	Could be advanced by up to 12-18 months by fast tracking. However, the applicant has previously acknowledged that resource consents are not the most appropriate way to achieve the outcomes sought by the project, and that a plan change process is more appropriate.	Employment, housing supply, contribution to affordable housing. The independent hearing panel's decision on Plan Change 13 noted a particular concern that "its location lack of available public transport and poor cycling and walking connections make it largely car-dependent". This may not contribute to a well-functioning urban environment.	It is considered that the project has the potential to have significant adverse environmental effects. This is based on the previous findings of the independent hearing panel for Plan Change 13 relating to reverse sensitivity impacts, noise and amenity adverse effects and potential loss of productive soils (which is inconsistent with the direction in the Regional Policy Statement).	It is considered more appropriate for the project to go through standard RMA processes because of the high level of Central Otago District Council (CODC) and public interest and investment there has already been on a very similar proposal. CODC is undertaking a masterplan exercise for Cromwell to address the issue of urban growth and the project should be considered in that wider context and subject to public participation.	<ul> <li>a. decline River Terrace masterplanned Residential Community for the following reasons: <ol> <li>Based on the previous findings of the independent hearing panel for Plan Change 13 (to CODC), it is considered unlikely that the project will be effective in providing for the social, economic, cultural and environmental wellbeing of people and communities.</li> <li>Based on the previous findings of the independent hearing panel for Plan Change 13 relating to noise effects and amenity, it is considered that the project has the potential to have significant adverse environmental effects.</li> <li>Given the high level of CODC and public interest and investment there has already been on a very similar proposal, it is considered more appropriate for the project to go through standard RMA processes.</li> <li>The applicant has previously acknowledged that resource consents are not the most appropriate way to achieve the outcomes sought by the project, and that a plan change process is more appropriate.</li> <li>It is understood that CODC is undertaking a masterplan exercise for Cromwell to address the issue of urban growth and the project should be considered in that wider context and subject to public participation.</li> </ol> </li> <li>note that you will need to issue a letter of your decision to decline the application to the applicant and anyone who was invited to comment on the application to the applicant and anyone who was invited to comment on the application</li> </ul>	Yes / No
				<b>V</b>								



# Recommendation Decision

### Date