

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:	Application number:
	Date received:

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 the 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 need only 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:

Email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track consenting guidance](#) to help applicants prepare applications for projects to be referred.

Applications must be submitted to the Minister via email: fasttrackconsenting@mfe.govt.nz

To complete this form, please scroll down and click in the appropriate field.

Part I: Applicant

Applicant details

Person or entity making the request: Winton Partners

Contact person: Chris Meehan

Job title: Chief Executive Officer

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address: Level 4, 10 Viaduct Harbour Avenue, CBD, Auckland, 1010

Address for service (if different from above)

Organisation: [Click here to enter text.](#)

Contact person: [Click here to enter text.](#)

Job title: [Click here to enter text.](#)

Phone: [Click here to enter text.](#)

Email: [Click here to enter text.](#)

Email address for service: [Click here to enter text.](#)

Postal address: [Click here to enter text.](#)

Part II: Project location

The application (click to place an "X" in the relevant box):

- does not relate to the coastal marine area
- relates partly to the coastal marine area
- relates wholly 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:

Sandflat Road, Cromwell

[A cadastral map and/or aerial imagery to clearly show the project location will help.](#)

Legal description(s):

Lot 1 DP 541276 and Lot 2 DP 541276

[A current copy of the relevant Record\(s\) of Title will help.](#)

Registered legal land owner(s):

River Terrace Developments Limited

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:

As set out in Section 5.11 of the attached document.

Part III: Project details

Description

Project name: River Terrace Masterplanned Residential Community

Project description:

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 need only provide a general level of detail.

As set out in Section 5.1 of the attached document.

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

As set out in Section 5.3 of the attached document.

Consents / approvals required

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

Resource consent(s) / Designation required (click to place an "X" in the relevant box/s):

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Land-use consent | <input checked="" type="checkbox"/> Subdivision consent | <input type="checkbox"/> Coastal permit |
| <input type="checkbox"/> Water permit | <input type="checkbox"/> Discharge permit | <input type="checkbox"/> Designation |
| <input type="checkbox"/> Alteration to designation | | |

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
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Refer to Attachment 7 of the attached document.

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 Act 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.

Refer to Section 5.14 of the attached document.

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

Not applicable.

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:

No other legal authorisations are required to commence the project.

Construction readiness

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

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

As set out in the table in Section 5.3 of the attached document.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

No consultation has been undertaken.

Local authorities

Detail all consultation undertaken with relevant local authorities:

No consultation has been undertaken.

Other persons/parties

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

As set out in Section 5.8 of the attached document.

Detail all consultation undertaken with the above persons or parties:

As set out in Section 5.9 of the attached document.

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
Te Ao Marama Inc	Consultation pending
Aukaha	Consultation pending

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
Not Applicable	

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.

Not applicable. There are no Treaty settlements that apply to the geographical location of the project.

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.

Not applicable.

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.

Not applicable.

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.

Refer to the table in Section 5.4 of the attached document.

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:

Refer to Section 5.5 of the attached document.

Part IX: Purpose of the Act

Your application must be supported by an explanation of how the project will help to achieve the purpose of the Act, being 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.

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

Refer to Section 5.7a of the attached document.

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

Refer to Section 5.7b of the attached document.

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

Refer to Section 5.7c of the attached document.

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:

Refer to Section 5.7 d(i) of the attached document.

Housing supply:

Refer to Section 5.7 d(ii) of the attached document.

Contributing to well-functioning urban environments:

Refer to Section 5.7 d(iii) of the attached document.

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

Refer to Section 5.7 d(iv) of the attached document.

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

Refer to Section 5.7 d(v) of the attached document.

Minimising waste:

Refer to Section 5.7 d(vi) of the attached document.

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):

Refer to Section 5.7 d(vii) of the attached document.

Promoting the protection of historic heritage:

Refer to Section 5.7 d(viii) of the attached document.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

Refer to Section 5.7 d(ix) of the attached document.

Other public benefit:

Not applicable.

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

Refer to Section 5.7 d(x) of the attached document.

Part X: Climate change and natural hazards

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

Refer to Section 5.15 of the attached document.

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
Refer to section 4.16 of the attached document.	

Part XII: Declaration

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

Chris Meehan

Signature of person or entity making the request

9 July 2020

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.
- Information presented to the Minister for the Environment and/or Minister of Conservation (and the respective agencies) is subject to disclosure under the Official Information Act 1982 (OIA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA. Further information on the OIA is available at www.ombudsmen.parliament.nz.

Information held by the Minister(s) and the agencies may have to be released under the OIA in response to a request from a member of the public (or any other body) for that information unless there are grounds for withholding that information. 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 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.

Checklist

Where relevant to your application, please provide a copy of the following information (click to place an "X" in each box to confirm):

- Correspondence from the registered legal land owner(s)
- Correspondence from persons or parties you consider are likely to be affected by the project
- Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
- 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.
- 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.