

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: The Yards - Resource Recovery and Service Activity Park
Application number: PJ-0000802
Date received: 20/06/2022

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.

Part I: Applicant

Applicant details

Person or entity making the request: Cardrona Cattle Company Limited

Contact person: David Henderson

Job title: Owner

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

Suite 58, The Heritage, 98 Worcester Street, Christchurch, 8011

Address for service (if different from above)

Organisation: JGH Advisory

Contact person: James Gardner-Hopkins

Job title: Consultant

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service s 9(2)(a)

Postal address:

27 Waterloo Road, Milford, Auckland 0620

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.

Victoria Flats Road, Gibbston, Otago, 9371, New Zealand

Legal description(s):

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

Lot 2 Deposited Plan 420346 and Lot 8 Deposited Plan 402448 as held in Record of Title 477524; and Lot 1 DP 402448

Registered legal land owner(s):

Cardrona Cattle Company Limited / Scope Resources 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:

The Cardrona Cattle Company is the equitable legal owner of the land on which the project will occur. The land is currently subject to a boundary adjustment subdivision.

Part III: Project details

Description

Project name: The Yards - Resource Recovery and Service Activity Park

Project summary:

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

A resource recovery park (including recycling centre, demolition yard, building materials recycling and resales yard), rural industrial and contracting/service activity yard (such as a contracting yards for processing and storage of landscaping supplies, firewood processing), as well as facilities for more general storage, and other yard-based and related or otherwise compatible activities (e.g. a worm farm and composting activity) and associated subdivision (overall, "The Yards").

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.

The Yards will house a range of yard-based businesses and a storage facility, including a recycling center, demolition yard, firewood processing, worm farm and composting facility, building materials recycling and resales yard, and a range of contracting yards for processing and storage of landscaping supplies, storage of contractors equipment and vehicles.

The purpose of the project is to provide for contractors yards and activities that can be broadly classed as low-intensity industrial yard and service based activities that are struggling to establish in Queenstown and the wider Wakatipu area due to lack of availability of appropriate urban land, high land and rent prices, and the high likelihood of reverse sensitivity effects these activities face if located within the Queenstown urban environment due to the prevalence of a mix of office, some residential, consulting and retail activities within the existing Queenstown Industrial areas (i.e. Glenda Drive). The development also includes an opportunity for sustainable, eco friendly businesses that present a synergy with the location of the land next to the district land fill and waste minimization and management. The yards will provide for employment and assist the local economy by providing much needed land for uses that are poorly accommodated in the Wakatipu and wider Queenstown Lakes District.

The contractors' yard component will comprise a subdivision and associated road construction to facilitate in the order of som 50 or so lots ranging in size from 0.2ha to 1.5ha. The yards will be utilised for contractors to process and store landscaping materials, store equipment and vehicles such as heavy vehicles and excavation machinery. Each contractor's yard includes provision for a total building coverage up to 600m², and a general maximum building height of 8m with a lower height of 6m at the eastern end of the site (as shown by Lots 34 – 54 on the master plan). Within the contractors yard, the Resource Recover Park will comprise 12 or so lots, comprising of some 41,150 m².

The Storage units will occupy a relatively small portion of the development site and will be some 7.8ha in area comprising a gate house/office of around 57m² in area, an administration building of around 307m², buildings for a maintenance store, a shed in the order of around 130m², in the order of 176 general purpose storage units of varying sizes occupying an area of around 4,240m², the 'garage club' storage units comprising some 89 units and occupying an area of around 2,690m², and, adjacent to an existing pond fed by water races, some 73 Lakeside storage units comprising an area of 4,751m² each with an open yard area.

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

The development is to be advanced in an integrated manner, most likely over a discrete number of stages, generally outlined below:

Stage 1: Subdivision and development including the construction of roads and water infrastructure and associated earthworks.

Stage 2/ 2(a), (b), etc: Subdivision will occur to create the contractors' yards, in stages to best accord with the confirmed demand at the time. The individual contractors would then be responsible for, or would work in with the applicant, to develop their sites to their needs (within the consented parameters).

Stage 3: Development of the storage buildings and associated facilities.

That said, given the confirmed interest to date, it may be possible to proceed in fewer stages.

Consents / approvals required

Relevant local authorities: Queenstown-Lakes District Council

Resource consent(s) / designation required:

Land-use consent, Water permit, Subdivision consent

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
The site is legally described as Lot 2 Deposited Plan 420346 and Lot 8 Deposited Plan 402448 as held in Record of Title 477524 and is part of a 145.7821ha block.	Queenstown Lakes District Plan	Rural Zone, Gibbston Character Zone	Outstanding Natural Landscape over the land zoned Rural, Wāhi tupuna (to a very small extent towards the margins of the Kawarau River)	N/A

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
Land Use Activities (Rural Zone Chapter 21 and Gibbston Character Zone Chapter 23)	<ul style="list-style-type: none"> Industrial activities in the Rural Zone are a non-complying activity pursuant to Rule 21.4.33. Rule 21.4.34 and Rule 23.4.20 require a non-complying activity resource consent for activities not otherwise specified in the Rural Zone and Gibbston Character Zone. 	While the activities are not 'urban development' industrial activities overall, the Yard and Resource Recovery activities are likely to include processing and manufacturing activities which are included in the PDP definition of industrial activity. As noted above, the proposal comprises a range of storage, contractor and service activities which broadly fall into the PDP definition of an industrial and or	Non-complying	Generally across the application site.

		service activity, not specifically provided for.		
Rules 21.4.11 and 23.4.10. Rules 21.5.1. and 23.5.5. Rules 21.5.2 and 23.5.6. Rules 21.5.4 and 23.5.7.	Buildings in the Rural Zone require a 15m setback from internal boundaries, while the Gibbston Character Zone requires a 6m setback. It is sought to allow future buildings to be located up to the internal boundary of the lots, requiring a restricted discretionary activity is sought pursuant to Rules 21.5.1. and 23.5.5. Buildings in the Rural Zone and Gibbston Character Zone require a 20m setback from roads. It is sought to allow future buildings to be located up to 10 metres from the road boundary of the lots. Resource consent for a restricted discretionary activity is sought pursuant to Rules 21.5.2 and 23.5.6. Rules 21.5.4 and 23.5.7 require a setback of buildings from waterbodies of 20m is required in the Rural Zone and Gibbston Character Zone. On the basis that the water race is a waterbody, resource consent is required for future buildings to be located up to 10m from the water race. Resource consent is also required for the same in the Gibbston Character Zone to locate buildings in the Resource Recovery Area and yards up to 10m from the setback, while the Storage Units will require a resource consent to locate as identified on the site	Restricted discretionary	Generally across the application site, and as identified.	

		plan adjacent to the water race and pond.		
Earthworks (Chapter 25)	Rule 25.3.2.5 Rule 25.5.11. Rule 25.5.19.	<p>Rule 25.3.2.5 exempts subdivision activities from the Earthworks rules in relation to maximum volume, cut and fill, and transportation of clean fill standards on the basis that all subdivision requires a resource consent and applications for subdivision involving any earthworks shall be considered against the matters of discretion for earthworks in Part 25.7 and assessment matters in Part 25.8.</p> <p>Rule 25.5.11 requires a restricted discretionary activity resource consent for earthworks greater in area than 10,000m². The subdivision development and earthworks associated with the establishment of the storage units will exceed 10,000m². The purpose of the rule is to manage potential erosion and sediment and dust nuisance effects associated with construction activities.</p> <p>Earthworks within 10m of the edge of a waterbody shall be limited to 5m³ in any 12 month period. The subdivision and development will involve earthworks greater than 5m³ within 10m of the water race. The water race itself will require reshaping to contain flows, particularly where it is currently used for wild flooding irrigation. A restricted discretionary activity resource consent is</p>	Restricted discretionary.	

		required pursuant to Rule 25.5.19.		
Signs (Chapter 31)	Rule 31.10.1 Rule 31.1.11	Rule 31.10.1 requires a discretionary activity consent for operational, directional and safety signage relating to the movement of vehicles and people. Rule 31.1.11 limits the area of signage to 2m ² . While detailed signage has not yet been designed, it is likely that these consents will be required.	Discretionary.	Generally across the application site.
Otago Regional Plan: Water	Section 127 RMA	Alteration to water permit from irrigation and domestic supply to a commercial supply. Specifically vary condition 1 of resource consent RM21.351.01.	Discretionary activity	

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.

Queenstown Lakes District Plan resource consent RM191130 for storage units and a contractors yard – Declined. This application was for storage units located in a part of the site which was adjacent to SH6 and is a substantially different proposal to the current application. (see below, for Queenstown Lakes District Plan resource consent RM220327).

Queenstown Lakes District Plan resource consent RM220327 – application lodged and being processed by Council. This application largely coincides with the storage facility component of the fast track application. The applicant has requested notification, and the closing date for submissions is 24 June 2022. It may be, depending on how RM220327 and the fast track application progress, that the activities falling within the scope of RM220327 are dropped out of the fast-track application, or else remain incorporated so they are authorised in one integrated fast-track consent.

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

Queenstown Lakes District Plan resource consent RM220327 for a landscaping bulk storage and supply operation with a portacom and water tank. This was approved on 27 May 2022. The core activity will form part of the proposed fast track consent application, so as to ensure that it integrates with the wider activities proposed around it.

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:

The site contains two recorded sites on the New Zealand Archaeological Association's register:

F41/208 – Doolans Creek Tunnel

The tunnel is cut through a spur, a south-east extension of Mt Mason. The 1400 ft tunnel was cut through schist rock to convey water from Doolans Creek to riverside gold workings along the margin of Victoria Flat. The tunnel was built by Macale and party who floated the Kawarau High Levels Mining Co in 1926. The Co was unsuccessful because the stones were too large for alluvial mining. In 1978 it was used for irrigation purposes.

The exit point of the tunnel is located on the application site. The water for the development will be via the existing water race scheme.

F41/207 – Water Race

The water race collects water draining from the spur of Mt Mason which separates the Victoria Flat from Doolans Ck. Since 1978 the race has been used for irrigation purposes.

The Doolans Creek tunnel will not be modified, however some modification to the water race network on the application site may be required, including realignment and or amenity planting along its margins. If necessary, an authority will be requested from the NZHPT.

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.

The application responds to a confirmed and desperate demand for space for the sorts of activities to be facilitated.

The master plan identifies 18 or so sites that have been pre-sold (subject to appropriate conditions of obtaining consent, of course), with several other sites identified as being under offer.

In other words, there is an immediate need and driver to commence works as soon as practicable on the grant of consent.

The site is flat, accessible, with no impediments to the commencement of physical works.

It is anticipated that the key roading layout could be constructed to give effect to the subdivision within 6-9 months from commencement of works. The contractors yards and resource recovery park would be built out over a two year period, with the storage units likely to be completed within some 18 months.

In other words, this project is truly shovel ready.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

The Applicant has had a couple of pre-lodgment meetings with MfE officers.

Local authorities

Detail all consultation undertaken with relevant local authorities:

Extensive consultation has been undertaken with the QLDC, including with:

- Elected councilors
- CEO
- QLDC GM and Planning Manager

QLDC is well aware of the applicant's vision for the Resource Recovery and Service Activity Park. Its formal feedback may be constrained by the overlay of the PDP appeal process. In that regard, the applicant's submission as part of the review of the Queenstown District's industrial zones should be acknowledged. At the time of the submission, a full industrial zone was sought over a much large land area. The submission was rejected but appealed to the Environment Court. The council now has information before it supporting a modified (and much reduced) form of relief, centered around a rural yard and service overlay. The fast track application is not considered to be contingent on the relief sought in the rezoning, but is capable of favourable consideration in advance, against

the current zoning provisions. Piecemeal applications are already being made, and being approved (eg Queenstown Lakes District Plan resource consent RM220327 identified below).

If the fast-track application is successful, the zoning will still be pursued, as it will provide wider flexibility over the entire site and into the longer term, as compared to the specific activities under the fast track proposal, which are responding to an urgent market need.

In any event, in respect of the consent application, the applicant also has an APA from QLDC by virtue of an earlier agreement.

Other persons/parties

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

The applicant has a good working relationship with its neighbours. Scope Resources Limited operator of Landfill, the Station at Waitiri Limited, will give APA to the proposal. So too will the Station at Waitiri, Mt Rosa Station, and, most likely AJ Hackett.

The applicant also has an APA from QLDC by virtue of an earlier agreement.

Detail all consultation undertaken with the above persons or parties:

Consultation and expected APAs as noted above.

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 Rūnanga o Ngāi Tahu (TRoNT) is the sole iwi authority for the project area.	<p>Two organisations undertake liaison between the rūnanga of the Otago/Southland regions and TRoNT, and on their behalf engage with the local authorities and applicants in these areas in relation to RMA matters:</p> <p>a. Aukaha Ltd – based in Dunedin, and which is owned by, and represents Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, Te Hokonui Rūnanga, and Te Rūnanga o Waihao.</p> <p>b. Te Ao Marama Incorporated – based at Murihiku Marae in Invercargill, and which represents Hokonui Rūnanga, Te Rūnaka o Ōrāka-Aparima, Te Rūnanga o Awarua, and Waihōpai Rūnaka.</p> <p>Consultation has occurred with Ka Runaka, understood to be the entity representing Aukaha and Te Ao Marama in respect of the PDP wāhi tupuna, although the persons involved appeared to be from Aukaha. Consultation occurred in the context of discussions about any potential impact on the wāhi tupuna overlay, which were would not be given the distance of the proposal from the overlay. No concerns were raised about the Resource Recovery and Service Activity Park proposal.</p>

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
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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.

The Ngāi Tahu Claims Settlement Act 1998 is the only settlement of historical Treaty claims relating to the proposed project area. The Act gave effect to the deed of settlement between TRoNT and Her Majesty the Queen, dated 21 November 1997. The deed and related documents are available on the NZ Government's Treaty settlement website. The settlement applies to the Takiwā of Ngāi Tahu, as defined in section 5 of the TRoNT Act, and which covers the majority of the South Island of Aotearoa (Te Waipounamu).

TRoNT is the post-Treaty settlement governance entity associated with the Treaty settlement. The settlement did not create any new co-governance or co-management processes affecting decision-making under the RMA.

The proposed project does not directly affect any specific commercial or cultural redress provided by the Treaty settlement.

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.

Landscape The landscape values of the site and receiving environment, and the effects of the proposal on landscape values have been assessed by landscape architect Rough Milne Mitchell (**RMMLA**). The RMMLA report is summarized as follows.

Landscape Effects on the Receiving Environment

The localised topography of the site contributes to a sense of remoteness and containment, which presents an opportunity for the site to successfully absorb the scale and form of development in the proposal. Further, in proximity to the landfill and other semi-industrial land uses within Victoria Flats, the proposed activity will be able to coexist and is not entirely unexpected. Visibility of the development from SH6 will be limited, in particular the views of the storage units (i.e. westbound traffic approximately 500m south of the Victoria Falls Bridge) will be completely screened by a hill in the foreground, and the raised topography of the west terrace edge located across the Kawarau River (adjacent to the site). Views of the development from SH6 opposite the entrance via Victoria Flats Road will not be possible owing to the substantial setback of the development from SH6. The development will not affect visibly of open space as viewed from the State Highway, while some part of the proposal will introduce urban elements into the environment, they are visually contained to the extent they are not visible from the State Highway, and comprise a relatively small area of the site.

The development is visually contained to the site and will not contribute to adverse effects on visual amenity. Further, it is considered that this activity is not out of keeping with other semi-industrial activities across Victoria Flats which are more suited to rural areas than the urban environment, such as the landfill, quarry and asphalt plant. Overall, it is considered that cumulative effects, as a result of the development, will be avoided and that with appropriate mitigation strategies there is a further capacity for the Victoria Flats landscape to absorb additional change. The adverse effects on landscape and visual amenity values will be no more than minor.

Traffic The internal roading network will be designed to accommodate the traffic and expert traffic advice has been provided on this.

Victoria Flats Road is ultimately accessed off State Highway 6 and the NZTA has been consulted regarding traffic effects on the state highway and safety. The upgrade to SH6 and Victoria Flats road intersection involve a the introduction of a right hand turning bay which will provide for appropriate access and egress onto SH6. Traffic movements are not expected to be high enough to warrant the introduction of a roundabout.

Reverse sensitivity The site is located near the district landfill. There is expected to be adverse odour effects and occasional noise arising from this activity. While acknowledging that the landfill must operate within its designation conditions which require odour effects to be no more than minor at its site boundaries, the project does not contain activities sensitive to odour or noise. There are no residential or office and dedicated retail activities proposed. The Project's activities themselves have potential to generate a degree of noise and dust (both of which can be managed by operators to a reasonable level). In that regard, the project is not incompatible with the landfill and noise associated with existing activities in the vicinity of the site. The project will also be located outside the extent of the Landfill Designation, the intent of which is in part to provide a buffer to restrict potentially incompatible activities from locating within. The effects of the project on the landfill and other existing activities will be no more than minor.

National Grid The National Grid passes through the southern margin of the site where it enters the District via the Kawarau Gorge/Nevis area from the Cromwell Substation on its way to the Frankton Substation, The National Grid is protected by a suite of rules in the PDP Chapter 30 Energy and Utilities Chapter which requires a resource consent for activities and subdivision within an identified National Grid Yard, and National Grid Subdivision Corridor. These areas provide a protective buffer in the order of 37 metres width which limit structures, earthworks or the establishment of activities which may be sensitive to the National Grid, such as residential or education activities. The project does not involve any National Grid Sensitive activities and the bulk and location, and earthworks associated with the development can be controlled by the required setback rules and engaging with Transpower New Zealand. The project will not be incompatible with the National Grid and its effects can be effectively so that the effects of the proposal on the National Grid are not more than minor.

Noise The projects activities will involve noise generating activity such as heavy vehicle movements, on site maneuvering of heavy vehicles and machinery and processing of materials and general yard related activities (i.e. unloading scaffolding, loading aggregate). There are no sensitive activities in the environment, in particular residential activity or a community activity which is sensitive to noise (i.e. congregation, medical facilities) The

remoteness of the site to other activities (except the landfill) and lack of sensitive receivers in the locale will help ensure that these activities can operate without causing significant adverse effects on the surrounds. The project will be compatible with the environment and other noise generating activities such as the landfill and commercial recreation activities such as the gun club and Oxbow Adventure. Noise effects on the environment will be no more than minor.

Effects on Industrial Zones and distribution of commercial activities

An important component of the proposal, and the extent to whether the project has the potential for adverse effects on the form, function and viability of existing industrial zones and centres within the District is whether the project constitutes an urban industrial zone and whether these activities should only be provided for within the urban environment. The project is not a risk to the function and viability of any other existing industrial or commercial centre in the District for two key reasons; the project does not constitute urban development, and the nature and scale of activities proposed are distinct from the nature, scale and intensity of activity anticipated in the existing industrial and business zoned areas of the District within the urban environment. The PDP definition of urban development is relevant and is: *Means development which is not of a rural character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development in an otherwise rural area does not constitute urban development, nor does the provision of regionally significant infrastructure within rural areas.* The proposal comprises a resource recovery area, contractor yard based storage and service activities which will comprise processing and storage of landscape material such as topsoil, mulch and bark, firewood processing. Storage of aggregate and processed rock for use by trade contractors. Storage of heavy vehicle equipment such as trucks and excavators and associated material. Each site within the yard area will be anticipated to include buildings up to 00m² to house plant, service and maintain vehicles and ancillary administration offices. The resource recovery area could be located within an urban environment, however, this does not make the activity itself an urban development, the same way that a landfill or a wastewater treatment plant may service an urban area but is not itself a characterisation of urban development as defined in the PDP. The resource recovery area will require a large outdoor space for the storage of material and manoeuvring of heavy vehicles and machinery associated with the operation. The buildings associated with the resource recovery area and the Yards will more likely than comprise simple lean-to buildings and gable forms for the storage of machinery and material, with small onsite administration and amenity facilities. These aspects of the development will be rural in character. The storage units will comprise some urban elements, however these are contained centrally within the development suite and are not visible from State Highway 6. Aspects such as lighting and hardstand areas will not be visible from the highway and any views from public places will be at an elevated and long distance if visible at all. These activities and the development overall will be of a nature and scale which is of a rural character and dominated by open space relative to buildings. Additionally, the Yards and Resource Recovery Area comprises 17 lots with a combined net site area of 9.5ha resulting in an average net site area in the order of 4000m²-5,000m². The smallest lot is around 3,500m² and the largest is 1.5ha. Both individually and collectively, the lot sizes are substantially larger than the minimum lot size in the PDP General Industrial and Service Zone which is 500m² to 1000m²[1], and in addition the permitted building coverage is 75%[2]. In this regard, the comparative intensity of activities proposed overall is substantially less than that which is characteristic of service, yard and industrial type of activities in the urban environment. The proposal will not be reliant upon reticulated services, each yard activity will have its own on-site wastewater treatment and disposal and the Storage Units will have one shared system. Water will be sourced from Doolans Creek by way of an existing permit to take water. The nature and scale of the activity and its associated density and form will not rely on reticulated services and will overall not constitute urban development. For these reasons, the proposal is not urban development and it is distinct from the built form and intensity of effects anticipated in the General Industrial and Service Zones within the urban environment. The proposal will cater to a less intensive industrial and service type activity than what would be expected to located in the urban environment and will not adversely affect the function and viability of the urban zoned industrial and business land. The economic advice in the assessment by *Urban Economics* identifies that Queenstown has a shortfall of 75ha of zoned land for industrial and business activity, which is having a significant influence on the price of land and the availability for contractor and service activity to locate within the urban

environment. The adverse effects on the project on the function and viability of existing industrial and business zoned land in the urban environment will be no more than minor.

Use of the rural land resource

The proposal is located in an area that has historically been used for low intensity farming coupled with commercial recreation activities, and a landfill.

Additionally, in order to protect the activities associated with the landfill, parts of the site and adjoining properties are subject to Designation 76. The purpose of Designation 76, as described in the PDP, is for a 'Landfill Buffer'. In the Notice of Requirement lodged in relation to the landfill buffer, the purpose of the buffer is further described as being: *"to manage the activities which take place on the immediately adjoining area to avoid any incompatible activities, for example, residential use, taking place... which can impact on the efficient operation of the landfill"*.

As the two land parcels relevant to this application are partially included within the landfill buffer area, any collective use of the site must consider the implications of Designation 76. Consequently, this limits the range of productive land uses that may be undertaken. It is worthy to note that there are no conditions associated with the Designation which directly control or dictate what land uses are to be avoided.

The impact of the designation and the adverse effects associated with the same, namely odorous gases were considered during the Stage 3 District Plan review process in which the evidence of a viticulturist, Mr James Dicey for QLDC notes at paragraph 6.47 of his evidence:

*"Industrial activities in close proximity to grapes can also have an effect on an operational vineyard. Specifically, this relates to odour or dust generated from industrial activities transferring to vineyards and being adsorbed into the waxy cuticle on the outside of a developing grape berry."*³

While the site conditions such as soil and climate may not preclude viticulture the presence of the landfill and its ongoing protection via the Designation is a limiting factor for the viability of more intensive forms of farming such as viticulture. The presence of the landfill has reduced the amenity of the environment and this also limits the potential for tourism and commercial recreation activities associated with the wine industry such as wine tours. Tasting rooms and resort activities located in the central and western extent of the Gibbston Valley.

In considering other potential land uses, the Otago soil maps database suggests that the soils present across the site are not significant. The Applicant was the former landowner of Lot 8 DP 402448. We understand that in the 20 years of owning Lot 8, the productive capacity of the soil was found to be low with this exacerbated by climatic conditions, namely the high number of frosts in winter and drought conditions during summer. Further evidence of poor yield and unfavourable climatic conditions can be evidenced by the absence of rurally productive land uses on neighbouring sites including: Part Lot 3 DP 27395 located on the north side of SH6, Lot 1 DP 420346 which now hosts the Wakatipu Clay Target Club and Part Lot 3 DP 303681 which is the home of the Oxbow Adventure Company. It is worthy to note that limited to no stock grazing presently occurs in these neighbouring sites with the industrial and commercial recreational land uses generating higher value returns.

Overall, the site and surrounding area has historically yielded low value economic returns from a farming and wine growing perspective.

The use of the site for the project will remove a small portion of the rural land resource for farming and wine growing, however the adverse effects of this are not more than minor.

[1] PDP Rule 27.6.1 Subdivision and Development Minimum Lot Sizes.

[2] PDP Rule 18.A.5.9 General Industrial and Service Zone

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 PDP is considered the most relevant statutory document. The project does not engage the Standards for Freshwater or contaminated land.

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.

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

The project has been assessed by Urban Economics, who have identified that the proposal will provide for low intensity industrial and service activities that due to high land prices attributable to a scarcity of land within the urban environment, are struggling to find viable sites.

The Urban Economics assessment identifies that the project has the potential to create 795 FTE jobs and will generate 1,335m to GDP and will alleviate the industrial and business land shortage within the Queenstown Lakes District. The availability of land at a more affordable price point will assist with inflationary costs which contractors and yard operators would otherwise need to pass on as a cost of business.

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

The project will not adversely affect the social or cultural wellbeing given the location of the site remote from any sensitive receivers.

Rather, the project will create 795 FTE jobs and will play an important role in alleviating the scarcity and high price of industrial land in the District.

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

The project is consentable under the PDP framework, however a resource consent application for the same activity would be likely to be processed on a notified basis and would take in the order of 12 months to 18 months to reach a substantive decision.

While third parties are unlikely to be interested (and with immediate neighbours providing APAs), appeals to the Environment Court are unlikely, but cannot be discounted. Any appeal, even if resolved by way of consent order would increase delays by at least 6 months.

In other words, it could take 2 years using the standard process – which is the time by which the project could be constructed and delivered to the market. There is a clear need and interest from the market that warrants utilization of the fast tract process.

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:

795 FTE jobs - many available immediately as construction can commence very quickly after consent is granted.

Housing supply:

No housing is to be supplied directly as part of the project. However, through the facilitation of resource recovery, contractors yards, etc the project will assist indirectly in the timely and more cost efficient delivery of housing supply elsewhere in the district.

Contributing to well-functioning urban environments:

The project is not located within the urban environment and is not, by definition, urban development, However the project will provide for yard based and service activities that if located in the urban environment would not result in an efficient use of the urban industrial zoning resource which anticipate higher building coverage and more intensive manufacturing and processing activities.

There is also an established presence of retail and office activity within the existing industrial zone in Queenstown (Frankton and Glenda Drive) and locating the project in the proposed location will avoid the potential for a reduction in amenity associated with the service activities and Resource Recovery Park.

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

As indicated above, the availability of affordable land for contractors, and its central location will assist in wider housing and other construction activities, reduce travel costs and effects.

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

In addition to the efficiency aspects identified, above, the project will undertake riparian planting along the margin of the water race, improving indigenous biodiversity and amenity values.

Minimising waste:

The Resource Recovery Park presents an opportunity for a hub for recycling of glass, green waste and building and construction products.

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):

The Resource Recovery Park and Contractors and Service activities are to be located in an area that is convenient to construction and other activities in both QLDC and CODC districts, and will reduce travel times and distances (including for workers), assisting in a reduction of emissions.

Promoting the protection of historic heritage:

The water race tunnel will not be modified and the water race and pond can have its values enhanced by wa of planting and appropriately integrating into the development.

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

The Resource Recovery Park provides an opportunity to minimize new resource consumption, while assisting in resource re-use, all to the benefit of the environment.

Other public benefit:

The project will provide for an industrial and service activity land resource which alleviates the current scarcity of industrial land within the Queenstown urban environment.

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

No significant adverse environmental effects are anticipated.

Part X: Climate change and natural hazards

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

N/A

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
No details	

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 will be released if requested.

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.

James Gardner-Hopkins

20/06/2022

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- 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 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.

No	Correspondence from the registered legal land owner(s)
No	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.