

# 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: Wooing Tree Estate  
Application number: PJ-0000714  
Date received: 28/09/2020

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

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

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

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

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: [fasttrackconsenting@mfe.govt.nz](mailto: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: Wooing Tree Property Development LP

Contact person: Sean Haynes

Job title: Senior Development Manager

Phone: s9(2)(a)

Email: Sean Haynes

Postal address:

Sean Haynes

Veros

PO Box 324

Tauranga 3140

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

Organisation: Tattico

Contact person: John Duthie

Job title: Director

Phone: s9(2)(a)

Email: s9(2)(a)

Email address for service: s9(2)(a)

Postal address:

PO Box 91562 Victoria Street West

Auckland 1142

## 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.

64 Short Cut Road, Corner Sh8b And Sh6, Cromwell, Otago, New Zealand

Legal description(s):

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

Legal description: Section 3 Survey Office Plan 461514.

Identifier: 684261 (Otago Land Registration District).

See attached copy of the certificate of title.

Registered legal land owner(s):

Wooing Tree Property Development LP

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:

## Part III: Project details

### Description

Project name: Wooing Tree Estate

Project summary:

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

Development of a 25 ha block of land in Cromwell for 309 dwellings / sections, a hospitality / neighbourhood centre, and associated open space and infrastructure

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.

This is an application for a comprehensive subdivision consent for the Wooing Tree block.

It comprises:

- A subdivision consent to create 309 residential lots, 3 business lots and 4 rural lots
- Consent to construct 46 homes in a Business 2 zoned area.
- Consent to undertake all roading and infrastructure to service the development.
- 3 open space lots to vest in the Council.
- 9 road lots to vest in the Council.
- Roding connections onto State Highway 8B including the construction of a new roundabout and pedestrian underpass.
- Approval for the construction of the hospitality and neighbourhood centre including the cellar door facility for Wooing Tree Vineyard

The masterplan for the development is attached to this application as a supporting document.

The key aspects of this masterplan are as follows:

- A rural buffer strip is retained along State Highway 8B and State Highway 6 consistent with the District Plan provisions.
- A prime entry is formed off State Highway 8B by creating a new roundabout which will upgrade the access to the Cromwell township and give access into the Wooing Tree estate.
- An internal road network is laid out. This is an integrated street network maximising circulation within the facility and minimising the number of rear sites. Only one cul-de-sac is created.
- A strong green network is created through the site both in terms of a north-south access through the middle of the property, and an east-west access. These "greenway" connections create amenity for residents as well as a walking and cycling network through the property.
- A significant green space is located immediately to the north of the hospitality and neighbourhood centre servicing both visitors to the cellar door, and local shops and residents.
- The iconic "Wooing Tree" is preserved in a small park.

- The northern boundary buffer is created through both a Council vested reserve, and a special 10m yard setback.
- A variety of different residential sections are provided with a range of section sizes.

An Urban Design Report has been prepared by Baxter Design and can be provided on request. It will be provided as part of the consent application if the Minister decides to refer this project.

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

The project will proceed in five stages. Stage 1 of 33 lots is currently under construction. This was consented by way of a resource consent application approved by Central Otago District Council (CODC). The remaining 276 lots, if progressed under the normal RMA process, will require a protracted plan change and subsequent resource consent, taking some 18 months, additional to what could be achieved under the Fast-Track Consenting process.

Stages will follow on consecutively and a staging plan will be provided as part of the application if the Minister decides to refer this project, together with a proposed condition of consent addressing staging. These documents have been prepared and are available on request.

### Consents / approvals required

Relevant local authorities: Central Otago District Council, Otago Regional Council

Resource consent(s) / designation required:

Land-use consent, 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
Section 3 Survey Office Plan 461514 (Identifier 684261, Otago Land Registration District)	Central Otago District Council District Plan, Operative 2008.	Site has multiple zones: Residential Resource Area 3, Residential Resource Area 11, Residential, Business Resource Area 2, Rural.	Wooping Tree Overlay.	Building Line State Highway 8B, State Highway 6. Scheduled Tree (Wooping Tree).

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
Central Otago District Plan	7.3.1 7.3.4 7.3.5 8.3.2 8.3.3 8.5 4.7.3 4.7.5 4.7.6 12.7.7	In summary consent is required for the following activities: 7.3.1 - Business activity in a residential zone and associated traffic generation aspects 7.3.4 - Traffic generation 7.3.5 - Travelers	Overall this project is a non-complying activity under the Central Otago District Plan. The activity status of the individual activities requiring consent is as follows: 7.3.1 - Business activity in a residential zone and	64 Shortcut Road, Cromwell.

		<p>accommodation in a business zone, subdivision and access.</p> <p>8.3.2 - Subdivision in business zoned land.</p> <p>8.3.3 - Design controls on new development.</p> <p>8.5 - Business development adjacent to residential zone.</p> <p>4.7.3 - Side and rear yard in rural zone.</p> <p>4.7.5 - Minimum subdivision size and retail activities in rural zone.</p> <p>4.7.6 - Yard for travelers accommodation in rural zone</p> <p>12.7.7 - Development adjacent to a Building Line.</p>	<p>associated traffic generation aspects (non complying) 7.3.4 - Traffic generation (discretionary) 7.3.5 - Travelers accommodation in a business zone, subdivision and access (non complying) 8.3.2 - Subdivision in business zoned land (controlled) 8.3.3 - Design controls on new development (restricted discretionary) 8.5 - Business development adjacent to residential zone (restricted discretionary) 4.7.3 - Side and rear yard in rural zone (restricted discretionary) 4.7.5 - Minimum subdivision size and retail activities in rural zone (non complying) 4.7.6 - Yard for travelers accommodation in rural zone (restricted discretionary) 12.7.7 - Development adjacent to a Building Line (restricted discretionary)</p>	
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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.

This is a 25 hectare block. Wooing Tree holds a resource consent for 3ha, being a 33 lot development (Stage 1). There are no other consents pertaining to or applied for the remaining 22 ha.

There is a current application to increase the intensity of development in Stage 1 by 8 additional homes. This application will be withdrawn if the Minister's decision is to refer this application to the EPA.

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

nil

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

nil

### **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.

This project benefits from having Stage 1 physically under construction. All professional services firms are procured, as is the main contractor (the applicant may test pricing for subsequent stages if scheduled rates materially change). If approved through the fast track process WTPL (the applicant) is geared up ready to start detailed design work immediately with construction rolling on from the current contracted Stage 1 (33 lot) development. We have a local contractor, Benchmark Construction, on-board with capacity to quickly roll on to the next phase of development once approved.

This will see a seamless roll over from Stage 1 onto Stage 2, with design work in the first half of 2021 and construction work starting in mid 2021. Is is a 4-5 year construction program, with the first sites delivered and ready for housing in mid 2021. Peak construction activity will occur over 2022-2024. The Market Economics report attached as a supporting document outlines the expenditure profile over the life of the development (see Figure 5.1).

Funding lines have been secured as part of enabling Stage 1 to commence.

This project is ready to proceed. Further detail is provided in the report by Veros that is attached as a supporting document.

## **Part IV: Consultation**

### **Government ministries and departments**

Detail all consultation undertaken with relevant government ministries and departments:

n/a

### **Local authorities**

Detail all consultation undertaken with relevant local authorities:

#### Central Otago District Council

Wooing Tree Partnership have met with CODC on multiple occasions engaging with their planning, parks and infrastructure/engineering departments.

In particular:

- Early drafts of the masterplan have been shared with the Council staff for informal feedback. This has led to refinements of the design.
- The park and cycle network through the development has been worked through with the Council's Parks department including which aspects of the development they would and would not want vested in the Council. The final masterplan reflects this feedback.
- Wooing Tree Partnership have funded the Council's consultants to undertake a detailed infrastructure assessment of the development at the increased intensity. This has identified that essentially there is sufficient capacity for the development, but that certain localised infrastructure upgrades are required. These upgrades are incorporated within this application.
- The key economic analysis has been worked through with the Council.
- An advanced draft application was provided to the Council for early warning for them and feedback.

#### Otago Regional Council

The applicant has engaged with the Regional Council over this application. To give early visibility to the Regional Council it has provided a draft of the urban design report, infrastructure, transport, land contamination, and economic analysis that will form part of the consent application if the Minister decides to refer this project.

## Other persons/parties

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

Waka Kotahi NZTA  
Community

Detail all consultation undertaken with the above persons or parties:

### Waka Kotahi NZTA

Waka Kotahi NZTA are accountable for the State Highway network. This proposal includes a new roundabout on State Highway 8B and a pedestrian underpass under Statement Highway 8B.

These matters were resolved through Plan Change 12 to the Central Otago District Plan. There has been ongoing consultation with Waka Kotahi NZTA over this work and agreement as to the form and location of the roundabout and underpass.

Veros on behalf of WTDP (the applicant) has been in regular contact with Waka Kotahi NZTA from both infrastructure delivery and planning perspectives. It is well documented that the development of the Wooing Tree block will initiate the delivery of infrastructure that falls beneath the Waka Kotahi NZTA mandate – a roundabout and pedestrian/cyclist underpass on State Highway 8B. Veros are therefore in active communication with the ‘delivery arm’ of Waka Kotahi NZTA in coordinating the delivery of said infrastructure in concert with similar upgrade works being delivered by Waka Kotahi NZTA in the near vicinity. The current strategy is to deliver these upgrade projects as a single package or programme of works, and design work is underway accordingly.

Veros and the project team have also issued consultation requests to Waka Kotahi NZTA in relation to this fast-track application. We understand that Waka Kotahi NZTA has agreed that the proposed Barry Avenue roundabout (to be constructed by NZTA but triggered by the latter stages of this development) has the ability to service both the existing development in Cromwell South and the Wooing Tree Estate. Traffic matters will be discussed in further detail in the report by Mr Carr of Carriageway which will form part of the consent application if the Minister decides to refer this project. This report is available now and can be provided if requested.

### Community

Veros on behalf of WTDP conducted an open invitation evening to the community to display the new masterplan and receive feedback. This community drop-in evening was advertised in the local paper and via social media, with all interested members of the community invited to attend. A list of attendees was taken and several drawings, renders and related material was available for attendees to take away. Veros’ Senior Development Manager was in attendance and presented the masterplan and sought questions from those in attendance. From that and other community feedback a number of changes have been made to the treatment along the northern interface. Part of the northern area will now vest in the Council as a parkway/cycleway. However, given Council has since confirmed it does not want more land vested in CODC than is currently proposed the balance is therefore treated as a private linear parkland with a building restriction zone.

We have since met with neighbours in a one on one capacity and written to representatives about this updated proposal and offered to continue to further consult and meet with them.

## 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
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(iii) The applicant has engaged with Aukaha who manage consultation processes on behalf of K?ti Huirapa R?naka ki Puketeraki, Te R?nanga O Ot?kou and Hokonui R?nanga, three of the kaitiaki R?nanga whose takiwa includes the proposed site.

Aukaha stated that the N? R?nanga: “do not support nor oppose the proposed plan change, and understand that the following will be included in the subdivision consent stage: That the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol should be adhered to in undertaking earthworks.” The reference to “plan change” has now been superseded by this process under the CRFCA, although it was the same masterplan consulted on. N? R?nanga have confirmed that there are no recorded Maori archaeological sites within the boundary. N? R?nanga have also stated that the area was known to be utilised by mana whenua in the past. Consequently any earthworks should be subject to monitoring for artefacts and archaeological material Aukaha is preparing a Cultural Impact Assessment for the site. This will be provided to the Minister as soon as it is received and will be included in the application for consent if the Minister decides to refer this project.

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

Treaty settlement entity	Consultation undertaken
No details	

### Treaty settlements

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

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

n/a

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

### Customary marine title areas

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

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

N/A

### Protected customary rights areas

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

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

N/A

## Part VII: Adverse effects

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

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

In short, this project will have a number of positive effects and will not have any significant adverse environmental effects. The primary effects are summarised below.

A detailed assessment of environmental effects has been undertaken and will be provided as part of the consent application. The additional effects assessed in that report include landscape, geotechnical, land contamination, earthworks, rural, construction and cumulative effects. In each case the effects are less than minor.

### Residential growth effects

The residential growth effects are positive. This is addressed in full in the Market Economics (ME) report. The key points are:

- Cromwell is experiencing high growth rates.
- The amount of available residential development land is becoming constrained.
- CODC, through its community consultation process on the Cromwell Spatial Framework Plan identified the need for additional growth areas and identified suitable locations for that growth.
- The land is an area identified for medium to high density housing.
- The land is currently zoned for a lower density. If the land is allowed to develop at the lower density, then the opportunity to create a medium to high density development in accordance with the Framework Plan within a walkable catchment of the town centre, is lost. Once developed, it cannot be reconfigured to a higher density. The consequence of that is to put increased pressure on further urban expansion of Cromwell in locations which are not identified in the Framework Plan as preferred for medium and high density.
- This development will enable a broader range of housing typologies, again an objective of the Framework Plan, and will better enable the development to offer sections and homes at different price points which can only assist in affordable housing.

### Economic effects

The economic effects of this development are set out in the ME report. These effects are significantly beneficial. This development will stimulate more than  $\$9(2)(b)(ii)$  in direct residential and business construction, plus an additional  $\$9(2)(b)(ii)$  direct expenditure in related sectors. To this is added the indirect benefits of underpinning manufacturing and service jobs that are related to the suppliers of this development. At peak it will sustain 250 direct jobs in the construction industry plus indirect jobs. Over the duration of this development it will sustain over 8,500 person months' employment into the Central Otago region.

### Cultural effects

Wooing Tree Partnership has engaged with Aukaha. This is addressed in Part V of this application. The applicant has requested Aukaha to prepare a Cultural Impact Assessment for this land. At the time of applying for this referral that assessment was not available.

- The initial response from Nga R?nanga (represented by Aukaha) has identified that:
  - o There are no wahi tapu or explicit cultural elements on the Wooing Tree Estate site.
  - o The land was traditionally used by Maori in traversing through the Central Otago region, particularly journeying to the pounamu sites in the west.
  - o Consequently, they do request that normal accidental discovery protocols be put in place during the earthworks programme.

Wooing Tree Partnership has agreed and suggested conditions of consent around accidental discovery protocols and is offering Aukaha the opportunity to be inducted into site safety procedures and access to the site for monitoring purposes throughout the programme.

In addition to these cultural elements, certain environmental aspects are key to iwi. These include:

- o The quality and treatment of stormwater. Here water is discharged to ground rather than Lake Dunstan. Best practice measures are put in place to treat stormwater before it enters the groundwater system. This treatment train process of swales, rain gardens, screens and then soakage pits, will manage stormwater quality from roads and large vehicle used paved areas.
- o The wastewater connects to the Council's wastewater network and treatment plant.
- o The level of earthworks is relatively minor. The land is flat and is suitable for building platforms without the need for bulk earthworks.
- o The only earthworks involved are for formation of roads and some small areas of recontouring within the site. Here best practice erosion and sediment controls are applied.
- o A landscape and planting palette has been developed for the site. This accentuates the use of native species to evoke the traditional landscape of Central Otago.

The cumulative effect of these measures will ensure appropriate management of the site to acknowledge and respect cultural matters and to ensure the cultural effects of this development are less than minor.

### **Urban Design and Built Character**

Baxter Design has undertaken a detailed urban design assessment of this development. This identifies that:

- The site is strategically located within the Cromwell area adjacent to the town centre.
- The development brings a significant benefit from being within, in the case of the hospitality and neighbourhood centre, 400m of the Cromwell town centre and, in the case of the rest of the subdivision, 800m of the town centre. This ensures that this new community has strong connectivity to the town centre which provides a broad range of retail, social and community services for residents and obviously helps underpin the economic viability of the centre.
- The site offers a broad range of housing typologies. This diversity of housing is a core principle of the Cromwell Spatial Framework Plan.
- The integrated street pattern will ensure a fully interconnected network with only one cul-de-sac and a road pattern which ensures minimal rear sites. This accords with urban design best practice. When one considers the physical shape factor of this site, the masterplan and urban design approach has been highly successful in achieving urban design best practice despite the constraint of site shape.
- A strong open space network will be provided. The shifting of the hospitality and neighbourhood centre is to align on a north-south axis which traverses the site. It also means the hospitality and neighbourhood centre is easily accessible from all properties and, because it has as tourist function, easily accessible off State Highway 8B.
- The open space network promotes a strong walking and cycling connection with good linkages back to the Council's network on Shortcut Road.
- It promotes safe crossing of State Highway 8B. This is currently intended as an underpass and committed as such by Wooing Tree Partnership. However it is finally for NZTA to determine the method of crossing this road.
- The variety of section sizes responds to the requests within the Framework Plan for a diversity of housing styles. The development places the lower density sites along the northern boundary and Shortcut Road's frontage as intended within the District Plan with the more intensive development in the centre of the site. The high density sections are located adjacent to the town centre and north-facing across Wooing Tree Park.
- Particular emphasis is placed on the northern interface which was a key amenity aspect of Plan Change 12.

This development has been designed in accordance with National Urban Design Guidelines and in accordance with the Framework Plan.

The urban design effects of this development are positive.

To reinforce the built character of the development, a series of design guidelines have been developed which will be applied to all buildings (residential and business) within the estate. These design guidelines will be provided as part of the consent application. They are enforced by way of a contractual arrangement with all land purchasers. It is not a regulatory mechanism administered by CODC under the RMA. Rather it is a mechanism imposed through land ownership and management of the development itself.

The built character effects of this development are beneficial.

### **Amenity effects**

The amenity effects of this development are either positive or managed so that they are less than minor. This is a masterplanned comprehensive subdivision. The neighbourhood subdivision has been laid out following a detailed urban design and landscape analysis. The integrated approach to planning and design of this community will result in high amenity. One of the key amenity areas addressed in this application is along the northern boundary. While zoned Rural its main purpose is as a buffer between the residential development of Wooing Tree and the residential development on the northern boundary. Under this proposed subdivision, part of this northern area will vest in the Council as a public walkway and cycleway and be landscaped. The central and western end for a 10m width will be planted in mature trees and left open and transparent. When neighbours view this area it will present as a 10m corridor of parklands with mature trees. Covenants on the titles protect this area with a no build requirement to reinforce the District Plan control, a requirement to maintain the landscaping, and a control on fencing. With these controls put in place, the amenity effects on the neighbouring properties to the north will be less than minor.

#### **Stormwater and infrastructure effects**

Patterson Pitts Group have undertaken a detailed analysis of stormwater and infrastructure issues for this development. This will be provided as part of the consent application.

##### *Stormwater*

There is no reticulated stormwater network in northern Cromwell. Nor is that seen now as best practice. This proposal is based on stormwater discharge to ground soakage. The site is underlain by glacial gravels and outwash. Groundwater is some 14-15m below surface. The conclusion of the Patterson Pitts analysis is that the site (and the subsoils) are eminently suitable and have groundwater capacity to deal with inground soakage treatment of stormwater from all roads, buildings and properties. The stormwater effects of this development, if managed in accordance with the conditions of consent, are less than minor.

##### *Wastewater and potable water*

Mott McDonald's modelling demonstrates that there is adequate capacity within both the trunk network and the treatment station to accommodate this development. There is also adequate capacity to service the site in terms of potable water. Overall the wastewater and potable water effects of this development are less than minor.

#### **Transport effects**

Mr Carr of Carriageway has undertaken a detailed traffic assessment of this development which will be provided as part of the consent application. He finds that:

- "Overall the transportation modelling shows that the effects of the development differ very little from the approved plan change (Plan Change 12) which resulted in the rezoning of the area ... This conclusion remains valid even when the seasonality of highway is taken into account."
- The Shortcut Road access to the property could service up to 192 dwellings before the roundabout is triggered.
- This application makes appropriate provision for the future roundabout at Barry Avenue. In the proposed conditions of consent, triggers are set on development such that housing does not exceed the capacity of Shortcut Road. Housing is prevented past the trigger unless the roundabout is constructed by NZTA.
- "A Safe System assessment has been undertaken for the proposal. This does not identify any particular change in road safety arising from the proposal or the interim step of serving up to 192 residences from Shortcut Road."
- Mr Carr also addresses the issue of pedestrian safety. The current proposal contemplates that when the Barry Avenue roundabout is constructed, a pedestrian underpass will be built under State Highway 8B to provide safe access from North Cromwell into the town centre and Central and Southern Cromwell. Mr Carr concludes "There will be an increase in pedestrian crossing the highway due to development of the site. Without some form of formal crossing aid, it is likely that a poor level of service would be provided. However, it is unlikely that providing just one crossing location would provide a satisfactory outcome because pedestrians will typically seek to minimise their walking time and therefore would be unlikely to divert to use that single crossing location. A better approach would be to provide several crossing locations, and this could be accomplished easily through providing pedestrian refuges. Refuges result in an excellent level of service being provided." Mr Carr identifies that pedestrian refuges would be a suitable safety provision prior to the construction of the roundabout and identifies that pedestrian refuges (more than one) would be a suitable alternative to the underpass.

- This application is advanced on the basis that there is a commitment by WPDL to provision of the underpass at the time the roundabout is constructed. That remains the position. It will only be if NZTA and CODC prefer an alternative means of pedestrian crossing of SH8B that the underpass would not proceed. Under that scenario the alternative crossing would be funded by WTPDL. The key point is that the effects of this development and pedestrians crossing SH8B are managed.
- Mr Carr has assessed the internal road network within the subdivision and identified that these meet the CODC standards and the effects of this roading system are all manageable. He identifies that for some internal minor intersection sightlines, there could be non-compliance with the Council standards but states “These features also mean that vehicle speeds would be reduced in the immediate area, which in turn means that shorter site distance will be adequate. Consequently any such non-compliance are likely to be supportable.”

Overall, the transport effects of this development can all be successfully managed and hence the effects are less than minor.

## 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:

Section 9 of the Planning Assessment undertakes a detailed statutory assessment including matters regarding National Policy Statements and National Environmental Standards under the Resource Management Act 1991 (RMA).

There are no relevant National Policy Statements. The National Policy Statement on Urban Development does not apply because the population of Cromwell is less than the 10,000 population trigger.

The National Environmental Standard on land contamination applies, but this proposal does not require a consent under the NES because the level of contaminants does not trigger relevant consents. This is confirmed by a Detailed Site Investigation (DSI) undertaken by Opus which will be provided as part of the consent application if the Minister refers this project. These effects can all be successfully managed.

## 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:

Market Economics have undertaken an extensive analysis of the economic benefits including employment opportunities that are generated by this development. This is included as a supporting document.

In terms of **residential development**, the report identifies that:

- Cromwell is growing faster than historic growth projections for Cromwell. There is a demonstrable demand for additional housing within the Cromwell area. Demand for housing in Cromwell is projected to grow by an additional 970 dwellings in the next ten years, growing to 2,320 dwellings by 2048. The Market Economics report includes diagrams showing this projected growth and growth capacity matters.
- That there is a demonstrable constraint on residential demand in Cromwell. Even if all existing development was taken up, there is only ten years’ growth available in Cromwell. This is set out at length in the Market Economics report.

- Obviously if the existing available land is developed to existing densities, then that would substantially increase the pressure on further urban expansion. If Part 2 of the RMA, in particular section 7 in terms of efficient use of natural and physical resources, is to be achieved, then sensible development of vacant residentially zoned land within Cromwell is essential. Undoubtedly that is why the Wooing Tree Estate was identified for medium and high density housing in the Cromwell Spatial Framework Plan.
- Wooing Tree makes a meaningful and beneficial contribution to providing for housing growth demand in Cromwell. Market Economics states that *“Increasing the dwelling capacity within Cromwell Urban Area helps to ensure the future urban density growth is directed to, and concentrated within, the main urban township and not disbursed throughout the Cromwell basin settlements. The increase in density is consistent with and helps Council to achieve the strategic growth direction of the Cromwell Masterplan – Spatial Framework ... where Wooing Tree is ... identified for medium/high density housing.”*
- The Market Economics report also identifies locational advantage of Wooing Tree. The report states *“The proposed net increase in capacity result in a greater number of future households strategically located with respect to commercial and community facilities in Cromwell. Wooing Tree Estate is within walking distance of the Cromwell town centre and the lake and is an efficient and high amenity location for further intensification and contributes to a well-functioning urban environment.”*

In terms of **commercial development**, the report contrasts the current zoned development for business, with the relocated centre proposed as part of this application. It identifies that the same gross floor area of development is proposed, but in a more concentrated form. It identifies the economic effects of the business development:

- There is a reduction in the land area of the business centre from 2.8ha to 2.2ha. The report states *“The advantage of this configuration is that it enhances the connectivity of different activities within the centre to each other. This improved proximity and accessibility within the centre extent will encourage pedestrian movement (walkability), facilitate cross shopping and increase the concentration of people activity – enhancing vitality and vibrancy. All these aspects will help contribute to the social and economic wellbeing of centre visitors, residents and businesses establishing in the centre.”*
- The report comments that the proposed location will *“Support greater integration with the Cromwell centre. There will be an increased perception that the tourist orientated village forms part of the wider town centre but with no change to its complementary role due to rules that manage the types of businesses able to develop.”* All of the business are now within a 400m walking distance of the town centre. Market Economics concludes that the *“proposed changes to the location and configuration of the Business Resource Area 2 better complement the desired outcomes of the town centre and may help to stimulate visitor confidence in the town centre more than otherwise would have occurred under the status quo.”*
- The report identifies that *“The greater proximity of travellers’ accommodation will increase the opportunity for town centre businesses to attract guest expenditure (i.e. as distances reduce, town centre businesses such as food and beverage providers will be able to compete more easily against the equivalent businesses located within the village.”*
- Releasing opportunity for business development earlier helps sustain business growth within Cromwell, and creates jobs associated with the construction industry.

The employment benefits are set out in the following sections of this online application form.

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

This development will offer a significant increase in housing supply which will meet the social needs and contribute to the wellbeing of current and future generations of people living in Cromwell.

This is addressed in:

- the Economic Report by Market Economics;
- under the part of the Assessment of Effects section in Part VII of this application addressing residential growth in Cromwell;
- the Urban Design Report by Baxter Design (to be included as part of the consent application).

In summary:

- Cromwell is growing at the high growth rate scenario and there is a need for housing.

- The Wooing Tree development is the only large block of land available for immediate redevelopment that is within the walking distance catchment of the Cromwell town centre.
- It is in a location identified by CODC for medium and high density development.
- The diversity of housing typologies will help encourage a diverse community;
- The range of section sizes will help provide for some affordable housing product. This is targeted at the s 9(2)(b)(ii) price range (although the final pricing will rest with those 'group house builders' who purchase and develop sections within the Wooing Tree Estate).

This development will help meet the social needs of the Cromwell area by providing housing quickly at a density identified in the Cromwell Spatial Framework Plan as targeted for medium and high density development and within easy walking distance of the town centre so as to reinforce the economic vitality of the centre. Only 'comprehensive residential development' will require a restricted discretionary activity resource consent. Dwelling houses on vacant residentially zoned sites will be a 'permitted activity' (provided they meet the development standards of the zone) once the subdivision application is approved.

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

This fast track application is sought because the current District Plan provisions are not in alignment with the CODC's strategic review of Cromwell through the Cromwell Spatial Framework Plan. That plan was developed through extensive community engagement and adopted by the Community Board as a Council strategy for managing the growth of Cromwell. Essentially the District Plan provides a low density future for the Wooing Tree site, whereas the 2020 Framework Plan identifies this site for medium and high density housing.

Were this development to follow the "standard practice" it would require first of all a plan change to bring the development in alignment with the Cromwell Spatial Framework Plan and then resource consents to provide for this development.

CODC has signalled that it is its intention to undertake a plan change in the future, but due to other priorities and budget and resource constraints, the residential plan change will come after the business and rural plan changes that are also required to give effect to the Cromwell Spatial Framework Plan. CODC has advised Wooing Tree Partnership the residential plan change is likely to be consulted on and notified some time through 2021. This would only then start an 18 month plan change process, followed by a six month resource consent process to consent the Wooing Tree Estate under the new provisions.

If the Wooing Tree Estate is to make a contribution to the economic recovery following COVID-19, then it needs the benefit of this fast track legislation so that consenting can be achieved in the short term and construction activity can start in 2021.

Assuming a 12-18 month period for the plan change and then a further six month period for resource consents, without this legislation the Wooing Tree development would not be in a position to progress until some time in 2023/2024. With this legislation physical works can start in January 2021 assuming consents are granted in November or December 2020 under this legislation.

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:

The report by Market Economics details the extra employment that would be generated by this development. This comprises:

- Professional services employment in the detailed design and supervision of the construction of this development.
- Employment associated with contractors undertaking land development civil works (roading, infrastructure and the physical works and surveying associated with the subdivision itself).
- To this must be added the employment associated with the suppliers of material into the construction industry.

The report identifies the different employment impacts of proceeding under this fast-track legislation compared to a more traditional RMA process. The key points are:

- This will generate in the order of s 9(2)(b)(ii) of residential construction plus an additional s 9(2)(b)(ii) for the business construction. In addition the land development civil costs are s 9(2)(b)(ii) with s 9(2)(b)(ii) of associated professional services, Council and legal costs. This will add \$212m to the Central Otago economy and the jobs that underpins.
- The report identifies *“By the conclusion of 2021 the fast-track development could have directly sustained a cumulative total of nearly 1,000 job months across a range of sectors (but dominated by construction related sectors). By the end of 2022 this cumulative total could increase to nearly 2,500 job months sustained, increasing to nearly 4,900 and 6,900 respectively by the end of 2023 and 2024. In total the development of Wooing Tree Estate as proposed could sustain the cumulative total of 8,570 job months by September 2026 if approved by fast-track consent.”*
- The Market Economics report includes graphs showing the employment impact of approval under this fast-track legislation.

In addition to the direct employment jobs, the economic analysis identifies that there will be related indirect employment.

#### Housing supply:

One of the key benefits of this development is that it does increase housing supply into Cromwell, where there is a demonstrable demand for housing to respond to current growth rates.

The report by Market Economics analyses this residential growth, assesses the supply of housing and identifies the need for additional homes within Cromwell over the foreseeable future.

This development will deliver 309 sections development - ready for new homes. They will be developed in stages but with the first stage targeted to be available for housing construction in 2021. The land currently holds a consent for 33 homes at low density. The net effect of this application is to increase the number of approved sections available for construction by 276.

The current District Plan zoning provides for up to 210 homes within the entire Wooing Tree block. This development will increase that housing stock by 99 homes. However it must be recognised that the 210 homes is an enabled provision under the District Plan. There are no resource consents for 210 sections – only 33. In terms of the certainty this application will bring, it is to create 263 vacant sections plus 46 consented homes (a total of 309) within the Wooing Tree block, an increase of 276 beyond that which is currently approved.

#### Contributing to well-functioning urban environments:

The issue of creating a well-functioning urban environment is addressed in three ways:

- This is an appropriate development which will contribute to a well-functioning urban township – Cromwell. The detailed Assessment of Effects that will be provided with the consent application presents a planning analysis on this point.
- The Wooing Tree development will deliver a high quality urban design structure and contribute to the overall functioning of Cromwell. The Urban Design Report by Baxter Design provides a strategic urban design analysis of this point and will be provided as part of the consent application.
- The Cromwell Spatial Framework Plan specifically sets out to create an overall comprehensive integrated strategy for Cromwell including ensuring community which is well-functioning and delivering on the outcomes set out within the Spatial Framework Plan for the residents of Cromwell. Notable in the Wooing Tree case is a greater diversity of housing, and development which is in the walkable catchment of the Cromwell town centre to assist in reinforcing the town centre.

This proposal has been developed consistent with that Spatial Framework Plan assessment. It is addressed in the Planning Assessment. The Spatial Framework plan was developed through an extensive community process, and sets a future development strategy for Cromwell. Of relevance:

- Wooing Tree is targeted in that strategy for medium to high density residential development.
- The Framework Plan sets as a key principle a greater diversity of housing typologies to cater for a broader community.

The Wooing Tree development set out in this application is consistent with that Framework Plan and will deliver on the Council objectives for Cromwell.

The Framework Plan targets the reinforcement of the economic viability of the Cromwell town centre by limiting other retail nodes to neighbourhood functions. The underlying zoning of Wooing Tree provides for a neighbourhood retail centre. This proposal provides for retail centre to the same form and scale, but relocates it on the site. In terms of contributing to a well-functioning urban environment:

- In terms of function and a limit on scale, the status quo is preserved in that there is a hospitality and neighbourhood centre servicing the travelling public and within the Wooing Tree Estate, which is limited in the size of the retail offer.
- By shifting the centre closer to State Highway 8B it gives a better profile for the site and will be a greater attractor to the passing tourist and visitor traffic. The purpose of the "hospitality" functions of the centre is to encourage travellers to stop and enjoy the attributes that Cromwell has to offer both in terms of the cellar door and winery, but also in other aspects of this Central Otago township. It is the cumulative effect of a number of attractions in townships that reinforces the economic opportunity of tourism. This hospitality centre is a small but positive element of that offer.
- It brings the hospitality and neighbourhood centre within the 400m walking distance of the town centre. This further reinforces the visitor opportunity of people (say) stopping at the cellar door for a wine tasting experience and then wandering into the main town centre to see the other offer within Cromwell.
- It is of a limited form and scale so that it does not undermine the primacy of the Cromwell town centre.

A key element in the structure for Cromwell was to create an interface between the rural and residential area and along the state highway. A 30m rural strip which will continue to be operated as a vineyard, is proposed. In essence, this is retained through this application.

The same core connections on to State Highway 8B and the pedestrian underpass are included as originally envisaged in Plan Change 12 for Wooing Tree which rezoned this land to allow for residential uses originally.

Demonstrably, this application is consistent with and contributing to a well-functioning urban community at Cromwell.

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

This criteria is of limited application to this proposal. This criteria is about contributing to broader infrastructure.

Servicing the development is seen as a pre-requisite.

This development will provide:

- All infrastructure to service the new neighbourhood
- A new roundabout intersection on to State Highway 8B. This is on the main entry road into Cromwell. It will provide additional safety at this key intersection. It will also service the Wooing Tree development, and provide additional access functionality to the residential area north of State Highway 8B.
- A pedestrian underpass under State Highway 8B. This will provide significant additional benefit to the Wooing Tree development and the adjacent residential homes in Shortcut Road and Cromwell north. It will provide a safe method for crossing this State Highway.
- A localised upgrade to the potable water network for Cromwell. This is largely triggered by the need to service the Wooing Tree development.

The significant legacy infrastructure for the broader community beyond Wooing Tree will be the pedestrian underpass and roundabout.

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

This application has no impact on coastal or water quality associated with the lakes in the vicinity.

It will include a full stormwater treatment train process to ensure treatment of stormwater before it enters the stormwater network. This is addressed in the report by Paterson Pitts Group that will be provided with the consent application.

There are no issues of air quality or indigenous biodiversity associated with this development.

Air quality matters are a significant issue for the Cromwell area and other parts of Central Otago. ORC has controls relating to air quality associated with particularly open fire and coal and wood burner heating.

No such appliances are planned within the homes forming part of the consent under this application. A proposed consent condition requires a consent notice to be attached to each title identifying that any proposed open fire places or coal or wood burning appliances within the home will need to meet the air quality standards of the regional plan. This will ensure new home owners are aware of their obligations and, if they trigger the standards, obtain consent.

#### Minimising waste:

There are no particular aspects of this application dealing with waste minimisation. Obviously normal provision will be made for Council waste management services including recycling collections. Our contractors will be asked to observe responsible construction waste management protocols.

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):

There are limited but beneficial aspects of this development that directly relate to climate change.

Indirectly, medium and higher density development within walkable distance of town centres does marginally contribute to efforts to mitigate climate change by creating communities that are less reliant on cars. High density housing in close proximity to town centres means that people can walk to the town centre for retail, social and community functions.

This is addressed further in the Assessment of Effects set out in the Planning Assessment to be provided with the consent application.

The development will provide new, insulated homes that are designed appropriately for the relatively extreme temperatures of the Central Otago region. This in turn will reduce heating and cooling costs which again will marginally contribute to efforts to mitigate climate change.

No part of the site is within a natural hazard area. The property is not sensitive to climate change matters such as flooding associated with the surrounding lakes and rivers or susceptible to slips or ground movement. Construction urban development in sensible locations is an appropriate response to managing climate change.

#### Promoting the protection of historic heritage:

There are no historic heritage buildings or structures on this site.

There are no known archaeological aspects on this site.

There are no historic heritage aspects on the property.

However, the Wooing Tree Estate gets its name from the substantial pine tree located in the centre of the site. This is a scheduled tree protected under the District Plan. It contributes to the character of the area. That tree is retained as part of this development and included within a pocket park forming part of the green network across the site.

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

The site is not subject to any identification of natural hazards in terms of either the District or Regional Council information databases.

As far as the applicant is aware, there is no history or suggestion that natural hazards impact this property.

#### Other public benefit:

The Market Economics report provides the following summary of the public benefits of processing this application under this fast track process (see paragraph 5.4):

*The development of Wooing Tree Estate, from civil engineering and site preparation work leading to the sale of titled lots and through to residential and commercial construction on those lots, is estimated to directly sustain around 7,600 job months within the Central Lakes sub-region (being the combined districts of QLD and COD). In addition to that, it will indirectly sustain considerable local jobs up the supply chain and across a range of sectors. A Fast Track consent will mean that construction related employment can begin sooner and during a period when it will deliver the most value to local construction businesses facing a projected downturn of growth in a sub-region driven by tourism. By the end of 2021, a Fast Track consent could have directly sustained a cumulative total of nearly 1,000 construction related*

job months compared to just 350 job months sustained under a two stage private plan and consent pathway. A Fast Track consent is estimated to bring the peak of project employment activity forward by an estimated 2 years (to July 2023 compared to May 2025).

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

The project will not generate significant adverse environmental effects. This is explained further in Part VII of this application and will be addressed in detail in the application for consent if the Minister accepts this project for referral.

## Part X: Climate change and natural hazards

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

The site is not subject to any identification of natural hazards in terms of either the District or Regional Council information databases.

As far as the applicant is aware, there is no history of, or suggestion that, natural hazards impact this property.

The property is not sensitive to climate change matters such as flooding associated with the surrounding lakes and rivers or susceptible to slips or ground movement. Construction of urban development in sensible locations is an appropriate response to managing climate change.

In terms of climate change effects this site is very low risk.

## 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 may be released if requested under the OIA.

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

John Duthie

28/09/2020

Signature of person or entity making the request

Date

## Important notes:

- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with

the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.

- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the 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](http://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.