

# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

<b>Local authority providing comment</b>	Central Otago District Council
<b>Contact person (if follow-up is required)</b>	David Campbell
	Planning Manager
	s9(2)(a)

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Wooving Tree Estate
<b>General comment – potential benefits</b>	<p>The application's main benefits appear to relate to a more compressed project duration (4.1 v 5.8 years) with consequent higher annual investment over the shorter period.</p> <p>This happens to coincide with a forecast drop in construction level for Inland Otago (CODC and QLDC) where 2022 is when the level of construction is due to bottom out. Page 6 of the report below outlines this:</p> <p><a href="https://www.dunedinnz.com/__data/assets/pdf_file/0011/797060/Otago-Construction-Labour-Forecasting-Post-COVID-19-Update-and-Executive-Summary-29.10.20-v4.8.pdf">https://www.dunedinnz.com/__data/assets/pdf_file/0011/797060/Otago-Construction-Labour-Forecasting-Post-COVID-19-Update-and-Executive-Summary-29.10.20-v4.8.pdf</a></p> <p>While this may be considered a benefit, it may also result in unintended consequences relating to greater areas of exposed site that could exacerbate dust issues and a subsequent drop off in labour at project completion. It could be argued that a longer project period would deliver more stable economic conditions and the ability to manage smaller parts of the site as the development progresses.</p> <p>The residential aspects of the project would give effect to the Cromwell Spatial Plan.</p>
<b>General comment – significant issues</b>	See above in relation to potential issues and also below in relation to the commercial area, which would not help give effect to the Cromwell Spatial Plan.
<b>Is Fast-track appropriate?</b>	Not necessarily. The Cromwell community were highly engaged in the Cromwell Spatial Plan process and Council will be working to implement this in a systematic and planned manner by way of plan changes. A Fast-track consent will potentially cut across this and result in outcomes that are not entirely aligned with the Spatial Plan.
<b>Environmental compliance history</b>	Dust and noise complaints for current Stage 1 part of the development.

Iwi and iwi authorities	Aukaha – Dunedin based iwi consultation agency that we regularly work with on resource management matters.
Relationship agreements under the RMA	None with this developer
Insert responses to other specific requests in the Minister's letter (if applicable)	<p>1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to continue to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the Act?</p> <p><i>The project already has a specific zoning that allows for development to proceed, albeit at a lower density and with a different location for the Business Resource Area. This zoning was brought about by way of Private Plan Change 12, made operative on 20 February 2019.</i></p> <p><i>A non-complying consent was lodged for Stage 1 of the development at a higher density than the zone provisions provide for and attracted 21 submissions in opposition. The consent was put on hold following the section 42A report being made available prior to the hearing. This demonstrates a high level of interest in the consent for part of the site.</i></p> <p>2. How does the project align with urban growth plans and/or city, regional and strategic planning?</p> <p><i>The Cromwell Spatial Plan was adopted in May 2019 and makes provision for medium – high density residential development on the subject site. The Spatial Plan makes no provision for commercial development on the site, rather it seeks to consolidate and slightly expand this within the existing Cromwell town centre as well as in the Arts and Culture Precinct within and next to the existing historic town beside Lake Dunstan.</i></p> <p><i>Specific Council initiated plan changes will be proposed to implement the Spatial Plan, which will include the site of this application. It is expected that Residential and Commercial plan changes would be programmed for the 2021/22 financial year onwards.</i></p> <p><i>The Cromwell Spatial Plan can be found at:</i>  <a href="https://www.codc.govt.nz/repository/libraries/id:2apsqkk8g1cxbyoqohn0/hierarchy/your-council/project-updates/cromwelleyetothefuture/documents/Cromwell%20Spatial%20Framework%20-%20Stage%201%20Spatial%20Plan%20Report_LR.pdf">https://www.codc.govt.nz/repository/libraries/id:2apsqkk8g1cxbyoqohn0/hierarchy/your-council/project-updates/cromwelleyetothefuture/documents/Cromwell%20Spatial%20Framework%20-%20Stage%201%20Spatial%20Plan%20Report_LR.pdf</a></p> <p>3. Is three waters (stormwater, water supply and wastewater) infrastructure currently available to service the proposed development? If not, when is it likely to become available?</p> <p><i>Yes, although stormwater will be to ground. Still awaiting confirmation from our infrastructure modelling for the higher density, but initial expectations are that it can be accommodated.</i></p> <p>4. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your district?</p> <p><i>See above in relation to dust and noise complaints relating to Stage 1 of the development that is currently underway.</i></p>

Other considerations	<p>The proposal to relocate the existing Business Resource Area to front the State highway is against the intent of the current District Plan provisions and will potentially undermine the Cromwell Spatial Plan. The Spatial Plan seeks to reinforce and strengthen the Cromwell town centre and this proposal seeks to provide for additional commercially zoned land immediately opposite this and across the State highway, which has the potential to compromise the town centre. A better utilisation of the site is for medium to high density residential to help accommodate future population growth, rather than future commercial growth, which can be accommodated within the existing town centre, with minor enlargement of this around its periphery.</p> <p>The Council is planning to invest in upgrading the Cromwell Mall, which it inherited from the Clyde Dam project and has not delivered the desired outcome in its current form. Council is also working with other owners of land and buildings in the mall to improve its form and function.</p> <p>The proposal assumes a lower State highway speed for the roundabout design. No doubt NZTA will comment on this matter as the speed limit for the State highway is outside Council's control.</p>
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Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

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Local authority providing comment	Otago Regional Council
Contact person (if follow-up is required)	Joanna Gilroy
	Consents Manager
	s9(2)(a)

## Comment form

Please use the table below to comment on the application.

Project name	Wooring Tree Estate
General comment – potential benefits	No Comment. This question would best be addressed by the District Council.
General comment – significant issues	<p>The ORC Compliance Team have noted that this development is located about 400 metres from Lake Dunstan with no reticulated storm water. Though unlikely that runoff silt from the development will reach the lake, compliance with Council rules should prevent this occurring.</p> <p>The ORC Policy Team has noted that they do not see any significant issues associated with the proposed development.</p>
Is Fast-track appropriate?	There is no reason why this application could not go through the standard RMA consent process within statutory timeframes.
Environmental compliance history	<p>There is no known compliance history for this site or the applicant. There was no discharge consent for any wine making activity. The wine tasting and restaurant area in question is covered by the CODC sewage and water reticulation.</p> <p>The only current consent on the property is a groundwater take for bore G41/0246 which is a permitted activity take with no compliance history in relation to this bore or take.</p>
Iwi and iwi authorities	Te Rūnanga o Ngāi Tahu (for notified applications only) and Aukaha and Te Ao Marama (consultancies operating on behalf of iwi).
Relationship agreements under the RMA	Nil
Insert responses to other specific requests in the Minister's letter (if applicable)	<p><i>Are there any regional consent requirements and/or issues?</i></p> <p>The application states that this development does not trigger any regional consents under the Regional Council plans. However it was noted that</p>

	<p><i>'the use of domestic heating appliances within the dwellings proposed under this application may be attached as a consent notice to each title to ensure new home owners are aware of their obligations and, if they trigger the standards, obtain consent.'</i> Council's preference has always been for permitted activity rules to be complied with.</p> <p>It is also stated in the application that the earthworks on this site will be relatively limited, that this is a large flat site and there will be no recontouring required.</p> <p>The earthworks will be those associated with:</p> <p>(a) earthworks associated with roading and other infrastructure; and  (b) eventual earthworks associated with foundations for housing (not part of this consent).</p> <p>These earthworks may trigger the requirement for consent under the Regional Plan: Water for Otago proposed Plan Change 8 if they are unable to comply with the permitted activity criteria given in rule 14.5.1.1</p>
<p><b>Other considerations</b></p>	<p>The ORC policy team has previously been engaged by applicant on this proposed development and have noted they have no further comment on this fast track application. Depending on the final proposal for this project, consents may not be required from the Otago Regional Council.</p>

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# Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for persons requested by the Minister for the Environment to provide comments on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

<b>Organisation providing comment</b>	Waka Kotahi NZ Transport Agency
<b>Contact person (if follow-up is required)</b>	Jenni Fitzgerald
	s9(2)(a) [REDACTED]
	s9(2)(a) [REDACTED]

## Comment form

Please use the table below to comment on the application.

<b>Project name</b>	Wooing Tree Estate PJ-0000714
<b>General comment</b>	<p>Waka Kotahi has been working with the current developer and also the previous site owners for a significant period of time, including a plan change to enable development of the site and more recent iterations for the development of the site.</p> <p>The current proposal is for a subdivision that intensifies the residential use of the site and changes the location of the business area for the Wooing Tree development provided for as part of Plan Change 12 within in the Central Otago District Plan.</p> <p>Waka Kotahi is neutral towards the proposal.</p> <p>A significant period of time has been spent assessing the proposal and reaching agreements as to the development of the site which included the formation of a roundabout and underpass. It should be ensured that these previous agreements, which were formalised in the Central Otago District Plan, are carried over into any new proposal / process.</p>
<b>Other considerations</b>	<p>Waka Kotahi has an interest in the proposal both as it affects State Highway 8B and as a planner and investor in land transport infrastructure. The applicant and Waka Kotahi have been in discussion and have agreed that a proposed roundabout will be constructed by Waka Kotahi as a continuation of a contract of other works in the area. The applicant has, at this point, agreed to pay the design costs for the roundabout and Waka Kotahi also expects that the applicant will pay the construction costs.</p> <p>Waka Kotahi also expects an underpass to be constructed as part of this proposal. The concept for the establishment of an underpass was negotiated with the developer as part of the previous plan change process. It is our preference that the underpass would be constructed by Waka Kotahi as part of the same contract</p>

	<p>as the Wooing Tree roundabout and the applicant would also pay for the associated design and construction costs.</p> <p>Waka Kotahi expects that both the roundabout and the underpass should form part of the application, including timing for their formation.</p> <p>Currently, and depending on the finalisation of any agreements, the preferred timing of the construction process for both the roundabout and the underpass will be based on the timing of another Waka Kotahi project. This is the construction of the State Highway 6 / State Highway 8B roundabout located close to the Wooing Tree site. Work on this project is expected to begin in March 2021 and it is the preference of Waka Kotahi that the Wooing Tree work will follow completion of this project. Currently, and assuming finalised agreements are reached, both roundabout and the underpass projects are expected to be constructed and completed in 2021 / 2022.</p>
<p>[Insert specific requests for comment]</p>	<p>If this proposal is referred to the special consenting panel, Waka Kotahi would request comment on:</p> <ul style="list-style-type: none"> <li>• The requirement for a roundabout and underpass as part of this proposal, including funding and timing / triggers;</li> <li>• The effects of the proposal on Shortcut Road;</li> <li>• Any proposed connections from the commercial area to State Highway 8B;</li> <li>• The connection between Shortcut Road and the roundabout;</li> <li>• The proposed shared space for pedestrians and cyclists, its proximity to the roundabout and any resulting safety concerns;</li> <li>• Internal roading, particularly to ensure the primary roads are of sufficient width to accommodate any future public transport e.g. buses.</li> </ul>

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