

Version  
as at 8 July 2023



## **COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 7) 2021**

(LI 2021/176)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 7) 2021: revoked, on 8 July 2023, by Schedule 1 clause 1(1) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35).

Patsy Reddy, Governor-General

### **Order in Council**

At Wellington this 5th day of July 2021

Present:

Her Excellency the Governor-General in Council

This order is made under section 27 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 on the advice and with the consent of the Executive Council and on the recommendation of the Minister for the Environment.

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#### **Note**

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This order is administered by the Ministry for the Environment.**

<b>Schedule</b>	3
<b>New Schedule 21 inserted</b>	

## **Order**

- 1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 7) 2021.
- 2 Commencement**

This order comes into force on 9 July 2021.
- 3 Principal order**

This order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.
- 4 New Schedule 21 inserted**

After Schedule 20, insert the Schedule 21 set out in the Schedule of this order.

**Schedule**  
**New Schedule 21 inserted**

cl 4

**Schedule 21**  
**Karaka North Village**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is the Karaka North Village (the **project**).

**2 Authorised persons**

The authorised persons for the project are—

- (a) Cappella Group Limited; and
- (b) Karaka North Village Limited.

**3 Description of project**

- (1) The scope of the project is to subdivide land and construct a housing development, together with a community centre and a commercial centre, in Karaka North, Auckland.
- (2) The development will comprise—
  - (a) approximately 650 residential lots; and
  - (b) approximately 14 lots for future development; and
  - (c) approximately 850 residential units; and
  - (d) a commercial centre; and
  - (e) commercial buildings; and
  - (f) community buildings; and
  - (g) open spaces; and
  - (h) associated infrastructure for the subdivision and development of the project, including roading and three waters services.
- (3) In this clause and clause 4, **three waters services** has the meaning given in section 9 of the Urban Development Act 2020.

**4 Description of activities involved in project**

The project may involve the following works:

- (a) the subdivision of land;
- (b) works to trim and remove vegetation:

- (c) earthworks, including the disturbance of potentially contaminated soils:
- (d) works to dam, divert, and discharge stormwater run-off:
- (e) works to use, treat, and convey groundwater for potable supply:
- (f) works to discharge wastewater contaminants onto land:
- (g) works to modify and construct structures within or over an overland flow path:
- (h) works to construct three waters services and roading:
- (i) works to landscape and plant in open spaces and recreational areas:
- (j) works to construct residential units:
- (k) works to construct commercial and community buildings:
- (l) any other works that are—
  - (i) associated with the works described in paragraphs (a) to (k); and
  - (ii) within the scope of the project as described in clause 3 of this schedule.

## **5 Approximate geographical location**

The project's works will occur at 348 Linwood Road and 69A Dyke Road, Karaka, Auckland.

## **6 Further information to be submitted**

The following information must be submitted to the panel with any consent application relating to the project (in addition to the information required by clause 9 of Schedule 6 of the Act):

- (a) a report that identifies any areas of the project development that are inconsistent with the consent conditions in the Masterplan, Infrastructure Management Plan, and Landscape Management Plan approved by Auckland Council under resource consent BUN60362652; and
- (b) an integrated transport assessment, including modelling and analysis that covers—
  - (i) the adequacy of the existing public transport system to service additional demand in the project area; and
  - (ii) the effects of the project on the surrounding road network and intersections; and
  - (iii) a movement network plan of the availability and feasibility of safe spaces for active modes of transport, including walking and cycling; and
- (c) an infrastructure assessment and engineering plans, which must include information such as—

- (i) details of the design, capacity, and maintenance requirements of all project infrastructure; and
  - (ii) details of any private infrastructure, including open spaces, that cover—
    - (A) who owns it, including any body corporate or other management structures; and
    - (B) who has responsibility for its ongoing maintenance; and
  - (iii) a stormwater assessment and stormwater management plan that includes how the project will meet the requirements of the Auckland Council's Healthy Waters approved Regionwide Stormwater Network Discharge Consent (DIS60069613); and
  - (iv) an assessment of the social impacts of the project that focusses on local employment opportunities for future residents; and
- (d) landscape and planting plans for all road, drainage, and recreation reserves, private accessways, and boundaries that adjoin open space lots; and
- (e) details to demonstrate that the esplanade reserve adjoining the western boundary of the project's site is adequately protected for conservation purposes, including—
  - (i) details about fencing of the esplanade reserve boundary; and
  - (ii) an assessment of any additional esplanade reserve area under section 236 of the Resource Management Act 1991; and
- (f) an assessment of the potential greenhouse gas emissions resulting from the project, including—
  - (i) quantification of greenhouse gas emissions in—
    - (A) the construction phase (horizontal and vertical); and
    - (B) the operational phase, including the impact on transport emissions generated by the design and expected energy use of each type of housing; and
  - (ii) consideration of options to avoid, remedy, and mitigate the greenhouse gas emissions that have been identified; and
  - (iii) if a new wastewater treatment facility is proposed, consideration of the types of wastewater treatment that can most effectively mitigate the greenhouse gas emissions generated by the treatment process; and
  - (iv) identification of any climate change-related adaptation risks and the plans to mitigate those risks.

**7 Persons who must be invited to comment on project**

An expert consenting panel must invite comments on any consent application relating to the project from the following persons in addition to the persons listed in clause 17(6) of Schedule 6 of the Act:

- (a) Auckland Transport; and
- (b) Ngāti Koheriki Claims Committee; and
- (c) Ngāti Tamaterā Treaty Settlement Trust; and
- (d) Ngaati Whanaunga Incorporated Society.

**8 No further provision required**

No further provision is necessary to give effect to decisions made by the Minister under section 24 of the Act in respect of the project.

*Statement of reasons*

*This statement of reasons is published for the purposes of clause 4 of Schedule 3 of the Act*

The Minister for the Environment has accepted this application for referral. The Minister considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and sought and considered written comments from the relevant Ministers, Auckland Council, and Auckland Transport. The Minister accepted the application for the following reasons:

- the project will help to achieve the purpose of the Act; and
- the project will have positive effects on social well-being by creating a new community in Karaka North that will—
  - include residential, commercial, and community activities, public open space, and walking areas; and
  - promote housing affordability by developing multiple units on residential lots; and
- the project will generate employment by providing—
  - an average of 260 full-time equivalent (**FTE**) jobs per year during years 1 to 6 of infrastructure construction works; and
  - approximately 850 FTE jobs per year during years 2 to 8 of vertical building works, including residential units; and
- the project will increase housing supply by developing approximately 850 residential units; and
- the project will progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes; and

- any adverse effects arising from the project and proposed mitigation measures can be appropriately tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Michael Webster,  
Clerk of the Executive Council.

## Explanatory note

*This note is not part of the order, but is intended to indicate its general effect.*

This order, which comes into force on 9 July 2021, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer a project to an expert consenting panel for the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**). The referred project is the project named and described in *new Schedule 21*.

The effect of the referral is to authorise Cappella Group Limited and Karaka North Village Limited to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 21*.

The expert consenting panels will be appointed under Schedule 5 of the Act and make decisions in accordance with Schedule 6 of the Act.

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 8 July 2021.

## Notes

### **1     *General***

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 7) 2021 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2     *Legal status***

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3     *Editorial and format changes***

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4     *Amendments incorporated in this consolidation***

COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35): Schedule 1 clause 1(1)