

**Version  
as at 8 July 2023**



# **COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 2021**

**(LI 2021/2)**

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 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 26th day of January 2021

Present:

The Right Hon Jacinda Ardern presiding 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.**

**Schedule**  
**New Schedules 10, 11, and 12 inserted**

3

**Order**

**1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 2021.

**2 Commencement**

This order comes into force on 29 January 2021.

**3 Principal order**

This order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 (the **principal order**).

**4 New Schedules 10, 11, and 12 inserted**

After Schedule 9, insert the Schedules 10, 11, and 12 set out in the Schedule of this order.

**Schedule**  
**New Schedules 10, 11, and 12 inserted**

cl 4

**Schedule 10**  
**Silverlight Studios**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is Silverlight Studios (the **project**).

**2 Authorised person**

The authorised person for the project is Silverlight Studios Limited.

**3 Description of project**

The scope of the project is—

- (a) to construct and operate a film studio complex, including—
  - (i) film location sets; and
  - (ii) buildings for post-production facilities; and
  - (iii) a film school; and
  - (iv) a screening theatre; and
  - (v) a film exhibition centre; and
  - (vi) supporting facilities such as food and retail services; and
- (b) to construct a wall surrounding the film studio complex; and
- (c) to construct the associated infrastructure for the film studio complex, including roading, parking, and pedestrian access.

**4 Description of activities involved in project**

The project involves works such as the following:

- (a) earthworks (including bulk earthworks) and discharges associated with the earthworks;
- (b) landscaping, including plantings;
- (c) vegetation clearance;
- (d) the construction of roading, walkways, and other transport infrastructure required for the project, including parking;
- (e) alteration of the reservoir located on the site;
- (f) the construction of water and wastewater infrastructure;

- (g) the on-site collection, storage, treatment, and disposal of wastewater;
- (h) the taking and use of groundwater;
- (i) any other works that are—
  - (i) associated with the works described in paragraphs (a) to (h); and
  - (ii) within the scope of the project as described in clause 3 of this schedule.

## 5 Approximate geographical location

- (1) The project's works will occur at 707 Wanaka–Luggate Highway (State Highway 6), approximately 7 km to the east of Wanaka township.
- (2) The legal description of the site of the project works is Section 1, Block II Lower Wanaka Survey District and Section 66–67 Block IV Lower Wanaka Survey District (held on Record of Title OT14C/457) and Section 65 and Part Section 64 Block IV Lower Wanaka Survey District (held on Record of Title OT17A/336).

## 6 Further information to be submitted

- (1) 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) an integrated transport assessment prepared in consultation with the New Zealand Transport Agency; and
  - (b) a lighting assessment; and
  - (c) a three waters services report that—
    - (i) identifies the preferred servicing options; and
    - (ii) assesses the alternatives that have been considered; and
    - (iii) describes discussions held, and agreements made, with the Queenstown Lakes District Council; and
    - (iv) assesses the effects of any water takes and discharges, with an outline of any proposed mitigation of these effects.
- (2) In this clause, **three waters services** has the meaning given in section 9 of the Urban Development Act 2020.

## 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) the Minister for Economic and Regional Development; and
- (b) the Minister of Immigration; and
- (c) Queenstown Airport Corporation Limited; and

- (d) the New Zealand Transport Agency; and
- (e) Fire and Emergency New Zealand.

## **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*

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

- the project will help to achieve the purpose of the Act; and
- the project offers the opportunity for up to 300 jobs during the construction phase and for up to 1,200 jobs during the operation of the project. Both the construction and film sectors have been adversely impacted by COVID-19; and
- the training opportunities offered through the project will enable people affected by the economic impacts of COVID-19 to upskill in the film sector; and
- the project will create economic benefits for Queenstown Lakes District, the Otago region, and the film industry, all of which were adversely affected by COVID-19; and
- the project will progress faster than would otherwise be the case under the standard processes of the Resource Management Act 1991; and
- any adverse effects arising from the activities occurring under the project, and potential mitigation measures, can be tested by an expert consenting panel, having regard to Part 2 of the Resource Management Act 1991 and the purpose of the Act.

## Schedule 11

### Brennan winery, restaurant, education, and event complex

cl 5

*Project referred to expert consenting panel*

#### 1 Name of project

The name of the project is the Brennan winery, restaurant, education, and event complex (the **project**).

#### 2 Authorised person

The authorised person for the project is Otago Viticulture and Oenology Limited (trading as Brennan Wines).

#### 3 Description of project

The scope of the project is—

- (a) to extend and operate an existing vineyard; and
- (b) to construct and operate—
  - (i) a winery complex and associated facilities; and
  - (ii) an on-site winemaking facility; and
  - (iii) a restaurant; and
  - (iv) a cellar door; and
  - (v) a barrel hall for events; and
  - (vi) an education facility.

#### 4 Description of activities involved in project

The project involves works such as the following:

- (a) works to expand existing buildings;
- (b) works to construct new buildings;
- (c) demolition works;
- (d) earthworks associated with construction works, including for the foundations of buildings, site levelling, and infrastructure works;
- (e) landscaping, including plantings;
- (f) works to provide for lighting;
- (g) the construction of roading, walkways, and other transport infrastructure required for the project, including parking;
- (h) the construction of water and wastewater infrastructure;
- (i) the taking and use of groundwater and surface water;
- (j) any other works that are—

- (i) associated with the works described in paragraphs (a) to (i); and
- (ii) within the scope of the project as described in clause 3 of this schedule.

**5 Approximate geographical location**

- (1) The project's works will occur at 110 Gibbston Back Road, Gibbston, Otago.
- (2) The legal description of the site of the project works is Part Lot 16 Deposited Plan 23707 (held on Record of Title OT18D/774).

**6 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 New Zealand Transport Agency, in addition to the persons listed in clause 17(6) of Schedule 6 of the Act.

**7 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*

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

- the project will help to achieve the purpose of the Act; and
- the project will provide specialist and local employment opportunities for construction jobs, and for permanent jobs in the Otago winemaking region; and
- by providing opportunities for workers to upskill, the project will create economic benefits for the viticulture and winemaking industries adversely affected by COVID-19; and
- the project will progress faster than would otherwise be the case under the standard processes of the Resource Management Act 1991; and
- any adverse effects arising from the activities occurring under the project, and potential mitigation measures, can be tested by an expert consenting panel, having regard to Part 2 of the Resource Management Act 1991 and the purpose of the Act.

## Schedule 12

### Nola Estate

cl 5

*Project referred to expert consenting panel*

#### 1 Name of project

The name of the project is the Nola Estate (the **project**).

#### 2 Authorised person

The authorised person for the project is CPM 2019 Limited.

#### 3 Description of project

(1) The scope of the project is—

- (a) to subdivide land and construct—
  - (i) approximately 247 residential units (including approximately 140 units dedicated to KiwiBuild); and
  - (ii) a commercial centre; and
  - (iii) a cafe; and
  - (iv) a community centre; and
  - (v) reserve areas; and
- (b) to provide the associated infrastructure for the subdivision and development, including roading and three waters services.

(2) In this clause, **three waters services** has the meaning given in section 9 of the Urban Development Act 2020.

#### 4 Description of activities involved in project

(1) The project involves works such as the following:

- (a) the subdivision of land and the construction of buildings;
- (b) earthworks (including bulk earthworks) and discharges associated with the earthworks;
- (c) landscaping, including plantings;
- (d) the construction of roading, walkways, and other transport infrastructure required for the project, including parking;
- (e) the construction of three waters services;
- (f) any other works that are—
  - (i) associated with the works described in paragraphs (a) to (e); and
  - (ii) within the scope of the project as described in clause 3 of this schedule.

- (2) In this clause, **three waters services** has the meaning given in section 9 of the Urban Development Act 2020.

## **5 Approximate geographical location**

- (1) The project's works will occur at—
- (a) 460 to 465 West Coast Road, Glen Eden, Auckland; and
  - (b) 467 to 478 West Coast Road, Glen Eden, Auckland; and
  - (c) 317 to 345 Glengarry Road, Glen Eden, Auckland.
- (2) The legal description of the site of the project works is—
- (a) NA29A/231, Lot 22 Deposited Plan 19309; and
  - (b) NA29A/232, Lot 23 Deposited Plan 19309; and
  - (c) NA29A/233, Lot 24 Deposited Plan 19309; and
  - (d) NA29A/234, Lot 25 Deposited Plan 19309; and
  - (e) NA29A/235, Lot 26 Deposited Plan 19309; and
  - (f) NA29A/236, Lot 27 Deposited Plan 19309; and
  - (g) NA29A/237, Lot 28 Deposited Plan 19309; and
  - (h) NA35A/1265, Lot 30 Deposited Plan 19309; and
  - (i) NA35A/1266, Lot 31 Deposited Plan 19309; and
  - (j) NA35A/1267, Lot 32 Deposited Plan 19309; and
  - (k) NA35A/1268, Lot 35 Deposited Plan 19309; and
  - (l) NA35A/1269, Lot 36 Deposited Plan 19309; and
  - (m) NA35A/1270, Lot 37 Deposited Plan 19309; and
  - (n) NA35A/1271, Lot 38 Deposited Plan 19309; and
  - (o) NA35A/1272, Lot 39 Deposited Plan 19309; and
  - (p) NA35A/1273, Lot 40 Deposited Plan 19309; and
  - (q) NA93A/900, Lot 2 Deposited Plan 155993.

## **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) an integrated transport assessment; and
- (b) a stormwater assessment; and
- (c) an infrastructure assessment; and
- (d) an urban design assessment; and
- (e) a landscape and visual assessment.

**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) Watercare Services Limited; and
- (c) representatives of Hoani Waititi Marae; and
- (d) representatives of the trustees of Ngāti Te Ata Claims Support Whānau Trust.

**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*

Having considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and having sought and considered written comments from the relevant Ministers, the relevant local authority, Auckland Transport and, having sought written comments from Te Kawerau Iwi Settlement Trust, the Minister for the Environment has accepted this application for referral for the following reasons:

- the project will help to achieve the purpose of the Act; and
- the project offers the opportunity for up to 609 full-time equivalent construction jobs, and for additional permanent jobs; and
- the project will have short-term and long-term economic benefits associated with the construction workforce and more people settling in the area; and
- the project will increase housing supply by enabling the development of 2-, 3-, and 4-bedroom residential units in response to the housing supply shortage in Auckland; and
- the project will enable construction to occur sooner than would otherwise be the case under the standard processes of the Resource Management Act 1991; and
- any adverse effects arising from the activities occurring under the project, and potential mitigation measures, can be tested by an expert consenting panel, having regard to 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 29 January 2021, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer 3 projects to an expert consenting panel for the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**).

The referred projects are the projects named and described in *new Schedules 10, 11, and 12*.

The effect of referrals is to authorise—

- Silverlight Studios 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 10*; and
- Otago Viticulture and Oenology Limited (trading as Brennan Wines) to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 11*; and
- CPM 2019 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 12*.

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*: 28 January 2021.

**Notes****1 General**

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 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)