

**Version  
as at 8 July 2023**



## **COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021**

(LI 2021/70)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 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 12th day of April 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.**

**Schedule**  
**New Schedules 16 and 17 inserted**

3

**Order**

**1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021.

**2 Commencement**

This order comes into force on 16 April 2021.

**3 Principal order**

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

**4 New Schedules 16 and 17 inserted**

After Schedule 15, insert the Schedules 16 and 17 set out in the Schedule of this order.

**Schedule**  
**New Schedules 16 and 17 inserted**

cl 4

**Schedule 16**

**Faringdon South West and South East Development**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is the Faringdon South West and South East Development (the **project**).

**2 Authorised person**

The authorised person for the project is Hughes Developments Limited.

**3 Description of project**

(1) The scope of the project is to subdivide land and construct—

- (a) either—
  - (i) a subdivision of up to 1,089 lots and 1,087 residential units; or
  - (ii) if a secondary school is developed in the location of the project, a subdivision of up to 959 lots and 957 residential units; and
- (b) 2 commercial centres; and
- (c) recreation reserves; and
- (d) the associated infrastructure for the subdivision and development, including roading, walking, and cycling infrastructure, and three waters services.

(2) 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 involves works such as the following:

- (a) the subdivision of land and construction of buildings;
- (b) earthworks (including bulk earthworks and excavation of materials over an aquifer) and discharges associated with the earthworks;
- (c) landscaping, including plantings;
- (d) works to clear existing vegetation;
- (e) works to construct roading, walkways, cycle links, and other transport infrastructure, including parking;

- (f) works to construct three waters services and upgrade existing three waters services;
- (g) any other works that are—
  - (i) associated with the works described in paragraphs (a) to (f); 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 on the following 2 blocks of land in Selwyn Road, south of Rolleston township in Canterbury:

<b>Narrative description of location</b>	<b>Legal description of location</b>
Faringdon South West block (bounded by Goulds Road, East Maddisons Road, and Selwyn Road)	Lot 1 DP 69688 Lot 4 DP 355996 Lot 2 DP 326339 Lot 3 DP 326339 Lot 4 DP 326339 Lot 2 DP 343803 Lot 1 DP 74660 Lot 3 DP 355996 Lot 2 DP 75821 and Lot 2 DP 355996 Lot 1 DP 343803
Faringdon South East block (located on the north-east corner of Springton Rolleston Road and Selwyn Road)	Lot 1 DP 60892 Lot 1 DP 479375 and Lot 1 DP 441634 Lot 2 DP 63632 and Lot 3 DP 441634 Lot 2 DP 479375 Lot 1 DP 341771 Lot 2 DP 341771

## 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 emissions assessment that includes modelling and an analysis of—
    - (i) the effects and mitigation measures related to the emissions impact of the project; and
    - (ii) the opportunities to reduce emissions by providing housing supply closer to amenities or work centres; and

- (b) an integrated transport assessment that includes modelling and analysis of the effects and mitigation measures required to provide—
  - (i) adequate cycleways and walkways for the number of dwellings and residents planned for the project; and
  - (ii) safe pedestrian crossings and traffic calming devices; and
- (c) a stormwater assessment, including how stormwater will be treated before being discharged onto land.

(2) In subclause (1)(a), **emissions** has the meaning given in section 4(1) of the Climate Change Response Act 2002.

(3) In subclause (1)(b)(ii), a **traffic calming device** is a traffic control device, as defined in section 2(1) of the Land Transport Act 1998.

## **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) Christchurch City Council; and
- (b) Waimakariri District Council; and
- (c) Greater Christchurch Partnership; and
- (d) Canterbury District Health Board; and
- (e) New Zealand Defence Force; and
- (f) Martin Towers; and
- (g) Nathaniel Heslop; and
- (h) Tania and Michael Croucher; and
- (i) Michael Quinn; and
- (j) Freelance Canterbury Limited; and
- (k) Peter Tilling; and
- (l) relevant Ngāi Tahu rūnanga.

## **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 consid-

ered written comments from the relevant Ministers, Selwyn District Council, Christchurch City Council, Waimakariri District Council, Environment Canterbury, and the Greater Christchurch Partnership. The Minister accepted the application for the following reasons:

- the project will help to achieve the purpose of the Act; and
- the project will generate up to 13,000 full-time equivalent (FTE) jobs in the engineering, design, and construction sectors over a 7-year planning and construction period; and
- the project will create a further 400 FTE ongoing permanent jobs when the project is completed; and
- the project will provide economic benefits to the construction industry, which has been affected by COVID-19; and
- the project will increase housing supply by up to 1,087 residential units (or up to 957 residential units if a secondary school is developed) in an area that has been identified as unable to meet the medium-term housing demand; 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 application and mitigation measures can be tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

## **Schedule 17**

### **Summerset Retirement Village—Waikanae**

cl 5

*Project referred to expert consenting panel*

#### **1 Name of project**

The name of the project is the Summerset Retirement Village—Waikanae (the project).

#### **2 Authorised person**

The authorised person for the project is Summerset Villages (Waikanae) Limited.

#### **3 Description of project**

(1) The scope of the project is—

- (a) to construct and operate a retirement village and associated facilities, including—
  - (i) approximately 217 separate independent living units; and
  - (ii) a building that accommodates approximately 76 assisted living suites and memory care suites, and approximately 43 care beds; and
  - (iii) recreational facilities, including a café, restaurant, swimming pool, library, recreation centre, cinema; and
  - (iv) a residents' shop; and
- (b) to provide the associated infrastructure for the development, including roading and parking; and
- (c) to provide for the development of three waters services, including upgrading existing infrastructure and services and three waters services; and
- (d) to provide a temporary recreation centre, show villa, temporary operations office, and temporary sales office.

(2) 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 involves works such as the following:

- (a) earthworks (including bulk earthworks) and discharges associated with earthworks;
- (b) works to construct the retirement village and associated facilities, including temporary facilities;

- (c) works to remediate contaminated land;
- (d) works to divert watercourses on the site;
- (e) works to discharge stormwater and contaminants;
- (f) works to dam and divert water into wetlands;
- (g) works to clear forest and vegetation;
- (h) landscaping, including plantings;
- (i) works to construct roading, pedestrian links, and parking;
- (j) works to construct reserves for access and as an amenity;
- (k) works to take and use groundwater;
- (l) works to construct three waters services, including stormwater ponds;
- (m) works to construct signs;
- (n) any other works that are—
  - (i) associated with the works described in paragraphs (a) to (m); 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 or near to section 17–20 Survey Office Plan 505441 and Lot DP 27407, which are the legal descriptions for 28 and 32 Park Avenue, Waikanae, Wellington.

## 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 assessing the effects of diverting stormwater into the wetlands, any changes to wetland hydrology, and any mitigation methods. This report must be peer reviewed by a suitably qualified person jointly appointed by the authorised person and Greater Wellington Regional Council, and the comments on that review must be provided to a panel; and
- (b) an assessment of the effects of construction activities, including earthworks, on neighbouring properties; and
- (c) an assessment of the effects of construction activities on the transport network, including on local roads; and
- (d) an earthworks and sediment control assessment; and
- (e) an infrastructure assessment and stormwater management plan; and
- (f) a geotechnical 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) Capital and Coast District Health Board; and
- (b) Ferndale Residents' Association; and
- (c) Park Road Residents' Association.

**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 (including the Minister for Seniors), the local authorities, and the New Zealand Transport Agency. The Minister accepted the application for the following reasons:

- the project will help to achieve the purpose of the Act; and
- the project will provide up to 30 full-time equivalent (FTE) jobs in the first stage (earthworks) and up to 270 FTE jobs in the second stage (construction); and
- the project will result in a public benefit by providing additional housing supply for aged persons and aged-care facilities; and
- the project will provide investment into the Kāpiti Coast's aged-care sector; and
- any adverse effects arising from the application and mitigation measures can be 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 16 April 2021, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer 2 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 16 and 17*.

The effect of the referral is—

- to authorise Hughes Developments 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 16*; and
- to authorise Summerset Villages (Waikanae) 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 17*.

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*: 15 April 2021.

## Notes

### **1 General**

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 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)