

Version  
as at 8 July 2023



# COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 10) 2021

(LI 2021/231)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 10) 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 30th day of August 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—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the joint recommendation of the Minister for the Environment and the Minister of Conservation.

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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.**

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## **Order**

### **1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 10) 2021.

### **2 Commencement**

This order comes into force on 3 September 2021.

### **3 Principal order**

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

### **4 New Schedule 26 inserted**

After Schedule 25, insert the Schedule 26 set out in the Schedule of this order.

**Schedule**  
**New Schedule 26 inserted**

cl 4

**Schedule 26**  
**Rangitane Maritime Development**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is the Rangitane Maritime Development (the **project**).

**2 Authorised persons**

The authorised persons for the project are—

- (a) Far North District Council; and
- (b) Far North Holdings Limited.

**3 Description of project**

- (1) The scope of the project is to construct a public boat ramp facility within the coastal marine area at Rangitane, Kerikeri.
- (2) The development will—
  - (a) upgrade existing access and capacity at the site for recreational and other users; and
  - (b) involve the reclamation of approximately 7,400 square metres of land within the coastal marine area; and
  - (c) include—
    - (i) a double-width boat ramp; and
    - (ii) a central floating pontoon; and
    - (iii) a parking area for trailers and cars; and
    - (iv) a dinghy storage area on the existing boat ramp; and
    - (v) a public walkway; and
    - (vi) picnic facilities.

**4 Description of activities involved in project**

The project may involve the following activities:

- (a) clearing vegetation, including removing mangroves in the coastal marine area:
- (b) carrying out earthworks on land:

- (c) draining and reclaiming parts of the marine and coastal area:
- (d) excavating and dredging in the marine and coastal area:
- (e) depositing fill in the marine and coastal area:
- (f) constructing structures in the coastal marine area:
- (g) discharging stormwater to the coastal marine area:
- (h) constructing parking, walkway, and picnic facilities:
- (i) landscaping:
- (j) any other activities that are—
  - (i) associated with the activities 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**

The project's works will occur in the coastal marine area adjacent to Rangitane Loop Road, Kerikeri, and within the Rangitane Loop Road legal road reserve.

## **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 traffic impact assessment of the effects of the project on the surrounding transport network and local road users; and
- (b) an acoustic assessment of the project, including consideration of both construction and operational noise and vibration, the effects of underwater noise on fauna, and details of any appropriate mitigation measures; and
- (c) an assessment of the effects of the project on the landscape, natural character, and visual values in the project area; and
- (d) an assessment of the effects of the project on coastal processes and coastal hazards, including—
  - (i) consideration of the Northland Regional Council's Coastal Flood Hazard Zone 3 scenario (representing a 100-year rapid sea-level rise projection); and
  - (ii) an assessment of how hydrodynamic changes arising from the project may impact storm surges and the extent to which the proposed structure will be resilient in the future; and
- (e) an assessment of the effects of the project on seawater quality; and
- (f) an ecological assessment of the effects of the project; and

- (g) an archaeological assessment of the effects of the project; and
- (h) an assessment of options for reducing and mitigating greenhouse gas emissions related to construction and earthworks activities; and
- (i) a planning assessment, including specific consideration (with supporting information) of the New Zealand Coastal Policy Statement 2010 (including Policy 10) and the Proposed Regional Plan for Northland (including Policy D.5.20).

**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;
- (b) representatives of the Taiāmai ki te Takutai Moana Trust;
- (c) representatives of Ngā Hapū o Takutai Moana;
- (d) representatives from the following marae of the Taiāmai ki te Marangai takiwā:
  - (i) Hiruhārama Hou;
  - (ii) Kororareka;
  - (iii) Mātauri;
  - (iv) Mātoa;
  - (v) Ngāwhā;
  - (vi) Oromāhoe;
  - (vii) Parawhenua;
  - (viii) Rāwhitiroa;
  - (ix) Tākou;
  - (x) Tauwhara;
  - (xi) Te Tii Waitangi;
  - (xii) Waitangi National;
  - (xiii) Wharengaere;
  - (xiv) Whitiōra;
- (e) representatives of the Rangitane Residents Association Incorporated;
- (f) representatives of the Rangitane Recreation Association Incorporated.

**8 No further provision required**

No further provision is necessary to give effect to decisions made by the Minister for the Environment and the Minister of Conservation 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 and the Minister of Conservation have jointly accepted this application for referral. The Ministers 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 relevant Ministers, Taiāmai ki te Takutai Moana, Far North District Council, and Northland Regional Council. The Ministers 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 providing employment, maintaining and enhancing public access to the coastal marine area, and providing facilities to support community connection and recreational opportunities; and
- the project will generate employment by providing—
  - approximately 30 full-time equivalent jobs over a 9-month construction period; and
  - additional jobs during the design and consenting phase; and
- the project is likely to 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 3 September 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 26*.

The effect of the referral is—

- to authorise Far North District Council and Far North Holdings 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 26*; and

- to authorise Far North District Council (as a requiring authority) to lodge notices of requirement under the Act, instead of under the Resource Management Act 1991, for designations or to alter designations relating to the project.

The expert consenting panel 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*: 2 September 2021.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 10) 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)