

Version  
as at 8 July 2023



## COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 17) 2021

(SL 2021/397)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 17) 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).

Cindy Kiro, Governor-General

### Order in Council

At Wellington this 29th day of November 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.

### Contents

		Page
1	Title	2
2	Commencement	2
3	Principal order	2
4	New Schedule 38 inserted	2

---

#### 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 Schedule 38 inserted**

3

**Order**

**1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 17) 2021.

**2 Commencement**

This order comes into force on 3 December 2021.

**3 Principal order**

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

**4 New Schedule 38 inserted**

After Schedule 37, insert the Schedule 38 set out in the Schedule of this order.

**Schedule**  
**New Schedule 38 inserted**

cl 4

**Schedule 38**  
**Lakeview–Taumata**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is Lakeview–Taumata (the **project**).

**2 Authorised person**

The authorised person for the project is QT Lakeview Developments Limited.

**3 Description of project**

- (1) The scope of the project is to construct and operate a mixed-use residential, retail, and commercial development in Queenstown.
- (2) The development will comprise 5 buildings, each between 9 and 13 storeys in height, providing overall—
  - (a) approximately 370 residential units, including approximately 137 residential units designed for co-living; and
  - (b) retail and commercial premises; and
  - (c) infrastructure associated with the development, including—
    - (i) vehicle access, loading, and parking; and
    - (ii) infrastructure for three waters services.
- (3) In this schedule, **co-living** means short- to medium-term, fee-paying visitor accommodation with shared areas.

**4 Description of activities involved in project**

The project may involve the following activities:

- (a) carrying out earthworks (including disturbing potentially contaminated soils):
- (b) constructing infrastructure for three waters services:
- (c) discharging groundwater, stormwater run-off, and contaminants onto land:
- (d) taking and diverting groundwater:
- (e) constructing buildings that include—

- (i) residential units; and
  - (ii) visitor accommodation; and
  - (iii) retail and commercial premises; and
  - (iv) signage:
- (f) constructing vehicle access, loading areas, and parking areas:
- (g) developing land for public open space, including by landscaping and planting:
- (h) carrying out any other activities that are—
- (i) associated with the activities described in paragraphs (a) to (g); and
  - (ii) within the scope of the project as described in clause 3 of this schedule.

#### **5 Approximate geographical location**

The project will occur at 4 Cemetery Road, Queenstown (the **project site**).

#### **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) a landscape and visual assessment of the development that—
    - (i) includes photomontages taken from a range of public vantage points to show the scale of the proposed buildings in relation to surrounding buildings and the Ben Lomond Scenic Reserve; and
    - (ii) assesses the effects of the development on the visual quality and amenities of the surrounding landscape, including the Ben Lomond Scenic Reserve; and
  - (b) in relation to the land in the project site, a report on a preliminary site investigation and, if required, on a detailed site investigation, within the meaning of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, that shows how the requirements of those regulations will be met; and
  - (c) a draft construction management plan for the project site that covers matters such as—
    - (i) construction traffic, dust, noise, and site stability; and
    - (ii) erosion and sediment control for the project site.
- (2) In this clause, **detailed site investigation** and **preliminary site investigation** have the meanings given in regulation 3 of the Resource Management

(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

**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) Ngāi Tahu Papatipu Rūnanga through their agents Aukaha (1997) Limited and Te Ao Marama Incorporated; and
- (b) the Upper Clutha Environmental Society Incorporated.

**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, the Queenstown Lakes District Council, and the Otago Regional Council. The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act:
- the project will have positive effects on social well-being by providing employment opportunities and flow-on economic benefits, additional residential and commercial premises, and public open space in central Queenstown:
- the project will generate employment by providing, over a two and a half-year period, approximately—
  - 19 full-time equivalent (**FTE**) jobs in planning and design; and
  - 170 FTE jobs in construction; and
  - 54 FTE jobs in financing, sales, leasing, and marketing:
- once the retail and commercial activities are operational, the project will generate approximately 180 permanent FTE jobs:
- the project will increase housing supply through the construction of approximately 370 residential units, 137 of which are intended for co-living:
- the project will contribute to a well-functioning urban environment through the provision of a variety of housing types in a location that has good access to work places, community services, and natural and open spaces:

- the project is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes:
- any actual and potential effects on the environment, and proposed measures to mitigate adverse effects 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 December 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 38*.

The effect of the referral is to authorise QT Lakeview 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 38*.

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 December 2021.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 17) 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)