Version
as at 8 July 2023

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (Great South Homes Park and Waikanae North) 2023

(SL 2023/2)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (Great South Homes Park and Waikanae North) 2023: 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 31st day of January 2023

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.

4 New Schedules 63 and 64 inserted 2

Schedule 3
New Schedules 63 and 64 inserted

Order

1 Title

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (Great South Homes Park and Waikanae North) 2023.

2 Commencement

This order comes into force on 3 February 2023.

3 Principal order

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

4 New Schedules 63 and 64 inserted

After Schedule 62, insert the Schedules 63 and 64 set out in the Schedule of this order.

Schedule
New Schedules 63 and 64 inserted

cl 4

Schedule 63
Great South Homes Park

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Great South Homes Park project (the **project**).

2 Authorised person

The authorised person for the project is Unispot Great South Limited.

3 Description of project

The scope of the project is to subdivide approximately 6 hectares of land in Papakura, Auckland and redevelop that land by—

(a) demolishing buildings, structures, and infrastructure; and

(b) constructing a housing development comprising approximately 338 residential units on approximately 338 of the allotments created by the subdivision; and

(c) constructing commercial buildings on approximately 400 square metres of the land; and

(d) constructing or installing infrastructure or structures associated with the subdivision, the housing development, and the commercial buildings; and

(e) developing land for public open space.

4 Description of activities involved in project

The project may involve the following activities:

(a) subdividing land:

(b) demolishing buildings, structures, and infrastructure:

(c) carrying out earthworks:

(d) trimming and removing vegetation:

(e) constructing residential units and commercial buildings:

(f) diverting and discharging stormwater (which may contain contaminants) onto land or into water:

(g) diverting overland flow paths:

(h) developing land for public open space:

(i) constructing or installing infrastructure or structures, including—

(i) roads (which are intended to be vested in Auckland Council) and other vehicle accessways; and

(ii) pedestrian and cycle accessways; and

(iii) driveways and car parking areas; and

(iv) infrastructure for three waters services:

(j) landscaping and planting:

(k) carrying out any other activities that are—

(i) associated with the activities described in paragraphs (a) to (j); and

(ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

The project will occur on an area of approximately 6 hectares of land at the following locations (the **project site**):

(a) 470 and 476 Great South Road, Papakura, Auckland; and

(b) 2 and 8 Gatland Road, Papakura, Auckland.

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 that—

(i) assesses the effects of project-associated traffic on the local road network (including key intersections); and

(ii) contains modelling showing the effects on traffic flows of different ways of managing traffic at the intersection of Gatland Road and Great South Road (including modelling showing the effects of traffic signals at that intersection); and

(iii) identifies which of those different ways is recommended as being the most appropriate for the intersection based on that modelling; and

(iv) identifies how the proposed development will support people to use public transport and carry out active modes of transport, such as cycling and walking; and

(v) contains information on any discussions held, and any agreements made, between the authorised person and Auckland Transport

about integrated transport (including discussions and agreements about the matters referred to in subparagraphs (i) and (iv)):

(b) an urban design assessment:

(c) the following information relating to stormwater management:

(i) a stormwater and flood risk assessment (including flood modelling that accounts for the effects of climate change):

(ii) a draft stormwater management plan:

(d) an assessment of the relevant infrastructure for three waters services that—

(i) identifies the existing condition and capacity of the relevant infrastructure; and

(ii) identifies any upgrades to the relevant infrastructure that are required in connection with the subdivision, the housing development, and the commercial buildings; and

(iii) identifies any funding required to carry out those upgrades (including who will provide that funding); and

(iv) contains information on discussions held, and agreements made, between the authorised person and Auckland Council, Watercare Services Limited, or Veolia Water Services (ANZ) Pty Limited (or all parties) about the relevant infrastructure (including discussions and agreements about the matters referred to in subparagraphs (i) to (iii)):

(e) a transport infrastructure assessment that—

(i) identifies the existing capacity of the local road network to service project-associated traffic; and

(ii) identifies any upgrades to the local road network that are required to service that traffic; and

(iii) identifies any funding required to carry out those upgrades (including who will provide that funding); and

(iv) contains information on any discussions held, and any agreements made, between the authorised person and Auckland Transport about transport infrastructure (including discussions and agreements about the matters referred to in subparagraphs (i) to (iii)).

(2) In this clause,—

key intersections means the intersections of the following roads:

(a) Park Estate Road and Great South Road:

(b) Gatland Road and Great South Road

project-associated traffic means traffic associated with—

(a) the demolition, earthworks, construction, and other activities involved in the project; or

(b) the housing development; or

(c) the commercial buildings.

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 Associate Minister for the Environment who has been delegated responsibility for administration of the National Policy Statement on Urban Development 2020 and urban policy matters:

(b) Auckland Transport:

(c) Watercare Services Limited:

(d) Veolia Water Services (ANZ) Pty Limited:

(e) Makaurau Marae Māori Trust Board:

(f) Hauraki Māori Trust Board:

(g) Ngāti Koheriki Claims Committee.

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 (the **Minister**) 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 following:

- the relevant Ministers listed in section 21(6) of the Act:
- the Associate Minister for the Environment who has been delegated responsibility for administration of the National Policy Statement on Urban Development 2020 and urban policy matters:
- Auckland Transport:
- Watercare Services Limited.

The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act because—

- it has the potential to generate approximately 1086 direct full-time equivalent jobs over an approximately 4-year period; and
- it has the potential to increase housing supply through the construction of 338 residential units; and
- it is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes; and

- any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset, or compensate for adverse effects, could be tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Schedule 64
Waikanae North

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Waikanae North project (the **project**).

2 Authorised person

The authorised person for the project is Bulletin Trustee Limited as trustee of Bulletin Trust.

3 Description of project

The scope of the project is to subdivide approximately 33 hectares of land in Waikanae, Kāpiti and do the following on that land:

(a) construct a housing development comprising approximately 410 residential units on approximately 410 of the allotments created by the subdivision:

(b) construct or install infrastructure or structures associated with the subdivision and the housing development:

(c) develop land for public open space:

(d) restore and plant natural wetlands and the riparian margins of a tributary of Waimeha Stream.

4 Description of activities involved in project

The project may involve the following activities:

(a) subdividing land:

(b) removing vegetation:

(c) carrying out earthworks—

(i) within 10 metres of a natural wetland; and

(ii) on land within a flood hazard category within the meaning of the Operative Kāpiti Coast District Plan 2021 (*see* material relating to natural hazards in Part 2 of that plan):

(d) reclaiming part of 2 natural stream beds:

(e) diverting and discharging stormwater (which may contain contaminants) onto land or into water, including within 100 metres of a natural wetland:

(f) constructing residential units:

(g) restoring a natural wetland and the riparian margins of Waimeha Stream (including by planting):

(h) landscaping and planting of open space:

(i) constructing or installing infrastructure or structures, including—

(i) roads and other accessways for vehicles; and

(ii) driveways and car parking areas; and

(iii) a culvert over a tributary of Waimeha Stream; and

(iv) infrastructure for three waters services:

(j) carrying out 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

(1) The project will occur on an area of approximately 33 hectares of land at 99 and 103 State Highway 1, Waikanae (the **project site**).

(2) The legal description of the project site is as follows:

(a) Lot 1 DP 87123 (WN54D/269):

(b) Part Lot 4 DP 7019 (WN489/140).

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 assessment of the relevant infrastructure for drinking water and wastewater services that—

(i) identifies the existing condition and capacity of the relevant infrastructure; and

(ii) identifies any upgrades to the relevant infrastructure that are required in connection with the subdivision and the housing development; and

(iii) identifies any funding required to carry out those upgrades (including who will provide that funding); and

(iv) contains information on any discussions held, and any agreements made, between the authorised person and Kāpiti Coast District Council about the relevant infrastructure (including discussions and agreements about the matters referred to in subparagraphs (i) to (iii)):

(b) the following information relating to stormwater management:

(i) a stormwater and flood risk assessment:

(ii) a draft stormwater management plan:

(iii) information on any discussions held, and any agreements made, between the authorised person and Kāpiti Coast District Council or Greater Wellington Regional Council (or both) about stormwater management (including discussions and agreements about the matters referred to in subparagraphs (i) and (ii)):

(c) a transport infrastructure assessment that—

(i) assesses the existing capacity of the local road network and State Highway 1 to service project-associated traffic; and

(ii) identifies any upgrades to the local road network and State Highway 1 that are required to service that traffic; and

(iii) identifies any funding required to carry out those upgrades (including who will provide that funding); and

(iv) contains information on any discussions held, and any agreements made, between the authorised person and Kāpiti Coast District Council or the New Zealand Transport Agency (or both) about transport infrastructure (including discussions and agreements about the matters referred to in subparagraphs (i) to (iii)):

(d) an integrated transport assessment that—

(i) assesses the effects on the surrounding transport network of the activities involved in the project and of the housing development; and

(ii) identifies how the proposed development will support people to use public transport and carry out active modes of transport, such as cycling and walking; and

(iii) contains information on discussions held, and agreements made, between the authorised person and Kāpiti Coast District Council or the New Zealand Transport Agency (or both) about integrated transport (including discussions and agreements about the matters referred to in subparagraphs (i) and (ii)):

(e) advice from the New Zealand Transport Agency about—

(i) whether the proposal to form an intersection with State Highway 1 requires permission (or other authorisation) from the New Zealand Transport Agency under the Government Roading Powers Act 1989 (and, if so, whether it has granted that permission or other authorisation); and

(ii) whether section 93(1) of that Act applies in relation to that proposal (and, if so, whether the New Zealand Transport Agency has issued a notice under that section):

(f) an assessment of the visual effects of the proposed development on the rural landscape and natural character of the project site:

(g) a draft construction management plan that specifies measures to control noise, dust, erosion, and sedimentation that may be caused by the activities involved in the project:

(h) an assessment of—

(i) any changes to natural wetland hydrology that may be caused by the activities involved in the project and the resulting development; and

(ii) any proposed methods to mitigate those changes:

(i) an ecological assessment that—

(i) identifies natural wetlands located on, and within 100 metres of, the project site; and

(ii) includes the results of surveying for the presence of bats at the project site undertaken within an appropriate survey period; and

(iii) assesses the effects of the activities involved in the project and of the resulting development on native vegetation, natural wetlands, freshwater, birds, lizards, and bats; and

(iv) identifies measures to avoid or mitigate those effects, including a bat management plan if the results referred to in subparagraph (ii) indicate the presence of bats:

(j) an assessment of the project site's productive capacity, as described in clause 1.3(1) of the National Policy Statement for Highly Productive Land 2022.

(2) In this clause,—

appropriate survey period means a period commencing on 1 October in a year and ending on 30 April in the following year

bat management plan means a plan that specifies how—

(a) the loss of roost trees will be avoided; and

(b) the loss of other vegetation will be mitigated; and

(c) the effects of lighting and noise on bats will be mitigated or avoided

project-associated traffic means traffic that is associated with—

(a) the earthworks, construction, and other activities involved in the project; or

(b) the housing development.

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 Associate Minister for the Environment who has been delegated responsibility for administration of the National Policy Statement on Urban Development 2020 and urban policy matters:

(b) the New Zealand Transport Agency:

(c) Te Rūnanga o Raukawa Incorporated:

(d) Electra Limited.

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 (the **Minister**) 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 following:

- the relevant Ministers listed in section 21(6) of the Act:
- the Associate Minister for the Environment who has been delegated responsibility for administration of the National Policy Statement on Urban Development 2020 and urban policy matters:
- the New Zealand Transport Agency:
- Greater Wellington Regional Council:
- Kāpiti Coast District Council.

The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act because—
  - it has the potential to generate approximately 747 direct full-time equivalent jobs over an approximately 4-year period; and
  - it has the potential to increase housing supply through the construction of approximately 410 residential units; and
  - it is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes; and
- any actual and potential effects on the environment, and proposed measures to avoid, remedy, mitigate, offset, or compensate for any 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.

Rachel Hayward,
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 February 2023, 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 63 and 64*.

The effect of the referral is—

- to authorise Unispot Great South 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 63*; and
- to authorise Bulletin Trustee 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 64*.

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*: 2 February 2023.

Notes

1 General

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (Great South Homes Park and Waikanae North) 2023 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)

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2023