

Reprint
as at 13 November 2020



**COVID-19 Recovery (Fast-track Consenting) Referred
Projects Order 2020**
(LI 2020/255)

Patsy Reddy, Governor-General

Order in Council

At Wellington this 21st day of September 2020.

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

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

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 Order 2020.

2 Commencement

This order comes into force on 22 September 2020.

3 Interpretation

- (1) In this order, unless the context otherwise requires, **Act** means the COVID-19 Recovery (Fast-track Consenting) Act 2020.
- (2) A term or an expression that is defined in the Act and used, but not defined, in this order has the same meaning as in the Act.

4 Transitional, savings, and related provisions

The transitional, savings, and related provisions (if any) set out in Schedule 1 have effect according to their terms.

5 Projects referred to expert consenting panel

Each project named and described in a schedule of this order (other than Schedule 1) is referred to the expert consenting panel according to the provisions of that schedule.

Schedule 1

Transitional, savings, and related provisions

cl 4

Part 1

Provisions relating to this order as made

There are no transitional, savings, or related provisions relating to this order as made.

Schedule 2

Clutha Upper Waitaki Lines Project (CUWLP)—Works and Workers' Village

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Clutha Upper Waitaki Lines Project (CUWLP)—Works and Workers' Village (the **project**).

2 Authorised person

The authorised person for the project is Transpower New Zealand Limited.

3 Description of project

The scope of the project is—

- (a) to upgrade existing 220 kV electricity transmission lines and substations to increase the electricity transmission capacity between the Otago-Southland region and the Waitaki Valley; and
- (b) to undertake ancillary works required for the purpose of paragraph (a); and
- (c) to construct and use land for a temporary workers' village.

4 Description of activities involved in project

- (1) The project may involve the following works:
 - (a) works to strengthen or upgrade parts of the transmission loop (as defined in clause 5(1)), including works—
 - (i) to duplex the lines between Roxburgh, Naseby, and Livingstone:
 - (ii) to thermally upgrade the lines between Cromwell and Twizel:
 - (iii) to duplex the lines between the Aviemore and Benmore substations:

- (b) for the purpose of the works described in paragraph (a), any of the following:
- (i) site development works, including earthworks, the trimming or removal of vegetation, and the placement of base course for wiring sites:
 - (ii) works to strengthen and refurbish the foundations of towers, including earthworks, the trimming or removal of vegetation, abrasive blasting, and concrete placement and reinstatement:
 - (iii) works to replace towers, including works to establish temporary towers and remove replaced towers:
 - (iv) works to raise and strengthen existing towers:
 - (v) works to provide for line separation requirements to be met, including mid-span earthworks and the trimming or removal of vegetation:
 - (vi) works to relocate lines underground, upgrade transformers, and upgrade existing substations:
 - (vii) works to establish a temporary workers' village and its supporting infrastructure:
 - (viii) works to remove the temporary workers' village and remediate the site:
- (c) any other works that are—
- (i) associated with the works described in paragraphs (a) and (b); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.
- (2) In this clause,—

duplex, in relation to a line, means to add wires so that there are 2 in each phase of the line rather than 1

line means an electricity transmission or distribution line

thermally upgrade, in relation to a line, means to upgrade the capacity of the line's wires to carry more electricity by operating at a higher temperature.

5 Approximate geographical location

- (1) The project's works will occur along, and at places necessary for access to, the corridor of the existing transmission and distribution lines in the loop (the **transmission loop**) that—
- (a) goes north from Roxburgh through Naseby, Livingstone, the Waitaki Valley (including through the Aviemore, Benmore, Ōhau B, and Ōhau C hydro stations), and Twizel; and
 - (b) goes south from Twizel through Cromwell and Clyde and back to Roxburgh.

Schedule 4

Kohimarama Comprehensive Care Retirement Village

cl 5

Schedule 4: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

Project referred to expert consenting panel

Heading: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

1 Name of project

The name of the project is the Kohimarama Comprehensive Care Retirement Village (the **project**).

Schedule 4 clause 1: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

2 Authorised person

The authorised person for the project is Ryman Healthcare Limited.

Schedule 4 clause 2: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

3 Description of project

The scope of the project is—

- (a) to construct and operate a retirement village and associated facilities;
and
- (b) to undertake ancillary works required for the purpose of paragraph (a).

Schedule 4 clause 3: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

4 Description of activities involved in project

The project may involve the following works:

- (a) earthworks (including bulk earthworks) and discharges associated with earthworks:
- (b) works to construct the retirement village and associated facilities:
- (c) landscaping, including plantings:
- (d) works to provide roading, parking, lighting, and other infrastructure to service the development:
- (e) works to remove existing vegetation:
- (f) works to divert a watercourse on the site:
- (g) works to take and use groundwater:
- (h) works to construct stormwater infrastructure and to divert and discharge stormwater run-off:

- (i) works to construct a bore for the abstraction of groundwater:
- (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.

Schedule 4 clause 4: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

5 Approximate geographical location

The project's works will occur at Lot 1 DP 332284 and Lot 51 DP 163242 (held on Records of Title 312220 (leasehold) and NA98B/894), which is the legal description of 223 Kohimarama Road, Auckland and 7 John Rymer Place, Auckland.

Schedule 4 clause 5: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

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 owners or occupiers of the properties at the following addresses in addition to the persons listed in clause 17(6) of Schedule 6 of the Act:

Street name	Street numbers
Harvey Place, Kohimarama, Auckland	1/1, 2/1, 3/1, 4/1, 1/3, 2/3, 3/3, 4/3, 5, 7, 7A
John Rymer Place, Kohimarama, Auckland	2B, 3, 3A, 4, 5, 6, 8, 9, 10, 11, 13A, 13B, 15, 16, 17, 17A, 18A, 18B, 19, 19A, 20, 21, 22A, 22B, 23, 24A, 24B, 24C, 25, 26, 26A, 27, 27A, 1/28, 2/28, 29, 31, 32A, 32B, 33, 34A, 34B, 35, 35A, 36A, 36B, 1/37, 2/37, 38A, 38B, 39, 40, 41, 42, 43, 45, 45A, 46, 47, 48, 49, 50, 52, 54, 56, 58
Kohimarama Road, Kohimarama, Auckland	247, 247A, 249, 249A, 251, 255, 257
Whytehead Crescent, Kohimarama, Auckland	5, 7, 9, 11, 15, 17, 19, 19A, 19B, 21, 1/23, 2/23, 25, 27

Schedule 4 clause 6: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

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.

Schedule 4 clause 7: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

Statement of reasons

Heading: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

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 local authority, and Ngāti Whātua o Ōrākei Trust Board (a landowner and also a relevant iwi authority), the Minister for the Environment has accepted this application for referral for the following reasons:

- the project will help to achieve the Act's purpose; and
- the project offers specialist and local employment opportunities (up to 400 jobs over a duration of 36 to 48 months for the construction period, followed by approximately 170 operational jobs once constructed); and
- the project will result in a public benefit by providing additional housing supply for aged persons and aged care facilities; and
- any adverse effects arising from the application and mitigation measures could be tested through an expert consenting panel having regard to Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Schedule 5

Molesworth Street Office Development

cl 5

Schedule 5: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

Project referred to expert consenting panel

Heading: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

1 Name of project

The name of the project is the Molesworth Street Office Development (the **project**).

Schedule 5 clause 1: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

2 Authorised person

The authorised person for the project is Primeproperty Group Limited.

Schedule 5 clause 2: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

3 Description of project

The scope of the project is to construct a 12-storey office building that includes—

- (a) retail or cafe space; and
- (b) a lobby; and
- (c) loading bays; and
- (d) a basement carpark.

Schedule 5 clause 3: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

4 Description of activities involved in project

The project may involve the following works:

- (a) works to construct a 12-storey office building that includes retail or cafe space, a lobby, loading bays, and a basement carpark:
- (b) earthworks for the foundations and basement carpark:
- (c) discharges associated with those earthworks:
- (d) dewatering, if works are required below the level of the groundwater:
- (e) works that give rise to construction noise:
- (f) works that give rise to vehicle movements:
- (g) works to provide for lighting:
- (h) any other works that are—
 - (i) associated with the works described in paragraphs (a) to (g); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.

Schedule 5 clause 4: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

5 Approximate geographical location

The project's works will occur at 55 to 61 Molesworth Street, Wellington, Lot 1 DP 23575 and Lot 5 DP 1265.

Schedule 5 clause 5: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

6 Further information required

The following information must be submitted to the panel with any consent application (in addition to the information required by clause 9 of Schedule 6 of the Act):

- (a) a heritage report prepared by a heritage expert that considers—
 - (i) the location of the site and proposed building; and

- (ii) the heritage context of the site and proposed building, if they adjoin a listed heritage building; and
- (b) a summary of any consultation undertaken with iwi or Heritage New Zealand Pouhere Taonga; and
- (c) a preliminary site investigation or detailed on-site investigation report for a contaminated site in accordance with the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NES), showing how compliance with the NES will be achieved; and
- (d) a design statement, including a statement as to how the proposal achieves design excellence given that the building height exceeds the permitted height, but is within the 15% design excellence allowance; and
- (e) a written approval from Wellington Water Limited, if the proposal involves a discharge of dewatered water or stormwater to the stormwater network during works; and
- (f) an earthworks management plan; and
- (g) any additional information that the Wellington City Council and the Wellington Regional Council would require had the application been submitted in accordance with the standard process under the Resource Management Act 1991.

Schedule 5 clause 6: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

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.

Schedule 5 clause 7: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

Statement of reasons

Heading: inserted, on 13 November 2020, by clause 4 of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282).

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, local authorities, and iwi 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 offer employment opportunities (up to 14 full-time jobs in the first 18 months and another 200 full-time jobs in the following 30 months). These jobs will be in the construction sector, which has been impacted by COVID-19; and
- the project will develop an under-utilised site for office space, contributing to a well-functioning urban environment; and
- the project seeks to promote a vibrant and well-functioning urban environment that is well connected by public transport; and
- any adverse effects arising from the application (and proposed mitigation measures) can be tested by an expert consenting panel, having regard to Part 2 of the Resource Management Act 1991.

Michael Webster,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 21 September 2020.

Reprints notes

1 *General*

This is a reprint of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 that incorporates all the amendments to that order as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2020 (LI 2020/282)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 2020 (LI 2020/276)