

In Confidence

Office of the Minister for the Environment

Chair, Cabinet

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

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021 (the Amendment Order).
- 2 The Amendment Order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 to include as projects referred to an expert consenting panel (a panel):
 - 2.1 Hughes Developments Limited's, Faringdon South West and South East Development (Schedule 16)
 - 2.2 Summerset Villages (Waikanae) Limited's, Summerset Retirement Village – Waikanae (Schedule 17).

Executive Summary

- 3 The COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) is one of the Government's actions to support New Zealand's economic recovery from COVID-19. The FTCA enables any person to apply to the Minister for the Environment (the Minister) to access the fast-track consent process for their project. If the Minister accepts an application, it is referred by Order in Council allowing an applicant to lodge, via the Environment Protection Authority (EPA), a resource consent application or notice of requirement for a designation with a panel for consideration.
- 4 This paper seeks authorisation to fast-track two projects by referring them to a panel. These projects are from:
 - 4.1 Hughes Developments Limited
 - 4.2 Summerset Villages (Waikanae) Limited.
- 5 I have considered the reports prepared under section 17 of the FTCA and whether these projects help achieve the purpose of the FTCA. For the Faringdon South West and South East Development, I sought and considered written comments from relevant Ministers, Selwyn District Council (SDC), Environment Canterbury Regional Council (ECan), Christchurch City Council (CCC), Waimakariri District Council (WDC) and the Greater Christchurch Partnership (GCP). I also sought and considered comments on the Summerset Retirement Village – Waikanae project from relevant Ministers, Kapiti Coast District Council (KCDC), Greater Wellington Regional Council (GWRC), and Waka Kotahi

NZ Transport Agency (Waka Kotahi). For both projects, I have also requested and considered further information from the applicants.

6 I have accepted Hughes Developments Limited's, Faringdon South West and South East Development for referral as it has the potential to:

- 6.1 generate up to 13,000 full-time equivalent (FTE) jobs in engineering, design and construction sectors over a 7-year planning and construction period
- 6.2 create a further 400 FTE permanent jobs when the project is completed
- 6.3 provide economic benefits to the construction industry, which has been affected by COVID-19
- 6.4 increase housing supply by up to 1,087 residential units (or up to 957 if a secondary school is developed) in an area that has been identified as unable to meet the medium-term housing demand
- 6.5 progress faster than would otherwise be the case under the standard processes of the Resource Management Act 1991.

7 I have accepted Summerset Villages (Waikanae) Limited's, Summerset Retirement Village - Waikanae for referral as it has the potential to:

- 7.1 create up to 30 FTE jobs in the first stage (earthworks) and up to 270 in the second stage (construction)
- 7.2 result in a public benefit by providing additional housing supply and aged-care facilities for aged persons
- 7.3 provide investment into the Kāpiti Coast's aged-care sector.

8 I consider that both projects will help to achieve the purpose of the FTCA and any adverse effects together with proposed mitigation measures can be considered and determined by a panel having regard to Part 2 of the Resource Management Act 1991 (RMA) and the purpose of the FTCA. Both projects will be able to progress faster using the processes provided by the FTCA than if consents were sought through standard RMA processes.

9 I now seek authorisation for submission of the Amendment Order to the Executive Council. The Amendment Order enables:

- 9.1 Hughes Developments Limited
- 9.2 Summerset Villages (Waikanae) Limited

to lodge resource consent applications with the EPA for consideration and determination by a panel in accordance with the process and criteria in the FTCA.

Background

- 10 The FTCA enables any person to apply to the Minister to fast-track a resource consent application or notice of requirement for a designation for their project. If the Minister accepts a referral application, the associated project is referred by Order in Council allowing the applicant to lodge a resource consent application or notice of requirement for a designation with the EPA for consideration and determination by a panel. A diagram of the fast-track process is provided in Appendix one.
- 11 As of 7 April 2021, I have received 41 applications for projects to be considered for referral to a panel through an Order in Council, of which:
- 11.1 fourteen applications have been referred and Orders in Council gazetted. A list of these referred applications is provided in Appendix two
 - 11.2 Faringdon South West and South East Development and Summerset Retirement Village - Waikanae applications that are the subject of this cabinet paper have been approved by me for referral
 - 11.3 ten applications have been declined for a range of reasons including that they do not meet the purpose of the FTCA and it would be more appropriate for them to go through the standard consenting process under the RMA
 - 11.4 three applications have been withdrawn
 - 11.5 twelve applications are still being processed.
- 12 Consent applications have been lodged with the EPA and are either under consideration by a panel, or are soon to be, for the following four referred projects: Kohimarama Comprehensive Care Retirement Village, The Vines Affordable Subdivision, Northbrook Wanaka Retirement Village and Nola Estate. Invitations to comment have closed for the two listed projects currently under consideration by panels (Queenstown Arterials and Waitohi Picton Ferry Precinct Redevelopment). An update on the projects that are listed under the FTCA is provided in Appendix three.

Project for referral: Hughes Developments Limited's, Faringdon South West and South East Development

- 13 Hughes Developments Limited has applied to use the fast-track consenting process for the Faringdon South West and South East Development. The project is to subdivide land to create up to 1,089 lots and to construct up to 1,087 residential units, two commercial neighbourhood centres, recreation reserves, and associated earthworks and servicing infrastructure. The project site is located at Selwyn Road, Rolleston in the Selwyn District, Canterbury.
- 14 The project also includes an alternative proposal to reduce the number of lots available for residential development to 957. This alternative proposal will be sought if a separate project to develop a secondary school on part of the land in Faringdon South East proceeds.
- 15 The project activities include subdivision of land; bulk earthworks (potentially including excavation of materials over an aquifer); construction of buildings, recreation reserves, and road, walking and cycling infrastructure; construction and upgrade of three waters infrastructure; landscaping including plantings; and discharges associated with the above activities.


16 Under standard RMA processes the project would require subdivision and land use consents from SDC and potentially land use and discharge consents from ECan.

17 To better understand the environmental effects, the job creation potential and investment certainty of the project, I sought further information from Hughes Developments Limited under section 22 of the FTCA.


Comments received

18 In accordance with section 21 of the FTCA, I sought written comments from relevant Ministers and local authorities. I also sought comments from CCC, WDC and the GCP in recognition of their interest in planning for urban growth in greater Christchurch. A summary of responses received is noted below.


19 s 9(2)(f)(ii), s 9(2)(g)(i)




20 s 9(2)(f)(ii), s 9(2)(g)(i)




21 s 9(2)(f)(ii), s 9(2)(g)(i)



22 s 9(2)(f)(ii), s 9(2)(g)(i)



23 s 9(2)(f)(ii), s 9(2)(g)(i)



24 SDC, in its capacity as a relevant consent authority, supported referral of the project in principle. SDC considered that the project aligns with a number of strategic local and regional planning documents, including proposed Change 1 to Chapter 6 of the Canterbury Regional Policy Statement (CRPS), which seeks to include the project area and other areas as Future Urban Development Areas in the CRPS and provide a policy framework for urban growth in these areas. However, SDC recommended that a panel invite comments from the 11 submitters to Plan Change 64 of the Selwyn District Plan, a private plan change sought by Hughes Developments Limited to rezone the project land for residential use, on any

consent application lodged. SDC also sought that a panel hold a hearing so that the submitters to Plan Change 64 can be heard and their issues considered.

- 25 SDC noted that the project will not change the underlying rural zone for the project site which may pose issues for any future site development unless Plan Change 64 is completed. SDC noted this can be addressed by completing the Plan Change 64 process to rezone the land or by 'tidying up' the rezoning through the District Plan Review, which the applicant has submitted on.
- 26 ECan supported referral of the project in principle and considered that the FTCA process is appropriate for the project because:
- 26.1 it generally aligns with the strategic direction outlined in the Future Development Strategy (FDS) for Greater Christchurch and proposed Change 1 to Chapter 6 of the Canterbury Regional Policy Statement
- 26.2 the area has been identified as an 'Urban Growth Overlay' in the Selwyn Proposed District Plan to recognise and protect this area for urban development
- 26.3 there may be timing benefits for the applicant in using the FTCA process.
- 27 ECan considered that the project may trigger the requirement for a discharge permit and a land use consent to excavate material over an aquifer. ECan also recommended that the application includes stormwater treatment prior to discharge onto land. ECan also recommended that provisions are made to ensure effective public transport access and to encourage social and affordable housing by ensuring appropriate housing densities and typologies. ECan also noted that submitters to Plan Change 64 should be given the opportunity to have their issues heard through a panel hearing.
- 28 CCC supported increasing the housing supply within the greater Christchurch area in appropriate locations and acknowledged that the project is on land identified for future growth and within a defined infrastructure boundary. CCC also acknowledged that the project results in a public benefit and accords with the purpose of the FTCA. CCC considered that the project is appropriate for fast-tracking subject to submitters on Plan Change 64 participating in the process and a hearing being held.
- 29 CCC advised it would support the development of the project site for housing if:
- 29.1 the density of the area identified in the application achieves 15 households per hectare instead of 12 households per hectare
- 29.2 the downstream effects on the transport network including cumulative effects arising are adequately mitigated by investments in public transport to serve the subject land
- 29.3 provision is made for affordable housing that addresses needs in Rolleston
- 29.4 feedback from Te Rūnanga o Ngāi Tahu on the project is adequately addressed.
- 30 The GCP supported the fast-track process given that the project is on land identified for future growth within GCP's Future Development Strategy (FDS) and within a defined infrastructure boundary. GCP noted that Proposed Change 1 to Chapter 6 of the CRPS provides a policy framework for growth into the project area and the site is identified in the Rolleston Structure Plan for development. GCP also noted that submissions on Plan Change 64 identified issues related to downstream traffic impacts, residential density, integration of affordable housing, and reverse sensitivity effects. GCP's support for referral

of the project is subject to an appropriate public participation process, including a panel holding a hearing and inviting submitters on Plan Change 64 to provide comment.

- 31 WDC noted that they work in collaboration with the GCP and the submission from GCP addresses their matters. WDC made no further comments.

Decision

- 32 In making my decision I considered the application and further information received, comments received from relevant Ministers, SDC, ECan, CCC, WDC, and GCP, and the eligibility criteria in section 18 of the FTCA¹. I also considered the report prepared under section 17 of the FTCA.

- 33 I have decided to accept Hughes Developments Limited's application for referral of the Faringdon South West and South East Development to a panel. I consider the project meets the eligibility criteria in section 18 of the FTCA and will help to achieve the purpose of the FTCA by:

- 33.1 generating up to 13,000 FTE jobs in engineering, design and construction sectors over a 7-year planning and construction period
- 33.2 creating a further 400 FTE permanent jobs when the project is completed
- 33.3 providing economic benefits to the construction industry, which has been affected by COVID-19
- 33.4 increasing housing supply by up to 1,087 residential units (or up to 957 if a secondary school is developed) in an area that has been identified as unable to meet the medium-term housing demand
- 33.5 progressing faster than would otherwise be the case under the standard processes of the Resource Management Act 1991.

- 34 In response to matters raised by Ministers, local authorities, the GCP and its members, I have decided to direct the applicant to provide a panel² an emissions assessment, an integrated transport assessment, and a stormwater assessment. The full list of information I have decided to direct the applicant to provide a panel is contained in Appendix four.

- 35 The FTCA requires that a panel invite comments from relevant local authorities, relevant iwi authorities, Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land and specific non-governmental organisations and other groups listed in the FTCA³. In addition to these requirements, and to address site specific matters raised by the GCP and its local authority members I have directed a panel to seek comment on any consent application before it from CCC, WDC, GCP and the submitters to Plan Change 64 to the Selwyn District Plan. I do not have the ability under the FTCA to direct a panel to hold a hearing.

- 36 I consider there are no other reasons under section 24(2) of the FTCA to:

- 36.1 limit the scope of the project by referring it only in part

¹ In accordance with section 24, Decision to accept application for referral, of the FTCA.

² Section 24(2)(d) of the FTCA.

³ Clause 17(6) of Schedule 6, FTCA.

36.2 refer the project in stages

36.3 place any restrictions on the project

36.4 impose specific timeframes for panel consideration.

Project for referral: Summerset Villages (Waikanae) Limited's Summerset Retirement Village - Waikanae

37 Summerset Villages (Waikanae) Limited has applied to use the fast-track consenting process for the Summerset Retirement Village - Waikanae project. The project is to construct and operate a retirement village, and associated facilities in Waikanae. The project will provide 217 residential units, 56 assisted living suites, 20 memory care suites, 43 care beds and recreational, healthcare and associated dining and retail facilities, and public access reserves. The project site is located at 28 to 32 Park Avenue in Waikanae.

38 The project activities will include vegetation clearance, earthworks and associated discharges (including bulk earthworks), damming and diversion of water into natural wetlands, discharge of stormwater generated onsite, construction of transport and three waters infrastructure, construction of buildings, landscaping including planting, works on contaminated land and remediation, and the establishment of signs.


39 Under standard RMA processes the project would require land use consent from KCDC and land use consents, water permits and discharge permits from GWRC.

40 To better understand the environmental effects and the job creation potential, I sought further information from Summerset Villages (Waikanae) Limited under section 22 of the FTCA.

Comments received

41 In accordance with section 21 of the FTCA, I sought written comments on this application from relevant Ministers, KCDC, GWRC and Waka Kotahi. A summary of responses received is noted below.

42 s 9(2)(f)(ii), s 9(2)(g)(i)



43 The applicant has confirmed that land ownership for site access is being secured and comments were invited from Waka Kotahi and GWRC to inform the referral decision. A panel is required to invite comments from GWRC and I have directed that the panel also invite comments from Waka Kotahi as requested by s 9(2)(f)(ii), s 9(2)(g)(i) Waka Kotahi.

44 s 9(2)(f)(ii), s 9(2)(g)(i)

45 s 9(2)(f)(ii), s 9(2)(g)(i)

46 s 9(2)(f)(ii), s 9(2)(g)(i)

47 s 9(2)(f)(ii), s 9(2)(g)(i)

48 KCDC considered that either the FTCA or standard RMA consenting processes are appropriate for the project provided that the views of affected people are considered. The consent application for the project that has been lodged with KCDC are currently on hold. This consent application will be withdrawn once the applicant submits their resource consent applications to a panel.

49 KCDC acknowledged that the project will provide employment and housing for aged people in a district with a significant housing demand for aged people. They noted the earthworks and construction activities have the potential to have more than minor effects on neighbouring properties and the transport network, including two roads that are not appropriate for construction traffic. KCDC considered that these issues can be resolved through consultation and traffic management plans.

50 GWRC advised they are currently processing a resource consent application for the project and have recommended that this application is publicly notified as they are not satisfied with information received. GWRC is concerned about the potential for significant adverse effects of discharges of water on significant natural wetlands (to the north east and west of the site) which support threatened ecosystems. GWRC has not yet notified the application as the applicant has asked the council process to be put on hold pending a decision on the project being referred for fast tracking.

51 GWRC advised that the natural wetlands that the project will affect are classified as significant natural wetlands in the Greater Wellington proposed Natural Resources Plan. GWRC has stated that these wetlands support threatened ecosystems that are not replaceable, and they are concerned the discharge of water into them will have significant adverse effects.

- 52 GWRC does not support the project progressing through the fast-track process as it is concerned that these effects would not be adequately resolved within the constraints of the fast-track consent process. To address this, I have directed the applicant to provide information to a panel on the project's impact on wetlands, and a peer review by an expert jointly appointed by the applicant and Greater Wellington Regional Council.
- 53 Waka Kotahi advised that they have been engaging with the applicant on the project for the past year due to its impacts on the Kāpiti Expressway and associated walking and cycling networks. Waka Kotahi noted the potential effects of the project on stormwater infrastructure managed by Waka Kotahi, walking and cycling infrastructure adjacent to the Expressway, noise and vibration effects, and considered these effects can be resolved if the applicant agrees to a set of conditions. Waka Kotahi requested that a panel be directed to invite comments from Waka Kotahi.

Decision

- 54 In making my decision I considered the application and further information received, comments received from relevant Ministers, KCDC, GWRC, Waka Kotahi, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA, which did not identify any considerations that would preclude referral of this application.
- 55 I have decided to accept this application for project referral to a panel. I consider the project meets the eligibility criteria in section 18 of the FTCA and will help to achieve the purpose of the FTCA by:
- 55.1 creating up to 30 FTE jobs in the first stage (earthworks) and up to 270 in the second stage (construction)
 - 55.2 resulting in a public benefit by providing additional housing supply and aged-care facilities for aged persons
 - 55.3 providing investment into the Kāpiti Coast's aged care sector.
- 56 In response to matters raised by Ministers and local authorities, I have directed the applicant to provide information on the project's effects on wetlands, mahoe trees and the neighbouring properties and local roads. The issues raised by KCDC and GWRC can be considered by a panel and I have directed the applicant to provide information on these issues to assist a panel in their consideration. The information I have directed the applicant to provide is listed in Appendix five.
- 57 The FTCA requires that a panel invite comments from the relevant local authorities, relevant iwi authorities, Treaty settlement entities, specific Ministers, Waka Kotahi, owners and occupiers of adjacent land and specific non-governmental organisations and other groups listed in the FTCA.
- 58 In addition to these requirements, I have directed a panel to seek comment from:
- 58.1 Capital and Coast District Health Board to provide a health perspective to the panel
 - 58.2 Two residents' associations (Ferndale and Park Road) to ensure local views on the project can be considered.
- 59 I consider there are no other reasons under section 24(2) of the FTCA to:
- 59.1 limit the scope of the project by referring it only in part

- 59.2 refer the project in stages
- 59.3 place any restrictions on the project
- 59.4 impose specific timeframes for panel consideration.

Timing and 28-day rule

60 Cabinet has agreed to waive the 28-day rule for Orders in Council relating to projects to be referred to a panel⁴. Therefore, the Amendment Order will come into force the day after publication in the New Zealand Gazette. This will enable applications for resource consents to be lodged with the EPA, for consideration by a panel, the day after the Amendment Order is gazetted, for:

- 60.1 Hughes Developments Limited's, Faringdon South West and South East Development
- 60.2 Summerset Villages (Waikanae) Limited's Summerset Retirement Village - Waikanae.

Compliance

61 The Amendment Order complies with:

- 61.1 the principles of the Treaty of Waitangi
- 61.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993
- 61.3 the principles and guidelines set out in the Privacy Act 1993
- 61.4 relevant international standards and obligations
- 61.5 the Legislation Guidelines (2018 edition) which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

62 I do not consider that there are grounds for the Regulations Review Committee to draw this Order in Council to the attention of the House of Representatives under Standing Order 319.

Certification by Parliamentary Counsel Office

63 The Amendment Order has been certified by the Parliamentary Counsel Office (PCO) as being in order for submission.

Impact Analysis

Regulatory Impact Assessment

⁴ ENV-20-MIN-0033 and CAB-20-MIN-0353 refer.

- 64 The Regulatory Impact Assessment (RIA) requirements for this proposal have been waived. Cabinet has agreed that an RIA is not required for Orders in Council relating to projects to be referred to a panel⁴.

Climate Implications of Policy Assessment

- 65 The Climate Implications of Policy Assessment (CIPA) team at the Ministry for the Environment has been consulted and confirms that the CIPA requirements do not apply to these projects.
- 66 The decision to refer the Hughes Developments Limited's Faringdon South West and South East Development and Summerset Villages (Waikanae) Limited's Summerset Retirement Village - Waikanae project to a panel will not have direct emissions impacts. Likely emissions implications and intended emissions reductions of these projects have been considered at a high-level during the formal application process and are also expected to be considered by a panel in their assessment of any adverse effects arising from these projects.

Publicity

- 67 The Amendment Order will be available on the New Zealand Legislation website following its notification in the New Zealand Gazette.
- 68 As required under section 25 of the FTCA, my decision to refer these projects to a panel for consideration, the reasons for the decision, and the report obtained under section 17 will be made available to the public on the Ministry for the Environment's website.

Proactive Release

- 69 I intend to proactively release this paper on the Ministry for the Environment's website subject to redaction as appropriate under the Official Information Act 1982.

Consultation

- 70 I have considered the matters raised by the relevant Ministers, local authorities, Waka Kotahi, CCC, WDC and the GCP and am satisfied that these projects meet the purpose of the FTCA. Any specific issues raised can be addressed by a panel in their substantive decision-making role.
- 71 The Ministry for the Environment sought comment on this paper from the Department of Conservation, Ministry for Housing and Urban Development, Ministry for Culture and Heritage, Te Puni Kōkiri, Ministry of Education, Department of Corrections, Land Information New Zealand, Treasury, Ministry of Transport, Ministry of Business, Innovation and Employment, Ministry for Primary Industries, Department of Prime Minister and Cabinet, Ministry of Health, Ministry of Defence, Department of Internal Affairs and the Ministry for Māori Crown Relations - Te Arawhiti.

Recommendations

I recommend that Cabinet:

- 1 **note** that I have decided under section 24 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to accept the following applications for referral to a panel:
- 1.1 Hughes Developments Limited's, Faringdon South West and South East Development

- 1.2 Project for referral: Summerset Villages (Waikanae) Limited's Summerset Retirement Village - Waikanae
- 2 **note** that Hughes Developments Limited's, Faringdon South West and South East Development project meets the eligibility criteria in section 18 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and is considered to help achieve the purpose of the FTCA by:
- 2.1 generating up to 13,000 FTE jobs in engineering, design and construction sectors over a 7-year planning and construction period
 - 2.2 creating a further 400 FTE permanent jobs when the project is completed
 - 2.3 providing economic benefits to the construction industry, which has been affected by COVID-19
 - 2.4 increasing housing supply by up to 1,087 residential units (or up to 957 if a secondary school is developed) in an area that has been identified as unable to meet the medium-term housing demand
 - 2.5 progressing faster than would otherwise be the case under the standard processes of the Resource Management Act 1991
- 3 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021 directs Hughes Developments Limited to provide to an expert consenting panel an emissions assessment, an integrated transport assessment, and a stormwater assessment as detailed in Appendix four
- 4 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021 directs that any expert consenting panel appointed to consider Hughes Developments Limited's, Faringdon South West and South East Development project seek comments from CCC, WDC, GCP, Mr Martin Towers, Nathaniel Heslop, Tania & Michael Croucher, New Zealand Defence Force, Michael Quinn, Freelance Canterbury Ltd, Peter Tilling, relevant Ngāi Tahu rūnanga, and Canterbury District Health Board (see Appendix four)
- 5 **note** that Summerset Villages (Waikanae) Limited's Summerset Retirement Village - Waikanae project meets the eligibility criteria in section 18 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and is considered to help achieve the purpose of the FTCA by:
- 5.1 creating up to 30 FTE jobs in the first stage (earthworks) and up to 270 in the second stage (construction)
 - 5.2 resulting in a public benefit by providing additional housing supply and aged-care facilities for aged persons
 - 5.3 providing investment into the Kāpiti Coast's aged care sector
- 6 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021 directs Summerset Villages (Waikanae) Limited to provide information on the project's effects on wetlands, mahoe trees, neighbouring properties and local roads to an expert consenting panel as detailed in Appendix five
- 7 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021 directs that any expert consenting panel appointed to consider

Summerset Villages (Waikanae) Limited's Summerset Retirement Village - Waikanae project seeks comments from Capital and Coast District Health Board, Ferndale Residents' Association and Park Road Residents' Association (see Appendix five)

- 8 **authorise** the submission to the Executive Council of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 4) 2021
- 9 **note** that on 27 July 2020, Cabinet agreed [CAB-20-MIN-0353 refers] to waive the 28-day rule so that Orders in Council made under the COVID-19 Recovery (Fast-track Consenting) Act 2020 can come into force as soon as they are notified in the New Zealand Gazette
- 10 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 2021 (No 4) will come into force the day after publication in the New Zealand Gazette.

Authorised for lodgement

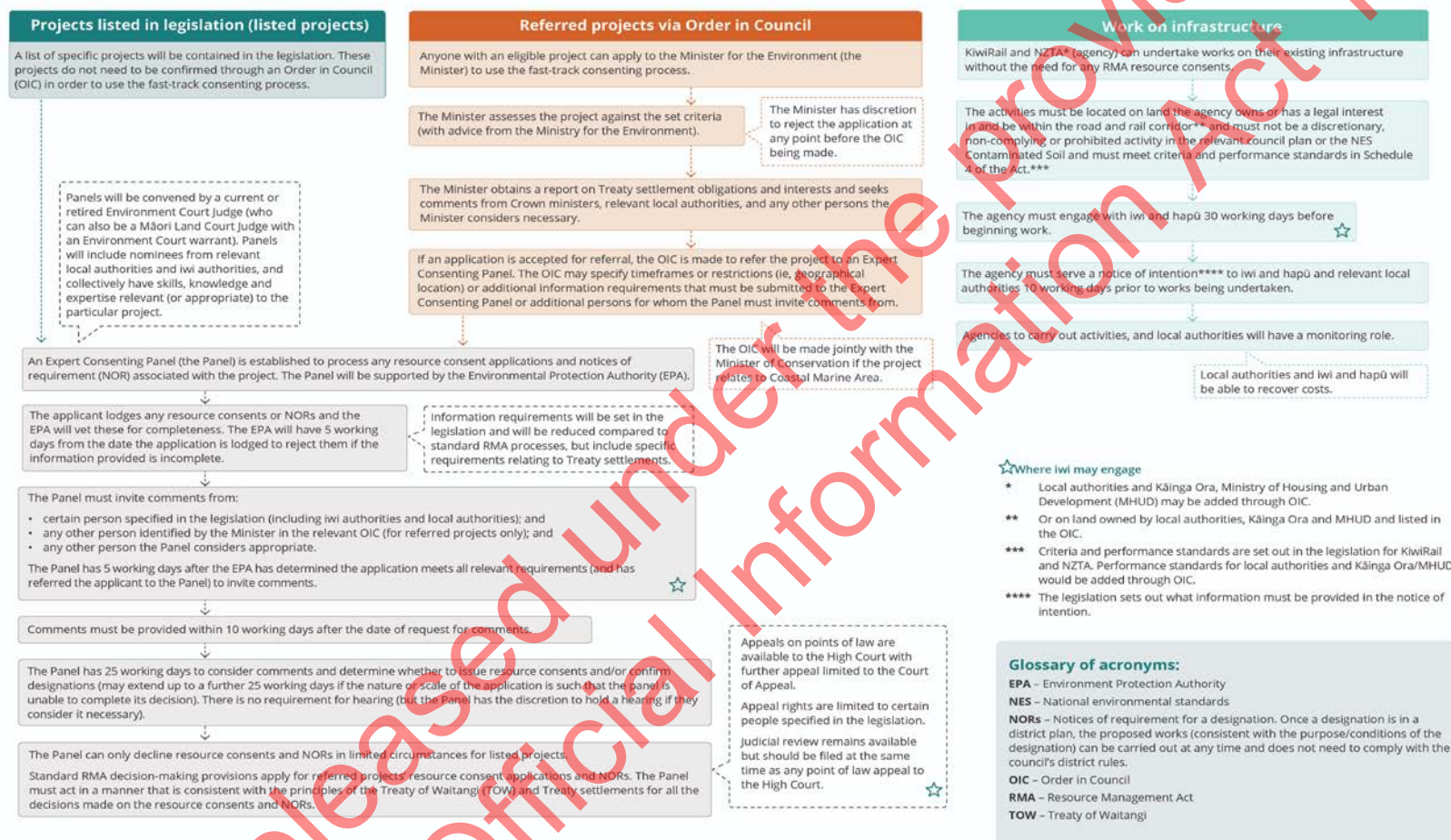
Hon David Parker
Minister for the Environment

Released under the provisions of
the Official Information Act 1982

Appendix one – Diagram of how the Fast-track consenting process works

Fast-track consenting process

This diagram shows the processes to be followed for projects to be fast tracked under the COVID-19 Recovery (Fast-track Consenting) Act 2020.



Appendix two – List of referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020

- 1 Transpower New Zealand Limited's Clutha Upper Waitaki Lines Project (CUWLP) - Works and Workers' Village
- 2 Winton Property Limited's Northbrook Wanaka Retirement Village
- 3 Ryman Healthcare Limited's Kohimarama Comprehensive Care Retirement Village
- 4 Primeproperty Group Limited's Molesworth Street Office Development
- 5 Jason and Angela Mudgway's The Vines Affordable Subdivision
- 6 Pudong Housing Development Company Limited's, Foodstuffs North Island Limited's, and Silk Road Management Limited's Dominion Road Mixed-use Development
- 7 Ambury Properties Limited's Ohinewai Foam Factory
- 8 Kāinga Ora-Homes and Communities' and Porirua City Council's Eastern Porirua Regeneration Project - Infrastructure Works
- 9 Silverlight Studios Limited's Silverlight Studios
- 10 Otago Viticulture and Oenology Limited's (trading as Brennan Wines) Brennan winery, restaurant, education, and event complex, and
- 11 CPM 2019 Limited's Nola Estate
- 12 Wooing Tree Property Development LP's Wooing Tree Estate
- 13 Hiringa Energy Limited and Ballance Agri-Nutrients Limited's Kapuni Green Hydrogen Project
- 14 Minister of Health and Ministry of Health's, New Dunedin Hospital – Whakatuputupu

Appendix three –Status of listed projects

Status of projects listed under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Listed Project	Status (provided by the EPA, 07 April 2021)
Te Ara Tupua – Ngauranga to Petone shared path (LP01)	Consents have been approved.
Matawii Water Storage Reservoir Kaikohe (LP16)	Consents have been approved.
Papakāinga Development – Rāpaki, Christchurch (LP13)	Consents have been approved.
Waitohi Picton Ferry Precinct Redevelopment (LP14)	Consents lodged on 22 December 2020. Panel decision is due on or before 7 th May 2021.
Queenstown Arterials Project (LP17)	Consents lodged on 17 December 2020. Panel decision is due on or before 21 st April 2021.
Papakura to Drury South State Highway 1 improvements (LP15)	Lodgement anticipated from late May - July 2021.
Northern Pathway – Westhaven to Akoranga shared path (LP02)	Lodgement anticipated in late 2021.
Papakura to Pukekōhe rail electrification (LP04)	Consents lodged for first works package on 10 th March 2021. Panel appointment is in process.
Papakāinga Development – Kaitaia (LP08)	Lodgement anticipated in April 2021.
Papakāinga Development – Waitara, Taranaki (LP11)	Lodgement anticipated in 2021.
Te Pā Tāhuna Residential Development (LP06)	Developer considering consenting routes which includes fast track consenting.
Unitec Residential Development (LP07)	Developer considering consenting routes which includes fast track consenting.
Papakāinga Development - Point Chevalier, Auckland (LP09)	Project was consented through the RMA with the option of fast tracking providing certainty if the project's consents weren't granted.
Papakāinga development – Whaingaroa, Raglan (LP10)	Project was consented through the RMA with the option of fast tracking providing certainty if the project's consents weren't granted.
Papakāinga Development - Chatham Islands (LP12)	Project was consented through the RMA with the option of fast tracking providing certainty if the project's consents weren't granted.
Wellington Metro Upgrade Programme (LP03)	Not proceeding under Fast-track at this stage.
Britomart Station eastern end upgrade (LP05)	Not proceeding under Fast-track at this stage.

Appendix four – Additional requirements: Faringdon South West and South East Development

Hughes Developments Limited are directed to provide to an expert consenting panel:

1. an emissions assessment that includes modelling and an analysis of-
 - 1.1. the effects and mitigation measures related to the emissions impact of the project design
 - 1.2. the opportunities to reduce emissions by providing housing supply closer to amenities or work centres
2. an integrated transport assessment that includes modelling and analysis of the effects and mitigation measures to provide-
 - 2.1 adequate cycleways and walkways for the number of dwellings and residents planned for the project
 - 2.2 safe pedestrian crossings and traffic calming devices
3. a stormwater assessment including how stormwater will be treated before being discharged onto land.

An expert consenting panel appointed to consider Faringdon South West and South East Development project must seek comments from the following additional persons/organisations:

1. Christchurch City Council
2. Waimakariri District Council
3. Greater Christchurch Partnership
4. Canterbury District Health Board
5. Mr Martin Towers
6. Nathaniel Heslop
7. Tania & Michael Croucher
8. New Zealand Defence Force
9. Michael Quinn
10. Freelance Canterbury Limited
11. Peter Tilling
12. relevant Ngāi Tahu rūnanga.

Appendix five – Additional requirements: Summerset Villages (Waikanae) Limited's Summerset Retirement Village - Waikanae

Summerset Villages (Waikanae) Limited are directed to provide to an expert consenting panel:

- 1 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 Summerset Villages and Greater Wellington Regional Council, and the comments of that review provided to a panel
- 2 an assessment of the effects of construction activities, including earthworks, on neighbouring properties
- 3 an assessment of the effect of the construction activities on the transport network, including local roads
- 4 an assessment of the impacts of the development on the mahoe trees, and the measures being adopted to mitigate and offset these effects
- 5 an earthworks and sediment control assessment
- 6 an infrastructure assessment and stormwater management plan
- 7 a geotechnical assessment.

An expert consenting panel appointed to consider Summerset Retirement Village - Waikanae project must seek comments from the following additional persons/organisations:

- 1 Capital and Coast District Health Board
- 2 Ferndale Residents' Association
- 3 Park Road Residents' Association.