

**In Confidence**

**Office of the Minister for the Environment**

**Chair, Cabinet**

**COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 13) 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 13) 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 Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project (Schedule 31)
  - 2.2 Silverlight Studios Limited's Silverlight Studios Accommodation project (Schedule 10A).

**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 me, in my role as the Minister for the Environment, to fast-track certain approvals required under the Resource Management Act 1991 (RMA) for their project.
- 4 Projects that I accept are referred to a panel by an amendment to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 (Order in Council), subject to Cabinet's agreement. This allows an applicant to lodge applications for resource consents and/or notices of requirement for a designation with the Environmental Protection Authority (EPA) for consideration by a panel.
- 5 I received applications from:
  - 5.1 Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited to fast-track the Riverbend Residential Development project
  - 5.2 Silverlight Studios Limited to fast-track the Silverlight Studios Accommodation project.
- 6 The Riverbend Residential Development project is to establish a housing development comprising approximately 670 residential units and some commercial space on a 22-hectare greenfield site in southern Napier.

- 7 The Silverlight Studios Accommodation project involves fitting-out and operating approximately 300 residential units within buildings developed as part of the proposed Silverlight Studios project located near Wanaka. The residential units are to be used as accommodation for cast, crew, other workers and students at Silverlight Studios, and as visitor accommodation when not otherwise required by the film studios. The original project was referred to a panel, via the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 2020 (Schedule 10), in January 2021. The addition of the proposed accommodation requires inclusion of a new schedule (Schedule 10A).
- 8 I am satisfied as to both projects' eligibility for referral and have considered whether they help achieve the purpose of the FTCA. I sought and considered written comments from relevant Ministers, the relevant local authorities, and Queenstown Airport Corporation and Waka Kotahi NZ Transport Agency (for the Silverlight Studios Accommodation project). I considered the reports prepared under section 17 of the FTCA and I also requested and considered further information from the applicants.
- 9 I have accepted Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project for referral as it has the potential to:
- 9.1 have positive effects on social wellbeing by providing a diverse range of housing types in an area where additional housing supply is urgently needed and where there are limited affordable housing options
  - 9.2 generate employment by providing an average of approximately 186 direct full-time equivalent (FTE) jobs per year during the three-year planning and construction period
  - 9.3 increase housing supply through the construction of up to 670 new residential units.
- 10 I have accepted Silverlight Studios Limited's Silverlight Studios Accommodation project for referral as it has the potential to:
- 10.1 have positive effects on social wellbeing by enhancing employment opportunities and reducing pressure on the local housing market by providing on-site residential accommodation
  - 10.2 generate employment by providing approximately 175 FTE jobs per year over a three-year design and construction period and 30 FTE ongoing operational jobs once completed
  - 10.3 increase local accommodation supply by developing approximately 300 new on-site residential units for cast and crew (or visitor accommodation when the studio is not in use).
- 11 I consider that both projects will help to achieve the purpose of the FTCA, and any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate adverse effects, can be considered and determined by a panel subject to Part 2 of the RMA and the purpose of the FTCA.
- 12 Both projects will be able to progress faster using the processes provided by the FTCA than if consents were sought through standard RMA processes, provided that the

applicants lodge their applications for resource consent with the EPA in a timely manner following referral.

- 13 I now seek authorisation for submission of the Amendment Order to the Executive Council. The Amendment Order enables Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited, and Silverlight Studios Limited to apply via the EPA to a panel for the relevant approvals needed under the RMA for the projects, in accordance with the processes in the FTCA.

## Background

- 14 The FTCA is one of the Government's actions to support New Zealand's economic recovery from COVID-19, by promoting employment and supporting on-going investment. The FTCA enables any person to apply to the Minister for the Environment to access the fast-track process for their project. If the Minister accepts an application, it is referred by Order in Council allowing an applicant to lodge a resource consent application or notice of requirement for a designation with the EPA for consideration by a panel.
- 15 As of 20 October 2021, 69 applications have been received for projects to be considered for referral to a panel through an Order in Council, of which:
- 15.1 14 applications are being processed and are awaiting a referral decision
  - 15.2 nine projects have been approved for referral and are awaiting Orders in Council. This includes the two projects that are the subject of this cabinet paper. The remaining seven are the subject of future cabinet papers
  - 15.3 29 projects have been referred and Orders in Council gazetted, and eight of these have been granted RMA approvals by a panel. A list of the referred projects is in Appendix one
  - 15.4 12 referral applications have been declined for a range of reasons including not meeting the purpose of the FTCA and it would be more appropriate for them to go through the standard RMA consenting process
  - 15.5 five referral applications have been withdrawn by the applicants.
- 16 An update on the status of projects that are listed in Schedule 2 of the FTCA is in Appendix two.


### **Project for referral: Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project**

- 17 Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited have applied to use the fast-track consenting process for the Riverbend Residential Development project.
- 18 This project is to undertake a staged subdivision of a 22-hectare greenfield site and a housing development comprising approximately 670 residential units, open space, space for some commercial activities, and associated infrastructure.
- 19 The project site is located at 195 and 215 Riverbend Road, Meanee and 20 Waterworth Avenue, Onekawa, Napier.


- 20 The project requires land use and subdivision consents under the Napier District Plan, water and discharge permits under the Hawkes Bay Regional Resource Management Plan and may require land use consent under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- 21 To better understand the project scope, potential for job creation, project funding, and environmental and cultural effects I sought further information from the applicants, under section 22 of the FTCA.
- 22 I also sought written comments on the application from the relevant local authorities (Napier City Council and Hawkes Bay Regional Council) and relevant Ministers including the Associate Minister for the Environment (Urban Policy), in accordance with section 21 of the FTCA.

*Overview of comments*


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

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

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

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<sup>1</sup> The Minister's comment on three waters infrastructure is contrary to the position of the local authorities who state that the three waters infrastructure may need to be upgraded.

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

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

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

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

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

32 Napier City Council opposed project referral as the scale and intensity of the development is not anticipated by the current policy framework and would be better suited to the Napier city centre. The council considered that there is no pressing need to fast-track this project because existing greenfield growth areas have the theoretical adequate supply to meet projected housing demand in the short-medium term (even though they acknowledged these areas are limited in terms of affordable housing options, and additional housing supply in Napier is urgently needed). The council noted that a structure planning process would be required for this development under standard RMA processes. The council also considered that if the site were to be consented under the FTCA without first being rezoned the council would be constrained in its ability to levy financial contributions, which may result in a significant shortfall (approximately \$5 million) in funding required to service the development.

33 Napier City Council acknowledged that the site is well-positioned for future residential housing with good connectivity both within the development and to adjacent neighbourhoods. However, they raised concerns about the location of the project within a flood storage area, the capacity of three waters infrastructure to service the development, and the impact of the proposed commercial space on the Napier central business district.

- 34 Hawkes Bay Regional Council neither supported nor opposed project referral. The council noted that upgrades to the existing stormwater system will likely be required to enable the development and further analysis is needed to determine the best practicable stormwater solution. The council also noted that the site is subject to several natural hazards which have not been addressed by the applicant and further assessment of these matters should be provided to a panel with a resource consent application.
- 35 Both Napier City Council and Hawkes Bay Regional Council identified that Tawanui Developments Limited was subject to prosecution by Hawkes Bay Regional Council in 2019 for burning asbestos-containing material resulting in a conviction and a fine.

#### *Decision*

- 36 In making my decision I considered the application and further information received; comments received from relevant Ministers, Napier City Council, Hawkes Bay Regional Council; and the eligibility criteria in section 18 of the FTCA<sup>2</sup>. I also considered the report prepared under section 17 of the FTCA.
- 37 I have decided to accept Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's application for referral of the Riverbend Residential Development project to a panel. I consider the project meets the eligibility criteria in section 18 of the FTCA and achieves the purpose of the FTCA as it has the potential to:
- 37.1 have positive effects on social wellbeing by providing a diverse range of housing types in an area where additional housing supply is urgently needed and where there are limited affordable housing options
  - 37.2 generate employment by providing an average of approximately 186 direct full-time equivalent (FTE) jobs per year during the three-year planning and construction period
  - 37.3 increase housing supply through the construction of up to 670 new residential units
  - 37.4 progress faster than would otherwise be the case under standard RMA processes, provided that the applicants lodge their applications for resource consents with the EPA in a timely manner following project referral.
- 38 To address site-specific matters raised by the s 9(2)(f)(ii), s 9(2)(g)(i) [redacted] Napier City Council and Hawkes Bay Regional Council, I have decided to direct the applicant to provide the following information with their resource consent applications submitted to a panel<sup>3</sup>: a flood hazard assessment, a climate change assessment, a traffic assessment, an assessment against provisions of the Hawkes Bay Regional Resource Management Plan, a natural hazard assessment and an infrastructure assessment. The full details of this information are in Appendix three. I have decided not to require the applicants to provide all of the information requested by s 9(2)(f)(ii), s 9(2)(g)(i) [redacted] to a panel as these go beyond what would usually be required of such projects under the current planning framework.
- 39 The FTCA requires that a panel invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and

<sup>2</sup> In accordance with section 24 of the FTCA - Decision to accept application for referral.

<sup>3</sup> Section 24(2)(d) of the FTCA.



occupiers of adjacent land, and specific non-governmental organisations and other groups listed in the FTCA<sup>4</sup>. In addition to these requirements and to address site specific matters raised, I have decided to specify the following parties, listed in Appendix three, from whom a panel must seek comment in relation to any consent application before it: Pukemokimoki Marae Trust and Ngāti Pārau Hapū Trust.

- 40 I consider that any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be considered and determined by a panel subject to Part 2 of the RMA and the purpose of the FTCA. I consider that the requirements for the additional material listed in Appendix three that must be submitted to a panel will assist with this.
- 41 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 41.1 limit the scope of the project by referring it only in part
  - 41.2 refer the project in stages
  - 41.3 place any restrictions on the project
  - 41.4 impose specific timeframes for panel consideration.

**Project for referral: Silverlight Studios Limited's Silverlight Studios Accommodation project**

- 42 Silverlight Studios Limited has applied to use the fast-track consenting process for the Silverlight Studios Accommodation project. This project is to fit-out and operate approximately 300 residential units, within the Silverlight Studios proposed to be located at 707 Wanaka-Luggate Highway, Wanaka, Otago. The residential units are proposed to be used for cast, crew, other workers and students of the film studios and for visitor accommodation when not needed for studio use.
- 43 The Silverlight Studios project was referred, via the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order 2020 (Schedule 10), to a panel on 29 January 2021. The addition of the proposed accommodation project requires a new Schedule 10A.
- 44 The project requires land use consent under the Proposed and Operative Queenstown Lakes District Plans.
- 45 To better understand job creation potential and the effect of the project on regional housing and accommodation, I sought further information from the applicant under section 22 of the FTCA.
- 46 I also sought written comments on the application from the relevant local authorities (Queenstown Lakes District Council and Otago Regional Council), relevant Ministers including the Minister for Trade and Export Growth, Waka Kotahi NZ Transport Agency and Queenstown Airport Corporation, in accordance with section 21 of the FTCA.

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<sup>4</sup> Clause 17(6) of Schedule 6, FTCA.

## Comments received

- 47 s 9(2)(f)(ii), s 9(2)(g)(i)
- 48 s 9(2)(f)(ii), s 9(2)(g)(i)
- 49 s 9(2)(f)(ii), s 9(2)(g)(i)
- 50 s 9(2)(f)(ii), s 9(2)(g)(i)
- 51 Queenstown Lakes District Council considered that project referral is appropriate as providing on-site accommodation at Silverlight Studios would reduce pressure on the District's housing supply. The council also noted that an integrated decision from a panel on both the film studios and accommodation projects is preferred. The council advised that visitor accommodation, as an ancillary activity to the film studios, has the potential to generate some additional traffic effects on State Highway 6, and reverse sensitivity effects on Wanaka Airport.
- 52 Queenstown Lakes District Council considered that the development of stand-alone accommodation would be inconsistent with the purpose and strategic objectives of the rural zoning of the site under both the Operative and Proposed Queenstown Lakes District Plans and has the potential to result in adverse effects. The council noted that the project site is outside the planned urban growth boundary in the newly adopted Queenstown Lakes Spatial Plan, which aims to consolidate urban growth in Wanaka. For these reasons, the council would not support development of stand-alone visitor accommodation at the Silverlight Studios site if the referred Silverlight Studios project (currently lodged and in progress) is not approved by a panel.
- 53 Otago Regional Council considered that there is no reason why a consent application for the accommodation project should not be assessed through standard RMA consent processes. The council also noted that a further consent is required for earthworks under Proposed Plan Change 8 to the Regional Plan: Water for Otago, and that there are no notable hazards particular to the site although there are district-wide seismic risks.



- 54 Queenstown Airport Corporation advised that it provided in principle support for the referred Silverlight Studios project in acknowledgement of its regional benefit. Queenstown Airport Corporation noted that the inclusion of 300 units for residential and visitor accommodation increases their concern about reverse sensitivity effects related to constraining the ongoing operation, management and development of Wanaka Airport, unless appropriate measures are used to manage aircraft noise effects. They noted discussions with the applicant regarding Silverlight Studios and the proposed accommodation are ongoing.
- 55 Waka Kotahi generally supported the accommodation project being referred due to its potential wider benefits. Waka Kotahi requested that when preparing the proposed transport impact assessment the applicant be required to determine the scope of and prepare appropriate mitigation measures in consultation with them.

### *Decision*

- 56 In making my decision I considered the application and further information received; comments received from relevant Ministers, Queenstown Lakes District Council, Otago Regional Council, Queenstown Airport Corporation and Waka Kotahi; and the eligibility criteria in section 18 of the FTCA<sup>5</sup>. I also considered the report prepared under section 17 of the FTCA.
- 57 I have decided to accept Silverlight Studios Limited's application for referral of the Silverlight Studios Accommodation project to a panel. I consider the project meets the eligibility criteria in section 18 of the FTCA and achieves the purpose of the FTCA as it has the potential to:
- 57.1 have positive effects on social wellbeing by enhancing employment opportunities and reducing pressure on the local housing market by providing on-site residential accommodation
  - 57.2 generate employment by providing approximately 175 FTE jobs per year over a three-year design and construction period and 30 FTE ongoing operational jobs once completed
  - 57.3 increase local accommodation supply by developing approximately 300 new on-site residential units for cast and crew (or visitor accommodation when the studio is not in use)
  - 57.4 progress faster than would otherwise be the case under standard RMA processes, provided that the applicant lodges their applications for resource consents with the EPA in a timely manner following project referral.
- 58 To address site-specific matters raised by Queenstown Lakes District Council, Waka Kotahi NZ Transport Agency, and Queenstown Airport Corporation, I have decided to specify the following information that the applicant must provide with their resource consent applications submitted to a panel<sup>6</sup>: an integrated transport assessment, an acoustic assessment and a three waters infrastructure assessment. The full details of this information are in Appendix four. I have decided not to require the applicants to provide all of the information requested by s 9(2)(f)(ii), s 9(2)(g)(i) to a panel

<sup>5</sup> In accordance with section 24 of the FTCA - Decision to accept application for referral.

<sup>6</sup> Section 24(2)(d) of the FTCA.

as these go beyond what would usually be required of such projects under the current planning framework.

- 59 The FTCA requires that a panel invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, and specific non-governmental organisations and other groups listed in the FTCA<sup>7</sup>. In addition to these requirements and to address site specific matters raised, I have decided to specify the following parties, listed in Appendix four, from whom a panel must seek comment in relation to any consent application before it: the Minister for Trade and Export Growth, Waka Kotahi NZ Transport Agency, Queenstown Airport Corporation, Aukaha Limited and Te Ao Mārama Incorporated.

### **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 panel<sup>8</sup>. 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 Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project

60.2 Silverlight Studios Limited's Silverlight Studios Accommodation project.

### **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 2020
  - 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 as being in order for submission.

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<sup>7</sup> Clause 17(6) of Schedule 6, FTCA.

<sup>8</sup> ENV-20-MIN-0033 and CAB-20-MIN-0353 refer.

## Impact Analysis

### *Regulatory Impact Assessment*

- 64 The Regulatory Impact Assessment (RIA) requirements for this proposal have been waived. Cabinet has agreed that a RIA is not required for Orders in Council relating to projects to be referred to a panel<sup>9</sup>.

### *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<sup>10</sup> do not apply to the projects.
- 66 The decision to refer Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project includes the requirement for the applicant to provide a flood hazard assessment, a climate change assessment and a natural hazard assessment.
- 67 The decision to refer Silverlight Studios Limited's Silverlight Studios Accommodation project includes a requirement for the applicant to provide an assessment of options to encourage low emissions transport by occupants of the residential units as part of an integrated transport assessment.

### **Publicity**

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

### **Proactive release**

- 70 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**

- 71 The Ministry for the Environment sought comment on this paper from the Ministry of 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, Department of Conservation, The Office for Māori Crown Relations – Te Arawhiti and the Ministry of Foreign Affairs and Trade.

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<sup>9</sup> ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

<sup>10</sup> CO (20) 3 refers

## 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 applications for referral of the following projects to a panel:
  - 1.1 Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project
  - 1.2 Silverlight Studios Limited's Silverlight Studios Accommodation project.
- 2 **note** that Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential 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 Act's purpose by having the potential to:
  - 2.1 have positive effects on social wellbeing by providing a diverse range of housing types in an area where additional housing supply is urgently needed and where there are limited affordable housing options
  - 2.2 generate employment by providing an average of approximately 186 full-time equivalent (FTE) jobs per year during the three-year planning and construction period
  - 2.3 increase housing supply through the construction of up to 670 new residential units
  - 2.4 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes, provided that the applicants lodge their applications for resource consents with the Environmental Protection Agency in a timely manner following project referral.
- 3 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 13) 2021 requires Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited to provide to an expert consenting panel a flood hazard assessment, a climate change assessment, a traffic assessment, assessments against the Hawkes Bay Regional Resource Management Plan, a natural hazard assessment, a detailed development plan, and a three waters capacity assessment, as detailed in Appendix three.
- 4 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 13) 2021 requires an expert consenting panel appointed to consider Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project to seek comments from Pukemokimoki Marae Trust and Ngāti Pārau Hapū Trust, as listed in Appendix three.
- 5 **note** that Silverlight Studios Limited's Silverlight Studios Accommodation 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 Act's purpose by having the potential to:
  - 5.1 have positive effects on social wellbeing by enhancing employment opportunities and reducing pressure on the local housing market by providing on-site residential accommodation

- 5.2 generate employment by providing approximately 175 FTE jobs per year over a three-year design and construction period and 30 FTE ongoing operational jobs once completed
- 5.3 increase local accommodation supply by developing approximately 300 new on-site residential units for cast and crew (or visitor accommodation when the studio is not in use)
- 5.4 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes, provided that the applicants lodge their applications for resource consents with the Environmental Protection Agency in a timely manner following project referral.
- 6 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 13) 2021 requires Silverlight Studios Limited to provide to an expert consenting panel an integrated transport assessment, an acoustic assessment, and a three waters infrastructure assessment, as detailed in Appendix four.
- 7 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 13) 2021 requires an expert consenting panel appointed to consider Silverlight Studios Limited's Silverlight Studios Accommodation project to seek comments from the Minister for Trade and Export Growth, Waka Kotahi NZ Transport Agency, Queenstown Airport Corporation, Aukaha Limited and Te Ao Mārama Incorporated, as listed in Appendix four.
- 8 **authorise** submission of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 13) 2021 to the Executive Council.
- 9 **note** that on 27 July 2020, Cabinet agreed to waive the standard 28-day rule relating to Orders in Council made under the COVID-19 Recovery (Fast-track Consenting) Act 2020 [CAB-20-MIN-0353 refers]. Consequently, the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 13) 2021 will come into force the day after publication in the New Zealand Gazette.

Authorised for lodgement

Hon David Parker  
Minister for the Environment



**Appendix one – Referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020**

Referred projects granted RMA approvals by a panel		
Project	Location	Applicant
Kohimarama Comprehensive Care Retirement Village	Kohimarama, Auckland	Ryman Healthcare Limited
Northbrook Wanaka Retirement Village	Wanaka	Winton Property Limited
Ohinewai Foam Factory	Ohinewai, Waikato	Ambury Properties Limited
Faringdon South West and South East Development	Rolleston	Hughes Developments Limited's
Summerset Retirement Village -Waikanae	Waikanae	Summerset Villages (Waikanae) Limited
Wooing Tree Estate	Cromwell	Wooing Tree Property Development LP
Dominion Road Mixed-use Development	Mount Eden, Auckland	Pudong Housing Development Company Limited, Foodstuffs North Island Limited, and Silk Road Management Limited
Nola Estate	Glen Eden, Auckland	CPM 2019 Limited
Referred projects with Orders in Council gazetted		
Clutha Upper Waitaki Lines Project - Works and Workers' Village	Clutha Upper Waitaki	Transpower New Zealand Limited
Northbrook Wanaka Retirement Village	Wanaka	Winton Property Limited
Kohimarama Comprehensive Care Retirement Village	Kohimarama, Auckland	Ryman Healthcare Limited
Molesworth Street Office Development	Thorndon, Wellington	Prime Property Group Limited
The Vines Affordable Subdivision	Richmond, Tasman	Jason and Angela Mudgway
Dominion Road Mixed-use Development	Mount Eden, Auckland	Pudong Housing Development Company Limited, Foodstuffs North Island Limited, and Silk Road Management Limited
Ohinewai Foam Factory	Ohinewai, Waikato	Ambury Properties Limited
Eastern Porirua Regeneration Project - Infrastructure Works	Porirua	Kāinga Ora-Homes and Communities' and Porirua City Council
Silverlight Studios	Wanaka	Silverlight Studios Limited
Brennan winery, restaurant, education, and event complex	Gibbston Valley, Otago	Otago Viticulture and Oenology Limited's (trading as Brennan Wines)

Nola Estate	Glen Eden, Auckland	CPM 2019 Limited
Wooring Tree Estate	Cromwell	Wooring Tree Property Development LP
Kapuni Green Hydrogen	Kapuni, Taranaki	Hiringa Energy Limited's and Ballance Agri-Nutrients Limited
New Dunedin Hospital - Whakatuputupu	Dunedin	The Minister of Health's and the Ministry of Health
Faringdon South West and South East Development	Rolleston	Hughes Developments Limited's
Summerset Retirement Village -Waikanae	Waikanae	Summerset Villages (Waikanae) Limited
Beachlands Housing Development	Beachlands, Auckland	Neil Construction Limited and Fletcher Residential Limited
Kōpū Marine Precinct	Kōpū, Thames	Thames-Coromandel District Council
Whakatāne Commercial Boat Harbour project	Whakatāne	Whakatāne District Council, Te Rāhui Lands Trust, Te Rūnanga o Ngāti Awa, Ngāti Awa Group Holdings Limited, Te Rāhui Lands General Partner Limited, Te Rāhui Herenga Waka Whakatane Limited, and Provincial Growth Fund Limited
Karaka North Village	Karaka, Auckland	Cappella Group Limited and Karaka North Village Limited
Ōmāhu Residential Development	Remuera, Auckland	Urban Resort Limited, Icon Co Pty (NZ) Limited
George St Mixed Use Development	Newmarket, Auckland	Newmarket Holdings Development Limited Partnership
Otawere Water Storage Reservoir	Northland	Te Tai Tokerau Water Trust
Drury Central & Paerata Stations	Auckland	KiwiRail Holdings Limited
Rangitane Maritime Development	Kerikeri	Far North District Council & Far North Holdings Limited
Brickfields, Scott Road Development	Hobsonville, Auckland	Aedifice Development Limited
Tauranga Innovative Courthouse	Tauranga	The Minister of Justice and the Ministry of Justice
Melia Place	Whangaparāoa, Auckland	Melia Development Limited

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

Listed Project	Status (provided by the EPA, 20 October 2021)
Matawii Water Storage Reservoir Kaikohe	Consents have been approved.
Papakāinga Development – Rāpaki, Christchurch	Consents have been approved.
Te Ara Tupua – Ngā Ūranga to Pito-one shared path	Consents have been approved.
Waitohi Picton Ferry Precinct Redevelopment	Consents have been approved.
Queenstown Arterials Project	Consents have been approved.
Papakāinga Development - Kaitaia	Consents have been approved.
Papakura to Pukekōhe rail electrification	Package 1 - consents have been approved. Package 2 – minor consents - unlikely to proceed under fast-track at this stage.
Papakura to Drury South State Highway 1 improvements	Package 1 - application lodged 24 June – currently under assessment by panel. Package 2 – lodgement anticipated in 2021.
Northern Pathway – Westhaven to Akoranga shared path	Unlikely to proceed under fast-track at this stage.
Papakāinga Development – Waitara, Taranaki	Lodgement anticipated in 2021.
Te Pā Tāhuna Residential Development	Unlikely to proceed under fast-track at this stage.
Unitec Residential Development	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Point Chevalier, Auckland	Unlikely to proceed under fast-track at this stage.
Papakāinga development – Whaingaroa, Raglan	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Chatham Islands	Unlikely to proceed under fast-track at this stage.
Wellington Metro Upgrade Programme	Unlikely to proceed under fast-track at this stage.
Britomart Station eastern end upgrade	Unlikely to proceed under fast-track at this stage.

### **Appendix three – Additional requirements: Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited's Riverbend Residential Development project**

Tawanui Developments Limited, K3 Properties Limited and Mana Ahuriri Holdings Limited are required to provide with their applications for resource consents to an expert consenting panel:

1. assessments against the requirements of Plan Change 9 to the Hawkes Bay Regional Resource Management Plan – Tūtaekuri, Ahuriri, Ngaruroro and Karamū Catchments (TANK Plan Change), the Source Protection Zone Requirements, and consideration of whether the project will trigger requirement under the Hawkes Bay Regional Resource Management Plan for a resource consent for construction dewatering or water takes
2. a detailed development plan for the project site, prepared in consultation with Napier City Council, which includes consideration of the effects of the development on the wider Riverbend/The Loop greenfield growth area and any relevant provisions of the draft Napier District Plan
3. a flood hazard assessment, including modelling and analysis of the effects and mitigation of floodwater within the project site and displaced because of the project
4. an assessment of the climate change effects relating to the project that includes, but is not limited to:
  - a. an assessment of the minimum Finished Floor Level (FFL) of the proposed buildings against the anticipated effects of climate change on rainfall events
  - b. information to demonstrate that the flood modelling undertaken gives appropriate consideration to climate change impacts, and that the site levels will therefore be appropriate to ensure the long-term resilience of the proposed development
  - c. information on how the climate-change scenario used for modelling aligns with *Coastal Hazards and Climate Change: Guidance for Local Government* (Ministry for the Environment, December 2017, ME1341)
  - d. modelling and/or evidence of any emissions reductions resulting from the project
5. a traffic assessment that includes options relating to enhancement of multi-modal connections and infrastructure to support uptake of public and active transport in the development, including a movement network plan of the availability and feasibility of safe spaces for active modes of transport, including walking and cycling
6. a natural hazard assessment including, but not limited to, assessment of the risk associated with liquefaction, earthquakes and coastal inundation, and detailed design of the works required to address these risks
7. a detailed assessment of the capacity of the existing three waters infrastructure and/or upgrades to the infrastructure required to service the development (including funding), and including information on discussions held, and agreements made, with Napier City Council and Hawkes Bay Regional Council.

An expert consenting panel appointed to consider Tawanui Developments Limited, K3 Properties Limited, Mana Ahuriri Holdings Limited's applications for resource consents for the Riverbend Residential Development project must seek comments from the following additional persons/organisations:

1. Pukemokimoki Marae Trust
2. Ngāti Pārau Hapū Trust.

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#### **Appendix four – Additional requirements: Silverlight Studios Limited's Silverlight Studios Accommodation project**

Silverlight Studios Limited is required to provide with their applications for resource consents to an expert consenting panel:

1. a three waters assessment that covers the effects of residential and visitor accommodation on three waters infrastructure including the Corbridge Water Supply Scheme, and outlines necessary local and regional upgrades and proposed financial contributions
2. an acoustic assessment, prepared in consultation with the Queenstown Airport Corporation, that covers the effects of proposed residential and visitor accommodation on the operation of Wanaka Airport and any mitigation measures proposed to manage the effects of aircraft noise
3. an integrated transport assessment prepared in consultation with Waka Kotahi NZ Transport Agency that includes:
  - a. an assessment of the effects of traffic generation and traffic safety on State Highway 6
  - b. options to encourage low emissions transport by residents and visitor accommodation patrons such as bike storage facilities, electric vehicle charging or shuttle services to and from the Wanaka town centre

An expert consenting panel appointed to consider Silverlight Studios Limited's applications for resource consents for the Silverlight Studios Accommodation project must seek comments from the following additional persons/organisations:

1. The Minister for Trade and Export Growth
2. Waka Kotahi NZ Transport Agency
3. Queenstown Airport Corporation
4. Aukaha Limited
5. Te Ao Mārama Limited.