

Version
as at 8 July 2023



COVID-19 Recovery (Fast-track Consenting) Referred Projects (Quarterdeck and North) Amendment Order 2023

(SL 2023/102)

COVID-19 Recovery (Fast-track Consenting) Referred Projects (Quarterdeck and North) Amendment Order 2023: revoked, on 8 July 2023, by Schedule 1 clause 1(1) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35).

Cindy Kiro, Governor-General

Order in Council

At Wellington this 22nd day of May 2023

Present:

Her Excellency the Governor-General in Council

This order is made under section 27 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 on the advice and with the consent of the Executive Council and on the recommendation of the Minister for the Environment.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Ministry for the Environment.

4	New schedules inserted	2
	Schedule	3
	New Schedules 74 and 75 inserted	

Order

1 Title

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Quarterdeck and North) Amendment Order 2023.

2 Commencement

This order comes into force on 27 May 2023.

3 Principal order

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

4 New schedules inserted

After the last schedule,—

- (a) insert the schedules set out in the Schedule of this order; and
- (b) make all necessary consequential amendments.

Schedule
New Schedules 74 and 75 inserted

cl 4

Schedule 74
Quarterdeck

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is Quarterdeck (the **project**).

2 Authorised person

The authorised person for the project is Box Property Investments Limited.

3 Description of project

(1) The scope of the project is to subdivide approximately 0.54 hectares of land in Cockle Bay, Howick, Auckland and redevelop that land by—

- (a) constructing a housing development comprising approximately 70 residential units; and
- (b) creating communal outdoor areas associated with the housing development; and
- (c) constructing or installing infrastructure or structures associated with the subdivision and the housing development (including approximately 96 basement carparks and communal parking).

(2) The housing development is proposed to consist of—

- (a) 12 terraced houses that have 2 storeys and are approximately 6.5 metres high; and
- (b) 3 apartment buildings that have 4 storeys and are approximately 13.8 metres high.

(3) When counting the number of storeys of an apartment building for the purposes of this clause, a basement is not to be counted as a storey (whether or not the basement extends under the entirety of the building above it).

4 Description of activities involved in project

The project may involve the following activities:

- (a) subdividing land;
- (b) demolishing infrastructure or structures;
- (c) carrying out earthworks:

- (d) constructing residential buildings:
- (e) discharging stormwater (which may contain contaminants) onto land:
- (f) taking and diverting groundwater and discharging it onto land:
- (g) developing land for private open space, including by landscaping and planting:
- (h) trimming and removing vegetation, including trees on roads:
- (i) upgrading berms within road reserves:
- (j) constructing or installing infrastructure or structures, including—
 - (i) private accessways for vehicles; and
 - (ii) car parking areas (including basement parking in the case of the apartment buildings); and
 - (iii) pedestrian accessways; and
 - (iv) infrastructure for three waters services:
- (k) carrying out any other activities that are—
 - (i) associated with the activities described in paragraphs (a) to (j); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

The project will occur on the following land in Cockle Bay, Howick, Auckland:

- (a) land at Sandspit Road that comprises—
 - (i) Lot 2 DP 334191 and the adjacent road reserve; and
 - (ii) Lot 67 DP 52881 and the adjacent road reserve:
- (b) 2 and 4 Reydon Place and the adjacent road reserve:
- (c) the road reserve that is part of Trelawn Place.

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 following persons (in addition to the persons listed in clause 17(6) of Schedule 6 of the Act):

- (a) Auckland Transport:
- (b) Watercare Services Limited:
- (c) the Hauraki Māori Trust Board:
- (d) Te Ahiwaru Trust (formerly Makaurau Marae Māori Trust):
- (e) Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohua Incorporated:

- (f) Ngāti Te Ata Claims Support Whānau:
- (g) the parties, under section 274 of the Resource Management Act 1991, to the Environment Court proceedings on the resource consent application that has the Environment Court reference number ENV-2020-AKL-000184.

Guidance note

Auckland Council's reference number for the application is BUN60356953.

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.

Statement of reasons

This statement of reasons is published for the purposes of clause 4 of Schedule 3 of the Act

The Minister for the Environment (the **Minister**) has accepted this application for referral. The Minister considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and sought and considered written comments from the following:

- the relevant Ministers listed in section 21(6) of the Act:
- Auckland Council:
- Auckland Transport:
- Watercare Services Limited.

The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act because—
 - it has the potential to generate approximately 177 full-time equivalent jobs per year over a 2-year design and construction period; and
 - it has the potential to increase housing supply through the construction of approximately 70 residential units; and
 - it has the potential to contribute to a well-functioning urban environment by increasing the variety of homes available to meet differing needs; and
 - it is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes:
- any actual and potential effects on the environment, and proposed measures to avoid, remedy, mitigate, offset, or compensate for any adverse effects, can be appropriately tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Schedule 75 North

cl 5

Project referred to expert consenting panel

1 Name of project

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

2 Authorised person

The authorised person for the project is 617 New North Limited.

3 Description of project

(1) The scope of the project is to subdivide land in Kingsland, Auckland and redevelop that land by—

- (a) removing a pre-1900 building from that land for relocation to other land; and
- (b) constructing and operating a mixed-use development consisting of a 9-storey building that is approximately 29.3 metres high and contains—
 - (i) approximately 44 residential units; and
 - (ii) units for commercial uses (including approximately 34 units for visitor accommodation); and
 - (iii) a rooftop communal space; and
- (c) constructing or installing infrastructure or structures associated with the subdivision and mixed-use development.

(2) When counting the number of storeys of a building for the purposes of this clause, a basement is not to be counted as a storey (whether or not the basement extends under the entirety of the building above it).

4 Description of activities involved in project

The project may involve the following activities:

- (a) subdividing land (including by depositing a unit plan):
- (b) removing the building referred to in clause 3(1)(a):
- (c) demolishing another building and other structures and infrastructure:
- (d) carrying out earthworks (including disturbing potentially contaminated soil):
- (e) trimming and removing vegetation, including trees on roads:
- (f) constructing and operating the mixed-use development described in clause 3(1)(b):
- (g) discharging stormwater (which may contain contaminants) onto land:

- (h) taking and diverting groundwater and discharging it onto land:
- (i) constructing or installing infrastructure or structures, including—
 - (i) signage; and
 - (ii) lighting; and
 - (iii) 2 basement levels of parking for cars and other vehicles (including scooters and bicycles); and
 - (iv) pedestrian and cycle accessways; and
 - (v) infrastructure for three waters services:
- (j) carrying out any other activities that are—
 - (i) associated with the activities described in paragraphs (a) to (i); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

The project will occur at 617 to 619 New North Road, Kingsland, Auckland.

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 following persons (in addition to the persons listed in clause 17(6) of Schedule 6 of the Act):

- (a) Auckland Transport:
- (b) Watercare Services Limited:
- (c) Heritage New Zealand Pouhere Taonga:
- (d) the Hauraki Māori Trust Board:
- (e) the Ngāti Paoa Trust Board:
- (f) the trustees, acting in their capacity as trustees, of Ngāti Paoa Iwi Trust:
- (g) the trustees, acting in their capacity as trustees, of Te Patukirikiri Iwi Trust:
- (h) Tūpuna Taonga o Tāmaki Makaurau Trust Limited (representing the Tāmaki Collective).

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.

Statement of reasons

This statement of reasons is published for the purposes of clause 4 of Schedule 3 of the Act

The Minister for the Environment (the **Minister**) has accepted this application for referral. The Minister considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and sought and considered written comments from the following:

- the relevant Ministers listed in section 21(6) of the Act:
- Auckland Council:
- Auckland Transport:
- Watercare Services Limited:
- Heritage New Zealand Pouhere Taonga.

The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act because—
 - it has the potential to generate approximately 143 full-time equivalent jobs per year over a 2-year design and construction period; and
 - it has the potential to increase housing supply through the construction of approximately 44 residential units; and
 - it has the potential to contribute to a well-functioning urban environment by increasing housing supply in a local centre within a walkable catchment of a rapid transit stop; and
 - it is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes:
- any actual and potential effects on the environment, and proposed measures to avoid, remedy, mitigate, offset, or compensate for any adverse effects, can be appropriately tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 27 May 2023, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer 2 projects to an expert consenting panel for the purpose of the

COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**). The referred projects are the projects named and described in *new Schedules 74 and 75*.

The expert consenting panel will be appointed under Schedule 5 of the Act and make decisions in accordance with Schedule 6 of the Act.

The effect of the referral is—

- to authorise Box Property Investments Limited to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 74*; and
- to authorise 617 New North Limited to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 75*.

The expert consenting panels will be appointed under Schedule 5 of the Act and make decisions in accordance with Schedule 6 of the Act.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 25 May 2023.

Notes

1 *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Quarterdeck and North) Amendment Order 2023 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35): Schedule 1 clause 1(1)