

Version  
as at 8 July 2023



# COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2021

(LI 2021/36)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2021: revoked, on 8 July 2023, by Schedule 1 clause 1(1) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35).

Patsy Reddy, Governor-General

## Order in Council

At Wellington this 1st day of March 2021

Present:

The Right Hon Jacinda Ardern presiding in Council

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

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### Note

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.**

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**Schedule**  
**New Schedule 13 inserted**

3

**Order**

**1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2021.

**2 Commencement**

This order comes into force on 5 March 2021.

**3 Principal order**

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

**4 New Schedule 13 inserted**

After Schedule 12, insert the Schedule 13 set out in the Schedule of this order.

**Schedule**  
**New Schedule 13 inserted**

cl 4

**Schedule 13**  
**Wooring Tree Estate**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is the Wooring Tree Estate (the **project**).

**2 Authorised person**

The authorised person for the project is Wooring Tree Property Development LP.

**3 Description of project**

(1) The scope of the project is—

- (a) to subdivide land and construct a staged subdivision of up to 284 lots, including up to 276 residential lots; and
- (b) to construct approximately 46 residential units; and
- (c) to construct the associated infrastructure for the subdivision, including roading, parking, pedestrian and cycling connections, three waters services, and the development of open space; and
- (d) to construct and operate a hospitality and neighbourhood centre, a cellar door facility for Wooring Tree Vineyard, and accommodation for travellers, and to provide the associated infrastructure.

(2) In this clause, **three waters services** has the meaning given in section 9 of the Urban Development Act 2020.

**4 Description of activities involved in project**

(1) The project involves works such as the following:

- (a) the subdivision of land and construction of buildings:
- (b) earthworks (including bulk earthworks):
- (c) discharges associated with earthworks and construction activities:
- (d) landscaping, including planting:
- (e) works to clear existing vegetation:
- (f) works to construct pedestrian and vehicular access, roading, parking, and other transport infrastructure required for the development:

- (g) works to construct three waters services and upgrade existing three waters services;
- (h) any other works that are—
- (i) associated with the works described in paragraphs (a) to (g); and
  - (ii) within the scope of the project as described in clause 3 of this schedule.
- (2) In this clause, **three waters services** has the meaning given in section 9 of the Urban Development Act 2020.

**5 Approximate geographical location**

The project's works will occur at Wooing Tree Estate, 64 Shortcut Road, corner of State Highway 6 and State Highway 8B, Cromwell, Otago (legal description Section 3 Survey Office Plan 461514, held on Record of Title 684261).

**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 New Zealand Transport Agency in addition to the persons listed in clause 17(6) of Schedule 6 of the Act.

**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*

Having considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and having sought and considered written comments from the relevant Ministers, relevant local authorities, and the New Zealand Transport Agency, the Minister for the Environment has accepted this application for referral for the following reasons:

- the project will help to achieve the purpose of the Act; and
- the project offers the opportunity for up to 650 full-time equivalent jobs and for additional permanent jobs through commercial activities; and
- the project will provide economic benefits to those in the Central Otago area and to the viticulture and construction industries, which have been affected by COVID-19; and
- the project will increase housing supply in an area experiencing rapid population change and housing shortages; and

- the project will contribute to a well-functioning urban environment, given its location close to the Cromwell town centre and within an area identified in the Cromwell Spatial Plan as being suitable for residential intensification; and
- the project will enable construction to occur sooner than would otherwise be the case under the standard processes of the Resource Management Act 1991; and
- any adverse effects arising from the activities that are to occur under the project and potential mitigation measures can be tested by an expert consenting panel, having regard to Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Michael Webster,  
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 5 March 2021, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer a project to an expert consenting panel for the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**). The referred project is the project named and described in *new Schedule 13*.

The effect of the referral is to authorise Wooing Tree Property Development LP to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 13*.

The expert consenting panel 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*: 4 March 2021.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 2) 2021 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)