

Version  
as at 8 July 2023



## COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 8) 2022

(SL 2022/118)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 8) 2022: 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 19th day of April 2022

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.**

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**Schedule**  
**New Schedule 50 inserted**

3

**Order**

**1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 8) 2022.

**2 Commencement**

This order comes into force on 22 April 2022.

**3 Principal order**

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

**4 New Schedule 50 inserted**

After Schedule 49, insert the Schedule 50 set out in the Schedule of this order.

**Schedule**  
**New Schedule 50 inserted**

cl 4

**Schedule 50**  
**Te Rere Hau Wind Farm Repowering**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is the Te Rere Hau Wind Farm Repowering (the **project**).

**2 Authorised person**

The authorised person for the project is NZ Windfarms Limited.

**3 Description of project**

The scope of the project is to redevelop and expand the existing Te Rere Hau wind farm by—

- (a) removing 97 2-blade, 47-metre-high turbines; and
- (b) installing 30 3-blade, 162-metre-high turbines; and
- (c) constructing associated infrastructure, including—
  - (i) upgrading the existing underground transmission line connecting the wind farm to the national electricity grid; or
  - (ii) installing a new overhead transmission line.

**4 Description of activities involved in project**

The project may involve the following activities:

- (a) removing vegetation;
- (b) carrying out earthworks, including earthworks disturbing potentially contaminated soil;
- (c) removing infrastructure, including turbines;
- (d) upgrading existing roads;
- (e) constructing roads and culverts;
- (f) constructing infrastructure, including—
  - (i) hardstand areas; and
  - (ii) foundations and building pads for turbines; and

- (iii) if a new overhead transmission line is installed, electricity transmission structures:
- (g) installing the following equipment:
  - (i) turbines; and
  - (ii) underground electricity transmission cables; and
  - (iii) underground electrical and communication cables; and
  - (iv) substation and grid connection equipment; and
  - (v) if a new transmission line is included, electricity transmission structures, overhead electricity transmission conductors, and associated infrastructure:
- (h) taking and diverting surface water and groundwater:
- (i) discharging stormwater (which may contain contaminants) onto land:
- (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 on ridgelines of the Tararua Range north of the Pahiatua Aokautere Road, approximately 11 kilometres south-east of Palmerston North.

## **6 Further information to be submitted**

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

- (a) a visual assessment of the landscape from the west and east of the Tararua Range, including visual depictions of the new turbines and of any overhead transmission structures and conductors to be installed; and
- (b) an assessment of options to mitigate the effects of the project workforce on the local housing market; and
- (c) a detailed ecological assessment, including—
  - (i) an analysis of the effects of the project on birds, including—
    - (A) any cumulative effects; and
    - (B) any effects arising from the size of the turbines; and
    - (C) any effects arising from the rotation speed of the turbines; and
    - (D) any acoustic effects; and
  - (ii) a draft bird collision monitoring programme; and

- (iii) a lizard survey report that includes—
  - (A) an assessment of any effects of the project on lizards; and
  - (B) a draft lizard management plan; and
- (d) an acoustic assessment that includes—
  - (i) an assessment of the effects of construction and operational noise on the amenity of nearby dwellings compared with existing noise levels, and a description of any proposed mitigation measures; and
  - (ii) a description of methods for monitoring and reporting operational noise and vibration; and
  - (iii) a description of how noise complaints will be reported on and responded to; and
- (e) an integrated transport assessment that—
  - (i) identifies and addresses the effects of additional traffic on the road network during construction, including the effects on road safety and maintenance; and
  - (ii) identifies how works required to repair construction damage to roads will be funded; and
  - (iii) includes information about discussions held, and agreements made, between NZ Windfarms Limited and Palmerston North City Council.

**7 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) the Minister of Energy and Resources; and
- (b) Ngā Kaitiaki o Ngāti Kauwhata Incorporated; and
- (c) Transpower New Zealand Limited.

**8 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 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 relevant Ministers, the Tararua District Council, the

Palmerston North City Council, the Horizons Regional Council, and Transpower New Zealand Limited. The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act:
- the project will provide infrastructure to improve economic, employment and environmental outcomes:
- the project will generate employment by providing approximately 197 direct full-time equivalent (FTE) jobs over a 3-year construction period, and 40 ongoing direct FTE jobs once construction is complete:
- the project will contribute to New Zealand's efforts to mitigate climate change and to transition more quickly to an economy of low greenhouse gas emissions by increasing New Zealand's total amount of renewable energy generation:
- the project 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,  
acting for 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 22 April 2022, 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 50*.

The effect of the referral is to authorise NZ Windfarms 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 50*.

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*: 21 April 2022.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 8) 2022 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)