

Version  
as at 8 July 2023



# COVID-19 Recovery (Fast-track Consenting) Referred Projects (Wooing Tree Stage 4 and Wairatahi) Amendment Order 2023

(SL 2023/53)

COVID-19 Recovery (Fast-track Consenting) Referred Projects (Wooing Tree Stage 4 and Wairatahi) 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).

Rt Hon Dame Helen Winkelmann, Administrator of the Government

## Order in Council

At Wellington this 11th day of April 2023

Present:

The Right Hon Chris Hipkins 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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## **Order**

### **1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Wooing Tree Stage 4 and Wairatahi) Amendment Order 2023.

### **2 Commencement**

This order comes into force on 14 April 2023.

### **3 Principal order**

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

### **4 New Schedules 66 and 67 inserted**

After Schedule 65, insert the Schedules 66 and 67 set out in the Schedule of this order.

**Schedule**  
**New Schedules 66 and 67 inserted**

cl 4

**Schedule 66**  
**Wooring Tree Stage 4**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is the Wooring Tree Stage 4 project (the **project**).

**2 Authorised person**

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

**3 Description of project**

The scope of the project is to subdivide approximately 4.7 hectares of land in Cromwell and do the following on that land:

- (a) construct approximately 120 residential units on approximately 120 of the allotments created by the subdivision:
- (b) develop land for public open space:
- (c) construct or install structures and infrastructure that are associated with the subdivision and the residential units.

**4 Description of activities involved in project**

The project may involve the following activities:

- (a) subdividing land:
- (b) carrying out earthworks:
- (c) constructing residential units:
- (d) developing land for public open space, including by landscaping and planting:
- (e) constructing or installing infrastructure or structures, including—
  - (i) roads and other accessways for vehicles; and
  - (ii) infrastructure for three waters services:
- (f) carrying out any other activities that are—
  - (i) associated with the activities described in paragraphs (a) to (e); and

- (ii) within the scope of the project as described in clause 3 of this schedule.

## 5 Approximate geographical location

- (1) The project will occur on approximately 4.7 hectares of land at the intersection of State Highway 6 and State Highway 8B, Cromwell (the **project site**).
- (2) The project site is generally shown marked as Stage 4A and Stage 4B on the plan at Attachment 3 to the report on the application for referral of the project that was obtained under section 17 of the Act.
- (3) The land shown on that plan corresponds to land shown on the plan at page 3 of Attachment C to the application for referral of the project.

## 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) the New Zealand Transport Agency;
- (b) Aukaha (1997) Limited;
- (c) Te Ao Mārama Incorporated.

## 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;
- Otago Regional Council;
- Central Otago District Council;
- the New Zealand Transport Agency.

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 48 direct full-time equivalent jobs; and

- it has the potential to increase housing supply through the construction of approximately 120 residential units; 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 67 Wairatahi

cl 5

*Project referred to expert consenting panel*

### 1 Name of project

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

### 2 Authorised person

The authorised person for the project is Heretaunga Tamatea Pou Tahua Limited Partnership.

### 3 Description of project

The scope of the project is to subdivide approximately 28.2 hectares of land in Flaxmere, Hastings and do the following on that land:

- (a) construct and operate a retirement village that contains—
  - (i) a care home with approximately 20 beds; and
  - (ii) a building for assisted living with approximately 24 beds; and
  - (iii) approximately 140 residential units; and
  - (iv) ancillary facilities, including a reception and administration area, community gardens, an outdoor bowling green, a pool house, a wellness centre, and a club house:
- (b) construct a mix of apartments, terraced houses, duplex houses, and detached houses, resulting in—
  - (i) approximately 310 to 383 residential units if the retirement village is constructed (in addition to the residential units in the retirement village); or
  - (ii) approximately 425 to 475 residential units if the retirement village is not constructed:
- (c) construct and operate commercial buildings:
- (d) construct and operate visitor accommodation:
- (e) construct and operate a community hall:
- (f) construct or install structures and infrastructure that are associated with the subdivision, the retirement village, the residential units not within the retirement village, the commercial buildings, the visitor accommodation, and the community hall:
- (g) develop land for public open space.

#### **4 Description of activities involved in project**

The project may involve the following activities:

- (a) subdividing land:
- (b) demolishing buildings:
- (c) carrying out earthworks (including earthworks that disturb potentially contaminated soils and earthworks to realign an artificial watercourse):
- (d) trimming and removing vegetation:
- (e) diverting and discharging stormwater (which may contain contaminants) onto land and into water:
- (f) installing structures in an artificial watercourse:
- (g) installing bores:
- (h) taking and diverting groundwater:
- (i) constructing and operating a retirement village (including its ancillary facilities):
- (j) constructing residential units:
- (k) constructing and operating commercial buildings, visitor accommodation, and a community hall:
- (l) developing land for public open space, including by—
  - (i) landscaping; and
  - (ii) planting the riparian margins of the Irongate Stream; and
  - (iii) planting land other than those margins:
- (m) constructing or installing infrastructure or structures, including—
  - (i) roads and other accessways for vehicles; and
  - (ii) pedestrian and cycle accessways; and
  - (iii) infrastructure for three waters services:
- (n) carrying out any other activities that are—
  - (i) associated with the activities described in paragraphs (a) to (m); 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 238 Stock Road and 49A Dundee Drive, Flaxmere, Hastings.

**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*

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;
- the Associate Minister for the Environment who has been delegated responsibility for administration of the National Policy Statement on Urban Development 2020 and urban policy matters;
- the New Zealand Transport Agency;
- Hawke's Bay Regional Council;
- Hastings District Council.

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 1,395 direct full-time equivalent jobs (**FTE jobs**) and 1,405 indirect FTE jobs over a 5-year design and construction period; and
  - it has the potential to increase housing supply through the construction of approximately 450 to 523 residential units, or approximately 425 to 475 residential units if a retirement village is not constructed; and
  - it has the potential to have positive effects on social well-being by improving public access to the Irongate Stream (if the realignment of the existing Wellwood stormwater drain occurs); 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 14 April 2023, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer 2 projects to expert consenting panels 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 66 and 67*.

The effect of the referral is—

- to authorise Wooring 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 66*; and
- to authorise Heretaunga Tamatea Pou Tahua Limited Partnership to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 67*.

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*: 13 April 2023.

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Wooring Tree Stage 4 and Wairatahi) 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)