

Version  
as at 8 July 2023



# COVID-19 Recovery (Fast-track Consenting) Referred Projects (Arawhata Wetland) Amendment Order 2023

(SL 2023/147)

COVID-19 Recovery (Fast-track Consenting) Referred Projects (Arawhata Wetland) 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 26th day of June 2023

Present:

The Hon Carmel Sepuloni 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 92 inserted**

3

**Order**

**1 Title**

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Arawhata Wetland) Amendment Order 2023.

**2 Commencement**

This order comes into force on 30 June 2023.

**3 Principal order**

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

**4 New schedule inserted**

After the last schedule,—

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

**Schedule**  
**New Schedule 92 inserted**

cl 4

**Schedule 92**  
**Arawhata Wetland**

cl 5

*Project referred to expert consenting panel*

**1 Name of project**

The name of the project is Arawhata Wetland (the **project**).

**2 Authorised person**

The authorised person for the project is Manawatū–Whanganui Regional Council.

**3 Description of project**

The scope of the project is to do the following, as part of the Lake Horowhenua Water Quality Interventions Project, on approximately 119 hectares of land in the Arawhata Stream catchment of Lake Horowhenua:

- (a) construct a wetland:
- (b) construct or install associated infrastructure or structures:
- (c) maintain the wetland, including by operating and from time to time modifying the associated infrastructure or structures.

**4 Description of activities involved in project**

The project may involve the following activities:

- (a) carrying out earthworks (including earthworks that disturb potentially contaminated soil):
- (b) constructing or installing infrastructure or structures, including culverts, weirs, bunds, and stopbanks:
- (c) modifying and upgrading that infrastructure or those structures:
- (d) damming and diverting water (including water containing contaminants) and discharging it into water and onto land:
- (e) taking and diverting groundwater and discharging it into water or onto land:
- (f) landscaping and planting:
- (g) carrying out any other activities that are—

- (i) associated with the activities described in paragraphs (a) to (f); 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 (the **project site**) in Levin:

- (a) 269 and 308 Hokio Beach Road;
- (b) 217 Arawhata Road;
- (c) land comprised in Section 4 Survey Office Plan 465440;
- (d) the road reserves of Hokio Beach Road and Arawhata Road.

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

The following information must be submitted to the panel with any consent application or notice of requirement relating to the project (in addition to the information required by clause 9 or 13 of Schedule 6 of the Act):

- (a) the measures to be put in place to ensure that the activities involved in the project and the wetland itself do not interfere with the following (the **relevant matters**):
  - (i) the safe and continuing operation by First Gas Limited of the gas transmission line that crosses the project site;
  - (ii) First Gas Limited's access to the transmission line;
- (b) information on discussions held, and any agreements made, between the authorised person and First Gas Limited about the relevant matters.

#### **7 Persons who must be invited to comment on project**

The panel must invite comments on any consent application or notice of requirement relating to the project from First Gas Limited (in addition to the persons listed in clause 17(6) of Schedule 6 of the Act).

#### **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 (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:
- Manawatū–Whanganui Regional Council;
- First Gas 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 45 full-time equivalent jobs over a 3-year design and construction period; and
  - it has the potential to improve environmental outcomes for freshwater quality and indigenous biodiversity; 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.

Diana Hawker,  
Acting 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 30 June 2023, 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 92*.

The effect of the referral is to authorise Manawatū–Whanganui Regional Council—

- to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 92*; and
- to lodge notices of requirement under the Act, instead of under the Resource Management Act 1991, for designations, or to alter designations, relating to the project.

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

## Notes

### **1** *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Arawhata Wetland) 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)