



THE PLANNING
COLLECTIVE



THE BOTANIC

About Us

AREAS OF EXPERTISE:

The Planning Collective is co-owned by Burnette O'Connor, Paul Rodgers, and Gemma-Rose Brooke. Burnette has previously operated under O'Connor Planning Consultants and OPC and Paul under the banner of Establish.

The Company provides independent, professional planning services to a wide range of clients including local government clients, developers, individuals, and community groups.

Burnette is an Independent Hearings Commissioner and qualified Chairperson. Please refer to Burnette's Statement of Experience for specific projects she has been involved in – **Appendix 13**.

Burnette also initiated a community spatial planning exercise for Warkworth to encourage Auckland Council to commence its structure planning process. This successful outcome was achieved.

Strategic Planning, Policy Advice and Development Consenting:

We provide strategic planning advice and inputs to developer clients and local authorities for Plan review processes.

We prepare and secure resource consents for a wide range of projects – land development, coastal consents, water takes, subdivision.

Plan Changes and Notices of Requirement:

Small, medium, and larger scale plan changes have been prepared and rezoning successfully achieved. The Company is familiar with and has been involved with lodging alterations to designations and processed Notices of Requirement.

Expert Evidence / Consultation, Mediation, Negotiation:

Burnette has extensive experience in preparing and presenting expert evidence at Council hearings and the Environment Court. We also prepare and undertake community consultation for projects where this is required. We attend, represent clients, and facilitate mediation and negotiation processes.

"The curves within the circle symbol of our logo are a depiction of the shape the Mahurangi River takes as it weaves its way through Warkworth. This was chosen to illustrate the whenua and landscape of the town that The Planning Collective works so closely with."

A hub of planning excellence



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Table of Contents & Appendices

1. Executive Summary	1
2. The Proposal & Site	2
3. Planning Framework & Assessment	5
4. Fast Track Act Assessment	13
5. Conclusion	14
6. Proposed Order in Council	15

Appendix 1: Certificates of Title and Aerial Photograph

Appendix 2: Architectural Plans and Architectural Design Statement

Appendix 3: Public Private Spaces and Staging Plans

Appendix 4: Economic Assessment

Appendix 5: Ecological Assessment

Appendix 6: Urban Design Assessment

Appendix 7: Geotechnical Assessment

Appendix 8: Civil Engineering Assessment

Appendix 9: Traffic Assessment

Appendix 10: Soil Contamination

Appendix 11: Scheme Plan of Subdivision

Appendix 12: Landscape Plans

Appendix 13: Statement of Experience Burnette O'Connor

Appendix 14: Written Approval of Neighbouring Property Owner

1. Executive Summary

The proposal seeks referral to an expert consenting panel pursuant to the COVID-19 Recovery (Fast-track Consenting) Act 2020.

The proposal satisfies the relevant criteria as it will provide employment in the immediate, medium, and longer term through construction and then subsequent operation of the activities sought to be consented. The proposal will also be undertaken in a manner which ensures sustainable management of natural and physical resources.

The project provides retirement living opportunities for Riverhead and surrounding areas and the mix of activities proposed will assist in enabling social and cultural well-being now and into the future.

The Fast-track process will enable efficient processing of the required resource consents. This will enable construction to start early to mid-2022 and deliver product to the market and provide immediate employment opportunities. This timeframe is unlikely to be achievable via the standard consenting process.

The project results in public benefit by:

- Increasing retirement living housing supply.
- Generating employment now and into the future.
- Contributing to a well-functioning urban environment.
- Contributing to providing infrastructure that will improve environmental outcomes, and economic and employment opportunities in this location.

The proposal does not involve any prohibited activities; there is no potential for significant adverse environmental effects to arise from granting consent and enabling the project; and there are no climate change, biodiversity or greenhouse gas emission issues arising.

The proposal is overall, in keeping with the relevant local and national planning policy framework. Infrastructure will be delivered in a planned and integrated manner. The development will not compromise future urban development of the land because the project delivers a complete urban outcome and is a practical and logical extension to the existing urban area of Riverhead. The land is identified for residential living opportunities in the relevant Auckland Council planning documents (Auckland Plan).

The proposal is supported by a full suite of technical reports. Copies of arboricultural, archaeological, acoustic and rural character reports are not uploaded and are available on request.

2. The Proposal & Site

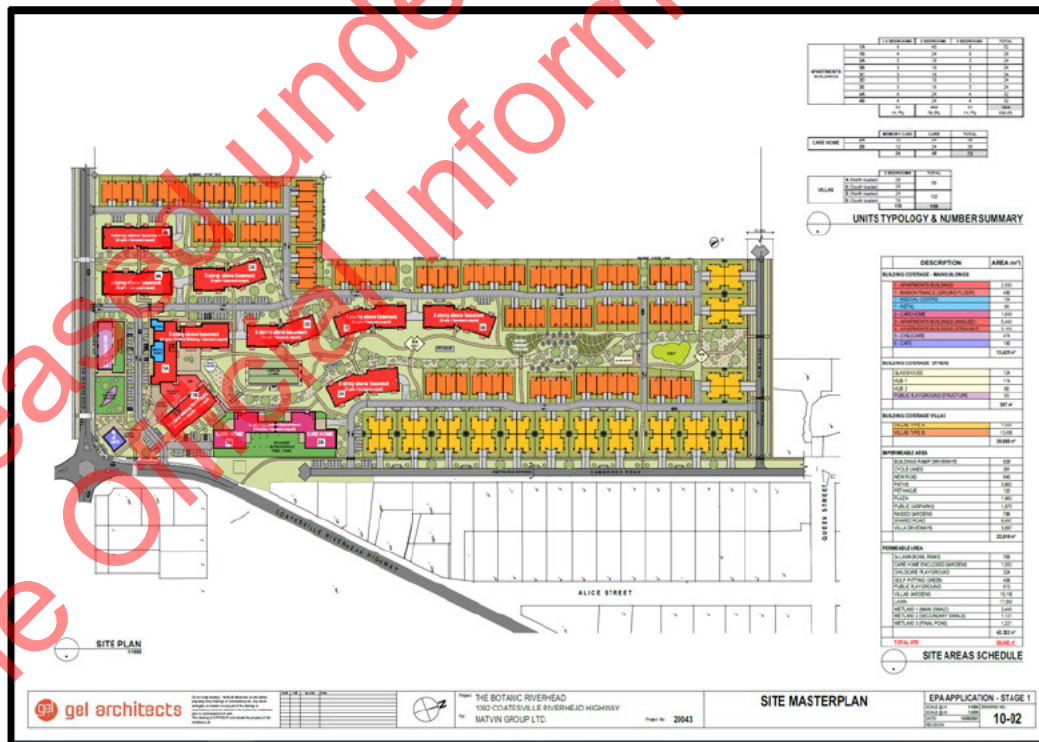
The Proposal:

Matvin Group Limited are seeking consent to establish and operate a retirement village with 264 apartments (31 1.5-bedroom, 202 2-bedroom and 31 3-bedroom); 158 villas (121 2-bedroom and 37 3-bedroom) and approximately 80 care beds (currently 88 provided in current level of detailed design), a childcare centre, medical centre, café, and retail premises. Cambridge Road, adjoining the site will be upgraded and extended. Provision is made for a new through road on the northern boundary, and Riverhead Road, on the southern boundary will have an upgraded frontage. Provision is made for the additional land required for this road to be upgraded to an arterial in the future.

A set of plans and an Architectural Design Statement is **Appendix 2**.

Plans showing the delineation of public and private space and land to vest to Auckland Transport for road, as well as a proposed Construction Staging Plan is **Appendix 3**.

A subdivision is proposed to separate the childcare centre and cafe sites from the retirement village and to provide land for vesting as road as shown on the scheme plan in **Appendix 11**.



Further detail of the project is provided in the online Application Form.

The Site:

As shown below and described in the various technical reports, including the civil engineering, urban design, architectural and geotechnical reports the site is relatively flat. This is evidenced in the snip below from Auckland Council Geomaps:



The site is subject to some identified overland flows paths (hatched lines) and flood plain (light blue). The overland flow paths are addressed in the Ecological assessment – **Appendix 5**. Flood hazards will be addressed in the detailed stormwater design for the site. This includes a comprehensive approach to stormwater management for the wider area. As shown on the plans, a stormwater management / green space area is to be provided through the central portion of the site in a south to north direction.

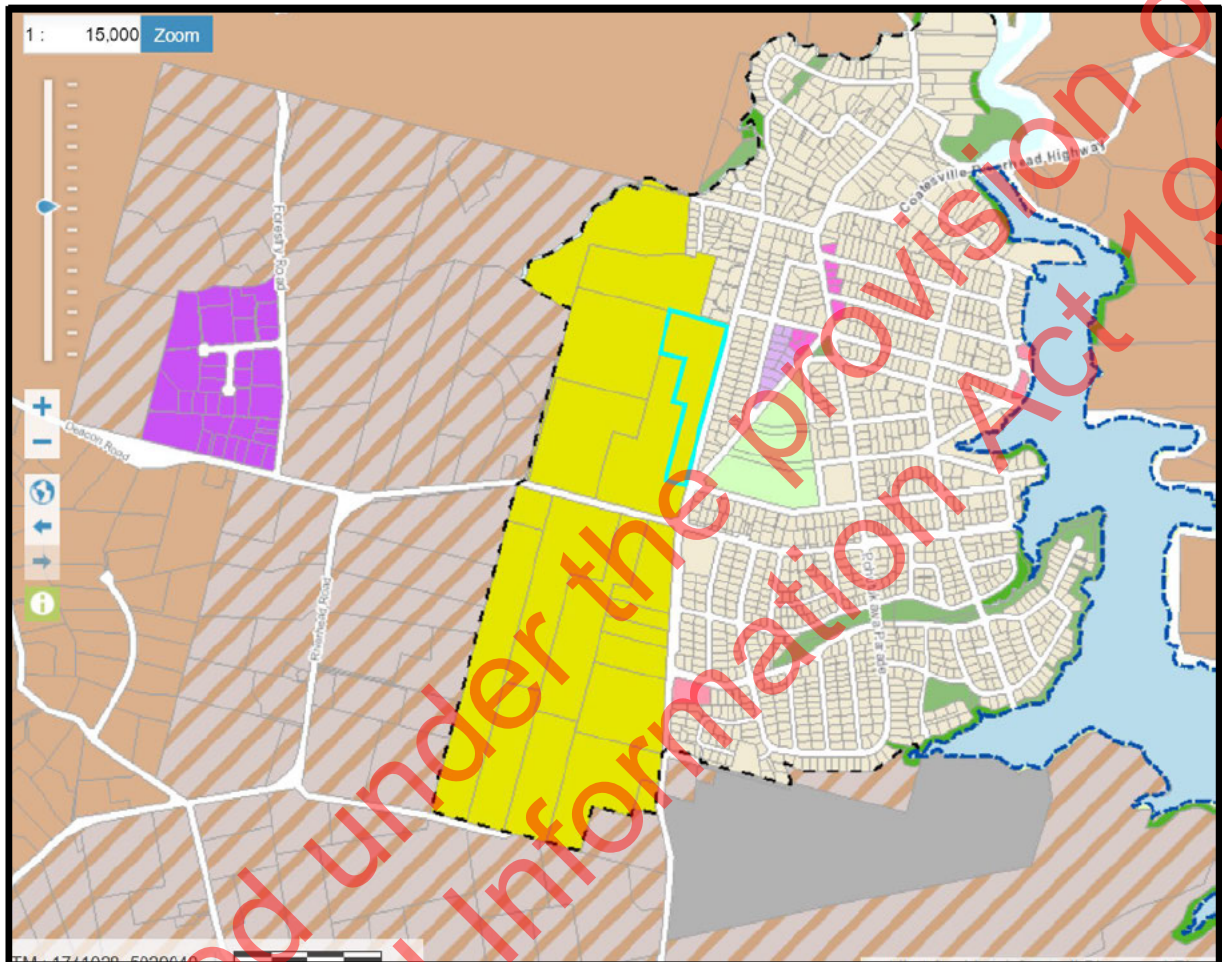


The site has been used for rural productive activities for many years and there is a potential for soil contamination. This is addressed in the Soil Contamination Assessment prepared by Geosciences – **Appendix 10**. This concludes that the risk of gross contamination is low across most of the site and low to medium in proximity to buildings and structures on site and within the potentially back filled gully.

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the Official Information Act 1982

3. Planning Framework & Assessment

The land is zoned Future Urban under the Auckland Unitary Plan – Operative in Part – refer Planning Map snip below:



Planning Context:

The Auckland Unitary Plan enables a limited range of activities on Future Urban zoned land and stipulates a clear and directive policy framework for how Future Urban zoned land is to be managed.

Appendix 1 of the Plan provides Guidance on Structure Planning as a precursor to the zoning of Future Urban land for urban purposes.

Consent is sought for a non-complying activity to undertake urban land use activities on Future Urban zoned land.

There is a Structure Plan process underway initiated by Developers with interests in all of the surrounding Future Urban zoned land. The Applicants, and the subject land, are included and involved

in that process. The intention of that structure planning process is that a private plan change request will be lodged with Auckland Council. This will facilitate the zoning of the land for urban purposes. The subject land will likely be zoned Residential – Mixed Housing Suburban.

The Structure Plan is enabling a comprehensive and integrated approach to be taken towards stormwater management for the entire area; transportation; and water and wastewater infrastructure planning and delivery of identified upgrades.

Urban zoning of the area requires some minor upgrades to provide water and wastewater infrastructure to the area. Riverhead Road will be upgraded to an urban road standard and there will be a corresponding reduction in speed limit to reflect the urban environment. The intersection of Coatesville-Riverhead Highway and Riverhead Road will also be upgraded. Supporting Growth Alliance (SGA) is advancing an upgrade and urban improvement to the existing roundabout.

Objectives and Policies:

The relevant Future Urban zone Objectives and policies are stated below along with a corresponding assessment detailing how the proposal is in keeping with these provisions.

Plan Provision	Comment
<i>B2 – Regional Policy Statement – Urban Growth and Form</i>	The proposal contributes to achieving a quality compact urban form as it enables greater social and cultural vitality, will deliver a high-quality urban environment and is efficient in respect of the utilisation of existing infrastructure and the provision of new infrastructure. The land is located within the Rural Urban Boundary and the project will deliver housing and supporting activities to provide opportunity for retirement living. A high quality of built form is proposed. The form and design of the project has been designed to support the planned future environment. Land is proposed to be vested for future road connections and known road widening to facilitate urban upgrades for existing roads. The design facilitates and improves pedestrian and vehicle connectivity. A range of built form and living opportunities are provided. The proposal supports the relevant Regional Policy Statement provisions.

H18.2 – Future Urban Zone Objectives:	
(1) Land is used and developed to achieve the objectives of the Rural – Rural Production Zone until it has been rezoned for urban purposes.	The land will not achieve the objectives for the Rural – Rural Production zone because it is intended to use the land for urban purposes prior to urban rezoning. However, when considering this FUZ objective in context (by reference to the overall outcome sought) the proposal is not contrary to this objective to the extent that the Future Urban zoning of the land anticipates that productive activities will cease on the land and the land will be used for urban purposes through rezoning guided by structure planning. A comprehensive structure planning exercise for urban development in this FUZ area is well advanced, and this proposal aligns with the outcomes anticipated in that structure planning exercise. The current rural activities on the site are of little economic value, and intensive rural production activity is unlikely given the imminent change to an urban zone discourages investment in intensive rural activity, and the proximity of urban zoned land and urban land uses results in reverse sensitivity restrictions. Considered in the round, the proposal is inconsistent with but not contrary to this Objective.
(2) Rural activities and services are provided for to support the rural community until the land is rezoned for urban purposes.	As above the proposal is not a rural activity or service but it is providing services and living opportunities that are in demand in this location and align with the outcomes anticipated in the structure planning underway. There is no prospect of meaningful rural activities and services being provided on the land for reasons addressed above. The proposal is inconsistent with but not contrary to this Objective.
(3) Future urban development is not compromised by premature subdivision, use or development.	The proposal will not compromise the future urban development of the land because it aligns with the outcomes anticipated in the structure planning underway. The structure plan represents a complete picture for this land area zoned FUZ. The proposal provides for a future road connection to the surrounding Future Urban zoned land and the structure planning work demonstrates that this proposal can fit

	within, supports, and will not compromise intended future urban development. The proposal supports this Objective.
(4) Urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes.	As discussed, it is intended that a private plan change request to rezone the land for urban purposes will be lodged on completion of the structure planning exercise. Structure Planning to inform this process is advancing, with the main landowner stakeholders co-operating on that process. Although the land is not zoned, it is earmarked for urban purposes and the proposed use is entirely in keeping with the zone intended to be applied to the land. The proposal is inconsistent with but not contrary to this Objective.
H18.3 – Future Urban Zone Policies:	
(1) Provide for use and development which supports the policies of the Rural – Rural Production Zone unless that use and development is inconsistent with policies H18.3(2) to (6).	Urban land uses are proposed. These activities do not support the policies of the Rural – Rural Production zone. The issue is one of timing given the land is zoned Future Urban. Refer comment above re H18.2(1). Considered in the round, the proposal is inconsistent with, but not contrary to this Policy.
(2) Enable activities that are reliant on the quality of the soil or require a rural location to operate or which provide for the day to day needs of the local rural community.	The proposed activities do not rely on the quality of the soil or require a rural location to operate. However, they align with the outcomes anticipated in the structure planning underway. As noted above, the current rural activities on the site are of little economic value, and intensive rural production activity is unlikely given the imminent change to an urban zone discourages investment in intensive rural activity and the proximity of urban zoned land and urban land uses results in reverse sensitivity restrictions. The issue is one of timing with respect to when the land is zoned for urban land uses. The proposal is not contrary to this Policy.

(3) Require subdivision, use and development to maintain and complement rural character and amenity.	Rural character will change as anticipated by the Future Urban zoning of the land. The issue is one of timing. The surrounding land is also zoned Future Urban, with urban zoned land in close proximity. The existing character and amenity is peri-urban. This proposed development will not maintain rural character and amenity values such as they are on the site and surrounds - but will complement character and amenity outcomes anticipated by structure planning underway and subsequent rezoning. . Considered in context, the proposal is inconsistent with, but not contrary to this Policy.
(4) Avoid subdivision that will result in the fragmentation of land and compromise future urban development.	The subdivision is essentially around land use activities that are sought to be consented. The subdivision therefore will not fragment the land in a manner that will compromise future urban development. The proposal supports this Policy.
(5) Prevent the establishment of more than one dwelling on a site except for the provision for minor dwellings and workers' accommodation.	Retirement villages as defined in the AUP exclude dwellings. The proposal is consistent with this Policy.
(6) Avoid subdivision, use and development of land that may result in one or more of the following: (a) structures and buildings of a scale and form that will hinder or prevent future urban development; (b) compromise the efficient and effective operation of the local and wider transport network; (c) require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure; (d) inhibit the efficient provision of infrastructure; (e) give rise to reverse sensitivity effects when urban development occurs;	The proposed subdivision and land use activity will not: • Hinder or prevent future urban development. • Compromise the efficient and effective operation of the local or wider transport network. • Will not require significant upgrades or extension to the wastewater, water supply or stormwater networks or other infrastructure. • Will not inhibit the efficient provision of infrastructure. • Will not give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure. • Will not undermine the form or nature of future urban development. This is because the site is directly adjacent to the established urban area of Riverhead. The land is within a Future Urban zoned area where landowners are working collectively to structure plan for the urban

(f) give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure; or (g) undermine the form or nature of future urban development.	development of the area and will put forward a private plan change request to Auckland Council. The structure planning exercise has investigated and provides for the comprehensive management of stormwater, transportation, and related upgrades. The development also makes provision for necessary coordinated extensions and required upgrades for water supply and wastewater infrastructure. The proposal provides a comprehensive response to the urban development of this part of Riverhead that is logical in terms of location and timing to provide for additional planned living opportunities in this location.
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National Policy Statement : Urban Development 2020:

The proposal is entirely consistent with and assists in achieving the outcomes sought by the NPS : UD.

Specifically, the proposal is in keeping with:

- Objective 1 – will provide a well-functioning urban environment that enables people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety now and into the future.
- Objective 2 – provides supply where there is a known and proven demand.
- Objective 4 – Proposal is responsive to changing retirement living needs.
- Objective 8 – the development is resilient to current and future effects of climate change.
- Policy 1 – provides a variety of living options, has good accessibility to natural and open spaces, limits adverse effects on the competitive operation of land and development markets.
- Policy 2 – Is providing for known demand for retirement village living in this location.
- Policy 6 – The development is in keeping with the planned urban form for this location.
- Policy 9 – Comment / feedback has been sought from relevant Iwi and Hapu groups with an interest in this location.

National Policy Statement for Freshwater Management 2020:

The concept of Te Mana o te Wai is acknowledged in the design of the project.

The Ecological Assessment – **Appendix 5** addresses the presence of freshwater systems on the site.

There are no natural inland wetlands, and the project will be implemented to ensure quality outcomes for the freshwater receiving environment.

Commentary / Assessment of Proposal Against Policy Framework:

Overall, the proposal is consistent with the local and national policy framework. Fundamentally whilst the Auckland Unitary Plan Future Urban zone seeks to prevent any use of the land, other than rural land uses, until the land is rezoned, the main issue is not compromising the future urban development of land.

The provisions of the Future Urban zone seek to ensure that urban development of land is not compromised by premature subdivision, use or development and that subdivision, use of development of land is avoided where it may result in one or more of the following:

- (a) structures and buildings of a scale and form that will hinder or prevent future urban development;*
- (b) compromise the efficient and effective operation of the local and wider transport network;*
- (c) require significant upgrades, provisions or extension to the wastewater, water supply, or stormwater networks or other infrastructure;*
- (d) inhibit the efficient provision of infrastructure;*
- (e) give rise to reverse sensitivity effects when urban development occurs;*
- (f) give rise to reverse sensitivity effects in relation to existing rural activities or infrastructure; or*
- (g) undermine the form or nature of future urban development.*

As discussed, the proposal will not hinder future urban development because it provides a complete and final development outcome for the land.

It will not compromise the efficient and effective operation of the local and wider transport network; or require significant upgrades, provisions or extensions to the three waters networks because any necessary extensions will be provided by the Developer and these extensions are planned because of the Future Urban zoning of the land. The works required have also been discussed with the respective agencies – Auckland Transport and Watercare and no issues or concerns have been raised with respect to the works proposed. Infrastructure is able to be efficiently and effectively provided without compromising any future urban development in the region.

Reverse sensitivity effects will not arise as all surrounding land is in the process of being rezoned for urban land uses and it is likely this will occur on a time frame commensurate with the 5-year construction programme for this development.

The land directly adjoins the established urban area of Riverhead. It is a natural and logical extension to the village and is a form of development anticipated in this location via the Future Urban zoning and spatial plans, such as the Auckland plan signalling this area for residential uses rather than business land uses.

The timing of this project is positive because it will enable all of the surrounding Future Urban zoned land to be developed and serviced in a coordinated and logical manner.

Conversely, the current rural activities on the site are of little economic value. There is no realistic prospect of intensive rural production activity being commenced given the imminent change to an urban zone discourages investment in intensive rural activity and the proximity of urban zoned land and urban land uses results in reverse sensitivity restrictions.

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4. Fast Track Act Assessment

A range of technical reports have been prepared to determine whether the proposal achieves the required criteria for referral to an expert consenting panel as provided for by the COVID-19 Recovery (Fast-track Consenting) Act 2020.

The Economic Assessment prepared by Urban Economics addresses the economic and employment benefits of the proposal.

The social and cultural well-being aspects of the proposal are addressed in the urban design report prepared by Transurban and the architectural statement provided by GEL Architects.

Other technical assessments addressing ecological, traffic, soil contamination, noise, landscape, rural character, geotechnical, civil engineering, archaeological and arboriculture demonstrate that there are unlikely to be any effects of an adverse nature that would be described as more than minor.

It is considered the proposal meets the relevant criteria to be considered for referral under the Fast-track legislation.

5. Conclusion

The subject land is identified for urban development. It is located directly adjoining established residential development at Riverhead and a service station site.

The proposal has been promulgated in conjunction with comprehensive structure planning being undertaken by the Developers with an interest in all of the surrounding Future Urban zoned land (Fletcher Living and Neill Group).

There are no limitations to the proposed development with respect to any National Policy Statement or National Environmental Standard. Infrastructure can be provided with efficient and planned extensions to the water, wastewater, and transportation networks.

The proposal is in keeping with the provisions of the National Policy Statement : Urban Development and the provisions of the Auckland Unitary Plan Regional policy Statement.

The proposal fulfils the criteria for consideration for Referral to an Independent Expert Panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

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6. Proposed Order in Council

1 Name of Project

The name of the project is The Botanic Retirement Village – Riverhead (the project)

2 Authorised Person

The authorised person for the project is Matvin Group Limited / The Botanic Riverhead Limited Partnership (Still to be formed)

3 Description of project

(1) The scope of the project is:

- (a) to construct and operate a retirement village and associated facilities including –
 - (i) Approximately 158 independent 2 and 3-bedroom villas and associated car parking ,
 - (ii) Approximately 264 apartment units in eight buildings comprising –
 - a. 31 1.5-bedroom apartments and associated car parking
 - b. 202 2-bedroom apartments and associated car parking
 - c. 31 3-bedroom apartments and associated car parking.
 - (iii) A Care Home building that accommodates approximately 28 memory care beds and 60 care beds (more may be provided if space permits in the future detailed design), staff spaces, offices, adjacent contained outdoor space and park area and associated car parking.
 - (iv) A Main building that includes a reception lobby, bar, pool, gymnasium, outdoor area and adjacent outdoor recreation spaces, a medical centre, retail premise, food and beverage facilities and associated car parking.
 - (v) A separate building for a childcare centre
 - (vi) A separate building for a café; and
- (b) undertake site works to enable construction of buildings, including diversion of groundwater, for the construction of basement carparks, tree removal and earthworks
- (c) to provide the required infrastructure to service the development, including areas of land to vest for road widening and future road, road upgrading, reticulated water supply and wastewater network extension and construction of a stormwater management system.
- (d) Subdivision of land to create separate sites for the café, childcare, and retirement village.

4 Description of activities involved in project

- (a) removal of a consent notice from the title for Lot 1 DP 164590 relating to limiting access to Coatesville-Riverhead Highway and specifying access location onto Riverhead Road:
- (b) subdivision to create 3 lots and areas of road to vest:

- (c) earthworks, including bulk earthworks, ground water diversion and discharges associated with earthworks:
- (d) construction works to build retirement village, café, childcare centre, and associated facilities, including temporary facilities:
- (e) works to remediate contaminated land:
- (f) works to discharge stormwater and contaminants:
- (g) works to construct internal roads, pedestrian links, and parking:
- (h) landscaping and construction of outdoor spaces, outdoor recreation areas and park areas:
- (i) tree removal works:
- (j) works to construct and extend water and wastewater infrastructure:
- (k) works to construct a stormwater management system:
- (l) diverting the entry and exit point of an overland flow path:
- (m) road upgrade works on Cambridge Road, Riverhead Road and potentially Coatesville-Riverhead Highway / Riverhead Road intersection:
- (n) construction and placement of signage:
- (o) any other works that are –
 - a. associated with the works described above and
 - b. within the scope of the project as described.

5 Approximate geographical location

The project is location at 1092 Coatesville-Riverhead Highway Riverhead, Auckland and includes Lot 1 DP 164590 held in Record of Title NA99A – 910 and Lot 2 DP 164590 held in NA99A-911.

6 Further information to be submitted

Contact Details

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