

24 September 2021

Matvin Group Limited
C/- Burnette O'Connor
The Planning Collective 2021 Limited
s 9(2)(a)

Dear Burnette O'Connor

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – The Botanic, Riverhead – Request for further information

Thank you for your application, received on 10 September 2021, to refer **The Botanic, Riverhead** project (the Project) to an expert consenting panel (panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the FTCA).

Following a review of your application we request that you clarify some matters regarding the land included as part of the Project site and the scope of the Project. Under delegated authority from the Minister for the Environment (the Minister), I am writing to request the following further information under section 22 of the FTCA:

1. The Project includes the proposed vesting of land as legal road, and the construction of a new road, at the northern end of the development coming off Cambridge Road. The new road is required to provide access to a number of proposed residential units included in the Project. The new road will be partially located on Lot 1 DP 499822 and Lot 2 DP 109763, however neither of these lots are included in the legal descriptions of land for the Project. Please therefore provide comment on the following:
 - a. clarification of all land parcels that form the Project site, including details of current ownership, any restrictions on development, and any agreements in place to facilitate development of land not owned by the applicant; and
 - b. the proposed approach to address the required vesting of the balance portions of the new road that are within Lot 1 DP 49982 and Lot 2 DP 109763.
2. Whilst not specifically referred to in the application form, the proposed order in council wording (contained in section 6 of the planning statement), details that "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" forms part of the application. The FTCA does not provide for a panel to consider an application to vary or cancel a condition specified in a consent notice (pursuant to section 221(3) of the Resource Management Act 1991).

Based on the plans provided with the application, it therefore appears that a panel would not have the ability to approve the Project in its current form (providing for a new access point onto the Coatesville-Riverhead Highway) and this creates uncertainty for delivery and timing of the Project. Please provide any comments you may have on this matter, including whether the Project design can be modified (and details/plans of any design alternatives) so that a variation or cancellation of the consent notice would not be required.

Please provide the required information via return email to fasttrackconsenting@mfe.govt.nz within 10 working days to enable efficient processing of your application.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'S. Frame', is positioned above the printed name.

Stephanie Frame
Manager, COVID-19 Fast-track Consenting

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the Official Information Act 1982