


IN THE MATTER of the Fast-track Approvals Act 2024 (the **FTAA**)

AND

IN THE MATTER of Ashbourne (FTAA-2507-1087)

MEMORANDUM OF COUNSEL FOR MATAMATA-PIAKO DISTRICT COUNCIL
Dated: 12 September 2025

Andrew Green
Partner


P O Box 240
DX CP24134
AUCKLAND

BROOKFIELDS
LAWYERS

MAY IT PLEASE THE PANEL CONVENER

1. INTRODUCTION

- 1.1 This memorandum is filed on behalf of Matamata-Piako District Council (**Council**) in advance of the Panel Convenor's conference scheduled for Tuesday 16 September 2025.
- 1.2 The Council has reviewed the application materials and accompanying technical assessments and has retained specialist experts across the following disciplines:
 - (a) Urban design and strategic planning;
 - (b) Economics;
 - (c) Transport;
 - (d) Geotechnical;
 - (e) Water and wastewater; and
 - (f) Stormwater.
- 1.3 The Council has engaged with the Applicant in relation to the application. Broadly, this engagement has involved:
 - (a) Meetings and a site visit.
 - (b) Providing the Applicant with technical memorandums from its technical experts setting out the matters relating to the application that, in the Council's view, require further information or clarification, with the aim of providing early indications of the Council's initial areas of focus and concern, and to highlight information gaps.
 - (c) Ongoing discussions regarding the requirement for a Private Development Agreement.
 - (d) The Council has also advised the Applicant that it continues to receive correspondence from parties expressing concern or seeking clarification about the project and that the Council has encouraged those parties to contact the Applicant directly.

2. APPROVALS SOUGHT

2.1 The application seeks the resource consents that are required for:

- (a) A residential development, associated earthworks and subdivision, comprising approximately 530 residential units, public open space and a neighbourhood centre comprising commercial activities;
- (b) A multi-functional greenway including active transport nodes, development infrastructure and stormwater management devices;
- (c) A retirement development and earthworks comprising approximately 250 units, an associated hospital, and additional supporting facilities; and
- (d) Two solar farms, covering approximately 13 hectares and 25 hectares respectively, with associated vegetation planting and earthworks and associated infrastructure with the potential to provide up to 52,000 megawatt-hours per year, sufficient to power 8,000 homes.

3. COMPLEXITY

3.1 The application involves a large-scale residential and retirement development in an unplanned location. Some of the technical assessments present evidential and factual complexities, which require detailed engagement and potentially iterative refining and redrafting of the proposed consent conditions. However, overall, the project is not unusually complex and is comparable to other large-scale subdivisions within the district.

4. ISSUES

4.1 The key issues from the Council's perspective broadly relate to the following:

- (a) Infrastructure
 - (i) Further assessment is required to confirm the infrastructure upgrade requirements.
 - (ii) There are potential geotechnical / groundwater issues.
 - (iii) The greenway discharge flow and connection to the Waitoa River needs further consideration.

(b) Geotechnical

- (i) The Ashbourne site is to the west and northwest of the Matamata urban area, which is an area that has a known history of being geotechnically less favourable for land development compared to the south, east, and north. The Applicant's geotechnical assessment is inadequate, and there is a risk that significant constraints may only become apparent at a later date. Accordingly, further geotechnical assessment is required.

(c) Economic

- (i) It is unclear whether the project delivers regional or national benefits that are sufficiently significant to outweigh its potential adverse impacts.
- (ii) The supply-demand assessment is inadequate. There is a lack of clear evidence to demonstrate whether the Ashbourne Project is necessary, and a lack of evidence on its impact on the uptake and viability of infill opportunities.
- (iii) The proposed residential development is in an unplanned location. Accordingly, there is an inconsistency/ impact on the Council's planned investment and infrastructure.
- (iv) There is a risk that infrastructure costs will fall on the wider community. The additional costs associated with servicing the proposed development will need to be identified and fully funded by the Applicant through a Private Development Agreement.

(d) Urban design and strategic planning

- (i) Lack of connectivity, legibility and accessibility embedded in the proposed urban design framework.
- (ii) Lack of consideration of the urban/rural interface.
- (iii) Proposed "reverse transition" of development density.
- (iv) Lack of clarity regarding design guidelines and desired built form outcomes.

- (v) Effects of the proposal on the urban form, connectivity, character and functionality of the Matamata Township.
- (e) Transport
 - (i) Impact on safety / efficiency of the wider road network.
 - (ii) Lack of connectivity.
 - (iii) Safety of internal road lay-out.
- (f) Water and wastewater
 - (i) The public wastewater system does not have enough capacity to service this development. This means all wastewater infrastructure within the development will not be vested in the Council and will be required to be managed and treated on site.
 - (ii) The existing water supply network also does not have enough capacity to service the retirement village. Accordingly, there will need to be a private water supply which raises issues regarding obligations/responsibilities for compliance with drinking water standards.
- (g) Stormwater
 - (i) The initial review has identified that there are some areas where clarification is required. These areas include soakage rates, 2D modelling, ongoing operation/maintenance of stormwater infrastructure, and limitations on on-site disposal (perched water tables).
- (h) Planning
 - (i) Assessment against the relevant planning documents, including the National Policy Statement for Highly Productive Land 2022, the National Policy Statement for Urban Development 2020, the Waikato Regional Policy Statement, and the Matamata-Piako District Plan.

5. PROPOSED CONDITIONS

- 5.1 The proposed conditions provide a good framework, but further work is needed.

6. PANEL MEMBERSHIP

- 6.1 The Council supports the appointment of a suitably experienced chair, at least one panel member with expertise in te ao Māori, and panel members with civil engineering / groundwater / land development expertise.

7. PROCESS

- 7.1 The Council:
- (a) Supports an extended timeframe of 50 working days from the date specified for receiving comments under section 53.
 - (b) Supports facilitated expert conferencing and workshops for unresolved issues; and
 - (c) Is willing to engage with the Panel through briefings and topic-specific sessions if directed.
- 7.2 The Council will continue to review the application and conditions and welcomes the opportunity to provide formal comment under section 53 of the FTAA. Additionally, any further procedural directions – such as those regarding conferencing, expert caucusing, or the timetable - would also be welcomed to support efficient progress.

DATED the 12th day of September 2025



A M B Green

Counsel for the Matamata-Piako District Council