



Volume 2: Stage 0 Vacant Lot Subdivision

Fast-track Approvals Act 2024 Substantive Application

Matamata, Waikato

Assessment of Environmental Effects and Statutory Analysis

14 July 2025

B&A

Urban & Environmental

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Prepared by:

SWilson

Steph Wilson

Associate, Barker & Associates Limited

Reviewed by:

Fraser McNutt

Fraser McNutt

Partner, Barker & Associates Limited

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Glossary of Terms

Term	Explanation
AEE	Assessment of Environmental Effects
CIA	Cultural Impact Assessment
DSI	Detailed Site Investigation
ESPP	Eldonwood South Structure Plan
EPA	Environmental Protection Authority
FTAA	Fast-track Approvals Act 2024
HAIL	Hazardous Activities and Industries List
MPDC	Matamata-Piako District Council
MPODP	Matamata-Piako Operative District Plan
NES	National Environmental Standard
NESCS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-UD	National Policy Statement on Urban Development 2020
PSI	Preliminary Site Investigation
RMA	Resource Management Act 1991
RPS	Waikato Regional Policy Statement
WRC	Waikato Regional Council
WPRPS	Waikato Proposed Regional Policy Statement
WRP	Waikato Operative Regional Plan

1.0 Introduction

This report, referred to as **Volume 2**, of the Substantive Application has been prepared in support of the application by Matamata Development Limited for a consent to the Environmental Protection Authority (EPA) under the Fast-track Approvals Act 2024 (FTAA). The 184-hectare site subject to this part of the application includes the whole development site.

This application is seeking approval for land use resource consent for the remediation of contaminated soil and a subdivision consent to establish seven vacant lots, including three residential superlots (lots 1-7), and two rural-residential Lots (lots 8 and 9), along with a 20m esplanade reserve adjacent to the Waitoa River (lots 10 and 11).

The information provided in this application is sufficiently detailed to correspond to the scale and significance of the matters that will be assessed in considering whether to grant the approvals sought, including any adverse effects of the activities to which the approvals relate. This takes into account any proposal by the applicant to manage the adverse effects of an activity through conditions.

The Overview Report, submitted as **Volume 1** of this application, is to be read in conjunction with this document. The Overview Report provides a summary of the overall Ashbourne development, consultation, a summary of the reasons for consent, and the proposed conditions of consent. It also addresses the specific information requirements to be included with a Fast Track application as set out under the FTAA.

2.0 Site Context

2.1 Site Description

This application relates to the entirety of the Ashbourne Development site as described in **Volume 1** ('the site'), which consists of eight existing land parcels as shown in **Figure 1**. A broad summary of the site and locality details is provided below.

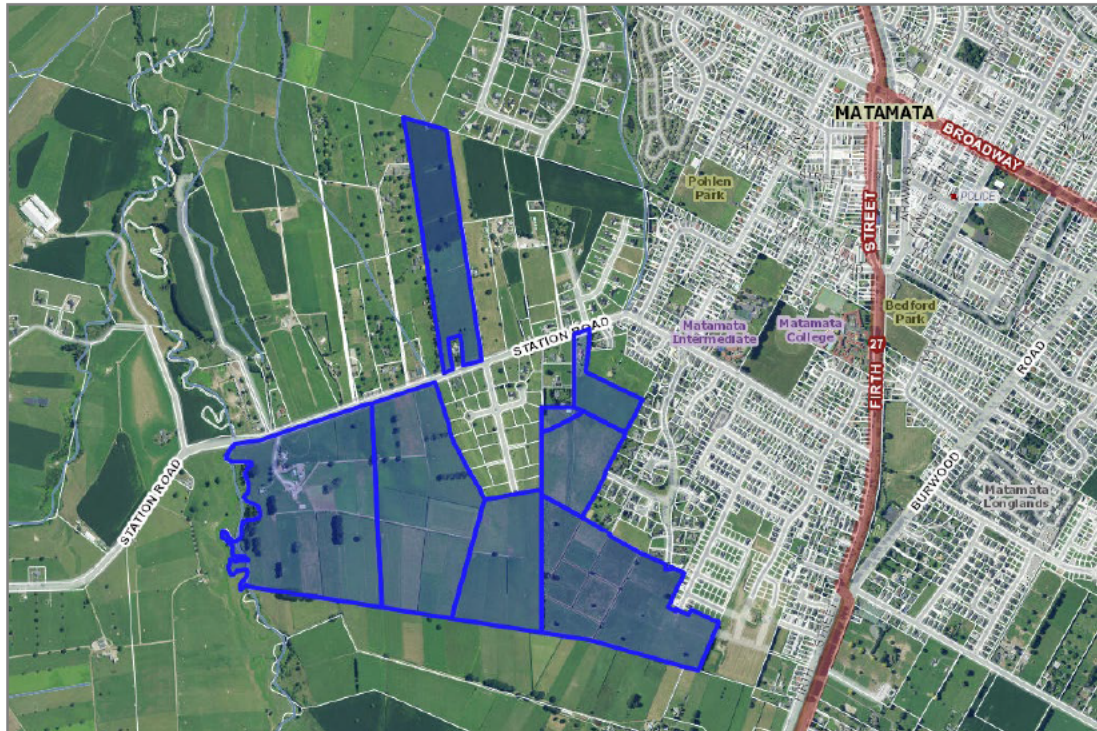


Figure 1: Site location plan showing the Ashbourne Development site in blue. Source: CoreLogic Emap.

2.1.1 Records of Title and Land Ownership

The Records of Title for the site and associated interests registered at the time of application are described in and attached to the **Volume 1** Overview Report, and summarised in **Table 1** below. There are no limitations on the Records of Title that restrict the proposed activity.

Table 1: Landholdings within the Ashbourne development site.

Legal Description	Area	Owner
Lot 2 Deposited Plan 567678 and Lot 2 Deposited Plan 21055	13.5ha	[REDACTED]
Lot 1 Deposited Plan 21055	33.79ha	[REDACTED]
Lot 2 Deposited Plan 567678 and Lot 2 Deposited Plan 21055	27.38ha	[REDACTED]
Lot 3 Deposited Plan South Auckland 14362	13.72ha	[REDACTED]
Lot 204 Deposited Plan 535395 and Lot 25, 106 Deposited Plan 393306	24.14ha	[REDACTED]
Lot 5 Deposited Plan 384886	8.11ha	[REDACTED]
Lot 4 Deposited Plan 384886	8803m ²	[REDACTED]
Lot 1 Deposited Plan South Auckland 65481	4.20ha	[REDACTED]

The Records of Title for the site are subject to a number of consent notices. None of these are anticipated to restrict the proposed subdivision, as assessed in detail in **Appendix 2B**

2.1.2 Zoning

The site is zoned Rural-Residential 1, Rural-Residential 2, and Rural zone under the Matamata-Piako Operative District Plan ('MPODP'). The site is partially located within the Eldonwood South Structure Plan ('ESPP') area. There are no overlays or spatial constraints. The zoning of the site is shown in **Figure 2** below.

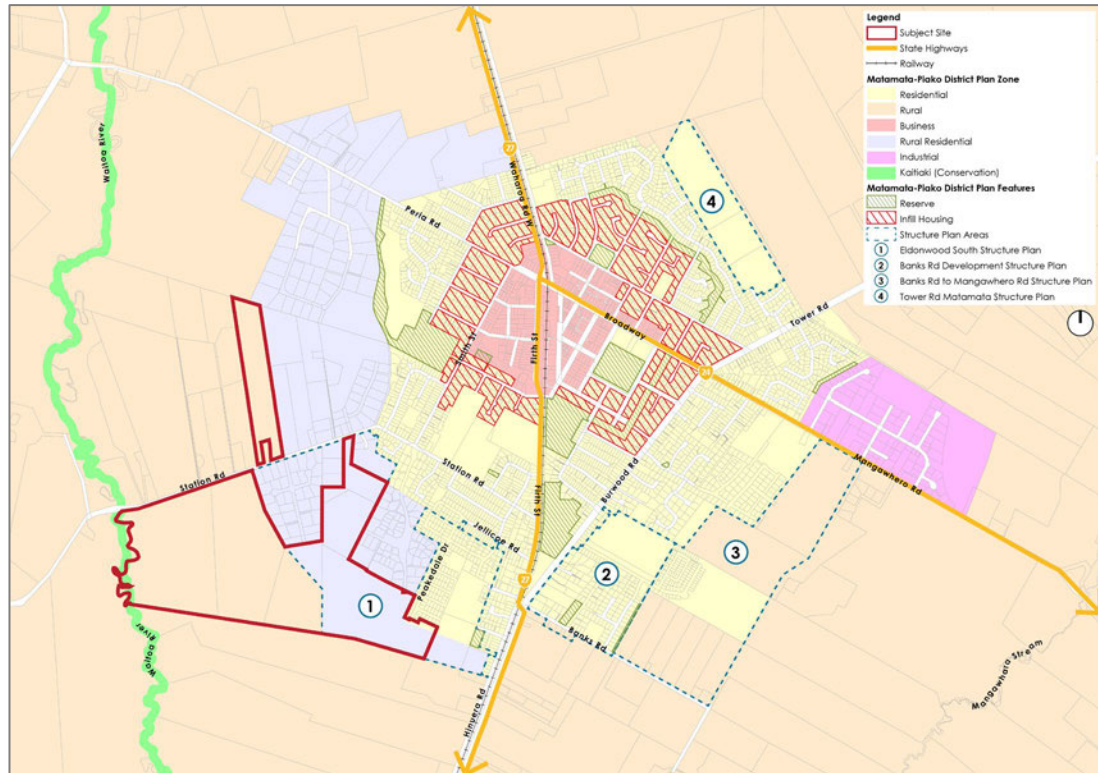


Figure 2: Site zoning under the MPODP.

2.1.3 Land Use and Access

The site is irregularly shaped and relatively flat. The site is currently in use as a working farm. There is existing access to the site from Station Road (Collector Road), with Peakedale Drive and Eldonwood Drive terminating at the boundary of the site.

2.1.4 Surrounding Environment

The surrounding environment is characterised by rural and rural-residential uses. The site is broadly bound to the north and east by residential and rural-residential properties, with land to the west and south being in use as a working farm.

2.1.5 Geology and Topography

A Geotechnical Investigation Report ('GIR') has been prepared by CMW Geosciences ('CMW') and is provided in **Appendix 1M**. The GIR confirms that the site can generally be described as near level. Published geological maps for the area depict the regional geology as comprising cross-bedded pumice sand, silt and gravel of the Hinuera Formation. Refer to the Geotechnical Investigation Report (**Appendix 1M**) for further details.

2.1.6 Natural Hazards

The site is largely clear of natural hazards identified under the MPODP and Waikato Regional Hazards Portal, with the exception of areas subject to river flooding located along and Waitoa River, and a discrete area at the north eastern boundary of Lot 2 Deposited Plan 567678 and Lot 2 Deposited Plan 21055, which adjoins the Highgrove subdivision.

Detailed assessment of natural hazard flooding risks associated with the site with respect to the proposed activity is contained in **Volumes 3-5**.

2.1.7 Land Use Capability

A Land Use Capability Classification Assessment of the wider Ashbourne site has been prepared by Landsystems and is included as **Appendix 1L**. The assessment carried out by Landsystems includes an on-site assessment at a greater level to the NZLRI regional scale. Their assessment confirms that the site is predominantly underlain by LUC2 soils with limited extents of LUC1, 3, and 4 soils. The assessment also identifies a finer detail of land quality and constraints within the LUC2 and 3 classes, as illustrated in **Figure 3** below.

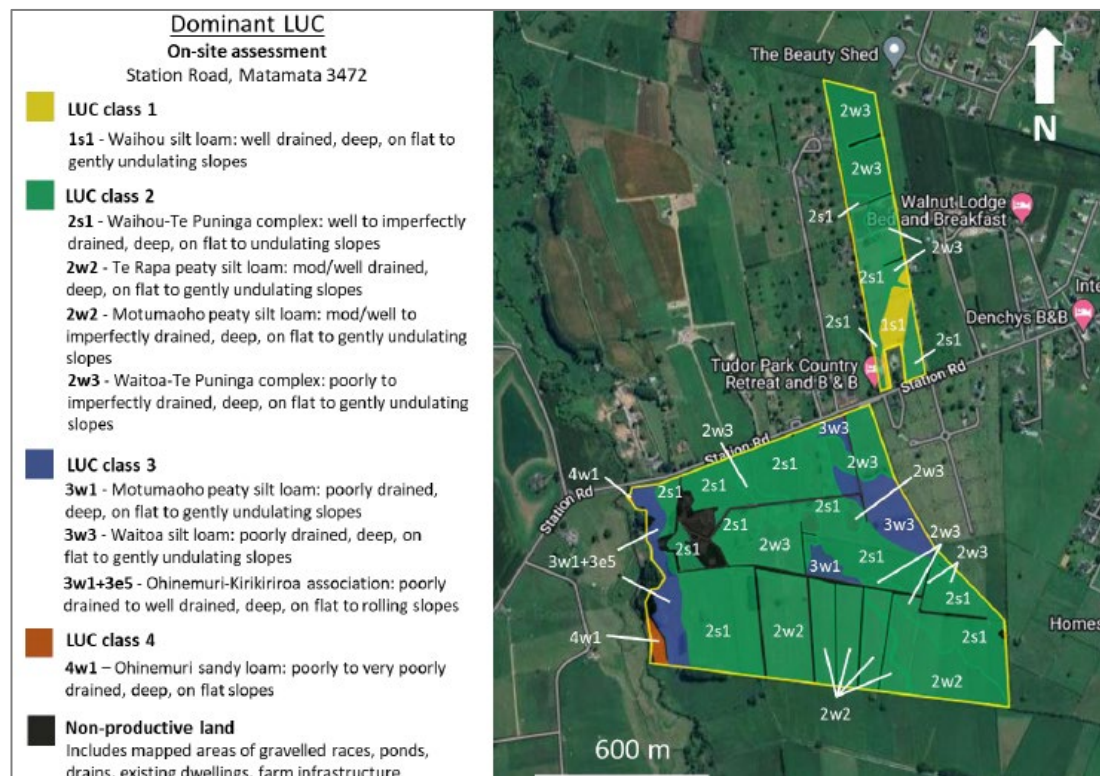


Figure 3: On-site LUC assessment. Source: Landsystems.

2.1.8 Contamination

A Preliminary and Detailed Site Investigation ('PSI/DSI') has been undertaken by SLR Consulting (refer **Appendix 1R**), which has identified the following HAIL activities as having potentially occurred on the Site:

- A10 – Persistent pesticide bulk storage or use, including sports turfs, market gardens, orchards, glass houses or spray sheds – associated with the accumulation of pesticides across the land used for cropping;

- E1 – Asbestos products manufacture or disposal, including sites with buildings known to be in a deteriorated condition – given the age of former buildings on site, potential that asbestos-containing products may have been used;
- G3 – Landfill Sites – associated with uncontrolled fill of historic surface depressions; and
- I – Any other land that has been subject to the intentional or accidental release of a hazardous substance in sufficient quantity that it could be a risk to human health or the environment – associated with:
 - Lead in shallow soils around the existing buildings and at locations where former buildings have been removed; and
 - Accumulation of cadmium and zinc in soils from the repeated application of superphosphate across pastoral land.

The site is therefore classified as a ‘piece of land’ under Regulation 5(7) of the NESCS.

2.2 Cultural Environment

A Cultural Impact Assessment (‘CIA’), included as **Appendix 1H**, was prepared in support of this application.

Matamata’s history is rooted in the influence of both Māori and European settlers. In Māori language, Matamata means “headland”, and refers to a significant pā established by the Ngāti Hauā chief Te Waharoa in 1830.

Matamata was historically a cross roads for Māori travellers, with early journeys giving way to European explorers. Following the land wars of 1865, Josiah Clifton Firth leased a vast estate which he named Matamata, farming livestock and horticulture.

3.0 Proposal

3.1 Overview

This section of the application is a summary of the key elements of the proposal provided in accordance with Clause 5(1)(a) of Schedule 5 of the FTAA.

This application seeks approval for land use resource consent for the remediation of contaminated soil and a subdivision consent to establish seven vacant lots, including two residential superlots (lots 1-7), and two rural-residential Lots (lots 8 and 9), along with a 20m esplanade reserve adjacent to the Waitoa River (lots 10 and 11). Noting several of the lots will be held together through amalgamation conditions to ensure access is maintained at s224c stage.

More comprehensive descriptions on specific aspects of the proposal are set out in the specialist reports and plans accompanying the **Volume 2** application, and the following reports and plans appended to **Volume 1**:

- CIA – **Appendix 1H**;
- Land Use Capability Classification Assessment – **Appendix 1L**; and
- Geotechnical Investigation Report – **Appendix 1M**.

For completeness, approval is sought under s42(4) of the FTAA for a resource consent that would otherwise be applied for under the Resource Management Act 1991.

3.2 Subdivision Design and Layout

This section of the application and the subdivision scheme plans prepared by Maven included in **Appendix 2A** is provided in accordance with Clause 8(1) of Schedule 5 of the FTAA in respect of the subdivision activities proposed under the **Volume 2** application.

The overall rationale for this subdivision application is to enable the efficient and timely delivery of the Ashbourne project, by subdividing the site to create new titles that are reflective of the proposed boundaries between the land use activities addressed in **Volumes 3-5**. The proposed subdivision scheme plan is shown in **Figure 4** below.

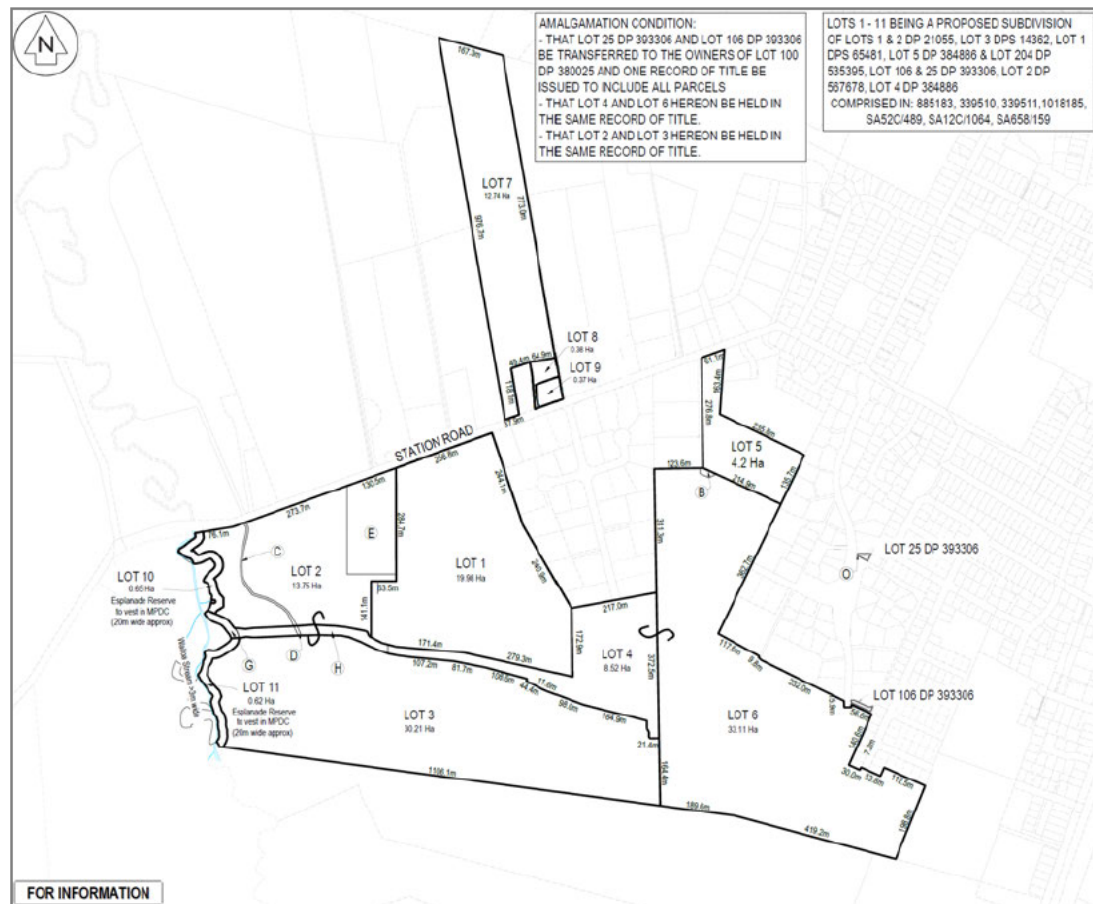


Figure 4: Proposed subdivision scheme plan. Source: Maven.

No land use activities are proposed to be established under this application, however, for ease of reference, the proposed future activity that will be accommodated within each new lot and the relevant volume of this application that relates to that activity is summarised in **Table 2** below.

Table 2: Proposed Land Uses

Proposed Lot	Lot Area	Land Use	Volume
Lot 1	19.98ha	Retirement Village	Volume 4
Lot 2	13.75ha	Balance Land	Volume 2
Lot 3	30.21ha	Southern Solar Farm	Volume 3

Proposed Lot	Lot Area	Land Use	Volume
Lot 4	8.52ha	Residential and Greenway Superlot	Volume 5
Lot 5	4.2ha	Residential Superlot	Volume 5
Lot 6	33.11ha	Residential Superlot	Volume 5
Lot 7	12.74ha	Northern Solar Farm	Volume 3
Lot 8	0.38ha	Rural-Residential Lot	Volume 2
Lot 9	0.37ha	Rural-Residential Lot	Volume 2
Lot 10	0.78ha	Esplanade Reserve	Volume 2
Lot 11	0.62ha	Esplanade Reserve	Volume 2

3.3 Access and Transportation

No formed access is proposed for the creation of lots 1-7 as the physical vehicle crossings and accessways are proposed to be constructed under the respective land use consents sought through **Volume 3** for the northern and southern solar farms, **Volume 4** for the Retirement Village, and **Volume 5** for the residential subdivision. Legal access to lots 3 and 4 will be provided for by way of amalgamation conditions, until such time that legal and physical access can be formalised through the wider Ashbourne development.

Physical and legal access is available directly from Station Road to service proposed lots 8 and 9, the two rural-residential.

3.4 Infrastructure Servicing

The provision of infrastructure servicing for the site is proposed through the relevant Volumes of this application that address land use. No servicing is proposed for proposed lots 1-7, and infrastructure to these lots will be delivered as part of the subsequent land use activities. These lots are all of a sufficient size to accommodate on-site infrastructure servicing within the proposed new boundaries. With respect to proposed lots 7 and 8, it is proposed that all infrastructure required to service future residential units will be provided for on-site.

3.5 Contamination

As outlined above, a PSI and DSI have been prepared by SLR Consulting NZ and are included in **Appendix 1R**. The site is classified as a 'piece of land' under Regulation 5(7) of the NESCS, and while contaminant concentrations were above the predicted background soil criteria, they were below the respective NESCS soil contamination standards.

Works on site are proposed to be carried out in accordance with the Contaminated Site Management Plan ('CSMP') included as **Appendix 1S** and Acid Sulphate Soil Management Plan ('ASSMP'), provided as **Appendix 1T**.

3.6 Summary of Monitoring and Mitigation Measures

There are several proposed conditions of consent with corresponding management plans contained within the relevant resource consents to adequately mitigate any potential adverse effects on persons and the environment, in the immediate vicinity. The mitigation measures,

specifically those which address ecological, three water infrastructure, and reverse sensitivity effects are outlined in **Volume 1**.

3.7 Other activities

This section is provided in accordance with clause 5(1)(e) of Schedule 5 of the FTAA.

There are no other activities that form part of the proposal to which the activities proposed under **Volume 2** relate.

For completeness, the following is noted with respect to the activities proposed across the Ashbourne Development which will be undertaken subsequent to the activities proposed under **Volume 2**:

- Residential subdivision and development (staged), along with the construction of a greenway and commercial node is addressed in **Volume 5** of this application;
- Establishment of a Retirement Village addressed in **Volume 4** of this application; and
- The construction of two solar farms (staged) is addressed in **Volume 3** of this application.

3.8 Other Approvals Required

This section is provided in accordance with Clause 5(1)(f) of Schedule 5 of the FTAA. There are no other approvals required as part of the Ashbourne Retirement Village development.

3.9 Proposed Conditions of Consent

In accordance with clause 5(1)(k) of Schedule 5 of the FTAA, the proposed conditions of this consent are attached as **Appendix 2D**.

4.0 Approvals Required

In accordance with Section 42(4)(a) this application is seeking approval for a resource consent that would otherwise be applied for under the RMA.

In summary, consent is required under the provisions of the NESCS and MPODP as identified below. A full activities and standards assessment is included as **Appendix 2C**.

4.1 National Environmental Standards

Resource consents required under the NESCS in accordance with clause 5(1)(f) of Schedule 5 of the Act are as follows:

- The proposal includes subdivision and change of use that does not meet the requirements for a permitted activity under Regulation 8 and is a **controlled activity** under Regulation 9(3).

For completeness, all NES have been considered and assessed to determine whether resource consent is required, as outlined in **Table 3**.

Table 3: Assessment of National Environmental Standards.

National Environmental Standard	
National Environmental Standards for Air Quality 2004	This is not applicable as no specific consents relating to this standard are required for the project.
National Environmental Standards for Sources of Drinking Water 2007	This is not applicable as the project does not affect sources of drinking water.
National Environmental Standards for Electricity Transmission Activities 2009	This is not applicable as the project does not provide for high voltage transmission lines.
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	This is applicable and consent is required as a controlled activity under Regulation 9(3).
National Environmental Standards for Telecommunications Facilities 2016	This is not applicable as the proposal does not seek consent for telecommunications facilities.
National Environmental Standards for Plantation Forestry 2017	This is not applicable as the proposal does not relate to plantation forestry.
National Environmental Standard for Freshwater 2020	This is not applicable to this Volume and is addressed under Volumes 3-5.
National Environmental Standard for Marine Aquaculture 2020	This is not applicable as the proposal does not relate to marine aquaculture.
National Environmental Standard for Storing Tyres Outdoors 2021	This is not applicable as the proposal does not provide for the storage of tyres.

4.2 Matamata-Piako Operative District Plan

Resource consents required under the MPODP in accordance with clause 5(1)(f) of Schedule 5 of the Act are as follows:

- The site is partially located within the Rural-Residential Zone, where any subdivision is a **Restricted Discretionary activity** under Rule 6.1.3(3a).
- The site is partially located within the ESPP Area, where any subdivision is a **Restricted Discretionary activity** under Rule 6.1.3(3b).
- The proposal includes subdivision of sites containing high quality soils which is not listed in Activity Table 6.1.4, and is a **Non-Complying activity** under Rule 2.1.5.
- No physical works are proposed to service proposed lots 1-7 under this application as required by Performance Standard 6.2.3. This is a **Restricted Discretionary activity** under 6.2.1(iii).
- As the proposal is limited to the creation of vacant lots and no on-site infrastructure is proposed, the subdivision does not comply with requirements under 9.2.2, 9.2.3, and 9.2.4 of the ESPP as required by Performance Standard 6.3.3. This is a **Non-Complying activity** under Rule 6.3.3(iii).

4.3 Associated Permitted Activities

There are no associated permitted activities relating to this application.

4.4 Overall Activity Status

Overall, the proposal requires assessment as a **Non-Complying activity** under the MPODP, and a **Controlled activity** under the National Environmental Standard for Managing Contaminants in Soil.

5.0 Assessment of Effects

This section of the report is provided in accordance with Clauses 6 and 7 of Schedule 5 of the FTAA.

These provisions require an assessment of the actual or potential effects on the environment. Clause 6 sets out the information required in the assessment of environmental effects and this is included throughout this volume of the application as well as the Overview Report in **Volume 1**.

Clause 7 of Schedule 5 of the FTAA outlines the matters to be covered in the assessment of environmental effects. This includes:

- *Any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:*
- *Any physical effect on the locality, including landscape and visual effects:*
- *Any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:*
- *Any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:*
- *Any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:*
- *Any unreasonable emission of noise:*
- *Any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations*

These matters are addressed in this section of the report below.

The existing environment, in particular the existing land uses and allotment areas of the subject site, as well as sites in the surrounding environment, are a relevant consideration to the proposal and are set out in **Section 2.1.3** above.

An assessment of actual and potential effects on people and the environment is set out below, as well as within the supporting specialist reports. It is considered that effects in relation to the following matters are relevant:

- Positive effects;
- Subdivision effects;
- Infrastructure and servicing effects;
- Reverse sensitivity effects;
- Productive capacity effects; and
- Contaminated land effects

These matters are set out and discussed below.

Effects associated with the proposed land use activities are addressed in **Volumes 3-5** of the application.

5.1 Positive Effects

As discussed in section 3.0 above, this application includes subdivision in order to enable the development and delivery of the wider Ashbourne project and the proposed residential and infrastructure activities. The positive environmental, social, cultural, and economic effects of the Ashbourne development, including with respect to the solar farms, retirement village, and residential subdivision are comprehensively identified and assessed in the Assessment of Effects contained in **Volumes 3-5**, and are not repeated here. It is noted however, that the subdivision activities proposed under this application will have the positive effect of facilitating the timely and efficient delivery of those activities which form part of the wider Ashbourne development.

5.2 Subdivision Effects

The proposal includes subdivision to create vacant lots and an esplanade reserve, including:

- Two lots for the proposed northern and southern solar farms;
- One lot for the proposed retirement village;
- Three residential super lots;
- Two rural-residential lots; and
- One balance lot.

As identified above, the purpose of the proposed subdivision is to facilitate and enable the efficient delivery of the Ashbourne project. As discussed in Volume 1 of this application and the Urban Design Assessment (**Appendix 1Q**) the Ashbourne development presents a well-considered and comprehensively structured masterplan that provides a spatial arrangement that is legible and connected, with an integrated open space network and a variety of housing types to meet the needs of the local area. The new lot configuration and boundaries proposed under this application have been informed by the Ashbourne masterplan.

Overall, it is considered that the proposed subdivision, including the new lot configurations and boundaries, will have less than minor adverse effects on character and amenity values within the surrounding environment and on neighbouring properties.

5.2.1 Solar Farm Lots, Retirement Village Lot, Residential Superlots, and Balance Lot

Proposed lots 1, 3, 4, 5, 6, 6, and 7 will accommodate future land use activities that are proposed to be established as part of the Ashbourne Substantive Application under the FTAA, as set out in **Volumes 3-5**.

As identified above, the proposed lot configuration has been informed by the wider Ashbourne masterplan, and are therefore of a size and shape that will enable the efficient future development of these activities. Notwithstanding however, it is also noted that all of these lots are large, ranging from 4.2ha to over 30ha, and generally of regular shape. It is therefore considered that the lots will be able to accommodate a range of future activities without creating adverse effects on existing character and amenity values.

With respect to proposed lot 2, a 13.7ha balance lot, no land use activities are proposed to be established within this lot under the Ashbourne Substantive Application, and future development will occur in accordance with the MPODP or a separate resource consent process. Similar to the other vacant lots, lot 2 is of a sufficient size and regular shape to accommodate future activities without creating adverse effects on existing character and amenity values.

5.2.2 Rural-Residential Lots

Proposed lots 8 and 9 are located adjacent to the southern boundary of existing Lot 2 DP 567678 and Lot 2 DP 21055, which are held in a single record of title, and will be utilised as rural-residential lots. Lot 9 is located immediately adjoining the northern side of Station Road, and lot 8 is a rear lot which with access directly from Station Road.

The following comments are made with respect to the potential effects of rural-residential development within these lots:

- The scheme plans prepared by Maven and included as **Appendix 2A** illustrate that the lots can accommodate future dwellings that comply with the relevant standards of the MPODP. In particular, this includes a 150m² building platform and sufficient space to comply with yard setback controls from adjoining properties at 172 Station Road and 164 Station Road, and a 25m setback from Station Road within lot 9;
- All future residential buildings will be required to comply with the building bulk and location controls of the underlying Rural Zone; and
- The established and emerging character on Station Road includes a mixture of larger rural lots and smaller urban residential lots, consistent with the existing zoning pattern under the MPODP. It is considered that this section of Station Road represents a transition between the residential character of urban Matamata to the east, and the rural environment to the west;
- Proposed lots 8 and 9 will each have an approximate area of 3,500m². This is considered to be generally in keeping with the immediately surrounding subdivision pattern, including 172 Station Road (5,437m²) adjoining to the west of the new lots, and within the Highgrove subdivision (approximately 3,000m² to 5,000m²) adjacent to the south and on the opposite side of Station Road.

For the reasons identified above, and having regard to the context of the receiving environment, it is considered that that proposed rural-residential lots will have less than minor adverse effects on character and amenity values.

5.3 Infrastructure and Servicing Effects

As previously discussed, provision of all servicing, including roading, stormwater, wastewater, water supply and utility connections will be provided through the land use and subdivision consents sought in **Volumes 3-5** of this application. Notwithstanding, it is noted that lots 1, 3, 4, 5, 6, 6, and 7 are all of a sufficient size to accommodate infrastructure servicing and any potential effects can be contained within the boundaries of these proposed lots.

With respect to proposed lots 8 and 9, the scheme plans prepared by Maven and included as **Appendix 2A** demonstrate that both lots are of a sufficient size to accommodate the treatment and disposal of wastewater. It is anticipated that the detailed design of on-site infrastructure will be confirmed at the time of building consent.

Overall, it is considered that all proposed lots can be adequately serviced in respect of stormwater, wastewater, water supply, and other utilities, such that that no adverse environmental effects will occur.

5.4 Reverse Sensitivity Effects

Due to the size of proposed lots 1, 3, 4, 5, 6, 6, and 7, and having regard to size and number of existing land parcels, it is considered that these lots will not create the potential for new reverse sensitivity effects with respect to the existing rural environment. Potential reverse sensitivity effects with respect to the land use activities proposed within these lots have been further assessed in detail in **Volumes 3-5**.

With regard to proposed lots 8 and 9, these lots are located immediately adjacent to other rural-residential lots that are of a similar size, including 172 Station Road immediately adjoining to the west. In addition, and as identified above, it is noted that this section of Station Road consists of both urban residential and rural development due to the existing zoning of the MPODP, and is considered to be a transitional area between urban and rural activities. The closest rural zoned property is located to west, and is separated by 172 Station Road, which contains an existing dwelling. Rural-Residential zoned land located within the ESPP adjoin the new lots to the east and on the opposite side of Station Road, adjacent to the south.

It is therefore considered that the separation distance from rural zoned land, as well as the ability for future dwellings to achieve compliant yard setbacks, will avoid the potential for new reverse sensitivity effects arising from the proposed subdivision of lots 8 and 9 within the surrounding environment.

Overall, it is considered that the proposed subdivision will create less than minor adverse reverse sensitivity effects.

5.5 Productive Capacity Effects

A Land Use Capability Classification Assessment of the wider Ashbourne site has been prepared by Landsystems and is included as **Appendix 1L**. The portion of the site that is outside of the Eldonwood Structure Plan contains LUC2 and LUC3 soils, and is considered high quality soil under the MPODP and highly productive land under the NPS-HPL.

The following comments are made with respect to the potential effects of the proposed subdivision on the productive capacity of land:

- The Ashbourne site is predominantly underlain by LUC2 soils, and the Land Use Capability Classification Assessment finds that significant areas of the overall site are subject to drainage and topography limitations which restrict productive potential;
- The majority of the proposed residential development, which will be located within lots 4, 5, and 6 is located within the Eldonwood Structure Plan which identifies this land for future development; and
- The proposed rural-residential lots represent a small proportion of the overall Ashbourne site and development.

Having regard to the above, and on the basis that the purpose of this subdivision activity is to facilitate the wider Ashbourne development, it is considered that this proposal will have less than minor adverse effects on rural productivity.

5.6 Contaminated Land Effects

The PSI/DSI prepared by SLR Consulting, included as **Appendix 1R**, identifies that it is likely HAIL activities have been undertaken on the site, including pesticide use and storage. While it was identified that buildings on the site had potential to contain asbestos materials, no asbestos was noted during soil sampling.

To mitigate any potential effects on human health and environmental discharge associated with any future disturbance of contaminated soils, SLR recommend works across the site be undertaken in accordance with the CSMP included as **Appendix 1S**. This document details the remediation goals and methodology, environmental management procedures, unexpected contamination discovery protocol, health and safety measures, testing requirements and validation reporting. The adherence to the CSMP has been adopted as proposed conditions of consent.

SLR Consulting have additionally prepared an ASSMP provided as **Appendix 1T**, to outline how potential or actual acid sulphate soils will be identified, managed, and mitigated during earthworks and construction activities enabled by Volumes 3-5 of this application. Mapping provided by Waikato Regional Council identifies isolated pockets of high risk soils within the Site, with the majority of the Site mapped as low-risk. SLR recommends that works across the site be undertaken in accordance with the ASSMP, and adherence to the ASSMP has been adopted as proposed conditions of consent.

By undertaking the works in accordance with the CSMP and ASSMP, SLR conclude that potential adverse effects on human health and the environment from contaminated land and acid sulphate soils will be acceptable.

Based on the findings of the PSI/DSI and proposed CSMP and ASSMP, it is considered that the proposed subdivision and associated change of use, as well as any future earthworks activities can be appropriately managed to avoid adverse effects on human health and the receiving environment.

5.7 Mitigation and Monitoring

Clause 6(1)(d) of Schedule 5 of the FTAA requires that an AEE include a “description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity”.

A description of the mitigation measures proposed is provided in the technical assessments appending to this AEE, summarised in the preceding sections, and detailed within the Overview Report in **Volume 1** of this application. They are further documented in the proposed consent conditions within **Appendix 2D**.

Clause 6(1)(g) of Schedule 5 of the FTAA also requires that an AEE include “*if the scale and significance of the activity’s effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved*”.

It is considered that further and/or ongoing monitoring is not required with respect to the scale and nature of the subdivision activities proposed under **Volume 2**.

5.8 Summary of Effects

The proposed subdivision will facilitate the wider Ashbourne development, which has significant positive and economic benefits. Overall, the proposal is considered appropriate, and any actual and potential adverse effects of the proposal on the environment, including those in relation to subdivision, infrastructure and servicing, reverse sensitivity, productive capacity, and contaminated land, are considered to be less than minor. Adherence to the CSMP and ASSMP will ensure that potential adverse environmental effects associated with contaminated can be identified and appropriately managed.

6.0 Assessment of Relevant Statutory Considerations

This section of the application is provided in accordance with Clauses 5(1)(h), 5(2), and 5(3) of Schedule 5 of the FTAA. The FTAA requires that applications must include an assessment of the activity against the relevant provisions and requirements of those documents listed in Clause 5(2) being:

- (a) *a national environmental standard;*
- (b) *other regulations made under the Resource Management Act 1991;*
- (c) *a national policy statement;*
- (d) *a New Zealand coastal policy statement;*
- (e) *a regional policy statement or proposed regional policy statement;*
- (f) *a plan or proposed plan; and*
- (g) *a planning document recognised by a relevant iwi authority and lodged with a local authority*

The relevant statutory documents are identified in **Table 4** below.

Table 4: Summary of Relevant Statutory Documents

Document	Relevance to Project
National Environmental Standards	
National Environmental Standards for Air Quality 2004	This is not applicable as the proposal does not affect air quality
National Environmental Standards for Sources of Drinking Water 2007	This is not applicable as the proposal does not affect sources of drinking water
National Environmental Standards for Electricity Transmission Activities 2009	This is not applicable as the proposal does not include any relevant activities
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	This is applicable – refer to section 6.1.
National Environmental Standards for Telecommunications Facilities 2016	This is not applicable as the proposal does not seek consent for telecommunications facilities
National Environmental Standards for Plantation Forestry 2017	This is not applicable as the proposal does not relate to plantation forestry

Document	Relevance to Project
National Environmental Standards for Freshwater 2020	This is not applicable as no freshwater bodies are located in the site
National Environmental Standard for Marine Aquaculture 2020	This is not applicable as the proposal does not relate to marine aquaculture
National Environmental Standard for Storing Tyres Outdoors 2001	This is not applicable as the proposal does not provide for the storage of tyres
National Policy Statements	
National Policy Statement on Electricity Transmission 2008	This is not applicable as no specific electricity transmission activities are proposed as part of this consent
New Zealand Coastal Policy Statement	This is not applicable as the site is not located within the coastal environment
National Policy Statement for Renewable Electricity Generation 2011	This is applicable to the wider consent – refer to Volume 3, however is not applicable to this application.
National Policy Statement for Freshwater Management 2020	This is applicable to the wider consent – refer to Volumes 3-5, however is not applicable to this application.
National Policy Statement on Urban Development 2020	This is applicable to the wider consent – refer to Volumes 3-5, however is not applicable to this application.
National Policy Statement for Highly Productive Land 2022	This is applicable – refer to section 6.1.
National Policy Statement for Indigenous Biodiversity 2023	This is applicable to the wider consent – refer to Volumes 3-5, however is not applicable to this application.
National Policy Statement for Greenhouse Gases from Industrial Process Heat 2023	This is not applicable as the proposal does not result in greenhouse gases from industrial heat processes.
Regional Policy Statement	
Waikato Regional Policy Statement	This is applicable – refer to Section 6.3
Plans	
Waikato Regional Plan	This is not applicable as resource consent is not required under the Waikato Regional Plan.
Matamata-Piako District Plan	This is applicable – refer to Section 6.4
Planning document recognised by a relevant iwi authority and lodged with a local authority	
Te Ture Whaimana (Waikato River Vision and Strategy)	This is applicable to the wider consent – refer to Volumes 3-5, however is considered to be not applicable to this application as this proposal is limited to subdivision activities.

6.1 National Environmental Standards

6.1.1 National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

The NESCS into effect on 1 January 2012. All territorial authorities are required to give effect to and enforce the requirements of the NES in accordance with their functions under the RMA relating to contaminated land.

The purpose of the NESCS is to provide a nationally consistent set of planning controls and soil contaminant values. It seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated or contaminants contained to ensure the land is safe for human use.

The relevant consent matters identified for the proposal under NESCS regulations have been identified in section 4.1 of this report and the potential effects on human health are assessed in section 5.6 of this report. In summary, the subdivision and proposed change of use within the site can be appropriately managed to avoid adverse effects on human health and the environment. It is noted that no soil disturbance is proposed under this application.

The CSMP and ASSMP included as **Appendix 1S** and **Appendix 1T** outline the health and safety practices to be implemented on site during the handling of contaminated soils. The PSI/DSI included as **Appendix 1R** also confirm that contaminant concentrations are the respective NESCS soil contamination standards. On this basis, it is considered that the overarching purpose and objective of the NES to protect human health is achieved by this application.

6.2 National Policy Statements

6.2.1 National Policy Statement on Highly Productive Land 2022

The National Policy Statement on Highly Productive Land 2022 ('NPS-HPL') seeks to protect New Zealand's most productive land, recognising it as a finite and nationally significant resource. The overarching objective seeks to ensure that highly productive land is protected for use in land-based primary production, both now and for future generations. The NPS-HPL includes specific policy direction on the subdivision of highly productive land under Policy 7, which seeks to avoid subdivision except where this is provided for under clauses 3.8 and 3.10.

The land use activities proposed within the Ashbourne developed have been assessed against the relevant provisions of the NPS-HPL within **Volumes 3-5**. The following comments are made with regard to the subdivision activity that is proposed under this application:

- Subdivision of existing land within the ESPP area is excluded from the NPS-HPL as this land has been identified for future urban development. Proposed lots 5, 6 in their entirety and proposed lot 4 in part are therefore excluded;
- Clause 3.8 of the NPS-HPL is not applicable as the matters identified in 3.8(1)(a)-(c) do not apply to the proposed subdivision;
- With respect to land that is subject to the NPS-HPL, the Land Use Capability Classification Assessment included as **Appendix 1L** identifies that finds that while the Ashbourne site is predominantly underlain by LUC2 soils, significant areas of the overall site are subject to drainage and topography limitations which restrict productive potential.

- With respect to clause 3.10 and land that is subject to the NPS-HPL, the Land Use Capability Classification Assessment included as **Appendix 1L** identifies that finds that while the Ashbourne site is predominantly underlain by LUC2 soils, detailed mapping confirms that significant areas of the overall site are subject to drainage and topography limitations which restrict productive potential. These limitations affect the viability of the land for intensive land-based primary production activities, and the extent of versatile, high-quality productive land is much lower than what has been identified at a regional scale;
- Existing sites are contained in separate titles, and is not considered to represent a large geographically cohesive area of highly productive land.
- Proposed lots 3 and 7 which will support the future solar farm activity are considered to be of a sufficient size to support low intensity uses, such as pastoral use. Provision has been made for grazing to occur on these sites as part of the proposed solar farm, as further detailed in **Volume 3** and it is noted that this use is consistent with suitable rural passed activities identified by Landsystems;
- While it is acknowledged that the proposed subdivision to create lots 8 and 9 is not consistent with the NPS-HPL, it is considered that the proposed subdivision design retains an appropriately sized balance lot (lot 7) to support low intensity uses, as outlined above. The potential for reverse sensitivity effects associated with lots 8 and 9 have been assessed at section 5.4 of this report, and it is considered that these effects can be avoided due to the design and location of the new lots and the zoning of immediately adjacent sites;
- Reverse sensitivity effects associated with the proposed land use activities are assessed in detail in **Volumes 3-5**. For the purpose of this application, it is considered that the proposed lots are of a suitable size and shape to facilitate development and implement mitigation measures to appropriately avoid or mitigate reverse sensitivity effects; and
- The purpose of proposed lot 10 is to provide an esplanade reserve adjacent to the Waitoa River, and the effects of this subdivision on productive land is therefore considered to be negligible.

Overall, it is acknowledged that the proposed subdivision is not entirely consistent with the broader direction of the NPS-HPL with respect to the subdivision of highly productive land. However, for the reasons outlined above, and with particular regard to the detailed Land Use Capability Classification Assessment that has been undertaken, which identifies constraints to the viable productive capacity of the site, it is considered that the proposal is not inconsistent with the overall intent of the NPS-HPL.

6.3 Waikato Regional Policy Statement

The relevant sections of the Waikato Regional Policy Statement ('RPS') applicable to **Volume 2** are assessed below. It is considered that overall, the proposed subdivision is generally consistent with the Waikato RPS.

6.3.1 Part 3 – Domains and Topics: LF – Land and Freshwater

The relevant provisions under Chapter LF – Land and Freshwater relate to the management of soil resources within the region. Objectives LF-O4 and LF-O5 seek to safeguard the life supporting capacity of soil resources for existing and foreseeable range of uses and to recognise the value of high class soils for primary production and protect these soils from inappropriate subdivision.

Similarly, the relevant policies seek to maintain soil versatility to protect a range of uses and to avoid a decline in the availability of high class soils for primary production due to inappropriate subdivision or development. The policies also seek to manage soil contaminants, with particular regard to managing the potential for effects on human health, amongst other matters.

It is considered that the proposal is generally in keeping with Chapter LF – Land and Freshwater, and achieves an acceptable outcome with respect to the relevant provisions for the following reasons:

- The proposed subdivision will facilitate a range of uses as part of the wider Ashbourne development as identified above, consistent with Objective LF-O4;
- For the reasons identified at section 6.2 above, it is considered that the proposed subdivision is not inappropriate on balance, and with consideration to the site's zoning, constrained productive capacity, and future land uses as detailed in **Volumes 3-5** of this application;
- As assessed at sections 5.6 and 6.1 above, contaminated land within the site can be appropriately managed as part of the proposed subdivision and change in land use in accordance with the CSMP and ASSMP to avoid adverse effects on human health; and
- It is noted that no earthworks are proposed under this application.

6.3.2 Part 3 – Domains and Topics: UFD – Urban Form and Development

The relevant provisions under Chapter UFD – Urban Form and Development relate achieving an integrated, sustainable, and planned built environment which enables positive environmental, social, cultural and economic outcomes. Policy UFD-P1 requires subdivision to occur in a planned and coordinated manner that addresses potential cumulative effects, is based on sufficient information to understand long-term effects, and has regard to the existing built environment.

As assessed in **Volume 1** and **Volumes 3-5**, it is considered that the wider Ashbourne development delivers a well-planned and considered masterplan for urban growth that is comprehensively coordinated with infrastructure delivery, land use strategy, and the existing built environment. The proposal is underpinned by a suite of technical assessments that provide a robust understanding of long-term effects and cumulative impacts. On this basis, it is considered that the proposed subdivision, which will facilitate the Ashbourne development is consistent UFD-O1 and UFD-P1.

6.4 Matamata-Piako Operative District Plan

The objectives and policies of the MPDOP are contained in Part A: Issues, Objectives, and Policies. The relevant sections of the MPODP applicable to **Volume 2** are summarised and assessed below. It is considered that overall, the proposed subdivision is generally consistent with the MPODP.

6.4.1 Section 2 Sustainable Management Strategy: 2.4 Sustainable Management Strategy

The relevant objectives under Chapter 2.4 seek to avoid inappropriate residential and rural-residential growth in the rural environment in order to protect rural land resources for rural production and for land use, subdivision and infrastructure to be planned in an integrated manner. The policies seek for residential development to be located and consolidated within appropriate existing zone boundaries subject to the availability of infrastructure, and to manage the orderly and programmed expansion of residential areas consistent with the relevant structure plan. It is also anticipated that new development and the expansion or intensification of existing

development takes place where infrastructure can be appropriately provided for and the adverse effects on the natural and physical environment can be appropriately avoided, remedied, and mitigated.

The land use activities proposed within the Ashbourne developed have been assessed against the relevant provisions of Chapter 2.4 within **Volumes 3-5**. The following comments are made with regard to the subdivision activity that is proposed under this application:

- The subdivision will primarily facilitate rural-residential growth within the ESPP area, which is anticipated and in accordance with Policy 2;
- While the subdivision will also provide for some residential development within the Rural Zone, including a small proportion of the residential development and the retirement village, this is located on land that is immediately adjoining the ESPP area and forms a logical extension of this land;
- The subdivision and future land use activities can be appropriately serviced by infrastructure, as further detailed within **Volumes 3-5**;
- The scale of development enabled by new lots 8 and 9 is considered to be small, and will not result in the inappropriate expansion of the rural-residential growth; and
- As demonstrated in section 5.0 and in **Volumes 3-5**, it is considered that the actual and potential effects of the proposed subdivision and future land use activities can be appropriately avoided, remedied, and mitigated.

Overall, it is considered that the proposed subdivision is generally consistent with and overall acceptable with respect to the relevant objectives and policies under Chapter 2.4.

6.4.2 Section 3 Environment: 3.4 Subdivision

The relevant objectives under Chapter 3.4 Subdivision seek to ensure that subdivision results in allotments which can accommodate activities that are anticipated by the zone while not unreasonably compromising existing activities and resources and that towns in the District are developed to enhance communities through recognising good quality urban design. The objectives also seek to maintain and enhance, where appropriate, public access to and along the District's principal waterways. The policies reinforce the objectives through ensuring allotments have suitable natural and physical characteristics, seeking to limit rural lifestyle subdivision in the rural environment, and to avoid subdivision around legally established activities in the rural environment that can lead to reverse sensitivity effects.

The proposal is considered to be in keeping with Chapter 3.4 Subdivision for the following reasons:

- The proposal creates vacant lots which will retain flexibility in terms of accommodating future land uses. The proposed activities in the Ashbourne development are further assessed in **Volumes 3-5**, however it is considered that the solar farms, retirement village, and residential subdivision are generally anticipated within the underlying zoning, either by way of permitted activities or specific provision for assessment through a resource consent process;
- Proposed lots 1-7 have been designed to ensure they can accommodate infrastructure services as part of future development in accordance with the Ashbourne masterplan;
- Proposed lots 8 and 9 have been designed and sited to accommodate future residential development and on-site infrastructure in accordance with the Rural Zone;

- While lots 8 and 9 are rural lifestyle lots, they are located adjoining the urban area, and will not reduce or restrict the ability of the balance land (lot 7) to be utilised for rural production activities. Reverse sensitivity effects will also be avoided, as assessed in section 5.4 above; and
- While the Waitoa River is not identified as a principal waterway within the district, proposed lots 10 and 11 will serve as an esplanade reserve on the eastern side of this waterway which will enable provision for public access.

7.0 Statutory Considerations Summary

Overall, the application is considered to be generally consistent with, and not contrary to, the applicable provisions of the relevant National Environmental Standards, National Policy Statements, Waikato RPS, and MPODP.

7.1 Declining an Approval under Section 85

The Panel must decline an approval if one or more of the situations in s 85(1). The situations relevant to all types of approvals that can be sought under the FTAA are:

- The approval is for an ineligible activity;
- The Panel considers that granting the approval would breach obligations relating to Treaty settlements and recognised customary rights; and
- In the case of an approval for a resource consent, the approval must be declined if it is in an area covered by clause 17(5) Schedule 5 in an area.

The Panel may also decline an approval if the Panel forms the view that:

- The activity or activities for which the approval is sought would have one or more adverse impacts; and
- Those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the Panel has considered, even after taking into account any conditions that the Panel may set in relation to those adverse impacts, and any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

In subsections (3) and (4), adverse impact means any matter considered by the Panel in complying with Section 81(2) that weighs against granting the approval.

8.0 Assessment Against the Fast-track Approvals Act Decision Making Framework

8.1 Information Considered

In considering whether to grant the approvals sought in this application, the panel must meet the requirements of Section 81, which includes applying the specific decision-making clauses in Schedule 5.

This AEE and the Ashbourne Development as a whole, has been prepared considering the information referred to in s81(2)(a) of the FTAA to the extent it is currently available. Specifically:

- All of the technical reports supporting the application;
- The CIA received from Ngāti Hauā, Ngāti Hinerangi and Raukawa and the careful analysis of Treaty settlements and iwi planning documents; and
- Feedback received from engagement.

8.2 Situations Where the Panel Must Decline an Approval

The Panel must decline an approval if 1 or more of the situations in s 85(1). The situations relevant to all types of approvals that can be sought under the FTAA are:

- The approval is for an ineligible activity;
- The Panel considers that granting the approval would breach obligations relating to Treaty settlements and recognised customary rights; and
- In the case of an approval for a resource consent, the approval must be declined if it is in an area covered by clause 17(5) Schedule 5 in an area.

The Panel may also decline an approval if the Panel forms the view that:

- The activity or activities for which the approval is sought would have one or more adverse impacts; and
- Those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the Panel has considered, even after taking into account any conditions that the Panel may set in relation to those adverse impacts, and any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

In subsections (3) and (4), adverse impact means any matter considered by the Panel in complying with Section 81(2) that weighs against granting the approval.

8.3 The Purpose of the Fast-track Approvals Act

The purpose of the FTAA is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits by streamlining consenting and approval processes. Section 3 of the Act states:

"The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits."

8.4 Resource Consent Approvals Sought: Parts 2, 3, 6 and 8 to 10 of the Resource Management Act 1991 and Other Legislation Directing Decision-making

8.4.1 Part 2 of the Resource Management Act 1991

This section of the application is provided in accordance with clauses 5(1)(g) and 17 of Schedule 5 of the Act. As the proposed subdivision will facilitate the entire Ashbourne Development, the below assessments have considered the development as a whole.

Part 2 contains the purpose and principles of the RMA. Section 5 sets out the purpose of the RMA and requires a broad judgement as to whether a proposal would promote the sustainable management of natural and physical resources. This exercise of this judgement is informed by the principles in sections 6 to 8 and considered in light of the particular circumstances of each application.

Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment. It is considered that the proposed Ashbourne development is complementary to these objectives as it will provide for the social and economic well-being of people and communities by increasing employment and income within the local economy and provide for 530 new homes and 250 retirement villages to assist with the housing shortage and increasing ageing population within the Matamata District. Additionally, the development supports the delivery of a diverse and integrated urban environment through the provision of healthcare facilities and two solar farms capable of powering over 7,000 homes annually. The development is staged to respond to short-, medium-, and long-term housing demand, and incorporates infrastructure and design features that sustain the life-supporting capacity of ecosystems, mitigate adverse effects, and enhance environmental outcomes. The inclusion of a greenway and esplanade reserves along the Waitoa River demonstrates a commitment to ecological restoration and stormwater management, contributing to the long-term health of the natural environment. The preceding assessments, along with assessments in Volumes 3 – 5 demonstrate that the development will be appropriately managed and carried out in a manner which will not give rise to significant adverse environmental effects and which will, on balance, have significant positive effects for the region whilst managing potential adverse effects appropriately.

The Ashbourne development appropriately recognises and provides for Section 6 matters and provides for:

- The natural character of the Waitoa River and surrounding landscape is preserved and enhanced through riparian planting, ecological restoration, and the creation of public access via esplanade reserves;
- The greenway and Waitoa River corridor are designed to restore ecological function and enhance natural character through riparian planting and stormwater treatment;
- The development avoids areas of outstanding natural features and landscapes, and includes protocols for managing accidental discovery of archaeological sites;
- The relationship of Māori with their ancestral lands and waters is acknowledged through extensive and ongoing engagement with Mana Whenua, including Ngāti Hauā, Ngāti Hinerangi, and Raukawa. Cultural values are integrated into the design of the greenway and public spaces, and opportunities for storytelling, wayfinding, and ecological restoration are embedded in the application through the masterplan. Feedback from Mana Whenua has been carefully considered and used to inform the Masterplan and application.

Section 7 of the RMA identifies a number of “other matters” to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical

resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment. The Ashbourne development is also consistent with the relevant parts of section 7 because:

- It enables the efficient use and development of land and will not compromise the visual amenity of the environment and protect natural water resources as far as practicable. The proposal promotes a compact urban form, dual-use solar farming and staged infrastructure delivery;
- The project delivers a transit-oriented residential and neighbourhood centre that maintains and enhances the quality of the environment. The organisation of activities, open spaces and roading pattern are considered to be positive design responses and the buildings have been designed to present high quality urban outcomes;
- Particular regard has been given to kaitiakitanga through the iwi engagement process and the subsequent actions in response to recommendations from iwi including providing for cultural monitoring, the design of the greenway, approach to stormwater management and incorporating recommendations relating to planting;
- Amenity values are enhanced through high-quality urban design, including a legible street network, diverse housing typologies, and integrated public spaces. The urban design guidelines proposed will ensure high-quality amenity outcomes throughout the development;
- Restoration is prioritised of degraded farmland alongside the integration of green infrastructure elements into the design which will assist with enhancing biodiversity; and
- Solar farms will generate energy for over 7,000 homes annually, contributing to national renewable energy targets; and
- The development incorporates flood modelling and carefully designed stormwater management that has been designed with consideration to the effects of climate change and reducing the risk of flooding.

With regard to the principles of the Treaty of Waitangi (Section 8 of the RMA), the proposal will not generate any significant adverse effects on the natural environment or on any sites of cultural importance. Engagement with Mana Whenua has been substantive and ongoing, informing the cultural, ecological, and spatial design of the development.

Overall, as the effects of the proposal are considered to be consistent with all of the above sections of the RMA, and the proposal generally accords with the relevant WRP and MPDP objectives, policies, and assessment criteria, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the RMA.

8.4.2 Part 3 of the Resource Management Act 1991

Part 3 of the RMA relates to the duties and restrictions under the RMA. It is considered that the proposal meets Part 3 of the RMA because:

- All approvals sought are all approvals required under Section 9, 11, 13, 14 and 15 of the RMA;
- The proposal involves subdivision and a change in land use that does not comply with the permitted activity standards of the MPDP. As such, resource consent is required and has been appropriately sought;

- The site has been identified as containing contaminated soils due to historical agricultural activities. A Preliminary and Detailed Site Investigation (PSI/DSI) confirmed the presence of contaminants. Although concentrations were below the thresholds set by the NESCS, the site is classified as a "piece of land" under Regulation 5(7). Accordingly, a Controlled Activity consent has been sought under Regulation 9(3) of the NESCS. The proposal includes a CSMP and an ASSMP, which outline procedures for remediation, health and safety, and environmental protection during any future soil disturbance. This is consistent with Section 15 of the RMA;
- While no direct works are proposed within the Waitoa River bed, the creation of esplanade reserves and the greenway adjacent to the river will enhance public access and ecological values. Any future works that may affect the river or its margins will be subject to further assessment and consent under the relevant provisions of the RMA and the Waikato Regional Plan. This is consistent with Section 13 of the RMA;
- Construction noise and vibration effects have been assessed (Appendices 3G, 4H, and 5K) and the noise limits set in the MPDP can be met. The specific properties at risk of an exceedance are to be covered by the CNVMP, and the draft CNVMP provided demonstrates that there are a range of specific methods available for managing noise and vibration on those properties. As a result, Section 16 of the RMA has been complied with;
- The Ashbourne development appropriately addresses potential noise impacts by committing to a Construction Noise and Vibration Management Plan. This ensures that any construction-related noise will be effectively mitigated through best practice measures, thereby fulfilling the duty to avoid unreasonable noise effects on the environment. As a result, Section 17 of the RMA has been complied with.

8.4.3 Part 6 of the Resource Management Act 1991

Part 6 of the RMA relates to resource consents. It sets out how decisions on applications for resource consents are considered if applied for under the RMA. The relevant sections in Part 6 are addressed below:

- The primary decision-making section applying to both is Section 104 of the RMA. A comprehensive assessment against Section 104 has been undertaken above. In short, it concludes that the resource consent approvals sought are consistent with all of the planning instruments to which regard must be had;
- Under Section 105 RMA when deciding an application for a discharge permit the decision maker must have regard to the nature of the discharge and the sensitivity of the receiving environment to adverse effects; the applicant's reasons for the proposed choice; and any possible alternative methods of discharge, including discharge into any other receiving environment;
 - The Ashbourne development includes discharges of stormwater and potentially sediment-laden water associated with construction and urban development. These discharges will be directed to newly constructed stormwater basins and the greenway, which are specifically designed to treat and filter runoff before it reaches the Waitoa River. The receiving environment has been assessed as having low ecological value due to historic farming, and the proposal includes significant ecological restoration to improve its resilience and sensitivity.

- The use of stormwater basins and greenway corridors reflects a deliberate design choice to integrate infrastructure with ecological and cultural values. These features provide not only stormwater treatment but also public amenity, biodiversity enhancement, and cultural storytelling opportunities, aligning with the project's place-based identity.
- Alternatives such as direct discharge to water bodies were considered less appropriate due to potential adverse effects. The chosen method—filtration through vegetated greenway and engineered basins—represents best practice in low-impact urban design and water-sensitive development.
- Under Section 106 of the Act, a consent authority may refuse to grant a subdivision consent if it considers that there is significant risk from natural hazards, or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision. The site has been assessed for natural hazard risks, particularly flooding associated with the Waitoa River. The proposed subdivision avoids areas subject to significant flood risk, and future land use consents include detailed stormwater management infrastructure, including greenways and basins designed to mitigate flood impacts, refer to Appendices 3F, 4D, 5F, and 5I. All proposed lots have been designed to ensure legal and physical access is provided. Where access is not immediately formed (e.g. for superlots), amalgamation conditions and future infrastructure delivery under subsequent land use consents will ensure compliance at the time of s224(c) certification. As such, there are no reasons to refuse to grant subdivision consent under Section 106 of the RMA.
- Section 107 specifies specific circumstances when a discharge consent cannot be granted. The proposal is not anticipated to give rise to any of the matters listed above. As detailed in the Infrastructure Assessment at Appendices 3F, 4D, and 5F, the stormwater management approach for the development has been comprehensively considered to ensure stormwater discharge from the site will not adversely affect receiving freshwater or coastal environments. With regard to the discharge of contaminants from the disturbance of contaminated land, appropriate measures will be in place to ensure the discharge is managed and will not result in any of the listed matters above.

8.4.4 Part 8 of the Resource Management Act 1991

Part 8 of the RMA relates to designations and heritage orders. No heritage orders or designations apply to the site or are proposed.

8.4.5 Part 9 of the Resource Management Act 1991

Part 9 of the RMA relates to water conservation orders, freshwater farm plans and use of nitrogenous fertiliser. These matters are not relevant to any of the approvals sought.

8.4.6 Part 10 of the Resource Management Act 1991

Part 10 of the RMA relates to subdivision and reclamations. All of the provisions addressed below are relevant to the resource consent subdivision approvals sought:

- Specific conditions have been proposed in relation to the subdivision consent approval that is sought. These conditions align with Section 220 of the RMA;
- Some of the conditions proposed provide for the issue of a consent notice in accordance with Section 221 of the RMA;

- Esplanade reserves will be provided in accordance with the requirements of Section 230 of the RMA;
- Roads and reserves to vest, and easements are shown on the engineering drawings and accord with standard RMA practice; and
- All boundaries and allotments are shown on the scheme plans.

8.4.7 Other Relevant Legislation

There is no other primary legislation relevant to the RMA approvals being sought in this application under the RMA.

8.4.8 Conclusion

Based on the analysis above, it is considered that the application is consistent with the parts of the RMA relevant to decision making under the FTAA, and the documents to which they refer.

8.5 Decision on Whether to Grant the Approvals Sought in the Application

8.5.1 Resource Consent Approvals

As set out in Section 8.2 above none of the situations that require the panel to decline an application.

Assessment of the application against Sections 81 and 85 support a decision to grant the approvals sought in the application.

The Ashbourne development provides several benefits of regional significance. In particular:

- **Housing Supply and Urban Growth** - Ashbourne will deliver over 500 new residential units and 218 retirement living units, directly addressing the long-term housing shortfall identified in Matamata. The development supports a well-functioning urban environment with diverse housing typologies, enabling multi-generational living and improving housing affordability and choice;
- **Integrated Infrastructure and Community Services** - The proposal includes a neighbourhood commercial node, healthcare facilities, and a connected transport network. These elements will enhance local service provision, reduce reliance on the Matamata town centre, and support population growth in a planned and coordinated manner.
- **Renewable Energy Generation** - Two solar farms, covering over 36 hectares, will generate enough electricity to power more than 7,000 homes annually. This contributes to national renewable energy targets and supports regional energy resilience, while preserving productive land through dual-use agrivoltaic farming.
- **Environmental Enhancement and Climate Resilience** - The greenway corridor integrates stormwater management, ecological restoration, and active transport infrastructure. It improves the health of the Waitoa River, mitigates flood risk, and enhances biodiversity in an area previously degraded by intensive farming.
- **Cultural Recognition and Partnership** - The development has been shaped through extensive and ongoing engagement with Ngāti Hauā, Ngāti Hinerangi, and Raukawa, incorporating

cultural values into the design of public spaces, planting, and wayfinding. This supports Treaty principles and strengthens regional identity.

- Economic Stimulus and Employment - Ashbourne will generate significant construction activity and long-term employment through its residential, commercial, and retirement precincts. It will stimulate the local economy and contribute to infrastructure investment across the district.

The potential adverse impacts of the proposal have been avoided, remedied or mitigated through the design of the proposal and the mitigation measures secured through conditions of consent, and the proposal is generally in accordance with the relevant planning documents.

The relevant test for declining an approval in section 85 of the FTAA is whether the adverse impacts of the proposal are sufficiently significant to be out of proportion to the project's regional or national benefits, noting that a panel cannot form the view that an adverse impact meets this threshold solely on the basis that the adverse impact is inconsistent with or contrary to a planning or policy document. In our opinion, the development proposed delivers extensive positive effects demonstrating that support the granting of the approvals sought in this application.

9.0 Proposed Conditions

This section of the application is provided in accordance with clause 5(1)(k) and clause 18 of Schedule 5 of the Act. These clauses require that an application provides conditions for the resource consent. The proposed conditions of consent which seek to implement the mitigation measures that have been identified as being necessary are included as **Appendix 2D**.

In recommending the proposed conditions of consent for this application in accordance with Clause 5(1)(k) of Schedule 5, the conditions are proposed to:

- Appropriately manage adverse effects, including providing mitigation to prevent or reduce adverse effects during and after construction in accordance with Clause 6(1)(d) of Schedule 5; and
- Give effect to those matters that the panel must consider under Section 81(2)(a).

The conditions are not considered to be more onerous than necessary and comply with Section 83 with reference to Section 81(2)(d), and it is considered that they meet the requirements of the FTAA.

10.0 Conclusion

The proposed subdivision under **Volume 2** of the Substantive Application for Ashbourne involves the creation of vacant lots to facilitate the proposed land use activities, the creation of two rural-residential lots, and two lots for the purpose of esplanade reserves. Based on the above report, and information included in the Overview Report (**Volume 1**), it is considered that:

- Appropriate consultation and engagement has been undertaken with relevant stakeholders, including Mana Whenua, Matamata-Piako District Council, Waikato Regional Council, and the administering agencies;

- Consideration of planning documents recognised by relevant iwi authorities and lodged with Waikato Regional Council has been undertaken;
- Having considered the actual and potential effects of the proposal, the proposal will generate less than minor adverse effects that, subject to conditions of consent, will be appropriately avoided, remedied, or mitigated;
- The proposal is generally consistent with, and not considered to be inappropriate in the context of the relevant objectives and policies of the NESCS, NPS-HPL, Waikato RPS, and MPODP;
- The proposal achieves the purpose of the FTAA to facilitate delivery of infrastructure and development projects within significant regional or national benefits; and
- The proposal is considered to be consistent with Parts 2, 3, 6, and 8-10 of the RMA.

It is therefore concluded that the proposal satisfies all matters the EPA is required to assess, and that it can be granted consent under the FTAA subject to conditions.