

Referral Application Form

1.0 Section 1: Applicant Details

1.1 Applicant(s) – repeat for all applicants

Required	Response
Organisation Name	Matamata Development Limited
NZBN (optional)	
Contact Name	Caleb Pearson
Phone	s 9(2)(a)
Email Address	s 9(2)(a)
Postal Address (if preferred method of contact)	

1.2 Agent acting on behalf of applicant (if applicable)

Required	Response
Organisation Name	Barker & Associates
Contact Name	Fraser McNutt
Phone	s 9(2)(a)
Email Address	s 9(2)(a)
Postal Address (if preferred method of contact)	

1.3 Finance – Agent acting on behalf of applicant (if applicable)

Required	Response
Organisation Name	
Contact Name	
Phone	
Email Address	
Postal Address (if preferred method of contact)	
Please direct all correspondence relating to this application (including correspondence from MfE) to: <ul style="list-style-type: none">• Applicant(s)• Agent for applicant	

1.4 Compliance and Enforcement History – repeat for all applicants

Required	Response
Have there been any compliance or enforcement actions taken against the applicant (or if the referral application is lodged by more than one person, any of those persons) under a specified Act definition for either 'compliance' or 'enforcement'?	No.
If you answered yes above, please provide a summary of the relevant legislation and provisions, and any compliance or enforcement actions, and the outcome of those actions taken under the specified Act against the applicant or applicants, if the referral is being lodged jointly.	

2.0 Section 2: Referral Application Summary

2.1 Project Name

This is the name by which the project will be known publicly. For example - avoid using street addresses, place names, company names.

Ashbourne

2.2 Project Description and Location

2.2.1 Provide a description of the project and the activities it involves

The project description helps us with inviting comments from relevant parties on the application, and publishing information about the application.

Ashbourne seeks resource consent to advance a multi-use development that includes four key precincts:

- (1) A new residential community, comprising circa 520 new residential units with a variety of densities, a green space and a commercial node;
- (2) A multi-functional greenway that weaves from the neighbourhood centre and commercial node to the Waitoa River on the site's western boundary with an active-mode pathway along the length;
- (3) A retirement living core, comprising 218 units, a hospital and supporting facilities that will be provided across a staged development; and
- (4) Two solar farms which will provide a sustainable energy resource onsite, with the potential to integrate into the wider electricity network to generate energy outside of the immediate development.

As summarised above, the proposal will enable a functional multi-use development that is focused on creating a well-connected, legible and diverse community on the edge of Matamata. Through logical staging and timing, Ashbourne intends to provide a supply of diverse and affordable housing and retirement living

in a sustainable manner, through the incorporation of two solar farms to power the development and beyond.

The 42-hectare residential community is underpinned by a series of design principles, which focus on creating a well-connected, legible and diverse community on the edge of Matamata. The eight-stage development is framed around a central spine road which runs from Station Road, to the north of the site, down to the eastern boundary. Intersecting this is a secondary spine road connection to link the wider residential precinct to the commercial node, green space and greenway. This transport network, supported by local roads, pedestrian and cycle connections, enables a legible grid structure in the residential area. A range of housing typologies and densities are proposed to meet the growing and changing needs of the housing market to ensure there are options for future residents.

The commercial node located in the heart of the development, includes a number of amenities and services to support the Ashbourne development, wider community and local economy, such as local shops, a childcare facility and a café. The commercial node comprises an area of 0.75 hectares in the centre of the Ashbourne development, that includes a number of commercial properties, café, childcare facility and superette. This element of the proposal has been scaled to support the density proposed in the residential and retirement village components to ensure it does not threaten the primary purpose of the town centre of Matamata.

The multi-functional greenway links the commercial node and open spaces of the Ashbourne development area. This corridor interconnects infrastructure, cultural narrative, ecological wellbeing, connectivity and amenity to support a place-based identity. A number of uses are proposed along this corridor to encourage future residents to interact with the greenway, such as sheltered rest areas for relaxation and socialisation, active mode pathways, and play areas.

To support the growing demand for retirement living in Matamata, Ashbourne is anticipated to deliver 218 retirement living units, as well as the supporting healthcare and community facilities across an area of 19 hectares. A staged approach is proposed, from east to west, to establish a high-quality development overlooking the greenway.

Two solar farms are proposed to produce energy for over 7,000 homes per year, with the ability of powering not only Ashbourne but the wider community. The northern solar farm has an area of 12.7 hectares, while the southern solar farm is twice the size with an area of 24 hectares. An underpinning design principle of the solar farms is the dual-use, with agrivoltaic farming proposed to be undertaken underneath the solar panels to promote sustainability and preserve the identified highly productive land. Typical landscaping, planting and security will complement the solar farms to ensure their integration with the wider Ashbourne development.

To deliver these four key precincts, earthworks, roading, wastewater infrastructure, stormwater infrastructure, and water supply infrastructure will be required. This will be carried out in a staged and efficient manner to ensure the development is sustainable and integrated prior future residents moving into Ashbourne.

2.2.2 Provide a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application

For example, site address(es), certificate of title(s), shape files.

The site, Ashbourne, is situated within the Matamata-Piako District, approximately 1.8 kilometres to the south-west of the centre of Matamata. Located on the edge of Matamata, the site adjoins existing rural living and general residential areas to the north, as well as rural land to the south. It is bound to the west by Waitoa River, which clearly delineates the site from the adjacent rural land. Spatially, the site is well located to a number of amenities and services, including within an 800 metre catchment of the town centre, education facilities (Matamata College, Matamata Intermediate School, and Firth Primary School) and public open spaces.

The site is made up of several land parcels that together form a total area of 125 hectares. This is made up of two larger blocks of land, the northern area and the southern area, which are both access from Station Road – one to the north and one to the south respectively.

The northern area is zoned General Rural, while the southern area has a split zoning of General Rural and Rural Lifestyle. A portion of this southern area is located within the Eldonwood South Structure Plan, also with split zoning of Rural Residential 1 and Rural Residential 2.

Currently, the site comprises of lots in pasture, rural lifestyle and rural activities.

Please refer to the Urban Design Memorandum, attached as **Attachment 1**, that includes an aerial of the site in the drawing package. Please refer to the Records of Title and Interests, attached as **Attachment 2**.

2.3 Ineligible Activity

2.3.1 Does the project include an activity that would occur on identified Māori land as defined in section 4 of the Act?

If yes, please address the following:

- i. *Identify the land involved and the owner(s) of the land.*
- ii. *Confirm that the activity on the land has been agreed with the owners of the land and provide evidence of the written agreement; or*
 - A. *advise whether it is proposed to seek a determination under section 23 and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below; or*
 - B. *advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.*

No.

2.3.2 Does the project involve an activity that would occur in a customary marine title area?

If yes, address the following:

- i. *Identify the relevant customary marine title area, who the customary marine title group is*
- ii. *Provide evidence that written agreement has been obtained from the customary marine title group and provide a copy of the same; or*
 - A. *advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.*

No.

2.3.3 Does the project involve an activity that would occur in a protected customary rights area?

If yes, address the following:

- i. Identify the protected customary rights area, the group who holds these rights and the nature of the protected customary right(s)*
- ii. Explain your proposed activity and identify whether you consider that it would have a less than minor adverse effect on the exercise of the protected customary right(s), and briefly explain why; or*
- iii. Advise whether you consider that your proposed activity would have a more than minor effect on the exercise of the protected customary right(s), and if so, confirm that the activity has been agreed to in writing by the protected customary rights group and provide a copy of that agreement.*

No.

2.3.4 Does the project involve an activity that would occur on: Māori customary land; OR land set apart as a Māori reservation as defined in section 4 of Te Ture Whenua Māori Act 1993?

No.

2.3.5 Does the project involve an aquaculture activity or an activity that is incompatible with aquaculture activities that would occur within an aquaculture settlement area (under section 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004); or an area reserved under another Treaty settlement for the aquaculture activities of a particular group?

No.

2.3.6 Provide details of the aquaculture activity or the activity that is incompatible with aquaculture and the location.

2.3.7 Provide details of the relevant aquaculture settlement area or Treaty settlement legislation reserving space for aquaculture and include details of the impacted parties or particular group.

2.3.8 Provide details on whether or not the applicant is authorised to apply for a coastal permit within the aquaculture settlement area, or area reserved under another Treaty settlement for aquaculture activities, including a copy of any such authorisation.

2.3.9 Does the project include an activity that would require an access arrangement under section 61 or 61B of the Crown Minerals Act 1991?

If yes, provide the following information:

- i. *What is the activity that would require the access arrangement; and*
- ii. *Does the project include an activity that would occur on Crown owned land or internal waters and land of the common marine and coastal area described in Schedule 4 of that Act and provide details of the same.*
- iii. *If so describe how the activity meets the criteria in section 61(1A)(a-e) of the Crown Minerals Act 1991; or*
- iv. *Confirm and provide evidence that the project would not occur in an area for which a permit cannot be granted under that Act.*

No.

2.3.10 Does the project include an activity that would be prevented under any of sections 165J, 165M, 165Q, 165ZC, or 165ZDB (regarding the management of occupation in common marine and coastal area) of the Resource Management Act 1991?

No.

2.3.11 Provide details about which section the project does not comply with and, if relevant, the provisions of the regional coastal plan that are applicable.

2.3.12 Does the project include an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that would occur on land that is listed in Schedule 4 of this Act?

If yes, provide the following:

- i. *identify the activity and which clause under Schedule 4 is applicable; and*
- ii. *confirm whether you are seeking that the Minister make a determination under section 24, and if so, whether the determination sought relates to existing electricity infrastructure or new electricity lines and provide the information under 2.5 Ministerial determinations under sections 23 and 24 below.*

No.

2.3.13 Does the project involve an activity that would occur on a national reserve held under the Reserves Act 1977 and requires approval under that Act?

If yes, address the following:

- i. *identify the activity and type of national reserve under the Reserves Act*
- ii. *identify what approval(s) would be required under the Reserves Act.*

- iii. *Confirm whether you are seeking that the Minister make a determination under section 24 and if so whether the determination sought relates to existing electricity infrastructure or new electricity lines.? If so, provide the information under 2.5 Ministerial determinations under sections 23 and 24 below*

No.

2.3.14 Does the project involve an activity that would occur on a reserve held under the Reserves Act 1977 that is vested in someone other than the Crown or a local authority?

If yes, address the following:

- i. *identify the activity, the reserve type under the Reserves Act, and the person in whom it is vested.*
- ii. *provide evidence that written agreement has been obtained from the person in whom the reserve is vested and provide a copy of the same; or*
- iii. *advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below.*

No.

2.3.15 Does the project involve an activity that would occur on a reserve held under the Reserves Act 1977 that is managed by someone other than the Department of Conservation or a local authority?

If yes, address the following:

- i. *Identify the activity, the reserve type under the Reserves Act, and the person or body who manages the reserve.*
- ii. *Provide evidence that written agreement has been obtained from the person or body responsible for managing the reserve and provide a copy of the same; or*
- iii. *Advise whether it is proposed to rely on section 5(2) of the Act and provide the information under 2.3 Ineligible activity below; or*
- iv. *Advise whether you consider the activity falls within the scope of section 5(5) of the Act, and provide the information under 2.3 Ineligible activity below.*

No.

2.3.16 Does the project involve an activity that is:

- a. *a prohibited activity under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 or regulations made under that Act? If yes, please explain.*
- b. *described in section 15B (Discharge of harmful substances from ships or offshore installations) of the Resource Management Act 1991 and is a prohibited activity under that Act or regulations made under it. If yes, please explain.*
- c. *prohibited by section 15C (Prohibitions in relation to radioactive waste or other radioactive matter and other waste in coastal marine area) of the Resource Management Act 1991. If yes, please explain.*

No.

2.3.17 Does the project involve a decommissioning-related activity as described in section 38(3) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012?

If yes, please explain.

No.

2.3.18 Does the project involve an activity undertaken for the purposes of an offshore renewable energy project?

If yes, please explain.

No.

2.4 Exemptions from requirement to provide agreement

2.4.1 Mining activities under section 5(2)

- (1) Is your application for an activity that is prospecting, exploration, mining or mining operations of Crown-owned minerals undertaken below the surface of any land or area? *If yes, see below.*
- (2) Provide details of the activity and identify the owner and occupier of the land and any relevant details concerning the land or area (such as whether it is identified Māori land).
- (3) Explain the extent, if any to which your activity may be likely to cause any damage to the surface of the land or any loss or damage to the owner or occupier of the land.
- (4) Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of the use and enjoyment of the land by the owner or occupier of the land.
- (5) Explain the extent, if any to which your activity will be likely to have any prejudicial effect in respect of any possible future use of the surface of the land, and if no such effects are anticipated, please explain why.

N/A.

2.4.2 Activities on land proposed to be the subject of a land exchange

- (1) Is the reserve on which the activity is to occur proposed to be the subject of a land exchange?
- (2) Is the reserve a Crown-owned reserve?
- (3) Are the person or persons responsible for managing the reserve in place because of a Treaty settlement?
- (4) Provide any supporting details which may be relevant for your responses to the above questions.

N/A.

2.5 Ministerial determinations under sections 23 and 24

2.5.1 Determination in relation to linear infrastructure on Māori land under section 23

- (1) Is your application seeking a determination under section 23 (linear infrastructure on certain identified Māori land)? *If yes, see below.*

No.

- (2) Confirmation that the activity is the construction of electricity lines or land transport infrastructure (and identify which it is).
- (3) Confirmation that the above construction (or operation of) will be undertaken by a network utility operator that is a requiring authority, and that that same party is the applicant for the necessary approvals, providing details of the same.
- (4) Confirmation that the activity would occur on identified Māori land that is Māori freehold land or General land owned by Māori that was previously Māori freehold land (and identify that land).
- (5) Provide information on the rights and interests of Māori in that land.
- (6) Provide an assessment of the effects of the activity on those Māori rights and interests and on the relevant land.

2.5.2 Determination in relation to existing electricity infrastructure under section 24(2)

- (1) Is your application seeking a Ministerial determination under section 24(2) (in relation to maintenance, upgrading, or continued operation of existing electricity infrastructure on certain Schedule 4 land or in a national reserve)? *If yes, provide the following information:*

No.

- (2) Confirmation that the activity is the maintenance, upgrading, or continued operation of existing electricity infrastructure.
- (3) Confirmation that the activity would occur on eligible land, as defined in section 24(3).
- (4) Advise whether the activity would materially increase the scale or adverse effects of the existing electricity infrastructure and provide an explanation of the same.

2.5.3 Determination in relation to new electricity lines under section 24(4)

- (1) Is your application seeking a determination under section 24 (the construction and operation of new electricity lines on eligible land (as defined in schedule 4 excluding land classified as a national park or listed in subsections 2, 4, 5(a), 7 or 8 of that schedule)? *If yes, provide the following information:*

No.

- (2) Is the activity the construction and operation of new electricity lines? (provide any necessary details)
Would the activity occur on eligible land (and identify which category of eligible land).
- (3) Provide the requested information for each alternative site considered for the construction and operation of the new electricity lines.
- (4) A description of the alternative site.
- (5) A statement of the anticipated and known financial cost of undertaking the activity on the alternative site.
- (6) A description of the anticipated and known adverse effects of undertaking the activity on the alternative site.
- (7) A description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity on the alternative site.
- (8) A description of any issues (including financial cost) that would make it impractical to undertake the activity on the alternative site.
- (9) An assessment of whether it would be reasonable and practical to undertake the activity on the alternative site, considering the matters referred to above.

2.6 Appropriateness for fast-track approvals process

2.6.1 The criteria for accepting a referral application is that the project is an infrastructure or development project that would have significant regional or national benefits. Explain how this project satisfies the criteria.

The significant regional (and national) benefits of the Ashbourne development are set out in the subsequent sections.

2.6.2 Explain how referring the project to the fast-track approvals process:

- (1) Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes; and

The fast-track process will enable the project to be processed in a more timely and cost-efficient manner than under the normal process, for the following reasons:

- Under the Fast-track Approvals Act 2024, expert panels will consider required approvals as a single application package, as opposed to the normal process where several applications would be required for the different activities and to different territorial authorities;
- Under the Fast-track Approvals Act 2024, public and limited notification is precluded, expert panels are only permitted to invite comments from specified persons who have a short timeframe to provide comment;
- Under the Fast-track Approvals Act 2024, timeframes are shorter and stricter than that of the normal process; and

- There is resourcing in place to process the application efficiently and certainty around timeframes for the applicant to ensure the project remains 'shovel ready'.

(2) Is unlikely to materially affect the efficient operation of the fast-track approvals process.

The applicant has a fully engaged project team who are already progressing towards a full resource consent package, hence referring this project will see the substantive application lodged in the following few months to ensure the efficient operation of the fast-track process.

(3) Has the project been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list? *If yes, identify the plan, strategy or list (or any other relevant document).*

No.

(4) Will the project deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure? *If yes, explain how the project will deliver this.*

No.

(5) Will the project increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020). *If yes, explain how the project will achieve this.*

Ashbourne delivers an integrated, multi-functional development that includes over 500 new homes and over 200 retirement living units. This provides the opportunity for a variety of housing types, locations and prices in a logical and accessible location.

Ashbourne enables people to provide for the social, economic and cultural wellbeing, with the commercial node offering services, employment opportunities and community facilities, and the greenway offering accessibility, natural and open spaces, and cultural wayfinding.

The site has good accessibility for all people to services, activities and amenity, particularly into Matamata. In addition, it encourages and promotes active transport through a range of walking and cycling options to housing, employment, schools, community services and open spaces.

(6) Will the project deliver significant economic benefits, and if so, how?

As outlined in the Economics Memorandum, attached as **Attachment 12**, Ashbourne will generate a wide range of economic benefits, including:

- Ashbourne will boost the supply of housing which will help narrow the gap between future supply and demand, which will help the market be more responsive to growth in demand, thereby reducing the rate at which house prices grow over time (relative to the status quo).
- Ashbourne caters to the ageing population by providing housing options that cater specifically to older residents, this frees up existing housing for others. For example, older, larger dwellings could be made available for younger families or first homebuyers, for which they are likely to be better suited.
- One-off economic impacts through the construction of hundreds of new homes, retirement units and associated facilities, commercial amenities, infrastructure, and solar farms.
- Employment through the approximate ten year construction period.
- Employment once operational for the various aspects of the proposal, such as retail workers for the commercial activities or carers for the retirement village.
- The proposal will also enable the land to be put to its highest and best use, which is a precondition for economic efficiency to hold in the underlying land market.
- The proposed solar farms can be integrated with agricultural activities, a practice known as agrivoltaics, where land is used simultaneously for farming and solar energy production. This can increase farmers' incomes and make better use of available land without compromising food production.

(7) Will the project support primary industries, including aquaculture, and if so, how?

No.

(8) Will the project support development of natural resources, including minerals and petroleum, and if so, how?

No.

(9) Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions, and if so, how?

The project takes into consideration climate change, particularly through the management of flooding hazards via the stormwater management provided by the greenway, and incorporates measures to support the reduction of greenhouse gas emissions (such as renewable electricity generation via the solar farms and active mode transport infrastructure).

Climate change will be accounted for within the stormwater design undertaken by Maven. In particular, climate adjusted stormwater rainfall data from NIWA's HIRD V4 database, which applies NIWA's rainfall adjusted temperature projections will be utilised. This rainfall data will be used within specialised stormwater software (such as HEC RAS, HEC HMS, 12d and C3D) to simulate the potential future extreme storm events for the pre and post site conditions. The design will account for overland flows through the development to manage DxV and flooding risks to safeguard people and infrastructure against potential future extreme storm events and manage the potential effects of climate change.

As aforementioned, the proposal includes two solar farms, that have capacity to produce energy for over 7,000 homes per year, with the ability of powering not only Ashbourne but the wider community. The inclusion of two solar farms supports climate change resilience and allows for an alternate power source.

Overall, Ashbourne is designed to reduce dependency on private motor vehicles and encourages the residential population to take up more sustainable modes of transport, thereby reducing greenhouse gas emissions, to ensure that the project supports climate change mitigation.

(10) Will the project support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards, and if so, how?

The site is not located within proximity of the coast. The stormwater management approach for the site takes into account climate change, with flood modelling scenarios and stormwater events having been undertaken taking into account future rainfall and climate change scenarios. There are no known other natural hazards that are applicable to the site, or latent hazards that could be exacerbated through climate change.

(11) Will the project address significant environmental issues, and if so, how?

While there are not significant environmental issues to be addressed on the site, it is considered that the project will address any significant environmental issues through best-practice design and engineering solutions.

The site is not located within proximity of the coast. The stormwater management approach for the site takes into account climate change, with flood modelling scenarios and stormwater events having been undertaken taking into account future rainfall and climate change scenarios. There are no known other natural hazards that are applicable to the site, or latent hazards that could be exacerbated through climate change. Any natural hazards and their risk can be managed through mitigation measures and design.

Climate change will be accounted for within the stormwater design undertaken by Maven. In particular, climate adjusted stormwater rainfall data from NIWA's HIRD V4 database, which applies NIWA's rainfall adjusted temperature projections will be utilised. This rainfall data will be used within specialised stormwater software (such as HEC RAS, HEC HMS, 12d and C3D) to simulate the potential future extreme storm events for the pre and post site conditions. The design will account for overland flows through the development to manage DxV and flooding risks to safeguard people and infrastructure against potential future extreme storm events and manage the potential effects of climate change.

As aforementioned, the proposal includes two solar farms, that have capacity to produce energy for over 7,000 homes per year, with the ability of powering not only Ashbourne but the wider community. The inclusion of two solar farms supports climate change resilience and allows for an alternate power source.

(12) Is the project consistent with local or regional planning documents, including spatial strategies, and if so, how?

Yes. Ashbourne is consistent with the following local and regional planning documents:

- 2024 Future Proof Strategy, as Ashbourne will achieve the vision of the Strategy by improving housing affordability and choices, improving access to employment, education and services, contributing to the low greenhouse gas emissions economy, providing resilience to natural environment and landscape, and enabling quality-built environments; and
- Matamata-Piako District Plan, as part of the site forms part of the Eldonwood South Structure Plan which is an area identified to deliver much needed housing supply in Matamata.

3.0 Section 3: Project Details

For construction activities, please state the anticipated commencement and completion dates.

The following timeline is based on the assumption that resource consent would be obtained by the end of October 2025:

- **Detailed Design:**
 - Residential Development: Q3 to Q4 2025
 - Northern Solar Farm: Q3 to Q4 2025
 - Retirement Village: Q4 2025 to Q1 2026
- **Procurement:** Q4 2025
- **Funding:** Q4 2025 to Q1 2026
- **Site Works & Construction:**
 - Stage 1 of the Residential Development would commence in Q1/Q2 2026 and the subsequent stages would continue following this.
 - Northern Solar Farm would commence in Q1/Q2 2026.
 - Retirement Village would commence in 2026.
- **Completion:**
 - Stage 1 of the Residential Development would be completed by Q3 2027 and the subsequent stages would continue following this.
 - Northern Solar Farm would be completed by the end of 2027.

3.1 Approvals Required

3.1.1 Outline the approvals sought under the Resource Management Act 1991

Matamata Piako District Council – it is noted that the proposal would require resource consent for the reasons summarised below:

- Activities undertaken on known contaminated sites [Discretionary Activity];
- More than two dwellings per urban site [Discretionary & Non-complying Activities];

- Accommodation Facilities [Discretionary Activity];
- Commercial Services [Non-complying Activity];
- Medical Facilities [Non-complying Activity];
- Offices [Non-complying Activity];
- Retailing [Non-complying Activity];
- Signage;
- Infrastructure & Servicing;
- Subdivision;
- Transport Corridors; and
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 for the change of land use and for future soil disturbance as part of future developments on a HAIL A10 site as a Controlled Activity.

Waikato Regional Council – it is noted that the proposal would require resource consent for the reasons summarised below:

- Groundwater Take [Discretionary Activity];
- Surface Water Take [Controlled Activity];
- Discharge Permit [Discretionary Activity];
- Damming Permit [Discretionary Activity];
- Diversion Permit [Discretionary Activity];
- Drainage of Wetlands [Discretionary Activity];
- Drilling [Controlled Activity];
- Culverts [Controlled Activity];
- Soil Disturbance [Discretionary Activity]; and
- National Environmental Standards for Freshwater Management for diversion of water and the discharge of water into water within a 100 metre setback of natural inland wetland respectively require consent as a Restricted Discretionary Activity.

3.1.2 Outline the approvals sought under the Conservation Act 1987

N/A.

3.1.3 Outline the approvals sought under the Reserves Act 1977

N/A.

3.1.4 Outline the approvals sought under the Wildlife Act 1953

N/A.

3.1.5 Outline the approvals sought under the National Parks Act 1980

N/A.

3.1.6 Outline the approvals sought under the Heritage New Zealand Pouhere Taonga Act 2014

N/A.

3.1.7 Outline the approvals sought under the Freshwater Fisheries Regulations 1983

N/A.

3.1.8 Outline the approvals sought under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

N/A.

3.1.9 Outline the approvals sought under the Crown Minerals Act 1991

N/A.

3.1.10 Outline the approvals sought under the Public Works Act 1981

N/A.

3.1.11 *Only applicable if more than one applicant:* Provide a statement of which approvals are proposed to be held by which applicant.

N/A.

3.1.12 Where there are any particular eligibility requirements to apply for an above approval; identify what they are, who the relevant applicant is, and confirm that the relevant applicant meets those requirements (including providing any necessary supporting information or documentation to evidence this).

3.1.13 Are there any other types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) and you consider are needed to authorise the project (including any that

may be needed by someone other than you as the applicant(s)). Provide details on whether these have been obtained.

3.2 Project Stages

3.2.1 If the project is planned to proceed in stages, provide:

A statement of whether the project is planned to proceed in stages, including:

- a. *an outline of the nature, scale and timing of the stages; and*
- b. *a statement of whether you intend to lodge a separate substantive application for each of the stages.*
 - i. *If a substantive application is intended to be lodged for each stage, address the questions under the section (Appropriateness for fast-track approvals process) for each stage of the project*

- (a) As shown in the Staging Plan, appended to the Infrastructure Memorandum attached as Attachment 4, Ashbourne is an overall three-stage development, with each of the four key precincts having their own sub-stages to ensure demand is met over the short, medium and long term.

The residential precinct is intended to be delivered over eight stages over a period exceeding ten years, starting from the southern-most stage. The commercial node is intended to be delivered at the half-way point once demand has been established to service the amenities and facilities.

The retirement living precinct is intended to be delivered over ten stages across a period of ten years. Exact staging and sequencing will be further refined and determined as the development progress forward, however, it will start from the east to the west.

- (b) The northern solar farm, the smaller of the two, is intended to be delivered first in earlier stages of the development; while the southern solar farm is intended to be delivered in the long-term (10+ years). One substantive application is intended for all stages.

3.3 Alternative Project

3.3.1 If the project is proposed as an alternative project, provide:

A statement of whether a part of the project is proposed as an alternative project in itself; and

- a. *Describe that part of the project; and*
- b. *Explain how that part of the project proposed as an alternative project meets the referral assessment criteria in section 22 of the Act.*

N/A.

3.4 Adverse Effects

3.4.1 Describe any anticipated and known adverse effects of the project on the environment.

Construction Effects

Contaminated Land

The site investigation confirmed that persistent pesticide bulk storage or use is more than likely than not to have occurred on the site. It is considered that this can be mitigated through remediation prior to earthworks commencing on site, as outlined in Preliminary & Detailed Site Investigation, attached as **Attachment 7**.

Earthworks

Earthworks for the project will be carried out in accordance with best practice appropriate erosion and sediment control measures to ensure potential adverse effects are avoided or minimised. Earthworks are proposed to be carried out during the summer earthworks season to reduce the potential discharge of sediment into receiving waters. Any potential adverse effects are able to be mitigated and managed via an Erosion and Sediment Control Plan.

Dust

During construction, it is anticipated that there will be dust generated by the earthworks and land disturbance, which is able to be mitigated and managed via an Erosion and Sediment Control Plan.

Construction Noise & Vibration

During construction, noise and vibration is anticipated to occur as a result of the works proposed to be carried out on the site. Construction will be managed in accordance with the NZS 6803:1999 Acoustics – Construction Noise and German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures.

Construction noise and vibration, particularly during any rock breaking, will be managed in accordance with a Construction Noise and Vibration Management Plan ('CNVMP'). The CNVMP will outline measures, such as restrictions on days and hours on noisy works, consultation with neighbours and use of quieter machinery (among others) to ensure that potential construction noise effects of the project are appropriately managed.

Construction Traffic

It is anticipated that there will be potential adverse traffic effects as a result of the construction of Ashbourne. A series of upgrades will be required on adjoining transport corridors, such as Station Road, which will result in potential delays and traffic on these corridors while construction occurs. This will be managed through phasing and delivery during off peak periods.

Construction traffic effects will be temporary and will be managed in accordance with a Construction Traffic Management Plan ('CTMP'). The CTMP will outline measures such as anticipated number of truck movements per day and truck routes (among other measures) to ensure that the potential construction traffic effects of the project are appropriately managed. The bulk of construction and related earthwork traffic movements will be kept within the site constraints and have little impact wider afield.

Infrastructure & Servicing

Maven Associates have prepared an Infrastructure Memorandum, attached as **Attachment 4**, with accompanying drawings, appended to the referral application, that demonstrate that the proposal can be appropriately serviced, hence there is not considered to be any significant adverse effects in relation to infrastructure and servicing.

Transportation

Commute have prepared a Transportation Memorandum, attached as **Attachment 8**, that details the transportation approach and how Ashbourne can integrate with the wider transport network. The design of the proposed transport corridors prioritises safety and emission reduction to ensure alignment with national and regional transport planning documents.

Character & Amenity

Character

As aforementioned, the site currently predominantly comprises of lots in pasture, rural lifestyle and rural activities. The surrounding area is a mix of rural, rural lifestyle, and residential. Due to the site's proximity to the urban fringe of Matamata and the natural site boundary of the Waitoa River, there is an opportunity to integrate with the surrounding mixed character.

As discussed below, the proposal will need to be carefully designed to integrate with the mixed character context of the area, with a strong focus on the transition from urban to rural. This will be achieved through a range of design measures, such as locating the commercial node in the centre of the development, smaller lots being internalised, and the agrivoltaic farming being undertaken beneath the solar panels to retain farming activities.

Urban Design

Barker & Associates have prepared an Urban Design Memorandum, attached as **Attachment 1**, that details the potential urban design effects of the proposal. These are separated into the four precincts, as summarised below.

- Residential Precinct:
 - The transition from larger rural-residential lots adjoining the site to the north, to the smaller residential blocks proposed will create a visual change to the adjoining properties as well as the wider neighbourhood context.
 - Illegibility of the street network as a result of the irregular shape of the site.
 - The increase in residents within Matamata will put pressure on the existing amenities and services within the existing Matamata Town Centre.
 - Potential reverse sensitivity effects of residential land uses being in close proximity to proposed commercial node and solar farms.
- Commercial Node & Public Open Space (including Greenway)
 - The introduction of a commercial node could undermine the vitality and viability of the Matamata's Town Centre.
 - Potential visual and amenity effects, including noise and lighting, to the adjoining proposed residential lots.
 - Potential visual safety and amenity effects within the commercial node as well as the interfaces with the public realm (streets and open space), due to increase in vehicle activity and inappropriate carparking arrangements and vehicle crossing locations.
- Retirement Village

- Visual and character effects created by the transition between the existing larger rural-residential lots and the proposed residential precinct to the proposed dwellings within the retirement village and the associated facilities (recreation centre and medical centre).
- The limited access and privacy associated with the proposed retirement village will limit access and visual connectivity to the wider development.
- Potential visual, amenity and reverse sensitivity effects created by the more intensive proposed residential lots adjoining the retirement village.
- Visual change and amenity effects created along Station Road where the proposed retirement village interfaces with the street.
- Solar Farms
 - Reverse sensitivity and visual effects to the neighbouring rural, proposed residential and proposed retirement village.

It is considered that these potential adverse effects can be appropriately managed and mitigated, specifically through integrated urban design, and that Ashbourne is supported from an urban design perspective. Potential mitigation includes measures such as:

- Urban Design Guidelines to accompany the proposal that provide provisions and design guidance for future dwellings to ensure good on-site amenity outcomes;
- Integrated, mixed-use development to service the residential development and wider community;
- Distributing density across the site, with smaller lots located at the centre of the site to internalise effects;
- Implementation of a development grid to create a logical and legible street network; and
- The landscape, lighting and architectural responses will provide a design quality that will mitigate visual and amenity effects and provide good Crime Prevention Through Environmental Design and connectivity outcomes.

Landscape

Greenwood Associates have prepared a Landscaping Memorandum, attached as **Attachment 9**, that details the landscape (and visual) effects of the proposed development and how Ashbourne can integrate within the environment. This assessment concluded that the site does not contain any natural or cultural elements that provide a 'sense of place' or unique features.

The key landscape effects of Ashbourne are considered to be limited to the integration of the development with the urban fringes of Matamata. Given the location of the site, the landscaping strategy will need to address the transition from urban environment to rural environment. This is addressed in the Landscape Assessment appended to the referral application.

Heritage & Archaeology

No natural heritage overlays that apply over the site, however, there is a risk that archaeological sites may appear or be uncovered in the construction process. This can be managed through accidental discovery protocol which will form part of conditions of consent.

Cultural

As outlined in Te Hira's Kaitaki Memorandum, attached as **Attachment 10**, Mana Whenua have been involved and consulted to this point of the project, which will continue to occur. Ngāti Hinerangi, Ngāti Hauā, and Raukawa are the iwi/hapū who share historical connections to the wai, whenua and taonga within Matamata. Through ongoing and meaningful engagement with Mana Whenua, it is considered that any potential adverse effects can be appropriately mitigated. Appropriate protocols (such as karakia, cultural monitors and cultural protocols), involvement in the design, and promotion of indigenous planting are examples of mitigation.

There is a risk that archaeological sites may appear or be uncovered in the construction process, which can be managed through accidental discovery protocol. The project will incorporate cultural values in its design, using Mana Whenua expertise to integrate their values and cultural heritage (which is currently largely invisible). This is an opportunity to reflect the area's cultural history in the development, including through activities, facilities, forms, artwork, local flora, and materials significant to the reinstatement of their presence and aspirations.

Ecology

The Ecology Memorandum, attached as **Attachment 11**, concludes that there are no significant ecology effects. The current ecological environment is limited as a result of intensive farming, with only exotic shrubs and trees remaining. Overall, biodiversity has been assessed as low.

The initial review identified the following potential ecology effects:

- Diversion of water from a natural inland wetland; and
- Discharge of water into water.

Both these effects are in relation to the 100 metre setback of natural inland wetlands under the NES-FM. Further assessment is required to identify the extent of effect; however, it is concluded that these potential adverse ecological effects will be no more than minor.

Effects on Greenhouse Gas Emissions

This Project aims to minimise greenhouse gas emissions, where possible through construction, and within the design of the project itself. During construction, greenhouse gas emissions will be reduced through the following measures:

- Minimising the number of truck movements required to manage earthworks material by retaining as much as possible within the site; and
- A staged construction approach allows for the appropriate management of effects on the environment.

Following the construction of the project, the ongoing reduction of greenhouse gas emissions will be supported by:

- Utilisation of renewable energy via the solar farms;
- Multi-modal transport corridors that prioritise pedestrians and cyclists;
- Enabling intensified urban development, including provision for services and amenities within a walkable catchment to reduce the need for vehicle travel;

- Incorporation of walking and cycling facilities within both the greenway and wider Ashbourne development to facilitate a transition to active modes of transport (and to discourage private vehicle use); and
- Improved connectivity within close proximity to a well-established and growing area of Matamata.

Overall, it is considered that the project will balance the potential adverse effect of greenhouse gas emissions by providing for a walkable, densified future residential development that discourages private vehicle movements and appropriately mitigates adverse effects on the environment (where possible).

3.4.2 Provide a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991, and identify the relevant prohibited activity provision.

N/A.

3.5 Persons Affected

3.5.1 Provide a list of the persons, groups and/or entities who you consider are likely to be affected by the project.

The list should include, as relevant, local authorities, relevant Māori groups (as set out at section 13(4)(j)(ii)-(vii) of the Fast-track Approvals Act 2024), persons with a registered interest in land that may need to be acquired under the Public Works Act 198; and if the project includes a land exchange, the holder of an interest in the land that is to be exchanged by the Crown (see Consultation requirements for referral application).

- Relevant Local Authorities
 - Matamata Piako District Council
 - Waikato Regional Council
- Relevant Iwi Authorities
 - Ngāti Haua
 - Raukawa
 - Ngāti Hinerangi

3.5.2 Provide a summary of any consultation undertaken with the above persons and/or groups who you consider are likely to be affected by the project, and any other groups required to be consulted with under section 11 of the Act, and how the consultation has informed the project.

Please refer to the Consultation Record, attached as **Attachment 6**.

3.5.3 List any Treaty settlements that apply to the project area and provide a summary of the relevant principles and provisions in those settlements.

Raukawa Claims Settlement Act 2014, Ngāti Hauā Claims Settlement Act 2014, and Ngāti Hinerangi Claims Settlement Act 2021

3.5.4 If relevant, detail any principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 that would be invoked by the project and identify which aspects of the application trigger or otherwise invoke these requirements.

N/A.

3.5.5 Will the project be located on land returned under a Treaty settlement? *If yes, see below.*

No.

3.5.6 Provide evidence of written agreement by the owners of the land returned.

3.5.7 Describe any processes already undertaken under the Public Works Act 1981 in relation to the project.

3.5.8 Provide information identifying any parcels of Māori land, marae, or identified wāhi tapu within the project area.

3.6 Legal Interests

3.6.1 Provide a description of any legal interests you or any others applying, have in the land on which the project will occur, including a statement of how that affects your ability to undertake the work.

Matamata Development Limited, the applicant, are a land development company who specialise in transforming greenfield areas into vibrant, developed sites in a sustainable and innovative way. Unity Developments is a collaboration of land development experts and investors, unified through a collective goal.

Matamata Development Limited are the future landowners of the properties which comprise the site, with settlement scheduled for 7 February 2025. A number of letters accompany the referral application from the current landowners to confirm this and outline their support for Ashbourne to proceed under the Fast-track Approvals Bill.

To the best of our knowledge at the time of submitting the referral application, the current landowners are:

- 

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Please refer to the Landowner Letters attached as **Attachment 3**.

3.7 Other Matters

3.7.1 Have any activities included in the project, or any that are substantially the same as those involved in the project, previously been the subject of an application or a decision under a specified Act? *If yes, see below.*

No.

3.7.2 If an application has been made, provide details of the application.

3.7.3 If a decision has been made, also provide the outcome of the decision and the reasons for it.

3.7.4 Provide a description of whether and how the project would be affected by climate change and natural hazards.

3.8 Specific Proposed Approvals

3.8.1 Approvals under the Resource Management Act 1991

3.8.1.1 Resource Consents

If your application is seeking a consent for an activity that would otherwise be applied for under the Resource Management Act 1991, including an activity that is prohibited under the Act, provide the information below:

- *An assessment of the project against any relevant national policy statement, any relevant national environmental standards and, if relevant, the New Zealand Coastal Policy Statement.*

National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management 2020 ('**NPS-FM**') seeks to manage natural and physical resources to prioritise firstly, the health and well-being of water bodies and freshwater ecosystems, secondly, the health and needs of people, and thirdly the ability to provide for the social, economic, and cultural well-being of people and communities.

It is considered that the project is consistent with the relevant policies of the NPS-FM that relate to land development for the following reasons:

- The development of Ashbourne provides opportunity for ecological restoration of an area that has particularly low ecological value.
- The project seeks to minimise greenhouse gas emissions where possible through this development. The nature of the proposal is to provide infrastructure that will enable efficiencies that will support the reduction of greenhouse gas emissions.
- The greenway seeks to improve the health and well-being of Waitoa River by treating stormwater prior to discharge. Once constructed, the greenway will operate to treat stormwater runoff before it reaches Waitoa River to ensure filtration occurs. They direct and slow stormwater across the ground cover and through the soil, to support the filtration of sediments, nutrients and contaminations from incoming stormwater before discharging into the Waitoa River.
- Mana Whenua have been involved and consulted to this point of the project, which will continue to occur. The project will incorporate cultural values in its design, using Mana Whenua expertise to integrate their values and cultural heritage (which is currently largely invisible).
- Maximising the opportunities within the proposed reserve and open space areas for future enhancement, particularly within the buffer areas including ecological restoration and enhancement, replanting and offsetting.
- Significant opportunities for restoration and enhancement across the site, including through the maintenance of habitat and vegetation cover where possible.
- Ongoing monitoring will take place to ensure the condition of water bodies and freshwater ecosystems is not degraded.

Based on the assessment above, it is considered that the project is consistent with the NPS-FM.

National Policy Statement for Highly Productive Land

The National Policy Statement for Highly Productive Land 2022 ('NPS-HPL') ensures the availability of New Zealand's most favourable soils for food and fibre production, now and future generations. It is noted the NPS-HPL recently came into effect on 17 October 2022, and was amended in August 2024.

The Ashbourne site is generally classified as moderate productive land, as it is mapped as Land Use Capability ('LUC') 2.

The objective of the NPS-HPL is to protect highly productive land for use in land-based primary production, however, there are exceptions to this in particular circumstances.

This response is supported by the Economics Memorandum, attached as **Attachment 12**, and Land Use Capability Classification Assessment, attached as **Attachment 13**.

As a Tier 3 territorial authority, under Clause 3.6(4), Matamata-Piako District Council may allow urban rezoning of highly productive land if:

- (c) the urban zoning is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and*
- (d) there are no other reasonably practicable and feasible options for providing the required development capacity; and*
- (e) the environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of highly*

productive land for land-based primary production, taking into account both tangible and intangible values.

Further, under Clause 3.10, Matamata-Piako District Council may allow highly productive land to be subdivided, used or developed if satisfied that:

- (a) *there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years; and*
- (b) *the subdivision, use, or development:*
 - (i) *avoids any significant loss (either individually or cumulatively) of productive capacity of highly productive land in the district; and*
 - (ii) *avoids the fragmentation of large and geographically cohesive areas of highly productive land; and*
 - (iii) *avoids if possible, or otherwise mitigates, any potential reverse sensitivity effects on surrounding land-based primary production from the subdivision, use, or development; and*
- (c) *the environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*

Firstly, it is importantly noted that the *Land Use Capability Classification Assessment* concludes the regional mapping to be an overestimation, with detailed mapping indicating that the northern area comprises 13% LUC 1, 30% LUC 2, 53% LUC 3, and the balance as non-productive. In relation to the southern area, the larger portion of the site, the detailed mapping indicated that the area comprises 79% LUC 2, 12% LUC 3, and the balance as non-productive.

With regard to the proposed residential and retirement living development, it is considered this criteria can be met for the following reasons:

- The Housing Assessment¹ identified a long-term housing shortfall in Matamata which this proposal is able to deliver and to create a well-functioning urban environment with several environmental, social, cultural and economic benefits.
- The site has been identified as appropriate and practicable for future urban development with a portion of the site within the Eldonwood Structure Plan.
- As aforementioned, the productivity of the land is limited, as outlined in the *Land Use Capability Classification Assessment*.
- The supply proposed by Ashbourne will support a reduction of loss of 'more productive' highly productive land within the district as it provides the necessary supply to meet demand in an appropriate and practicable location in Matamata.
- The site avoids the fragmentation of highly productive land with the clear delineation resultant from the Waitoa River.

¹ Housing Assessment 2022, Matamata-Piako District Council [June 2022].

- EcoResto prepared an Ecology Memorandum that the current ecological environment is limited as a result of intensive farming, with only exotic shrubs and trees remaining, and low biodiversity. Further to this, it is considered the existing environmental value of the site is low, which Ashbourne seeks to enhance. The Greenway, engineering design and planting will all contribute to the delivery of environmental benefits.
- Insight Economics prepared an Economics Memorandum that identifies that Ashbourne can achieve social and economic benefits that outweigh the long-term social and economic costs associated with the loss of this classified highly productive land. Insight Economics propose to demonstrate this through the total economic value framework.
- Te Hira prepared an Kaitaki Memorandum that discusses the existing cultural context in relation to the site and then provides a number of measures and strategies that can be incorporated into Ashbourne that enhance the cultural environment and deliver positive cultural benefits.
- It is considered through design, particularly with cultural and ecological input, Ashbourne can deliver a development that provides environmental, social, cultural and economic benefits that outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land.

With regard to the proposed solar farms, the assessment pathway under the NPS-HPL is different as Clause 3.9(2)(j)(i)² allows 'specified infrastructure' to be constructed on highly productive land, which includes energy infrastructure, like solar farms, as a 'lifeline utility'. For clarity, Clause 3.9(2)(j)(i) is as follows:

- (2) A use or development of highly productive land is inappropriate except where at least one of the following applies to the use or development, and the measures in subclause (3) are applied:*
- (j) it is associated with one of the following, and there is a functional or operational need for the use or development to be on the highly productive land:*
 - (i) the development, operation, or decommissioning of specified infrastructure, including (but not limited to) its construction, maintenance, upgrade, expansion, replacement, or removal.*

Clause 3.9(3) requires territorial authorities to ensure that any use or development on highly productive land:

- (a) minimises or mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land in their district; and*
- (b) avoids if possible, or otherwise mitigates, any actual or potential reverse sensitivity effects on land-based primary production activities from the use or development.*

It is considered that the proposal can demonstrate that it minimises and mitigates any actual loss or potential cumulative loss of the availability and productive capacity of highly productive land and avoids reverse sensitivity effects. This can be demonstrated through a resource consent application. It is noted that the design of the solar farms is underpinned by the principle of the solar farms is the dual-use, with agrivoltaic farming proposed to be undertaken underneath the solar panels to promote sustainability and preserve the identified highly productive land.

Based on the assessment above, it is considered that the project is consistent with the NPS-HPL.

² Note: this was updated in August 2024.

National Policy Statement for Indigenous Biodiversity

The National Policy Statement for Indigenous Biodiversity ('NPS-IB') ensures the protection, maintenance and restoration of New Zealand's most threatened indigenous species. It is noted that the NPS-IB recently came into effect, gazetted on 4 August 2023.

It is considered that the project is consistent with the relevant objectives and policies of the NPS-IB for the following reasons:

- This project seeks to maintain and enhance indigenous biodiversity.
- The applicant has regularly engaged with local tangata whenua to recognise and provide for Hūia Te Rito in the management of indigenous biodiversity. Several options to managing this indigenous species were considered to ensure a holistic and integrated approach was being undertaken.
- Ashbourne will include a variety of indigenous plants and seeks to retain and enhance indigenous biodiversity, which will promote peoples' wellbeing and allow current and future communities to connect with nature.
- Indigenous biodiversity can be protected from the effects of climate change and be utilised to reduce the effects of climate change, with significant planting of indigenous species proposed for the greenway.
- The project seeks to maintain and enhance existing indigenous biodiversity. Any areas of significant indigenous vegetation or significant habitat of indigenous fauna will be identified and appropriately managed.
- Ongoing monitoring will be undertaken, as is already required in accordance with existing consents.

Based on the assessment above, it is considered that the project is consistent with the draft proposed NPS-IB.

National Policy Statement for Renewable Electricity Generation

The National Policy Statement for Renewable Electricity Generation 2011 ('NPS-REG') provides for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities. The NPS-REG recognises the importance of renewable energy, including solar, and its contribution to achieving the target of 90% of electricity from renewable sources by 2025.

It is considered that the project is consistent with the relevant objective and policies of the NPS-REG for the following reasons:

- Ashbourne includes two solar farms that provide a sustainable energy resource onsite, with the potential to integrate into the wider electricity network to generate energy outside of the immediate development. The two solar farms will have a combined capacity to produce energy for over 7,000 homes per year.
- The proposal utilises solar as a renewable natural resource, which diversifies both the type and location of electricity generation in Matamata.
- The proposal supports the national target for the generation of electricity from renewable resources.

- The design of the solar farms is underpinned by the principle of the solar farms is the dual-use, with agrivoltaic farming proposed to be undertaken underneath the solar panels to promote sustainability and preserve the identified highly productive land.
- Appropriate mitigation is proposed, specifically in relation to reverse sensitivity, with typical landscaping, planting and security incorporated to complement the solar farms and ensure their integration with the wider Ashbourne development and surrounding environment.

Based on the assessment above, it is considered that the project is consistent with the NPS-REG.

National Policy Statement on Urban Development

The National Policy Statement on Urban Development 2020 ('NPS-UD') ensures New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. It removes overly restrictive barriers to development to allow growth 'up' and 'out' in locations that have good access to existing services, public transport networks and infrastructure. It is noted that this legislation was amended in accordance with section 77S(1) of the RMA and notified on 11 May 2022.

The NPS-UD enables the development of land and infrastructure for urban land uses while recognising the national significance of well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing (Objective 1 and Policy 1).

It is considered that the project is consistent with the relevant objectives and policies of the NPS-UD and will contribute to a well-functioning urban environment for the following reasons:

- Ashbourne delivers an integrated, multi-functional development that includes over 500 new homes and over 200 retirement living units. This provides the opportunity for a variety of housing types, locations and prices in a logical and accessible location.
- Ashbourne enables people to provide for the social, economic and cultural wellbeing, with the commercial node offering services, employment opportunities and community facilities, and the greenway offering accessibility, natural and open spaces, and cultural wayfinding.
- The site has good accessibility for all people to services, activities and amenity, particularly into Matamata. In addition, it encourages and promotes active transport through a range of walking and cycling options to housing, employment, schools, community services and open spaces.
- The project takes into consideration climate change, particularly through the management of flooding hazards via the stormwater management provided by the greenway, and incorporates measures to support the reduction of greenhouse gas emissions (such as renewable electricity generation via the solar farms and active mode transport infrastructure).
- The project is well suited to the local area and is strongly aligned with delivering a well-functioning urban environment that reduces climate change through providing infrastructure and services in an integrated manner.

Based on the assessment above, it is considered that the project is consistent with the NPS-UD.

National Environmental Standards for Air Quality

The Resource Management (National Environmental Standards for Air Quality) Regulations 2004 ('NES:AQ') sets standards to guarantee a minimum level of health protection for people living in New Zealand.

No specific consents relating to this standard are required for the Project, although the relevant regulations in the NES:AQ have informed the assessment of construction and operational air quality effects. The potential for effects on air quality in relation to the Project relate primarily to dust during the construction phase. Measures are proposed to manage potential effects in response to the air quality objectives and policies.

The management of dust and odour will be addressed in the Construction Management Plan and an Erosion and Sediment Control Plan. As such, ambient air quality will be maintained once Ashbourne is constructed.

National Environmental Standards for Freshwater

The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 ('NES:F') sets standards to regulate activities that pose risks to the health of freshwater and freshwater ecosystems. Of particular relevance to the project are provisions which prohibit works in and around natural wetlands, and works affecting rivers and streams. Resource consent will be required under the NES:F as there are natural wetlands, lakes and streams within the project. Regulation 45C (4) and (5) for the diversion of water and the discharge of water into water within a 100 metre setback of natural inland wetland respectively require consent as a Restricted Discretionary Activity.

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

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ('NES:CS') sets a nationally consistent set of planning controls and soil contaminant values.

SLR Consulting New Zealand ('SLR') have undertaken a combined Preliminary Site Investigation and Detailed Site Investigation ('PSI/DSI') for the site, as attached as **Attachment 7**. The key findings of the PSI/DSI are:

- Following a desktop review, the following Hazardous Activities and Industries List ('HAIL') activities were identified as having potentially occurred on the site:
 - **A10:** Persistent pesticide bulk storage or use – associated with the accumulation of organochlorine pesticides from the repeated use of pesticides across the areas of land used for cropping;
 - **E1:** Asbestos products manufacture or disposal – given the age of the former building at the site, there is the potential that asbestos-containing products had been used, therefore there is the potential that asbestos has impacted soil around the building;
 - **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.
- Soil samples were collected from 52 locations across the site;
- The analytical results of soil sampling identified:

- Asbestos was not detected in any analysed samples;
- Concentrations of all heavy metals analysed were below the respective NES:CS Soil Contaminant Standards (SCS) for residential (10% produce) and below the Ecological Soil Guideline Values (Eco-SGVs);
- Polycyclic Aromatic Hydrocarbons were not detected above the laboratory limit of reporting; and
- Organochlorine pesticides were detected in four samples, however concentrations were reported below the NES:CS SCS and Eco-SGVs.
- The site investigation confirmed that the site is considered to be a 'piece of land' under Regulation 5(7) of the NES:CS as HAIL A10 is more than likely than not to have occurred, as confirmed via the presence of organochlorine pesticides in selected soil samples. Heavy metal concentrations in soil samples were above the predicted background soil concentrations, but below NES:CS SCS concentrations. Therefore, a **Controlled Activity** consent under **Regulation 9(3)** of the NES:CS is required to undertake the change of land use and for future soil disturbance as part of future developments.

Resource consent will be required under Regulation 9(3) of the NES:CS as a Controlled Activity. On this basis, any requirements of the NES:CS can be addressed as part of an application post-referral and potential risks to human health can be appropriately managed and mitigated.

- *Information on whether, to the best of your knowledge, there are any existing resource consents relevant to the project site to which RMA section 124C(1)(c) (existing consent would need to expire to enable the approval to be exercised) or RMA section 165ZI (space already occupied by the holder of an aquaculture permit) would apply if the approval were to be applied for as a resource consent under that Act.*

No.

3.8.1.2 Resource consents where the project includes standard freshwater fisheries activities

If your application is seeking a resource consent and your project includes a standard freshwater fisheries activity, provide the information requested below:

- *If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.*
- *Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.*

N/A.

3.8.1.3 Designations

If your application is seeking a designation or an alteration to an existing designation for which a notice of requirement would otherwise be lodged under the Resource Management Act 1991, provide the information below:

- *An assessment of the project against any relevant national policy statement, any relevant national environmental standards, or, if relevant, the New Zealand Coastal Policy Statement.*

N/A.

3.8.1.4 Designations where the project includes a standard freshwater fisheries activity

If your application is seeking a designation or an alteration to an existing designation and your project includes a standard freshwater fisheries activity, provide the information requested below:

- *If an in-stream structure is proposed (including formal notification of any dam or diversion structure), provide a description of the extent to which this may impede fish passage.*
- *Indicate whether any fish salvage activities or other complex freshwater fisheries activities are proposed.*

N/A.

3.8.1.5 Change or cancellation of conditions

If your application is seeking a change of cancellation of resource consent condition that would otherwise be applied for under the Resource Management Act 1991, provide:

- *Information about whether the change or cancellation of the condition is material to the implementation or delivery of the project.*

N/A.

3.8.1.6 Certificates of compliance

If your application is seeking a certificate of compliance that would otherwise be applied for under the Resource Management Act 1991, provide:

- *Information that demonstrates the activity that the certificate of compliance is intended to cover can be done lawfully in the location without a resource consent.*

N/A.

3.8.2 Approvals relating to Conservation Act 1987, Reserves Act 1977, Wildlife Act 1953, and National Parks Act 1980

N/A.

3.8.2.1 If your application is seeking a certificate of compliance that would otherwise be applied for under the Resource Management Act 1991, provide: information that demonstrates the activity that the certificate of compliance is intended to cover can be done lawfully in the location without a resource consent.

For applications seeking a concession that include a lease, answer the following:

- *Will the lease be for a term (including any renewals that will, or is likely to, be more than 50 years?*

☐ Yes – see below ☐ No – proceed next

- Will the granting of the lease trigger a right of first refusal or a right of offer or return?

☐ Yes – see below ☐ No – proceed next

If you answered yes to both a. and b. above, provide evidence that the applicant has written agreement from the holder(s) of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.

3.8.2.2 Land Exchanges

For applications seeking an approval for a land exchange involving conservation land, provide the details below:

- *A description of both land areas proposed for exchange (for example, maps showing areas and location, addresses and legal descriptions where possible)*
- *The financial value of the land proposed to be acquired by the Crown.*
- *A brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate.*
- *If the land exchange would trigger a right of first refusal or a right of offer or return, provide evidence that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purpose of the land exchange*
- *Provide sufficient detail in respect of both land areas to confirm that no part of any land to be exchanged by the Crown is land listed in Schedule 4 or a reserve declared to be a national reserve under section 13 of the Reserves Act 1977.*

N/A.

3.8.3 Approvals relating to complex Freshwater Fisheries activities

If your application is seeking an approval or dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity provide the information requested below:

- *Whether an in-stream structure is proposed (including formal notification of any dam or diversion structure), and a description of the extent to which this may impede fish passage.*
- *Whether any fish salvage activities or other complex freshwater fisheries activities are proposed.*

N/A.

3.8.4 Approvals relating to Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012

If your application is seeking a marine consent that would otherwise be applied for under the Exclusive Economic Zone and Continental Shelf Act 2012, provide the information requested below:

- *Any information relating to whether the Minister for Conservation is an affected person. Click or tap here to enter text.*

- *If the applicant or the proposed holder of the marine consent has already applied for a consent under the EEZ Act in relation to the project, provide:*
 - *Details of any application made;*
 - *An explanation of any decisions made on that application; and*
 - *Any information that Minister may consider under section 22(6) (comparison of activity against current or likely use of the area).*
- *Additional information (in a summary form) about compliance or enforcement action taken against the applicant or the person who is identified in the application as the proposed holder of the marine consent by the EPA under the EEZ Act.*

N/A.

3.8.5 Approvals relating to Crown Minerals Act 1991

3.8.5.1 Access Arrangements

For an approval for an access arrangement that would otherwise be applied for under section 61 or 61B of the Crown Minerals Act 1991, provide:

- *Information that confirms the applicant or the person identified in the application as the proposed holder of the access arrangement complies with section 59(1) and (2) of the Crown Minerals Act 1991 (which applies as if a reference to an access arrangement under that Act were a reference to an access arrangement under this Act) including;*
 - *Evidence that the applicant or person has provided each owner and occupier of the relevant land a notice in writing of their intention to obtain an access arrangement; and*
 - *Evidence that the notice complies with the requirements in section 59(2) of the Crown Minerals Act, and any matters required by regulations.*

N/A.

3.8.5.2 Mining Permits

For an approval for a mining permit that would otherwise be applied for under section 23A of the Crown Minerals Act 1991, provide the information requested below:

- *A copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown-owned mineral.*
- *The name and contact details of the proposed permit participants and the proposed permit operator.*
- *A proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both.*
- *Evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme.*
- *Information about the proposed permit holder's history of compliance with mining or similar permits and their conditions.*

- *The proposed date on which the substantive application is intended to be lodged (if your referral application is accepted) in accordance with section 42(11).*
- *If the authorised person proposes to provide information under section 37 (to the relevant chief executive), the date on which the person intends to provide that information.*
- *The proposed duration of the permit.*

N/A.

3.8.5.3 Mining permits for petroleum

If the proposed approvals include a mining permit for petroleum, provide:

- *A map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates.*
- *The resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System.*
 - *A high-level overview of the following:*
 - *the proposed field development plan;*
 - *the proposed date for the commencement of petroleum production;*
 - *the economic model for the project;*
 - *the proposed duration of the proposed mining permit and;*
 - *decommissioning plans.*

N/A.

3.8.5.4 Mining permits for minerals other than petroleum

If the proposed approvals include a mining permit for minerals other than petroleum, provide:

- *A map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be the same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates.*
- *For minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted*
- *Information on whether the application will be for a Tier 1 or Tier 2 permit.*
- *An estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology). For a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.*

- *An indicative mine plan.*
- *A high-level overview of the following:*
 - *the proposed mining method;*
 - *the proposed date for the commencement of mining and estimated annual production;*
 - *the economic model for the project;*
 - *the status of or anticipated timing for completing any pre-feasibility or feasibility studies;*
 - *the proposed methods for processing mined material and handling and treating waste and;*
 - *anticipated plans for mine closure and rehabilitation.*

N/A.

4.0 Section 4: Authorisation

Completed through portal.

5.0 Section 5: Attachments

Attachment Number	Document Name	Author	Document Version
Covering Letter	Covering Letter		A
1	Urban Design Memorandum for Referral Application	Barker & Associates – Alicia Lawrie & Katherine Hu	-
2	Records of Title & Interests	-	-
3	Landowner Letters	-	-
4	Infrastructure Memorandum for Referral Application	Maven – Tim Hawke	-
5	Letter of Support from Matamata Piako District Council	-	-
6	Consultation Record	Barker & Associates – Grace Forno	A
7	Preliminary & Detailed Site Investigation	SLR	1.0
8	Transportation Memorandum for Referral Application	Commute Transportation Consultants – Michelle Seymour & Leo Hills	-
9	Landscaping Memorandum for Referral Application	Greenwood Associates – Chris Campbell & Richard Greenwood	01

10	Kaitaki Memorandum for Referral Application	Norm Hill	-
11	Ecological Memorandum for Referral Application	EcoResto	-
12	Economics Memorandum for Referral Application	Insight Economics	-
13	Land Use Capability Classification Assessment	Landsystems	-
14	Planning Memorandum for Referral Application	Barker & Associates – Grace Forno & Fraser McNutt	A
15	Solar Memorandum for Referral Application	Lightyears – Glen Jacobson & Matt Shanks	1