

DEED OF ASSIGNMENT

THIS DEED, made this 31ST day of OCTOBER 2024

BETWEEN: [REDACTED] (1767492)
("Assignor"),

AND MATAMATA DEVELOPMENT LIMITED (9016207)
("Assignee").

BACKGROUND

- A. The Assignor is the registered proprietor of the property at Lots 4 and 5 Chestnut Lane and Lot 204 Peakedale Drive, Matamata ("Property"). The Assignee has agreed to purchase the Property. The parties have entered into an unconditional Agreement for Sale and Purchase of Real Estate dated 7 February 2024 ("Agreement").
- B. The Assignor is the Founding Member of the [REDACTED] ("Association") and has certain rights set out in the registered constitution of the Association ("Constitution").
- C. The Assignee intends to develop the Property and wishes to submit Consent applications to Council prior to settlement of the purchase ("Proposed Project").
- D. The Assignor has agreed to assign to the Assignee its rights as Founding Member of the Association as set out in the Constitution ("Founding Member Rights"), and to assist the Assignee to lodge its Consent applications for the Proposed Project, if requested.

THE PARTIES AGREE:

- 1. **Assignment**
In consideration of the parties entering into the Agreement, the Assignor assigns to the Assignee the Founding Member Rights as set out in the Constitution.
- 2. The Assignment will take effect from the date of this Deed.
- 3. The Assignment will immediately terminate in the event the Agreement is validly cancelled in accordance with the terms of the Agreement. The parties each agree to promptly execute any documents and do all acts reasonably required to assign the Founding Member rights back to the Assignor.

4. Information

The Assignor shall, at the request of the Assignee and without delay, furnish the Assignee with full details of and relating to the members of the Association. The Assignee shall hold such information in accordance with the Principles of the Privacy Act 2020.

5. Confidentiality

The Assignor agrees to treat as confidential all information relating to the Proposed Project and the Agreement, provided that the Assignor shall not have to observe any duty of confidentiality where:

- (a) the Assignee gives its prior written consent to the disclosure;
- (b) the information is required to be disclosed by law or any legislative or regulatory authority in any competent jurisdiction that has jurisdiction over the Assignor;
- (c) the information is necessary to be disclosed to enable the Assignor to perform its obligations under this Deed; or
- (d) at the time of disclosure the information is in, or subsequently enters, the public domain otherwise than by breach of any duty of confidentiality under this Deed.

6. Execution of Documents

The Assignor shall (if requested by the Assignee), at the expense of the Assignee, in respect of the Proposed Project:

- (a) join with the Assignee, in its capacity as landowner, in supporting Consents to the Proposed Project with the understanding and the intention that all interest in any application and any granted Consent is to vest in the Assignee; and
- (b) as landowner, execute any documents reasonably required in connection with the application for Consents.

7. Further Obligations of the Assignee

From the date of this Deed, the Assignee shall:

- (a) perform and observe all of the obligations of the Founding Member in accordance with the Constitution, and in the exercise of the Founding Members rights in relation to any application submitted as part of the Proposed Project; and
- (b) indemnify the Assignor against all liability under the Consent applications and the exercise of the Founding Member Rights in relation to such applications.

8. Assignor Warranties

The Assignor warrants:

- (a) that it is the owner of the Founding Member Rights;

- (b) the Founding Member Rights are unencumbered and capable of being assigned;
- (c) to the best of its knowledge and belief there are no breaches of its obligations under the Constitution;
- (d) that it will not support the variation of any term of the Constitution touching or concerning the Founding Member Rights without the prior written consent of the Assignee; and
- (e) that it has not breached any term of the Constitution.

9. **Limits of Assignment**

Notwithstanding the provisions of clauses 1 and 7, for clarity, the Assignee shall not be responsible for the operational aspects of the Association until settlement of the purchase of the Property, nor the re-registration of the Association as an Incorporated Society under the Incorporated Societies Act 2022.

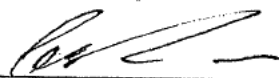
10. **Counterparts**

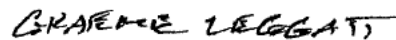
This Agreement may be executed and exchanged in any number of counterparts (including copies, and scanned email copies) each of which is to be deemed an original, but all of which together are to constitute a binding and enforceable agreement between the parties.


SIGNED AS A DEED


SIGNED by [REDACTED] as
Assignor by its Directors:

SIGNED by MATAMATA
DEVELOPMENT LIMITED as Assignee by
its Director in the presence of:

x 
Signature of witness


Name of witness


Occupation


City/town of residence

[REDACTED]
127 Station Road
Matamata

8 November 2024

Ministry for the Environment
Attn: Listed Projects Team
Via email: listedprojects@mfe.govt.nz

To whom it may concern,

Re: Fast-Track Referral Application for Ashbourne Project – Station Rd, Matamata

We, [REDACTED] own the property at 127 Station Road, Matamata, being all the land described in Lot 1, Deposited Plan 65481 (South Auckland), Record of Title SA52C/489.

We have a signed agreement to sell the property to Matamata Development Limited dated 26 March 2024, with settlement scheduled for 8 May 2026. [REDACTED]

We have reviewed Unity Developments' *'Summary of the Ashbourne Development'*, appended as **Attachment 1**, for the Ashbourne proposal (**Project**). Our land is included in the northern section of the Project area.

We understand that Unity Developments intends to apply for a fast-track referral for approval of the Project once the Fast-track Approvals Bill is passed and this letter may be used as part of that application.

We consent and have no objection to the Project as set out in the *'Summary of the Ashbourne Development'*, as well as the fast-track referral application.

Yours faithfully

[REDACTED]
[REDACTED] [REDACTED] [REDACTED]

For and on behalf of the trustees

ATTACHMENT 1: SUMMARY OF THE ASHBOURNE DEVELOPMENT

Unity Developments is proposing a multi-use development, **Ashbourne**, within the Matamata-Piako District, approximately 1.8 kilometres to the south-west of the centre of Matamata. This is proposed to occur across two larger blocks of land, on both the northern side and southern side of Station Road. The **Ashbourne** development comprises a total area of 125 hectares.

The development proposal will be submitted via the Fast-track Approvals Act once it has been passed and post a successful referral from Ministers. The application will comprise the relevant local landuse and subdivision approvals from MPDC and regional consents from WRC. The consents will give effect to the below.

A summary of the **Ashbourne** development and overview is outlined below:

Ashbourne is a multi-use development that includes four key precincts:

1. A new **residential community**, comprising of over 500 new homes, 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;
3. A **retirement living centre**, comprising of approximately 200 units, with additional supporting facilities; 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.

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, as well as provide access and connectivity to the future retirement living centre located in the western portion of the site.

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.

The multi-functional greenway links the commercial node and open spaces of the **Ashbourne** development area. This corridor interconnects infrastructure, 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.

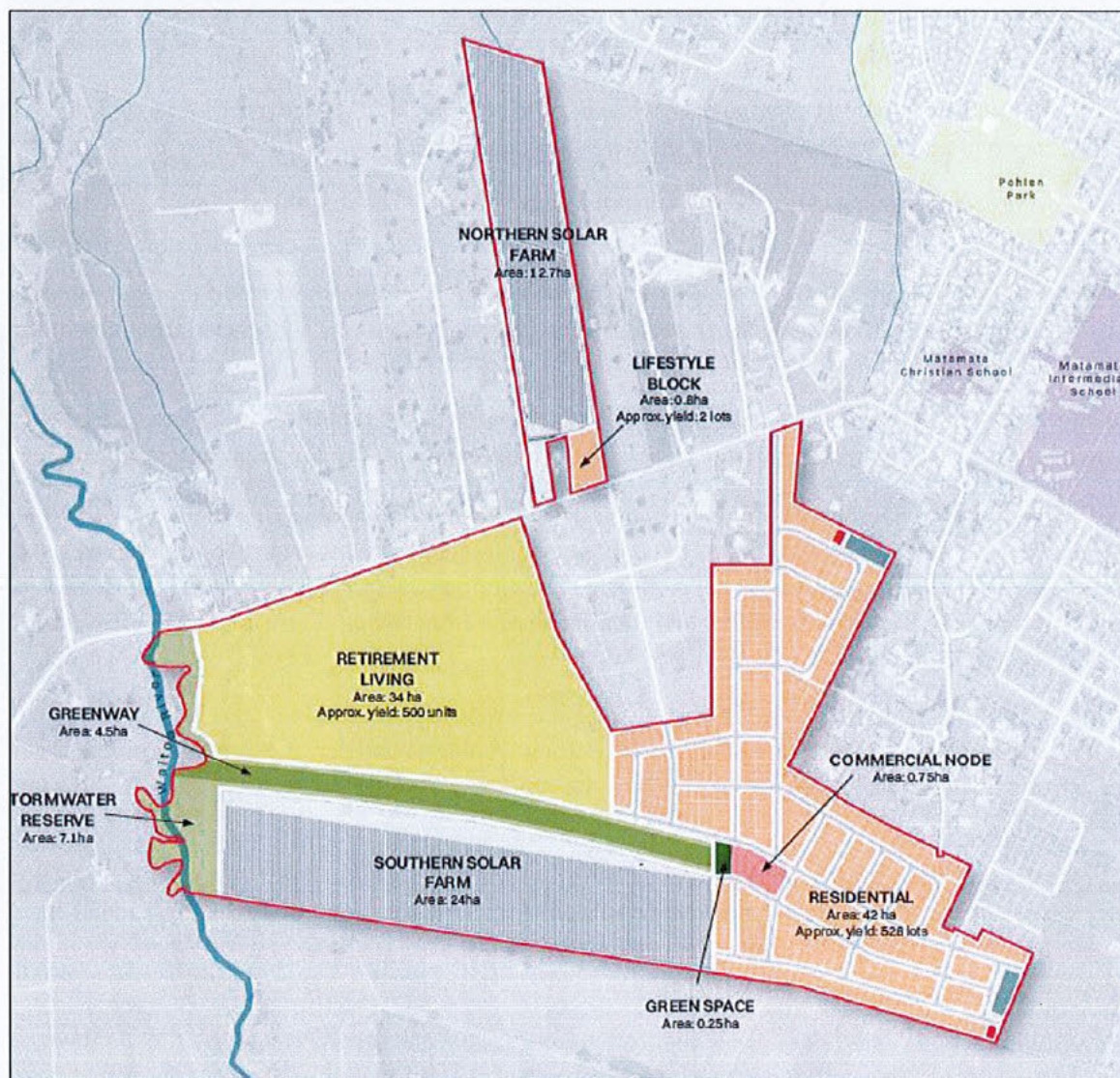
To support the growing demand for retirement living in Matamata, **Ashbourne** is anticipated to deliver approximately 200 retirement living units, as well as the supporting healthcare and community facilities across an area of 34 hectares. A staged approach is proposed, from east to west, to establish 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.

This is a 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.

This is supported by the indicative Masterplan, shown in Figure 1.

Figure 1. Indicative Ashbourne Masterplan.



[REDACTED]
247 Station Road
Matamata

13 November 2024

Ministry for the Environment
Attn: Listed Projects Team
Via email: listedprojects@mfe.govt.nz

To whom it may concern,

Re: Fast-Track Referral Application for Ashbourne Project – Station Rd, Matamata

We [REDACTED] own the property at 247 Station Road, Matamata, being all the land described in:

1. Lot 1, DP21055, Record of Title SA658/159;
2. Lot 3, DP14362, Record of Title SA12C/1064; and
3. Lot 2, DPS 567678 and Lot 2 DPS 21055, Record of Title 1018185.

We have a signed agreement to sell the property to Unity Management Limited dated 26 April 2024, with settlement scheduled for 31 May 2026.

We have reviewed Unity Developments' *'Summary of the Ashbourne Development'*, appended as **Attachment 1**, for the Ashbourne proposal (**Project**). Our land is included as the western section of the Project area.

We understand that Unity Developments intends to apply for a fast-track referral for approval of the Project once the Fast-track Approvals Bill is passed and this letter may be used as part of that application.

We consent and have no objection to the Project as set out in the *'Summary of the Ashbourne Development'*, as well as the fast-track referral application.

Yours faithfully,

[REDACTED]
[REDACTED]

[REDACTED]

13/11/2024

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Unity Developments is proposing a multi-use development, **Ashbourne**, within the Matamata-Piako District, approximately 1.8 kilometres to the south-west of the centre of Matamata. This is proposed to occur across two larger blocks of land, on both the northern side and southern side of Station Road. The **Ashbourne** development comprises a total area of 125 hectares.

The development proposal will be submitted via the Fast-track Approvals Act once it has been passed and post a successful referral from Ministers. The application will comprise the relevant local landuse and subdivision approvals from MPDC and regional consents from WRC. The consents will give effect to the below.

A summary of the **Ashbourne** development and overview is outlined below:

Ashbourne is a multi-use development that includes four key precincts:

1. A new **residential community**, comprising of over 500 new homes, 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;
3. A **retirement living centre**, comprising of approximately 200 units, with additional supporting facilities; 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.

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, as well as provide access and connectivity to the future retirement living centre located in the western portion of the site.

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.

The multi-functional greenway links the commercial node and open spaces of the **Ashbourne** development area. This corridor interconnects infrastructure, 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.

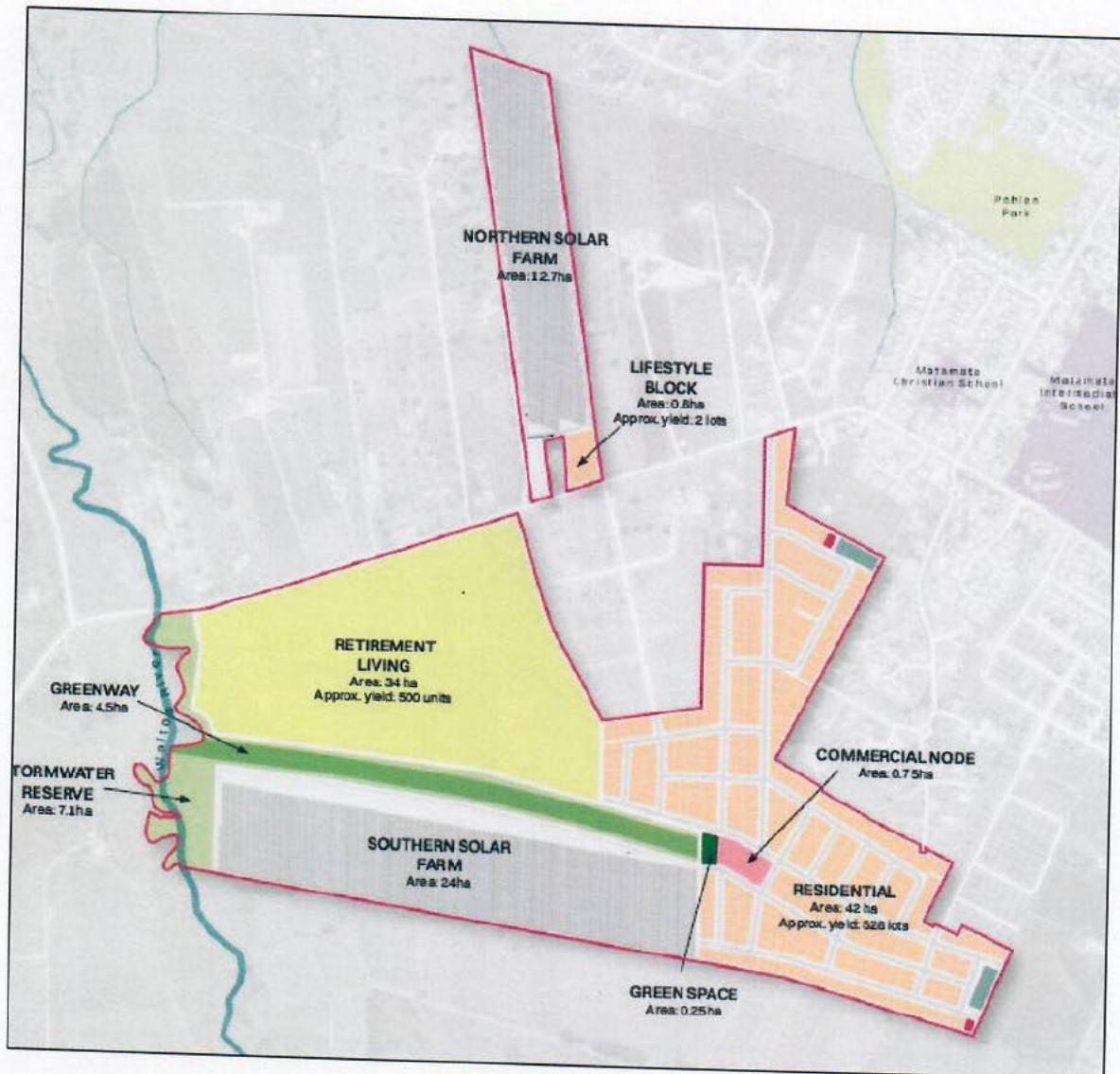
To support the growing demand for retirement living in Matamata, **Ashbourne** is anticipated to deliver approximately 200 retirement living units, as well as the supporting healthcare and community facilities across an area of 34 hectares. A staged approach is proposed, from east to west, to establish 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.

This is a 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.

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Figure 1. Indicative Ashbourne Masterplan.



[REDACTED]
247 Station Road
Matamata

13 November 2024

Ministry for the Environment
Attn: Listed Projects Team
Via email: listedprojects@mfe.govt.nz

To whom it may concern,

Re: Fast-Track Referral Application for Ashbourne Project – Station Rd, Matamata

We, [REDACTED], own the property at 247 Station Road, Matamata, being all the land described in:

1. Lot 1, DP21055, Record of Title SA658/159;
2. Lot 3, DP14362, Record of Title SA12C/1064; and
3. Lot 2, DPS 567678 and Lot 2 DPS 21055, Record of Title 1018185.

We have a signed agreement to sell the property to Unity Management Limited dated 26 April 2024, with settlement scheduled for 31 May 2026.

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We understand that Unity Developments intends to apply for a fast-track referral for approval of the Project once the Fast-track Approvals Bill is passed and this letter may be used as part of that application.

We consent and have no objection to the Project as set out in the '*Summary of the Ashbourne Development*', as well as the fast-track referral application.

Yours faithfully

[REDACTED]

[REDACTED]

Director – [REDACTED]

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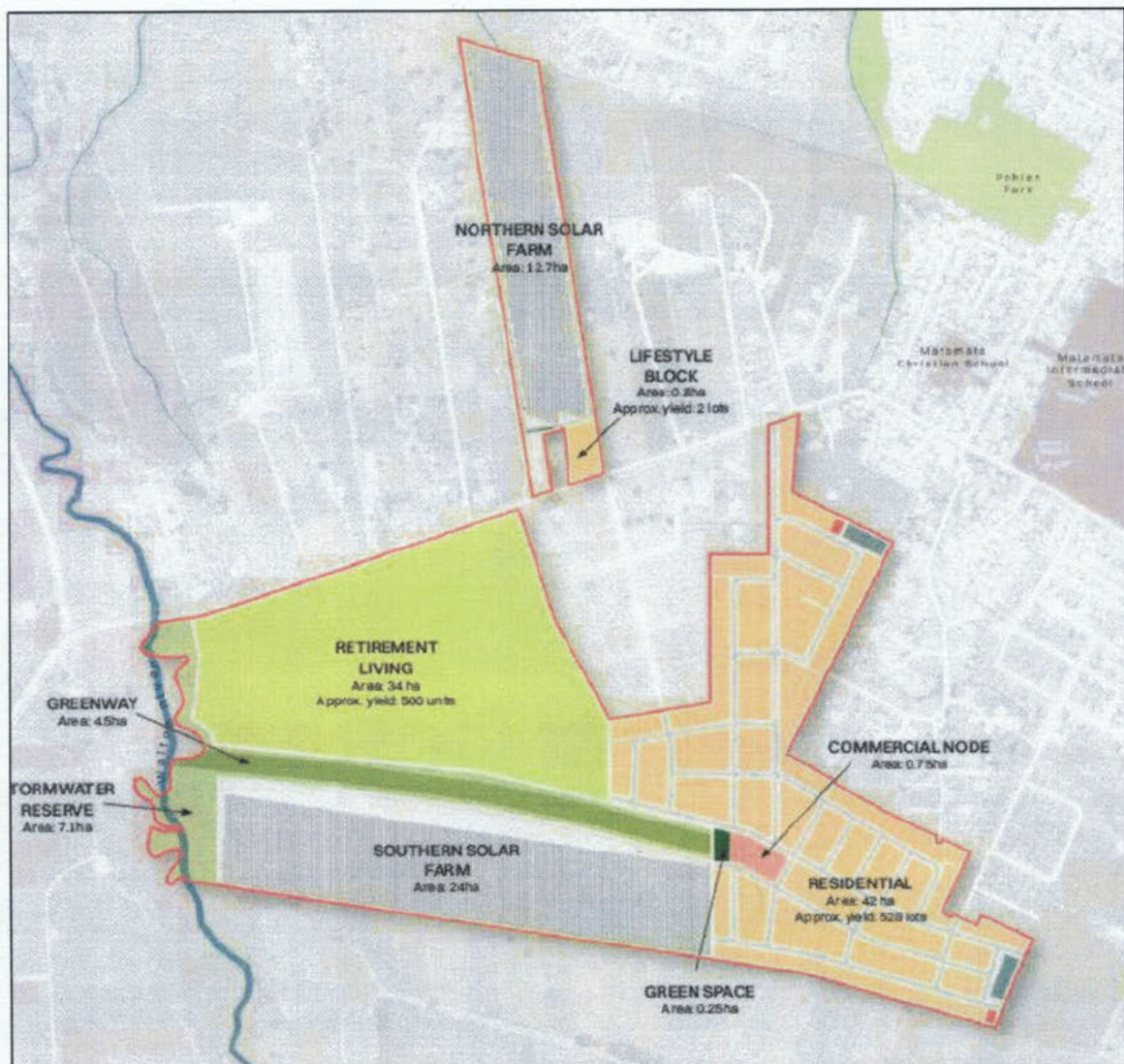
To support the growing demand for retirement living in Matamata, **Ashbourne** is anticipated to deliver approximately 200 retirement living units, as well as the supporting healthcare and community facilities across an area of 34 hectares. A staged approach is proposed, from east to west, to establish a high-quality development overlooking the greenway.

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This is supported by the indicative Masterplan, shown in **Figure 1**.

Figure 1. Indicative Ashbourne Masterplan.



[REDACTED]
Barristers & Solicitors
PO Box 460
Hamilton 3240

18 November 2024

Ministry for the Environment
Attn: Listed Projects Team
Via email: listedprojects@mfe.govt.nz

To whom it may concern,

Re: Fast-Track Referral Application for Ashbourne Project – Station Rd, Matamata

We [REDACTED] own the property situated between Peakedale Drive and Chestnut Lane, Matamata, being all the land described in:

1. Lot 5, DP 384886, Record of Title 339511;
2. Lot 4, Deposited Plan 384886, Record of Title 339510; and
3. Lot 204, Deposited Plan 535395 and Lots 25 and 106 Deposited Plan 393306, Record of Title 885183 (the Property)

We have a signed agreement to sell the Property to Matamata Development Limited dated 7 February 2024, with settlement scheduled for 7 February 2026.

We have reviewed Unity Developments' *'Summary of the Ashbourne Development'*, appended as Attachment 1, for the Ashbourne proposal (Project). Our land is included in the eastern section of the Project area.

We understand that Unity Developments intends to apply for a fast-track referral for approval of the Project once the Fast-track Approvals Bill is passed and this letter may be used as part of that application.

As the owner of the Property, we consent and have no objection to the Project as set out in the *'Summary of the Ashbourne Development'*, as well as the fast-track referral application.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

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