

To: Expert Consenting Panel – Environmental Protection Authority

From: Fraser McNutt/Steph Wilson – Barker & Associates Limited

Date: 27 November 2025

Re: Ashbourne [FTAA-2507-1087] – Applicant Response to Minute 3

This memorandum has been prepared in response to a request received from the Ashbourne Expert Consenting Panel detailed in Minute 3, dated 21 November 2025. The Panel has requested clarification on several items which are addressed below.

The following attachments should be read in conjunction with this response:

- Attachment 1 – MPDC Email
- Attachment 2 – Scheme Plan
- Attachment 3 – Engineering Drawings (Appendix 4D)
- Attachment 4 – Urban Design Drawings
- Attachment 5 – Retirement Village Landscape Drawings
- Attachment 6 – Residential Landscape Drawings
- Attachment 7 – Engineering Drawings (Greenway – C152)
- Attachment 8 – Engineering Drawings (Typical Road Section – C340)
- Attachment 9 – Northern Solar Farm Tree Location
- Attachment 10 – Northern Downstream Flood Assessment
- Attachment 11 – Comparison of Lot Sizes
- Attachment 12 – Proposed Boundary Treatment Summary
- Attachment 13 – Updated Appendix 5N

A tracking table is provided at Section 2.0 below, with further discussion on planning matters provided in Section 3.0.

1.0 Engagement with Councils and Other Matters

For completeness, the following meets have been held with Councils in relation to Minute 3:

- The Applicant’s engineering team (Maven) met with Waikato Regional Council representatives on 26th November to discuss the application and provide any further information required to assist WRC in responding to the Minute;
- The Applicant’s engineering team (Maven, WGA, and CMW) met with MPDC representatives on 27th November to discuss the application and provide any further information to assist MPDC in responding to the Minute;

- The Applicant's planning team (B&A) met with MPDC representatives on 26th November to discuss and agree where relevant on the NPS-HPL and other matters raised in Minute 3. An email summarising the items agreed is included as Attachment 1.

In addition, it is noted that an updated scheme plan has also been provided as Attachment 2 to correct an error in which Lot 384 was not labelled. No other changes have been made to the scheme plan.

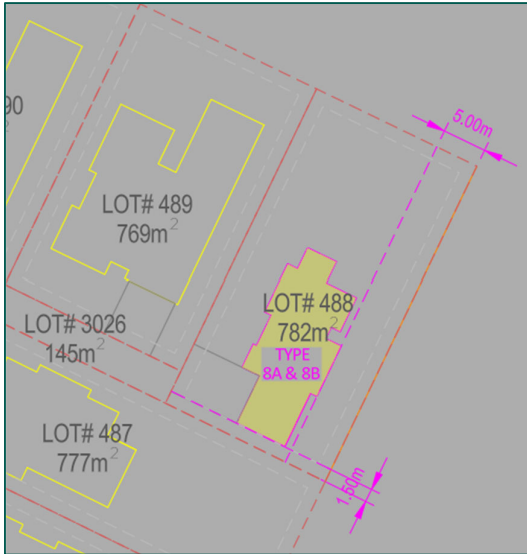
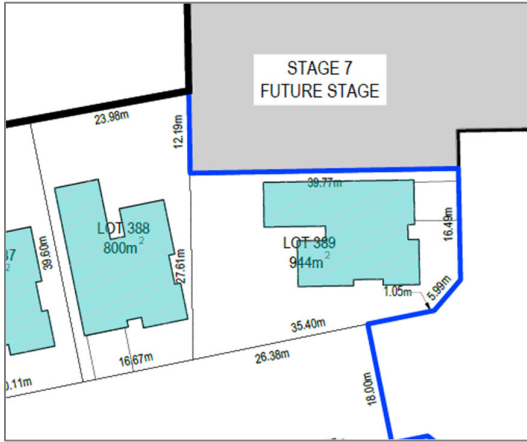
2.0 Tracking Table

Minute Item		Action / Response
	MPDC	
23	The revised engineering plans show that the wastewater field will be elevated to 600mm above the highest groundwater level. The Panel queries whether this can be specified on the plans to a precise minimum RL for the wastewater field, noting that this should be based on recent (elevated) measurements (i.e., XXXm + 0.6m = RLXXX).	<p>While we acknowledge this item is for MPDC to respond to, we agree with the suggested addition to the plans.</p> <p>We have specified on the plans "topsoil to be spread over the wastewater disposal field to min. 68.4mRL to achieve minimum 600mm vertical separation to peak groundwater levels of 67.8mRL". Refer to updated Engineering plans C5000A and C2200 to C2400 in Attachment 3 (updated Appendix 4D)</p>
25	The Panel notes the advice within the UDM that there are ongoing discussions with MPDC regarding pathways on Station Road. This would appear to relate also to comments in Appendix 5N regarding the NPS-UD (Objective 8 and Policy 1) and the WRPS (IM-05) regarding provision for active modes from the site to the Matamata centre. The Panel awaits the outcome of those discussions.	<p>The Applicant and MPDC are in agreement regarding scope of pathway upgrades along Station Road, as confirmed in Attachment 24 of the Applicant's s55 response.</p> <p>Attachment 24 of the Applicant's s55 response, section 1.4 notes the following relevant points on the proposed wider network improvements to be undertaken by the Applicant:</p> <ul style="list-style-type: none"> Upgrades on Station Road include a 3m sealed shared path between the Retirement Village and Smith Road A pedestrian refuge on Station Road to facilitate crossing <p>The applicants staging of this work is outlined in section 1.7 of the aforementioned attachment.</p>
	Applicant	
	Zoning and NPS-HPL	
27a	There is a discrepancy between the Applicant and MPDC as to the extent of rural-zoned land which is captured by the NPS – HPL. Per [3] (a), above, the Panel requests that the Applicant and the MPDC resolve this discrepancy between their respective counsel and report back to the Panel with a definitive agreed position.	Agreement has been reached and documented between the applicant and MPDC. The extent of HPL, relevance to the NPS HPL clauses and accompanying table of facts has been included to assist the Panel. Refer to email confirmation included as Attachment 1.

	Minute Item	Action / Response
27b	<p>1) Please clarify the intent with respect of the 'balance lot' to the west of the retirement village, with regard to comments in the Urban Design Memorandum (UDM) as to potential expansion of the Retirement Village. It is also noted that the UDM shows future connections to the west from the Retirement Village. However these lead into the proposed wastewater disposal field (and associated reserve area).</p> <p>2) If potential further expansion is envisaged, please confirm if the rationale for the use of Highly Productive Land (e.g., as set out at p.12 of Appendix 4K) would still apply and how this would avoid further encroachment of HPL. See further comments in regard to these matters attached (items 1-5).</p>	<p>1) The balance lot is intended to be retained as vacant rural land and does not form part of this application outside of the subdivision of this Lot. The balance lot although is created by the 'Day 0' subdivision, does not have a corresponding land use being applied for unlike the rest of the application site. It is to remain in rural use. Drawings have been updated to remove reference to any "future development" of this Lot at Attachment 4 and 5.</p> <p>2) As above, no development of the balance lot is proposed.</p>
	Earthworks	
27c	<p>1) The Panel queries the functionality of Sediment Retention Ponds for the Retirement Village site during the earthworks stage, given high groundwater levels – i.e., will groundwater seepage reduce their capacity?</p> <p>2) Please clarify the location of the outlets from the SRP-1 (and SRPs in Stages 4 and 7) adjacent to Highgrove subdivision. These are depicted as extending into those adjacent lots.</p> <p>3) Please clarify the notation of the Stormwater Ponds 1 and 2 in the Earthwork plans for the Retirement Village, as it is understood from changes to the application that these are to be constructed wetlands?</p> <p>4) Please advise if a design for the proposed wetlands will be provided, including planting specification? (updated landscape plans relate to the residential component only).</p>	<p>1) Earthworks are proposed to be undertaken during summer months when groundwater levels are lower. Refer to WGA's memo submitted with the Applicant's s55 response on recorded summer vs winter groundwater levels. The invert level for all SRPs will be set to ensure that the live storage capacity of the SRP is not affected by incoming groundwater. However, the dead storage may be permanently full due to groundwater ingress. This condition will not impact the performance of the SRP.</p> <p>2) Outlet locations from SRP-1 (and SRPs in Stages 4 and 7) adjacent to Highgrove subdivision will discharge to the existing drain located at the boundary. This has been clarified on updated engineering plans. Refer to Engineering Plan C2300 in Attachment 3.</p> <p>3) This was a carryover from the previous design, and the labels should be for Wetland 1 and 2. This has been updated on Engineering Plans C2200 to C2400 provided at Attachment 3.</p> <p>4) Please find enclosed as Attachment 5 updated Retirement Village landscape drawings illustrating proposed planting palettes for the wetlands.</p>
	Balance Lot – Landscape Plans	
27d	The landscape plans (including updates) show the area between the esplanade reserve and the southern Solar Farm as an area of 'Balance Land	As set out in response to Item 27b, there is no intention to develop the Balance Lot. Reference to

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	for Future Development' (e.g., Drawing 2149/27 Greenway Plan 05). As above, please clarify the Applicant's intent in this regard.	"Future Development" has been removed from the Landscape Drawings (refer Attachment 5).
	Overall Layout – Residential	
27e	<p>The Panel has some queries in respect of the overall layout of the residential component of the Application:</p> <ul style="list-style-type: none"> i) The size of lots adjacent to boundaries with rural-lifestyle subdivision lots and rural land to the south; ii) The number of rear lots, particularly around the various JOALs and within a rural context, and whether this represents good urban design practice; iii) Please confirm whether the application of a 5m yard to Lot 488 would enable a compliant building platform; iv) Please consider whether the 5m yard should apply to Lot 389 v) Please advise of the proposed mechanism(s) to ensure that the proposed 2m/3m landscape buffers are able to be maintained to a consistent standard by future individual lot owners; and vi) The updated Residential Design Guide was not provided with the Applicant's 18 November response. Please advise when this is expected to be completed <i>See further comments in regards to these matters attached (items 6-8)</i> 	<ul style="list-style-type: none"> i) Please refer to Section 3.3 below for further discussion of this matter. ii) There are a total of 58 rear lots across the residential development, with 53 of these served by 13 JOALs, as summarised below. <ul style="list-style-type: none"> • JOAL Lot 3016 – 70m long, 6m wide, serves 6 lots • JOAL Lot 3017 – 80m long, 8m wide, serves 8 lots • JOAL Lot 3018 – 54m long, 6m wide, serves 6 lots • JOAL Lot 3019 – 35m long, 4m wide, serves 2 lots • JOAL Lot 3020 – 26m long, 4m wide, serves 3 lots • JOAL Lot 3021 – 53m long, 6.16m wide, serves 6 lots • JOAL Lot 3022 – 46m long, 6m wide, serves 4 lots • JOAL Lot 3023 – 33m long, 4m wide, serves 2 lots • JOAL Lot 3024 – 28m long, 4.37m wide, serves 3 lots • JOAL Lot 3025 – 53m long, 6m wide, serves 5 lots • JOAL Lot 3026 – 33m long, 4m wide, serves 2 lots • JOAL Lot 3027 – 29m long, 4m wide, serves 2 lots • JOAL Lot 3028 – 39m long, 6m wide, serves 4 lots <p>Several of these JOALs have been created as a direct response to constrained block depths and irregular block shapes, including JOAL Lots 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027 and 3028. In these locations, using JOALs avoids creating awkward lot shapes or overly deep, inefficient lots and allows practical and proportioned rear sites to be provided.</p>

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	<p>For JOALs 3016, 3017, 3021 and 3023, which are accessed from the 20m collector roads (Road 1 and Road 7), placing some lots to the rear reduces the number of individual vehicle crossings and garages directly fronting these main streets. This helps maintain a cleaner, more continuous street edge with opportunities for planting, fencing and front yards on the collector roads.</p> <p>As outlined above, all JOALs are less than 100m in length, with widths that are proportionate to the number of units they serve. The JOALs are relatively straight, with 3 of them including gentle bends. This largely straight alignment supports clear sightlines, simple wayfinding, efficient vehicle manoeuvring and good visibility along each JOAL, which is important from a CPTED and safety perspective. Where slight bends are introduced, these are modest, without creating hidden corners or poorly overlooked spaces. As shown on the updated landscape plans, the 8m wide JOAL will incorporate trees, and all 6m and 8m JOALs will include material changes to break up hard surfaces. These treatments help the JOALs read as small-scale, cohesive 'residential lanes' rather than leftover service corridors. The material changes will also encourage lower vehicle speeds and add visual interest. Final design details for these JOALs will be confirmed at the detailed design stage and can be managed through appropriate consent conditions. Detailed design will include coordinated landscape treatment, fencing and development controls to ensure that dwellings present front doors and windows towards the JOAL. These measures, together with the low traffic volumes and capped number of lots off each JOAL, will support good passive surveillance, a positive pedestrian experience and a safe, slow-speed shared environment consistent with good urban design practice.</p> <p>Overall, only 58 rear lots are proposed out of a total of 518 lots across the development. At this scale and given the design controls and contextual reasons outlined above, the proportion of rear lots is considered acceptable and does not undermine the overall quality or character of the neighbourhood.</p>

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	<p>iii) The application of a 5m yard to Lot 488 would enable a compliant building platform. Proposed Typology 8A/8B can be located on the site and comply with the 5m rear yard and all other development controls.</p>  <p>iv) Lot 389 does not adjoin an external site boundary and is set back in excess of 12m from the corner of the Highgrove Avenue subdivision. It is not considered that a 5m yard should apply to this Lot. It is noted that the updated drawings included within Appendix 2 of Attachment 22B of the Applicant's s55 response incorrectly indicated this Lot as being subject to a 5m BLR. This has been updated within Attachment 4 and Attachment 8.</p> 

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		<p>v) A consent notice is proposed to ensure ongoing maintenance of the 2m/3m landscape planting buffers.</p> <p>vi) The applicant proposes that the updated Residential Design Guide be submitted to the Panel on 3rd December 2025. This will enable sufficient time for the Applicant to incorporate feedback resulting from the contents of Minute 3.</p>
	Esplanade Reserve	
27f	1) The Panel notes that the planting is limited to just 25 specimen trees within the esplanade reserve. This contrasts with depictions within the application documentation as to the proposed extent of ecological restoration of this area (at Appendix 5N). If planting/restoration of this area is limited to 25 specimen trees, a reappraisal of the proposal with respect to the relevant statutory provisions would appear to be necessary. See further comments in this regard attached (items 9-12).	Please refer to Section 3.4 below for a complete response to this matter.
27f	2) The landscape plans (original and updated) depict a continuous pedestrian pathway, leading from the greenway link, described as 'Future Pedestrian Path'. This is depicted in Attachment 5 (Maven Drawing C151-1) as a non-continuous '3m Wide Possible Future Pedestrian Path'. The Panel seeks clarification of the Applicant's intent in this regard.	<p>The 'Future Pedestrian Path' is illustrated to demonstrate that the esplanade reserve is of a sufficient width to provide for a 3m wide footpath at an appropriate gradient should the Matamata Piako District Council accept the esplanade reserve as a vested asset.</p> <p>The Applicant does not intend to construct this footpath prior to vesting. Should the MPDC not accept the esplanade reserve as a vested asset, the footpath will not be constructed.</p>
27f	3) Drawing C152-2 refers to reader to 'Landscape Architect Plans for Planting' of the proposed channel armouring. However, Landscape Drawings 2149/26 Greenway Plan 04 simply states in this regard 'Channel Armouring – Refer to maven Civil Plan Set for more Detail'. Please clarify where the landscape plan details for this area can be found	<p>Further details have been added to the Engineering Plans and Landscape Plans as Attachments 3 and 7 respectively.</p> <p>All channel armouring details can be found in Maven Drawing C152-1, while the associated planting details can be found in the Landscape Architect Plans '251127_GA_Ashbourne Residential Landscape Package S53.pdf, page 2149/32 Details'.</p>
27f	4) The Panel understands that the vesting of the esplanade reserve will only occur if it is accepted by the MPDC. Please confirm the intent and outcome for this land if the reserve is not accepted by the MPDC (with reference to proposed updated conditions 19/20).	If the reserve is not accepted by the MPDC within the five-year period stipulated in Condition 19, the reserve will revert to existing use and be amalgamated with Lots 2 and 3. Conditions of consent will be updated to reflect this.

Minute Item		Action / Response
	Transportation	
27g	Appendix 5N states regarding the District Plan (P21, at p.102) that “The proposal will encourage alternative transport modes through the integration of dedicated cycleways and walkways within the street network and greenway corridor” (also referenced in the UDM at p.4). The Panel was not able to discern any dedicated cycleways within the proposal (per Appendix 5F and updated plans) and seeks clarification in this regard.	<p>While the provision of a shared path was not previously proposed through the subdivision, the 2.5m wide footpath along the edge of Roads 1 and 7 has been widened to 3m to serve a shared path function. This acts as a connection between the proposed shared path within the Ashbourne Greenway and the proposed upgrades within the Station Road berm. Sectional drawings have been provided within Attachment 6 and 8 to reflect this.</p> <p>No dedicated cycleways are proposed on Local Roads within the subdivision.</p>
	Rural Lifestyle and Subdivision (Lots 8 and 9)	
27h	<p>1) The Panel has not sighted a detailed assessment (beyond some comments in the Volume 2 AEE) for the extent of subdivision proposed in respect of Lots 8 and 9, relative to the provisions of the Rural Zone and NPS - HPL provisions, including reference to the size of Lots 8 and 9 relative to MPDP standards.</p> <p>2) In addition, please clarify the subdivision access for Lots 8 and 9 as to the adequacy of separation from the existing crossing to 172 Station Road, and the extent of tree removals required.</p>	<p>1) Please refer to Section 3.2 for a complete response.</p> <p>2) Station Road is categorised as a Collector Road within the Matamata Piako District Plan Road Hierarchy (9.1.1).</p> <p>The Development Manual (Table 3B Minimum vehicle crossing separation standards) states that for collector roads, one crossing per title is permitted irrespective of spacing. As such there is no minimum spacing required between the existing vehicle crossing and the proposed new crossing. Three trees are to be removed, with one oak tree retained as illustrated in Attachment 9 and within Appendix 3F of the submitted plans.</p>
	Stormwater	
27i	The application needs to satisfactorily address the ability of the existing stormwater channel which serves the northern parts of the retirement village and the residential development, and is understood to be managed by WRC, to accept the post development stormwater outflows (up to 10 year ARIcc) from proposed Wetlands C and D and Wetland 1 and any proposed subsoil drain discharges from the site, together with stormwater runoff from other areas which discharges to the channel? This includes consideration of invert levels and conveyance of the stormwater pipe under Station Road and the channel for sufficient distance downstream of the site, north of station Road, to allow for any backwater effects.	<p>The existing stormwater channel and culvert crossing Station Road which serves the northern part of the retirement village as well as the residential development has been assessed using HEC HMS and HEC RAS.</p> <p>Flows from wetlands C, D and 1 have been calculated in HEC HMS and input into the HEC RAS model. The model incorporates surveyed culverts crossing station road and the downstream channels. The model outputs focus on downstream areas outside the development area.</p> <p>The results show flows through existing culverts will result in overtopping of Station Road at both discharge locations for both pre and post events.</p>

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		<p>The results also show the extent of flooding downstream of the site for a 10 year ARI pre-development and post-development scenario which can not be contained within the existing drain for this storm event. However, the extent and depth of flooding on Station Road are reduced when comparing pre vs post. The extent and depth of flooding north of station road from the residential development are reduced. The extent and depth of flooding north of station road from the retirement village has negligible difference.</p> <p>For the RV and Wetland 1 discharge crossing Station Road (RV Section 2A), the maximum flood depth at the crest of the road in the pre-development scenario is 70mm, compared with 50mm post-development. This reflects a 20 mm reduction in flood depth on the carriageway. Consequently, the post-development condition is expected to improve the existing flooding along Station Road adjacent to the RV development.</p> <p>For the Residential development and Wetland C discharge crossing Station Road (Resi Downstream Section 03), the maximum flood depth the crest of the road in the pre-development scenario is 130 mm, compared with 90mm post-development. This reflects a 40 mm reduction in flood depth on the carriageway. Consequently, the post-development condition is expected to improve the existing flooding along Station Road north of the residential development.</p> <p>Refer to the attached “Northern Downstream Flood Assessment” as Attachment 10 for further details and model outputs.</p>
	Attachment 1 – Further Clarification of Section 67 Queries	
	Balance Lot	
1-3	The proposal as presented appears to be a precursor to further expansion of the retirement village, into further HPL land as indicated in the UDM. The Panel is therefore unclear how the proposal would avoid further rural encroachment or incorporate sufficient constraints that would preclude further fragmentation of the Rural Zone.	<p>It is not proposed to develop the balance lot and this will be retained as rural land. Notwithstanding this, for the reasons set out in the applicants s55 response, the subdivision of the site is considered to be appropriate.</p> <p>Please refer to Section 3.1 below for further discussion on this matter.</p>

Minute Item		Action / Response
	Wastewater Disposal Field	
4-5	The Panel requests clarification of the Applicant's intentions in this regard, and in particular how any future expansion of the Retirement Village could be accommodated given the location of the wastewater disposal field in the same area as the black and orange dash lines.	As noted elsewhere in this response, it is confirmed that no development of the Balance Lot is sought under this consent. The location of the wastewater disposal field is considered appropriate in this context.
	Overall Layout – Residential	
6-8	The Panel would appreciate clarification of this comment with respect to the earlier explanation of the apparent density of the southern lots and their interface to the adjacent rural land.	Please refer to Section 3.3 below for a response to these matters.
	Esplanade Reserve	
9-12	The Panel seeks clarification of the Applicant's intent in this regard. If planting/restoration is limited to 25 specimen trees, a reappraisal of the proposal with respect to the relevant statutory provisions would appear to be necessary.	Please refer to Section 3.4 below for a response to these matters.

3.0 Additional Planning Discussion

3.1 Balance Lot

At Items 1-3 of Attachment 1 of Minute 3, the Panel notes that the rationale provided in respect of the use of the NPS-HPL is in contrast to the response set out in the Urban Design Memorandum ("UDM") at p.6 referencing the balance lot to be used as an expansion of the Retirement Village.

The Applicant confirms that no expansion to the Retirement Village is sought, and that the intent is for the vacant Rural lot to remain as rural land and in rural use. As noted elsewhere within Minute 3, the balance Lot incorporates the wastewater disposal field for the Retirement Village wastewater treatment system, precluding the use of the land for development in its current layout.

Notwithstanding, and as noted within the NPS-HPL memorandum submitted with the Applicant's s55 response, following the construction of the two solar farms (permissible under the NPS-HPL for the reasons set out within the aforementioned memo), there remains a landholding of 31.13ha incorporating the Retirement Village site and the balance Lot.

As set out above, the balance lot will not be developed and will be retained as rural land. Any future development of the land would be subject to a separate consenting process under the Resource Management Act (or other relative legislation of it's time). The development of the land is not proposed under this consent and is therefore not assessed further. The Applicant and MPDC are agreed that the balance lot is not being rezoned or developed, and that it will continue to be rural land used for rural purposes and therefore won't be deemed an inappropriate use or development, as set out within Attachment 1.

3.2 Rural Lifestyle Lot Subdivision Assessment

At Item 27h, the Panel notes:

“The Panel has not sighted a detailed assessment (beyond some comments in the Volume 2 AEE) for the extent of subdivision proposed in respect of Lots 8 and 9, relative to the provisions of the Rural Zone and NPS - HPL provisions, including reference to the size of Lots 8 and 9 relative to MPDP standards.”

In this regard, the following additional assessment is provided:

3.2.1 Matamata Piako District Plan

Within the Rural zone under the Matamata Piako District Plan (“MPDP”), a minimum Lot size of 40ha is required to meet controlled activity standards. The subdivision of Lots 8 and 9 result in two lots of 0.38ha and 0.37ha respectively. As the activity is not listed within the Subdivision Activity Table, the proposed rural lifestyle lot subdivision is deemed to be a non-complying activity under the MPDP.

Assessment of Effects

As set out within Section 5.2.2 of the Volume 2 Assessment of Environmental Effects (“AEE”), the scheme plans prepared by Maven and included with the application illustrate that the Lots can accommodate future dwellings that comply with the standards of the Rural Zone. The established and emerging character on Station Road includes a mixture of larger rural lots and smaller urban residential lots, consistent with the existing zoning pattern under the MPDP. It is considered that this section of Station Road represents a transition between the residential character of urban Matamata to the east, and the rural environment to the west.

The proposed Lots will have an approximate area of 3,500m², which is considered to be in keeping with the immediately surrounding subdivision pattern, notably Highgrove Avenue which contains Lots of between approximately 3,000m² to 5,000m².

Objectives and Policies

As required by Clause 5(1)(h), 5(2), and 5(3) of Schedule 5 of the FTAA, assessment against the relevant provisions of the MPDP is provided below.

Table 1: Relevant Objectives and Policies of the MPDP.

Objective / Policy	Comment
Part A 2.4 Sustainable Management Strategy	
2. Controlling Activities	
O1. To manage activities in a manner that gives certainty to the public as to the potential location and effects of activities.	While the activity is not expressly provided for in the Rural Zone, it is noted that the proposed Lots 8 and 9 are in keeping with the surrounding rural-residential nature, in particular the Highgrove Subdivision, and immediately adjoins land with Rural-Residential zoning. It is therefore considered that these Lots are not incongruent in the surrounding environment and could be anticipated by the public to occur in this location.

O2. To sustainably manage the natural resources of indigenous biodiversity for ecological, landscape, heritage and natural feature value.	Not relevant to the subdivision of Lots 8 and 9.
O3. To recognise that the rural environment is primarily a place for rural production activities while also providing for a variety of other activities, including rural lifestyle, intensive farming, rural based industry and significant infrastructure networks and sites, which are dependent on a rural location.	It is considered that the Lots are of a size that will enable a level of rural lifestyle living, noting that Lot 7 is to be retained in productive use.
P1. To implement effective separation between incompatible activities while recognising that some existing activities may not be able to provide effective separation within their sites.	The proposed Lots are bordered by rural residential lots to the west and south, with the proposed northern solar farm to the north. Rural land is located to the east, albeit this is zoned Rural Residential and could feasibly be developed for residential use in the future. The proposed landscape buffer to the northern solar farm is considered to provide sufficient separation.
P2. To recognise the effect activities may have on indigenous vegetation and habitat of indigenous fauna.	In the context of the wider Ashbourne development, the rural lifestyle lots are not considered likely to have an effect on indigenous vegetation or habitat of indigenous fauna.
P3. Activities should not establish in rural areas unless they are able to be undertaken without constraining the lawful operation of existing activities.	The rural residential Lots are not considered to constrain the lawful operation of existing activities.

6. Integrated Land-use and Infrastructure

Land-use, subdivision and infrastructure are planned in an integrated manner that: <ul style="list-style-type: none"> • Does not compromise the function, operation, maintenance, upgrading or development of infrastructure, including regionally significant infrastructure; • Recognises the need for the provision of infrastructure; and subdivision, land-use and development to be coordinated; and • Ensures the sustainable management of natural and physical resources while enabling people and communities to provide for their economic, social, and cultural wellbeing. 	Conditions of consent require that Lots 8 and 9 provide for stormwater, wastewater, and water supply on-site, including via rainwater harvesting systems for water supply. It is not considered that the Lots will have any adverse effect on infrastructure.
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Part A 3.1.2 Environment – Natural Environment and Heritage

1. Landscape Character

O1. To retain and enhance the varied landscape qualities of the District.	It is not considered that the provision of two rural lifestyle Lots will have any adverse effects on the landscape qualities of the district, noting that they are bound to the west by a Rural Lifestyle lot, and to the east by land zoned Rural Residential.
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<p>P1. The scale, location and design of buildings, structures and activities in outstanding landscape types of the District should:</p> <ul style="list-style-type: none"> • Preserve the elements which contribute to its natural character. • Not detract from the amenity values of the landscape. 	<p>Lots have been designed to enable compliant building platforms.</p>
<p>Part A 3.3.2 Environment – Land and Development</p>	
<p>1. Sustainable Activities</p>	
<p>O1. To maintain and enhance the District's land resource to enable activities that do not threaten the life supporting capacity of the soil and consequently water and ecosystems.</p>	<p>As previously assessed, the proposed stormwater management strategy will appropriately manage stormwater quality and quantity to ensure that the proposal does not adversely affect the life supporting capacity of soils, water, or ecosystems.</p>
<p>O2. To manage all activities in a manner that maintains and enhances the District's high quality soils and to ensure that the productive capability of rural land is not compromised.</p>	<p>It is acknowledged that the site contains high quality soil, however it is noted that the remaining 12.74ha of the site are to be retained in productive use. On balance, it is not considered that the loss of 0.75ha undermines the objectives of the MPDP with respect to the maintenance of productive capability of rural land.</p>
<p>O3. To safeguard the life-supporting capacity of the District's high quality soils by preventing inappropriate further fragmentation of rural land titles.</p>	<p>The provision of Lots 8 and 9 do result in further fragmentation of a rural land title. Notwithstanding, for the reasons set out elsewhere within the application (including Appendix 1L – Land Use Capability Assessment and further input on NPS-HPL matters), it is considered that the proposed subdivision of Lots 8 and 9 do not undermine the objective of protecting high quality soils.</p>
<p>P1. To maintain and enhance the soil cover and soil values including: water holding capacity, soil structure and organic components necessary to support a diversity of vegetation.</p>	<p>As outlined above.</p>
<p>P2. To avoid, remedy or mitigate any adverse effects on the intrinsic values of the land from the disposal of solid and liquid wastes and or stormwater.</p>	<p>On-site wastewater and stormwater systems will be provided for at Building Consent stage.</p>
<p>P3. To avoid, remedy or mitigate the adverse effects of land use practices on the land resource in a way that avoids any potential for soil erosion and sedimentation of waterways.</p>	<p>Any future earthworks for the establishment of dwellings on Lots 8 and 9 will not be of a quantity to require consent under the RMA.</p>
<p>P4. Subdivision, use or development must minimise the coverage of good quality soils.</p>	<p>As addressed above.</p>
<p>P5. To limit fragmentation of rural land by limiting opportunities for residential or rural-residential subdivision in the Rural zone to conserve the land for the use of future generations.</p>	<p>It is considered that the provision of two lots in the wider context of Lot 7 is not inappropriate.</p>

P6. To avoid, remedy or mitigate the effects of development through the consideration of the natural and physical resources including roading, drainage, conservation, any hazards, and effects incompatible with other activities.	It is considered that the wider Ashbourne development incorporates a carefully considered design strategy to respond to existing natural and physical resources. This is further outlined in the Urban Design Assessment included as Appendix 1Q .
P7. To ensure that the productive potential of high quality soils in the Rural zone is retained by promoting large lot sizes that provide for a range of productive rural uses.	As outlined above, the subdivision retains a large title for ongoing productive use.
Environment – Amenity	
1. Design, Appearance and Character	
O1. To ensure that the design and appearance of buildings and sites is in keeping with the character of the surrounding townscape and landscape.	While not requiring land use consent, it is noted that the subdivision plans demonstrate that dwellings that comply with the Rural development standards can be established on the Lots.
O2. To recognise and promote the special urban character of Te Aroha and Matamata and to develop the urban character of Morrinsville.	N/A – the sites are outside of the areas identified in Objective 2.
O3. To ensure that the design of subdivisions and the potential future development maintains or enhances the rural character, landscape and amenity of the zone and the surrounding area.	As above.
P1. To encourage a high standard of on-site amenity in residential, business, recreational and industrial areas.	N/A – the proposal does not include occupiable buildings.
P3. To recognise and enhance the open space "garden city" character of the built form at Matamata.	N/A – the sites are located outside of the urban area.
P4. To achieve a compatible and consistent urban form through the utilisation of design guidelines for special character areas.	N/A – the sites are located outside of the urban area and are not located within a special character area.
P5. To encourage a varied and interesting built form by supporting initiatives and providing development amenity incentives for comprehensive and innovative subdivision and development design.	N/A – the proposal does not include occupiable buildings.
P6. To maintain and enhance the predominant domestic character of residential areas.	N/A – the sites are located outside of the urban area and is not within the Residential Zone or Rural Residential Zone.
P7. To ensure that the rural landscape, character and amenity values are maintained by avoiding inappropriate adverse effects, including cumulative adverse effects, from subdivision and potential future development.	As identified above, the proposed Lots 8 and 9 are of a sufficient size to maintain a rural character and level of amenity, with sufficient area to accommodate dwellings compliant with the Rural Zone development standards.
P8. To ensure that the placement of new lots and/or building platforms are not located on prominent ridgelines or hillside faces where the visibility of	The lots are not located on a prominent ridgeline or hillside face.

future development can adversely affect the rural landscape and character.	
P9. Subdivision, use and development that is not primarily related to productive rural activities or requiring a rural location shall occur predominately in urban areas.	The proposal is considered to continue an existing pattern of rural residential development along this area of Station Road.

As outlined in Table 1 above, overall, the proposed subdivision is considered to be appropriate in the context of Station Road, with a rural lifestyle lot to the west, and Rural Residential zoning to the south and east. While the proposal results in some further fragmentation of productive land, it is noted that the northern solar farm will be located on proposed Lot 7 to the north. In the context of this Lot and the wider environment, the removal of approximately 0.75ha of high-quality soil is not considered to be inappropriate. Further, the Lots are sized to accommodate a building platform compliant with the Rural Zone development standards. Overall, it is considered that the subdivision of Lots 8 and 9 is appropriate.

3.2.2 NPS-HPL

As set out within the NPS-HPL memorandum submitted with the s55 comments (dated 18 November 2025), it is noted that Lots 8 and 9 will not satisfy Clause 3.8(1)(a)-(c).

It is considered that the subdivision of Lots 8 and 9 should be taken in the wider context of the assessment provided to date under the NPS-HPL (including Appendix 1L – Land Use Capability Assessment, Attachment 1 of the Applicant’s response to Minute 2, and Attachment 3 of the Applicant’s s55 response). In summary, this considers that the subdivision, use, and development of the area of the site subject to the NPS-HPL can occur, as it meets the exemption under Clause 3.10 as the land is subject to permanent or long-term constraints that make primary production economically unviable.

Given the Panel’s query, for completeness we also provide the following assessment of Lots 8 and 9 when viewed in isolation as a subdivision of existing Lot 2 DP 567678 (Northern Solar Farm). Lots 8 and 9 collectively form approximately 0.75ha of a 13.5ha site, with the remainder of the site to be retained in one parcel of approximately 12.74ha as Lot 7. This Lot will include provision for grazing activities to occur concurrently with infrastructure activities. Further, the solar farms will not permanently limit the productive capacity of the land and underlying soil and is considered to satisfy Clauses 3.8(1)(a) and Clause 3.8(2). The subdivision of Lots 8 and 9 is considered to meet criteria under Clause 3.10(1)(b)(i) when viewed in isolation, and is not considered to represent a significant loss of productive capacity particularly when considered in the context of the exiting constraints on the site.

As noted above however, we consider it most appropriate to view the subdivision of Lots 8 and 9 in the wider context of the site and have concluded in assessment elsewhere within the application that the proposal meets Clause 3.10. On this basis, it is considered that the subdivision of Lots 8 and 9 is not inappropriate in the context of the NPS-HPL.

3.3 Overall Layout – Residential

The Panel’s request for clarification is acknowledged, and we agree that our earlier response did not fully reflect the proposed lot pattern, typology plans and additional controls now proposed to apply along the southern rural interface.

As set out in Attachment 11, the southern-most lots are generally larger than the typical internal lots, with the majority being 500m² or greater and only six lots falling below 500m² (the smallest being 443m²). In

addition to their size, these lots are subject to a more generous minimum rear interface treatment than lots internal within the subdivision. Specifically, all of the southern boundary lots will be subject to a 2m wide landscape treatment strip and a 5m building restriction setback from their rear boundaries, as illustrated in Attachment 12. This combination of larger lot sizes (in most cases), deeper rear yards and dedicated landscaping will create a softer, more spacious edge to the adjoining rural land than is achieved on internal blocks.

To further manage the transition of urban development at the rural interface, the applicant now proposes, through revised development controls, to limit the height of buildings along the southern boundary to a single-storey. This is intended to “lock-in” the built form outcomes in line with what was shown on the typology plans submitted as part of the original application for this area and remove any flexibility for a larger scale of development. This responds directly to the Panel’s concern and provides greater certainty that the rural boundary will be experienced as a lower scale built edge, that will be largely screened by required landscaping consistent with the commentary at p.9 of the UDM regarding “generally low perceived building bulk”.

In summary, while there is some variation in lot sizes along the southern edge, the predominantly 500m²+ lot pattern, combined with enhanced rear setbacks, landscape treatment and a single-storey height limit, provides an appropriate response to the rural interface. A Boundary Treatment Summary Plan has been prepared in Attachment 12.

3.4 Esplanade Reserve

Items 9-12 of Attachment 1 of Minute 3 seeks the following:

“Please clarify the proposed approach to esplanade and riparian/wetland planting. In particular, the 28 October Response (and reaffirmed through the 18 November response) advises that no specific landscaping is proposed in and around the Oxbow wetlands, and reference is made to “updated landscape drawings depicting a potential future footpath location through the esplanade reserve (to be implemented by Council)”, with specimen trees proposed by the Applicant “to implement an edge to the development and provide continuity of vegetation”.”

Notably, the Panel indicates that this contrasts with depictions within the application document, largely with respect to the objectives and policies assessments provided within Appendix 5N. We agree that the objectives and policies assessment provided indicates a greater extent of planting.

An updated assessment against the objectives and policies of relevant statutory documents is provided at Attachment 13. In summary, it is considered that the extent of planting proposed within the Greenway (including at the terminus of the Greenway in proximity to the Waitoa River, the proposed specimen trees adjacent to the Waitoa, and the wider landscape strategy, that the proposal is generally in accordance with the provisions of the NPS-F, NPS-IB, and WRPS.