

From: [Fraser McNutt](#)
To: [REDACTED]
Cc: [Phil Lang](#); [REDACTED]
Subject: Agreed Position on Minute 3 HPL
Date: Thursday, 27 November 2025 3:34:00 pm
Attachments: [Table 1 NPS-HPL and NON NPS-HPL Land issued 27 11 25.docx](#)
[FIGURE 2 NPS-HPL LAND.pdf](#)
[FIGURE 1 ASHBOURNE ZONING.pdf](#)
[Attachment 13 Appendix 2A - Scheme Plan 251118.pdf](#)
[FIGURE 1 ASHBOURNE ZONING.pdf](#)

To assist the Panel,

Agreed Definitive Position between the Applicant and MPDC on the following issues raised in Minute 3.

The Panel Notes:

Zoning and NPS - HPL

[6] There is a discrepancy between the Applicant and MPDC as to the extent of rural-zoned land which is captured by the NPS – HPL. In the Applicant’s legal memorandum in response to Minute 2, it is asserted that 75% of the application site is not to be treated as highly productive land based on the zoning. In contrast, the legal submissions on behalf of the Applicant at paragraph 4.6 submit that only 33% of the land does not meet the criteria for highly productive land.

Applicant response: The Applicant’s NPS-HPL memorandum dated 18 November 2025 clarified how the NPS-HPL applies across the site. For certainty, the 75% figure referenced in the Legal Memorandum responding to Minute 2 relates solely to the residential component of the Ashbourne development, not the wider proposal. Further clarification is provided below from MPDC and the Applicant and a table of facts that both MPDC and the applicant agree.

[7] 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.

To assist the Panel, MPDC and the Applicant met online at 12pm on 26 November 2025 to clarify and agree the application of the NPS-HPL.

The following commentary is agreed and to be read with the supporting table that compiles the relevant facts and percentages to assist the Panel. *(attached)*.

- It is agreed that the total area of the application, as shown on the Day 0 Scheme Plan, is approximately 125.49 hectares.
- It is agreed that of the land proposed for residential use, 40.04 hectares is zoned Rural-Residential and 0.24 hectares is zoned Residential both of which are exempt from the NPS-HPL. Approximately 3.79 hectares of proposed residential land are zoned Rural and therefore subject to the NPS-HPL.
- It is agreed that Lot 8 (0.38ha) and Lot 9 (0.37ha) i.e. 0.75 hectares in total are zoned

Rural, and the NPS-HPL applies.

- It is agreed that the northern solar farm (12.74ha) and southern solar farm (30.35ha) are on Rural-zoned land and therefore subject to the NPS-HPL.
- **Both parties agree that a pathway exists through the NPS-HPL for specified infrastructure under Clause 3.9 of the NPS-HPL subject to the Panel's satisfaction on the clause 3.9 criteria being met.**
- It is agreed that the retirement village (20.13ha) is on Rural-zoned land and subject to the NPS-HPL.
- It is agreed that the proposed greenway (approx. 2.05 ha) is on Rural-zoned land and subject to the NPS-HPL.
- It is agreed that Easement E – WW disposal area (4.54 ha) is on Rural-zoned land and subject to the NPS-HPL.
- **Both parties agree that an exemption pathway exists under Clause 3.10 for highly productive land subject to permanent or long-term constraints being demonstrated to the Panel's satisfaction (above three bullet points.)**
- The balance lot, Lot 2 of 13.91 ha (9.37 ha excluding the wastewater disposal field easement) on the Day 0 Scheme Plan is zoned Rural and subject to the NPS-HPL. Both parties agree that the applicant has now confirmed that the balance lot is not being applied for to be developed. In this instance, the balance lot will not be getting rezoned, subdivided or used for rural lifestyle. Further, it will continue to be used for rural purposes.

Ngā mihi | Kind regards,

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TABLE 1: ASHBOURNE – NPS-HPL LAND AND NON NPS-HPL LAND										
PROPOSED LANDUSE	UNDERLYING ZONE									
	Residential Zone		Rural-Res Zone		Rural Zone		Kaitiaki Zone		Total	
	Area (Ha)	%	Area (Ha)	%	Area (Ha)	%	Area (Ha)	%	Area (Ha)	%
NON NPS-HPL LAND										
Residential/ commercial	0.24	100.00	40.04	100.00	0.00	0.00	0.00	0.00	40.28	32.10
Esplanade (Kaitiaki Zone)	0.00	0.00	0.00	0.00	0.00	0.00	1.05	100.00	1.05	0.83
Sub-Total	0.24	100.00	40.04	100.00	0.00	0.00	1.05	100.00	41.33	32.93
NPS-HPL LAND										
Residential/ commercial	0.00	0.00	0.00	0.00	3.79	4.50	0.00	0.00	3.79	3.02
Retirement Village	0.00	0.00	0.00	0.00	20.13	23.92	0.00	0.00	20.13	16.04
Wastewater Disposal Field	0.00	0.00	0.00	0.00	4.54	5.39	0.00	0.00	4.54	3.62
Greenway	0.00	0.00	0.00	0.00	2.05	2.44	0.00	0.00	2.05	1.63
Lifestyle Lots (2)	0.00	0.00	0.00	0.00	0.75	0.89	0.00	0.00	0.75	0.60
Northern Solar Farm	0.00	0.00	0.00	0.00	12.74	15.14	0.00	0.00	12.74	10.15
Southern Solar Farm	0.00	0.00	0.00	0.00	30.35	36.06	0.00	0.00	30.35	24.19
River severance lots	0.00	0.00	0.00	0.00	0.44	0.52	0.00	0.00	0.44	0.35
Balance Lot (excl. w/w field)	0.00	0.00	0.00	0.00	9.37	11.13	0.00	0.00	9.37	7.47
Sub-Total	0.00	0.00	0.00	0.00	84.16	100.00	0.00	0.00	84.16	67.07
TOTAL	0.24	100.00	40.04	100.00	84.16	100.00	1.05	100.00	125.49	100.00
% OF TOTAL SITE AREA		0.19		31.91		67.07		0.83		100.00





AMALGAMATION CONDITION:
- THAT LOT 25 DP 393306 AND LOT 106 DP 393306
BE TRANSFERRED TO THE OWNERS OF LOT 100
DP 380025 AND ONE RECORD OF TITLE BE
ISSUED TO INCLUDE ALL PARCELS
- THAT LOTS 3, 15 & 16 BE HELD IN THE SAME
RECORD OF TITLE

LOTS 1 - 11 BEING A PROPOSED SUBDIVISION
OF LOTS 1 & 2 DP 21055, LOT 3 DPS 14362, LOT 1
DPS 65481, LOT 5 DP 384886 & LOT 204 DP
535395, LOT 106 & 25 DP 393306, LOT 2 DP
567678, LOT 4 DP 384886
COMPRISED IN: 885183, 339510, 339511, 1018185,
SA52C/489, SA12C/1064, SA658/159

- NOTES
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 7. ESPLANADE RESERVE SUBJECT TO COUNCIL APPROVAL
 8. ESPLANADE BOUNDARIES ARE SUBJECT TO FINAL SURVEY, CURRENT LOCATION DEFINED BASED ON ASSUMPTION OF AVULSION TBC

Legend

PR BDY
PR EASEMENTS
EX ABBUTALS

J	AMALGAMATION CONDITIONS	JG	11/2025
I	EASEMENT EDITS	JW	11/2025
H	ADDING LOTS 13-16	MJS	11/2025
G	BOUNDARY EDITS	MJS	11/2025
Rev	Description	By	Date
Survey	MAVEN		05/2024
Design	MKS		03/2025
Drawn	RP		05/2025
Checked	LR		05/2025

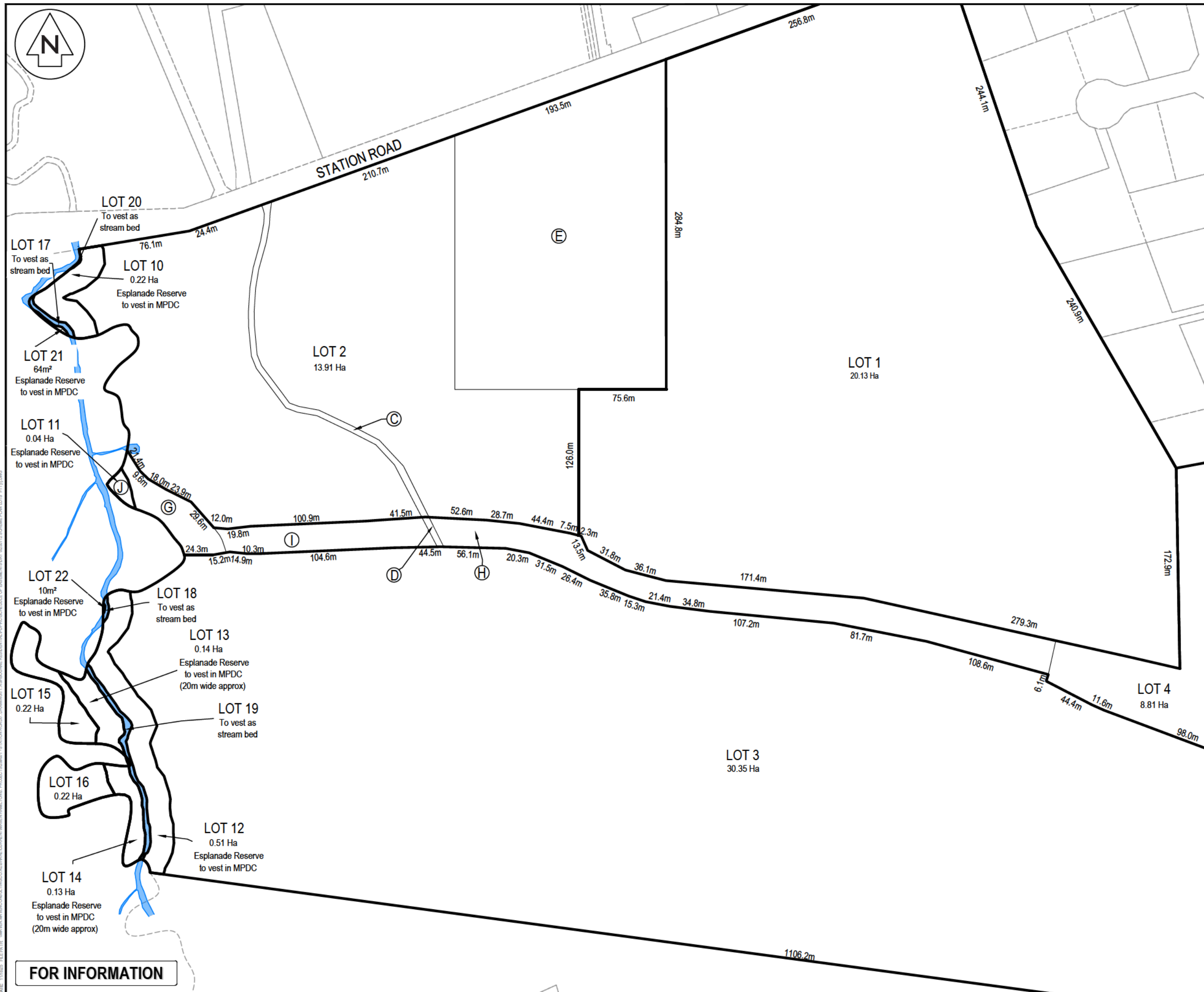


Project
**ASHBOURNE
RESIDENTIAL
FOR
MATAMATA
DEVELOPMENTS LTD**

Title
**PROPOSED
SCHEME PLAN**

Project no.	289001
Scale	1:8000 @ A3
Cad file	250712 SCHEME PLAN LOTS 1-11 [J].DWG
Drawing no.	SHEET 1
Rev	J

FOR INFORMATION



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J	AMALGAMATION CONDITIONS	JG	11/2025
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Checked	LR	05/2025	

Project
**ASHBOURNE
RESIDENTIAL
FOR
MATAMATA
DEVELOPMENTS LTD**

Project no.	289001		
Scale	1:3000 @ A3		
Cad file	250712 SCHEME PLAN LOTS 1-11 [J].DWG		
Drawing no.	SHEET 2	Rev	J



LOT 7
12.74 Ha

LOT 1
DP 567678

LOT 2
DPS 70769

LOT 8
0.39 Ha

LOT 9
0.36 Ha

LOT 2
DPS 66570

STATION ROAD

HIGHGROVE AVENUE

FOR INFORMATION

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Legend

	PR BDY
	PR EASEMENTS
	EX ABUTALS
	DISTRICT PLAN
	YARD SETBACK
	INDICATIVE EFFLUENT DISPOSAL AREA
	BUILDING PLATFORM 15m X 10m
	INDICATIVE OUTDOOR LIVING 6m DIA

J	AMALGAMATION CONDITION	JG	11/2025
I	EASEMENT EDITS	JW	11/2025
H	ADDING LOTS 13-16	MJS	11/2025
G	BOUNDARY EDITS	MJS	11/2025
Rev	Description	By	Date
		By	Date
Survey	MAVEN		05/2024
Design	MKS		03/2025
Drawn	RP		05/2025
Checked	LR		05/2025



Project
**ASHBOURNE
RESIDENTIAL
FOR
MATAMATA
DEVELOPMENTS LTD**

Title
**PROPOSED
SCHEME PLAN**

Project no.	289001		
Scale	1:1000 @ A3		
Cad file	250712 SCHEME PLAN LOTS 1-11 [J].DWG		
Drawing no.	SHEET 3	Rev	J

ASHBOURNE STATION ROAD
DAY 0 SCHEME PLAN SCHEDULE/MEMORANDUM

SCHEDULE OF EXISTING EASEMENTS			
PURPOSE	SHOWN	BURDENED LAND	DOCUMENT
RIGHT OF WAY, RIGHT TO CONVEY WATER, ELECTRICITY, TELECOMMUNICATIONS AND COMPUTER MEDIA	B	LOT 6	7422421.5

SCHEDULE OF EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED LAND	DOCUMENT
RIGHT TO CONVEY WATER	B	LOT 6	7422421.7
RIGHT TO DRAIN SEWAGE	O	LOT 25 DP 393306	7835210.8
RIGHT TO CONVEY ELECTRICITY, TELECOMMUNICATIONS AND COMPUTER MEDIA	B	LOT 6	7422421.6

SCHEDULE OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED LAND	GRANTEE
RIGHT OF WAY	G	LOT 4	MATAMATA PIAKO DISTRICT COUNCIL

MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
RIGHT OF WAY, RIGHT TO CONVEY WATER, ELECTRICITY AND TELECOMMUNICATIONS	C	LOT 2	LOT 3, LOT 4
	D	LOT 4	LOT 3
RIGHT TO DRAIN SEWAGE	E	LOT 2	LOT 1
RIGHT OF WAY, RIGHT TO DRAIN WATER, RIGHT TO CONVEY WATER, ELECTRICITY AND TELECOMMUNICATIONS	F	LOT 8	LOT 9
RIGHT TO DRAIN WATER	H, D, G, I	LOT 4	LOT 1
RIGHT TO DRAIN WATER	J	LOT 11	LOT 1, LOT 4

SCHEDULE OF EXISTING EASEMENTS TO BE SURRENDERED			
PURPOSE	AS SHOWN ON DP 567678	SERVIENT TENEMENT (BURDENED LAND)	DOCUMENT
RIGHT OF WAY	A	LOT 1 DP 21055	12244095.3

AMALGAMATION CONDITIONS
<p>That Lot 25 DP 393306 and Lot 106 DP 393306 be transferred to the owners of Lot 100 DP 380025 and one Record of title be issued to include all parcels.</p> <p>That Lots 3, 15 & 16 be held in one Record of title</p>

Notes:

Amalgamation conditions to be cancelled (s241):

That Lot 2 DP 567678 and Lot 2 DP 21055 be held in the same Record of title.

That Lot 204 DP 535395 and Lot 25 & 106 DP 393306 be held in the same Record of title.

Lots 17, 18, 19 & 20 are to vest on deposit as stream bed