

**BEFORE AN EXPERT PANEL**

**IN THE MATTER** of the Fast-track Approvals Act 2024 (the **FTAA**)

**AND**

**IN THE MATTER** of Ashbourne (FTAA-2509-1087)

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**MEMORANDUM OF COUNSEL FOR MATAMATA-PIAKO DISTRICT COUNCIL  
and WAIKATO REGIONAL COUNCIL IN RESPONSE TO MINUTE 25**

**Dated: 18 March 2026**

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LAWYERS

## **MAY IT PLEASE THE PANEL**

### **1. INTRODUCTION**

1.1 This memorandum is filed on behalf of Matamata-Piako District Council (**MPDC**) and Waikato Regional Council (**WRC**) in response to Minute 25 dated 18 March 2026 regarding the request made by Matamata Development Limited (**MDL**) for expert conferencing on issues associated with the National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**).

### **2. STATUTORY CONTEXT FOR THE PANEL'S DISCRETION**

2.1 While the Panel has a broad procedural discretion under section 10(1) of the Fast-track Approvals Act 2024 (**FTAA**) to regulate its own procedure, that discretion must be exercised within the statutory framework. Here, the FTAA's post-draft decision provisions and section 79 timeframes, read together with the timing guidance in paragraph 15.1 of the Panel Conveners' Practice and Procedure Guidance (**Guidance**), weigh against initiating conferencing at this stage absent a compelling justification.

2.2 Paragraph 15.1 of the Guidance provides that:<sup>1</sup>

The panel may direct expert conferencing prior to or during a formal hearing, or, if no hearing is held, prior to its formal deliberations.

2.3 The Panel is in the deliberations stage, and expert conferencing at this stage is neither necessary nor proportionate. There is no compelling justification to depart from the Guidance. Further proportionate alternatives exist. If discrete clarification is required, the Panel can issue targeted written questions or request further information under section 67.

### **3. RELIEF SOUGHT**

3.1 MPDC and WRC respectfully request that:

- (a) The Panel declines the request for expert conferencing as the request is inconsistent with paragraph 15.1 of the Guidance and is inappropriate at this stage, given that no compelling justification has been provided.

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<sup>1</sup> [Fast-track Approvals Act 2024: Panel Conveners' Practice and Procedure Guidance dated 22 July 2025.](#)

- (b) If clarification is needed, the Panel issues narrowly scoped written questions under section 67 with short response times.

**DATED** the 18<sup>th</sup> day of March 2026

Handwritten signatures in blue ink. The first signature is 'Andrew Green' and the second is 'Michelle Hooper'.

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**Andrew Green / Michelle Hooper**

Counsel for Matamata-Piako District Council and Waikato Regional Council