
MINUTE 3 OF THE EXPERT PANEL

Request for Information
Ashbourne [FTAA-2507-1087]
(21 November 2025)

[1] After reviewing the applicant's response to the comments received on the application, the Expert Panel requests the following information be provided from the Waikato Regional Council, Matamata-Piako District Council and the Applicant. This information is requested pursuant to section 67 of the Fast-track Approvals Act 2024 (the **FTAA**).

[2] The Expert Panel directs the following information be provided by the Waikato Regional Council regarding stormwater:

(a) The application material states that stormwater runoff from the proposed solar panels will infiltrate into the ground, thus not increasing the surface water runoff above existing from the solar farm sites. Is this a reasonable and accurate assumption? Is further investigation or assessment required to justify this assumption? Is it necessary to assess whether future groundwater levels may reach the ground surface at the proposed solar panel sites, which may affect infiltration of stormwater?

[3] Are the calculations for stormwater runoff for existing land use for the proposed residential and retirement village development appropriate, taking into account the existing undulating topography and lack of drainage channels. This is of particular importance when assessing effects of proposed development on future runoff for the 100-year runoff event for flooding. If the calculations for runoff from existing land use over-estimate runoff then this will result in an under-estimation of the effect of proposed development on future flooding both on the site and downstream.

[4] For future runoff from the proposed retirement village and residential development that discharges to the greenway, is providing detention such that flows are limited to 80% of predevelopment flows sufficient to ensure there are no adverse effects on flooding or stream channel erosion in the Waitoa River that may arise from the proposed development? Are further hydrological analyses required to address this matter?

[5] The Expert Panel directs that the following information be provided by Matamata-Piako District Council regarding:

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.

[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.

Economic evidence

[8] Given the disparity in opinions between the economic evidence on behalf of the Applicant and the MPDC, the latter is invited by the Panel to respond to the second memorandum prepared by Mr Colgrave. We would particularly appreciate, as far as it is possible, if MPDC provides an evidence-based response to the following issues in Mr Colgrave’s memo:

Residential Capacity sufficiency

[9] The ability of the Ashbourne project to stimulate further demand for housing.

[10] Retirement Village supply and location considerations.

[11] Loss and efficient use of highly productive land.

[12] Displacement of economic activity and net regional benefit.

Geotechnical matters

[13] Has the site been shown to be free of active fault traces? If not what additional investigations or reporting is required to address this matter?

[14] Has the liquefaction hazard been addressed appropriately with respect to effects on proposed development, including buildings? If not what additional investigation or reporting is required?

Groundwater

[15] Is the updated hydrogeological information and assessment in the WGA Technical Memo of 18 November 2025 in Attachment 4 sufficient and appropriate for assessing groundwater levels with respect to assumptions and methodology used in the revised stormwater disposal design? This includes carrying out water balance or other modelling that assesses the effects of ongoing discharge by soakage for all rainfall up to the 10= year ARI rainfall event, together with proposed wastewater discharge at the retirement village, including any effects of future climate change on rainfall.

[16] For the proposed residential development, are the assumptions/assessments for ensuring adequate clearance of the bases of stormwater disposal soakage

trenches above groundwater levels appropriate, including the use of subsoil drains proposed to lower winter groundwater levels?

[17] The application material states that stormwater runoff from the proposed solar panels will infiltrate into the ground, thus not increasing the surface water runoff above existing from the solar farm sites. Is this a reasonable and accurate assumption? Is further investigation or assessment required to justify this assumption? Is it necessary to assess whether future groundwater levels may reach the ground surface at the proposed solar panel sites, which may affect infiltration of stormwater?

Stormwater

[18] Solar farm runoff- refer to question no. 3 under Groundwater above.

[19] Are the calculations for stormwater runoff for existing land use for the proposed residential and retirement village development appropriate, taking into account the existing undulating topography and lack of drainage channels. This is of particular importance when assessing effects of proposed development on future runoff for the 100-year runoff event for flooding. If the calculations for runoff from existing land use over estimate runoff then this will result in an under estimation of the effect of proposed development on future flooding both on the site and downstream.

[20] For future runoff from the proposed retirement village and residential development that discharges to the greenway, is providing detention such that flows are limited to 80% of predevelopment flows sufficient to ensure there are no adverse effects on flooding or stream channel erosion in the Waitoa River that may arise from the proposed development?. Are further hydrological analyses required to address this matter?

Erosion and sediment control (ponds)

[21] Has the conceptual design of proposed sediment retention ponds appropriately taken into account the likely elevated winter groundwater levels.

Wastewater disposal

[22] Does the revised disposal system incorporating raising of ground levels to ensure 600 mm clearance above peak groundwater levels address previous concerns about this proposed wastewater discharge?

[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).

[24] The 28 October Response advises that the wastewater disposal field will be grassed. Please confirm that this approach would be compliant with the planting requirements of TP58 (per the notation on Maven Drawing C5000A), and/or whether there is an opportunity for landscape planting of this disposal field.

Transportation

[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.

Traffic

[26] Does the application need to address any remaining concerns regarding traffic following review of Commute Transportation's Traffic Memo dated 18 November 2025, and whether such concerns are considered capable of being appropriately managed through consent conditions?

[27] The Expert Panel directs that the following information be provided by the Applicant regarding:

(a) Zoning and NPS – HPL

1. 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.

(b) The “balance lot”

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).
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).

(c) Earthworks

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?
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.
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?
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).

(d) Landscape plan

1. The landscape plans (including updates) show the area between the esplanade reserve and the southern Solar Farm as an area of 'Balance Land for Future Development' (e.g., Drawing 2149/27 Greenway Plan 05). As above, please clarify the Applicant's intent in this regard.

(e) Overall layout – residential

1. The Panel has some queries in respect of the overall layout of the residential component of the Application:
 - 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.

See further comments in regard to these matters attached (items 6-8).

(f) Esplanade reserve

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).
2. The landscape plans (original and updated) depict a continuous pedestrian pathway, leading from the greenway link, described as 'Future Pedestrian Path'¹. 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.
3. Drawing C152-2 refers the reader to 'Landscape Architect Plans for Planting' of the proposed channel armouring. However, Landscape

¹This Drawing number was not included in the 18 November 2025 response. However Drawing C152 also depicts a small section of 'Possible Future Pedestrian Path' (part located within an excavated area for channel armouring).

drawing 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.

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).

(g) Transportation

1. 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.

(h) Rural lifestyle and subdivision (Lots 8 and 9)

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.
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.

(i) Stormwater

1. 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.

[28] The Expert Panel also advises that it has engaged the services of an economist to review the economic aspects of the application. The economist engaged is Tim Denne from Resource Economics.

[29] If upon the receipt of the responses to Minute 3 there remains outstanding differences between experts, the Panel will consider the need for Issues conferencing. We therefore urge the parties to, as far as possible, work towards an agreed position on the technical issues.

The parties are to file their response to the above questions to the EPA no later than **11.59pm on 27 November 2025** via:

- a. by email to substantive@fasttrack.govt.nz;
- b. by post to Private Bag 63002, Wellington 6140 New Zealand; or
- c. in person to Stewart Dawson's Corner, 366 Lambton Quay, Wellington 6011.



Sue Simons

Expert Panel Chair

Attachment 1 – Further Clarification of Section 67 Queries

Balance Lot

[1] The Panel takes note of the Applicant's response, set out in the Urban Design Memorandum (UDM) of 21 October 2025 (updated 18 November 2025) in response to the Matamata Piako District Council (MPDC) regarding the 'balance lot' to the west of the retirement village: "It is our understanding that the balance lot is intended to be used as an expansion of the Retirement Village" (p.6).

[2] The Panel observes that this approach appears to be in contrast to the rationale provided in respect of the use of HPL. For example, at p.12 of Appendix 4K (Objectives and Policies Assessment) it is stated that:

"The residential development avoids the fragmentation of other cohesive rural areas. Instead, it concentrates development within a single, integrated masterplanned area. This approach proposed is efficient, limits rural encroachment, and prevents uncoordinated lifestyle subdivision across the district's remaining productive land.

In summary, while the development of land for residential activities as proposed involves the conversion of some highly productive land, the proposal is consistent with the intent of the NPS-HPL to protect highly productive land. The Retirement Village site is subject constraints which restrict the viable productive capacity of the land, and is located to facilitate a logical transition with the ESSP area without contributing to further fragmentation in the Rural Zone..."

[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.

Wastewater Disposal Field

- [4] Further to the issue above, the Panel notes the further landscape and site layout information provided by the Applicant in its 18 November 2025 Response incorporates the proposed wastewater disposal field (and proposed 50% reserve area), to the west of the retirement village, as had been shown in the engineering drawings. However, further to the above issue regarding HPL, the Applicant's UDM (updated 18 November 2025) also indicates the connections available for future development of the retirement village. The UDM states at p.6:

“From an urban-design perspective there are practical options to integrate the balance lot with the current Retirement Village layout if and when it develops. As indicated in the figure below, the layout can be future-proofed by several potential western connections. Both the black dashlines and orange dashlines show a practical and legible expansion where the corridor is readily available. It is noted that the orange dashlines currently overlap with proposed landscape treatments. However, considering the land is in single-ownership, and the staged nature of Retirement Village, such landscaping elements can be refined or relocated at detailed design to open up the corridors to achieve a direct and seamless future expansion.”

- [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.

Overall Layout - Residential

- [6] At Appendix 5N (p.96 re P7), it is stated that “Larger lots are positioned along rural boundaries, with low-profile fencing and native planting used to soften transitions and preserve rural character”. The Panel was not able to discern that the southern-most lots were any larger than those proposed elsewhere within the residential subdivision (and indeed, smaller than some). It is noted that this has been queried in the comments for the MPDC relating

to the urban design principles for the development. The UDM (at p.9) comments in this regard that:

“It is acknowledged that the southern boundary interfaces with rural land. Along this edge, the proposed lots are typically 500m² and above, with rear yards oriented to the south. On lots of this size, the building envelope and yard controls (i.e., front/rear setbacks and height-to-boundary controls) will generally result in single-storey dwellings located at the boundary and therefore a generally low perceived building bulk.”

[7] However, at p.10 the UDM goes on to say that, in contrast to the single storey units within the retirement village and the statement at p.9 referred to above:

“...there is an opportunity for future owners to build up to two storeys (within the proposed controls). The built intensity and height could therefore potentially present a greater visual bulk and built form presence especially when considering the lots adjacent to the commercial node and the greenway. This is considered consistent with the UDA’s gradient/transition principle.”

[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.

Esplanade Reserve

[9] 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”.

[10] 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). By way of example:

- (a) With respect to the objectives and policies of the NPS-F, the analysis of objectives and policies advises:

Objective 1 - “Wider ecological enhancements through wetland planting for example are proposed which will deliver ecological benefits for the Ashbourne development”.

Policy 1 – “...through integrated land and water management, ecological restoration, and cultural engagement”.

“The development includes substantial setbacks and no-build areas adjacent to the Waitoa River. These buffer zones will be restored with native species, which will assist with filtering runoff”.

Policy 6 – “The project has proactively addressed the presence of any natural wetlands by mapping potential areas early in the design process. The Ecological Assessment identified some wetlands on site, located along the Waitoa River. These wetlands will be protected and enhanced as part of the wider Ashbourne development. No wetlands have been identified specifically within the residential or greenway site”.

- (b) In terms of the NPS-IB, the analysis of objectives and policies advises:

Policy 2 - The development also incorporates a multi-functional greenway and riparian corridor along the Waitoa River, where there are active opportunities for tangata whenua to contribute to the design, planting, and ecological restoration using mātauranga Māori.

Policy 4 - Restoration of native vegetation in the greenway and along the Waitoa River,

enhancing ecosystem stability;

Policy 8 - Greenway and Riparian Restoration: The project includes a dedicated greenway that follows the Waitoa River corridor, where native planting and habitat creation will occur, restoring and enhancing biodiversity in an area not identified as an SNA but with ecological potential.

Policy 14 - A central feature of the development is a multifunctional greenway corridor, which includes the restoration of riparian margins along the Waitoa River and previously degraded farmland. This area will be planted with indigenous species and designed to restore habitat, improve ecological connectivity, and enhance water quality.

In addition to the above, the project also includes the restoration and enhancement of degraded wetland areas, particularly oxbow and pasture wetlands adjacent to the Waitoa River, with plans to expand their extent and improve their ecological integrity through planting and pest control.

- (c) Other similar reference are made with respect to the WRPS (IM-04, ECO-01 etc), with undertakings made in terms of LF-03 that “Walkways, cycle paths, and passive recreation areas are provided, significantly enhancing public access and visual amenity in a previously private, degraded landscape”, and LF-P3 “Riparian margins along the Waitoa River will be restored with indigenous planting, enhancing riparian and instream habitat, improving biodiversity, and supporting natural hazard resilience”.

[11] Notwithstanding those undertakings, the Ecological memorandum included in the 28 October Response advised (at p.2):

“No specific landscape planting is proposed in and around the oxbow wetlands. The existing vegetation communities around these features were characterised as mature, mixed exotic and native. The existing vegetation communities were providing adequate

shade, organic recruitment and bank stabilisation. This current level of riparian function was deemed effective and therefore not in need of replacement. In addition, the oxbow wetlands are not expected to be subjected to any significant adverse effects attributable to the proposed development and therefore, there is no effects management (remedy or mitigate) required. Proposed landscape treatment within the proposed esplanade reserve is to be addressed via the landscape plan response prepared by Simon Wilson of Greenwood Associates. This treatment is proposed if Council decides to take the esplanade reserve and the applicant vests, in accordance with conditions of subdivision consent.

[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.