

Submission to the Expert Panel

From: Eldonwood Residents' Association

Date: 11 November 2025

1. Introduction

The Eldonwood Residents' Association (**Association**) represents the collective interests of its members, who reside within the Eldonwood community, a unique and carefully planned rural/residential estate in Matamata. Eldonwood comprises approximately 75 sections that are now largely fully developed in accordance with carefully prescribed design guidelines to enhance the living experience of the member residents in taking full advantage of the significant rural views and sympathetic symbiosis with the local countryside. Eldonwood provides privacy and quality of living that is second to none through a close knit and interactive collection of like minded residents.

This submission has been prepared by the Association on behalf of those members of the Association who have been invited to comment pursuant to Minute 1 of the Expert Panel to express their strong opposition to the Fast-track application made (the **Application**) by Matamata Development Limited (the **Developer**) in respect of the proposed Ashbourne Development, in addition to submissions made by those owners individually.

The members of the Eldonwood community are represented in this submission and seek to highlight very serious issues with the Ashbourne development specific to them, as well as support and endorse the reservations and criticisms made by other objectors that have already been raised. In particular, the Association endorses the following objections:

- Response to Documents Submitted to FTAA for Matamata Development Ltd: Ashbourne Development - Notes by Helen Slattery
- Submission by Highgrove in Response to Fast-Track Application for Ashbourne dated 6 November 2025, including the annexed report by The Property Group dated 14 March 2025
- Comment by Peakedale Drive Residents' Group
- Comment by Ian and Joanne Morgan dated 7 November 2025
- Delmore Draft Decision dated 29 August 2025

(Collectively, the **Other Objections**)

To the extent that the issues raised in the Other Objections are relevant to the Association and the residents of Eldonwood, the Association adopts the submissions made by them as part of this submission.

2. Incompatibility with Existing Zoning and Community Character

Eldonwood was established as New Zealand's first Garden Village in approximately 2007 and was deliberately designed to offer a peaceful, spacious and high-quality lifestyle to its residents then and into the long term future. As is made clear in the Other Objections, the Ashbourne Development as proposed fundamentally contradicts the tranquil and beautiful character of the area and adjoining Eldonwood, and will also detract further from that character if the Application is successful.

In the Association's view, and that of the Other Objectors, the Ashbourne Development will damage the general visual and "green" amenity of the area if it does proceed, which will materially affect the value and enjoyment of the properties within Eldonwood and elsewhere, being an adverse effect for the purposes of s 85 of the Fast Track Approvals Act.

In particular:

- The scale of the proposed development is at odds with the rural or semi-rural character of the area, which is central to the appeal of living locally and in this part of Matamata in particular;
- The density and nature of the development is not in line with surrounding housing, like that in Eldonwood including Highgrove;
- The extensive construction works will further detract from the visual amenity and tranquillity of the area for a significant period of time and cause significant noise pollution and vibration during the construction of the development;
- The effect of the glare from the solar panels installed in the Northern and Southern Solar Farms is unclear and may be intrusive;;
- The proposed planting along the Eldonwood boundary is not sufficient to maintain the quality and character of the area, or sufficient separation between the Ashbourne Development and the Eldonwood residents' properties.

3. Lack of Infrastructure Capacity

The Association also shares the serious concerns raised in the Other Objections, in particular about the inadequacy of the existing infrastructure and infrastructure proposals for:

- Water supply
- Wastewater
- Stormwater
- Roads and traffic

The Association endorses the comments made in the Other Objections on these matters.

In the view of the Association, the inadequacy of the existing infrastructure and infrastructure proposals also constitutes an adverse effect for the purposes of s 85 Fast Track Approvals Act.

4. Inadequate Economic Justification

The Ashbourne proposal fails to demonstrate significant regional or national economic benefits for the purposes of s 3 of the Fast-track Approvals Act. Matamata already has an oversupply of residential sections and limited local employment opportunities. Matamata also has sufficient, and arguably an oversupply of, aged care accommodation.

The Association does not consider that the Developer has proven to a satisfactory level that there will be any regional or national benefits, economic or otherwise, that warrant approval of the Application.

The lack of any clear economic benefits, and insufficiency of the analysis provided by or on behalf of the Developer, is highlighted in the letter of 26 March 2025 from the Honourable Nicola Willis.

5. Accessways and connectivity

By way of 'Attachment 1 - Legal Memorandum' the Developer has notified the Panel, as of 28 October 2025, that: "*The Applicant will be updating plans to remove all pedestrian access and connectivity to Highgrove Ave and the Eldonwood Drive / Chestnut Lane private road and footpath network.*"

The Association supports the removal of all connectivity between the proposed development and Eldonwood, although the members are disappointed that a final plan confirming this has not been provided or is available to comment on. The Association would also expect that this decision will be reflected in a condition if the Application was to be approved, which makes clear that there will be no connectivity of any kind between Eldonwood and Ashbourne, without the express consent of the Association.

The Association is aware of a Deed of Assignment dated 31 October 2024, which assigns the rights awarded to the Founding Member of the Association and developer of Eldonwood to Matamata Development Limited. The rights assigned are typical of those of a developer, founding member or controlling member of an incorporated society. The material deed therefore purports to assign significant powers to the Developer, which is of immense concern to the Association, which has recently obtained legal advice on the options available to it to void the assignment. Notwithstanding the Association's intention in that regard, the retention of the founding member rights also contradicts the Developer's confirmed position that it intends to remove all connectivity to Eldonwood, and without which the Developer has no reasonable basis for retaining the rights assigned in the deed. This allows for undue interference with the management of Eldonwood and the retention of these powers challenges the general authenticity of the Developer as far as the Association is concerned.

The Association would therefore expect that a condition be imposed if approval of the Application is granted, that the Developer surrender the rights purported to be granted under the assignment deed.

6. Delmore

The Association would also draw the Panel's attention to the draft decision by the Delmore Expert Panel ("**DEP**"), which ultimately prompted the withdrawal of the application in that case. A number of matters in the draft decision, a copy of which is **attached**, are directly relevant to the Application and were decisive in the declining of the application by the DEP. It is the view of the Association that these same factors should also prove decisive in the Application.

Firstly, the draft decision, at [13] notes that:

*"It is **imperative** that for projects of this magnitude the application documents are thorough and that extreme care is taken to ensure that no documents are missing"*

[Emphasis added]

The Application has already had to be supplemented with extensive further material provided to the Panel on 28 October 2025, which the Association and the Other Objectors have had minimal time to review before the deadline for submissions. The Association is of the very firm view that the Application is still not adequate. Matters remain at issue or unclear, including for example the connectivity with Eldonwood.

The DEP continued, at [14], stating:

"... the Panel have concluded that the adverse impacts / effects (which are broadly in relation to ecological and transport effects and the lack of appropriate water services infrastructure) are so significant that they are out of proportion to the Project's regional benefits."

And at [17]:

"If the Application had provided a proposal that addressed all the concerns the Panel have about: water supply, wastewater management; transport infrastructure; and ecological effects, including the actual realisation of ecological benefits, then the Panel would have been more favourably disposed towards the granting the approvals sought. In short, this Application was not at the requisite standard required for such a significant project which is in a future urban zone with no infrastructure connectivity."

At [52] the DEP noted that the application in that case involved "*a significant number of procedural minutes which demonstrates the issues with this Application and the need for clarification on a number of important points*". The Association suspects that, should this Application continue to be considered, a considerable number of procedural minutes will need to be issued as important/critical issues are disclosed regarding further clarification and/or confirmation from the Developer. Like Delmore, the Application is lacking and is not ready for approval.

As far as the Association is concerned, the inadequacy of the water supply and wastewater management plans (particularly the reliance on trucking wastewater) in the Delmore application is highly similar to the treatment of those same matters in the Application.

Also similar is that (at [37]) Delmore's application also involved flood prone areas.

In addition, (See [500] – [503]) the present application's suggested economic benefits are not satisfactorily supported by robust analysis, and are overstated.

7. Specific Requests and Conditions (If Approved)

Whilst the Association re-iterates its opposition to the application, should the Panel choose to approve the Ashbourne Development, the Association would request the following conditions be imposed:

1. Formal surrender of all rights-of-way and parking easements over Eldonwood's private roads;
2. Removal of all proposed connectivity with Eldonwood, with any connectivity whatsoever to only be with the express consent of the Association;
3. Surrender of the rights purportedly assigned in the Deed of assignment dated 31 October 2024;
4. Prohibition of topsoil or clay storage along Eldonwood boundaries;
5. Implementation of a 10 metre wide green buffer zone along all shared boundaries, including:
 - Mature native plantings at 900 mm centres;
 - 100 mm bark mulch cover;
 - Full irrigation system;
 - Landscape Management Plan outlining maintenance obligations in perpetuity for the buffer zone; and
 - Consent notices registered on Ashbourne titles confirming these obligations.
6. The provision of comprehensive hydrological studies evidence/data and detailed mitigation measures to address flooding and groundwater development impacts for surrounding properties, including Eldonwood.
7. Independent peer reviews of all technical reports, including stormwater, wastewater and geotechnical assessments.

8. Conclusion

The Association urges the Expert Panel to decline the Application in its current form. The Development has numerous serious adverse effects for the purposes of the Fast Track Approvals Act and does not have sufficient regional, national, or economic benefits to be granted approval.

Respectfully submitted,

Eldonwood Residents' Association