Thursday, 5 December 2024

# Unity Developments and EcoResto, Ecological Restoration Services

## Introduction

Unity Developments engaged Barker & Associates ('B&A') to provide planning services for the master planning, consenting and design of Ashbourne. Ashbourne is located approximately 1.8 kilometres south-west of the centre of Matamata in the Waikato and comprises a total area of 125 hectares. Ashbourne is a multi-use development that includes four key precincts:

1. A new residential community, comprising circa 520 new residential units with a variety of densities, a green space and a commercial node;
2. A multi-functional greenway that weaves from the neighbourhood centre and commercial node to the Waitoa River on the site's western boundary with an active-mode pathway along the length;
3. A retirement living core, comprising circa 218 units, an aged care service and supporting facilities that will be provided across a staged development; and
4. Two solar farms which will provide a sustainable energy resource onsite, with the potential to integrate into the wider electricity network to generate energy outside of the immediate development.

This three-stage development, with each of the four key precincts having their own sub-stages, will ensure demand is met over the short, medium and long term.

The 42-hectare residential community is underpinned by a series of design principles, which focus on creating a well-connected, legible and diverse community on the edge of Matamata. The eight-stage development is framed around a central spine road which runs from Station Road, to the north of the site, down to the eastern boundary. Intersecting this is a secondary spine road connection to link the wider residential precinct to the commercial node, green space and greenway. This transport network, supported by local roads, pedestrian and cycle connections, enables a legible grid structure in the residential area. A range of housing typologies and densities are proposed to meet the growing and changing needs of the housing market to ensure there are options for future residents.

The commercial node located in the heart of the development, includes a number of amenities and services to support the Ashbourne development, wider community and local economy, such as local shops, a childcare facility and a café. The commercial node comprises an area of 0.75 hectares in the centre of the

Ashbourne development, that includes a number of commercial properties, café, childcare facility and superette. This element of the proposal has been scaled to support the density proposed in the residential and retirement village components to ensure it does not threaten the primary purpose of the town centre of Matamata.

The multi-functional greenway links the commercial node and open spaces of the Ashbourne development area. This corridor interconnects infrastructure, cultural narrative, ecological wellbeing, connectivity and amenity to support a place-based identity. A number of uses are proposed along this corridor to encourage future residents to interact with the greenway, such as sheltered rest areas for relaxation and socialisation, active mode pathways, and play areas.

To support the growing demand for retirement living in Matamata, Ashbourne is anticipated to deliver circa 218 retirement living units, as well as the supporting healthcare and community facilities across an area of 19 hectares. A staged approach is proposed, from north to south, to establish a high-quality development overlooking the greenway.

Two solar farms are proposed to produce energy for over 7,000 homes per year, with the ability of powering not only Ashbourne but the wider community. The northern solar farm has an area of 12.7 hectares, while the southern solar farm is twice the size with an area of 24 hectares. An underpinning design principle of the solar farms is the dual-use, with agrivoltaic farming proposed to be undertaken underneath the solar panels to promote sustainability and preserve the identified highly productive land. Typical landscaping, planting and security will complement the solar farms to ensure their integration with the wider Ashbourne development.

## Qualifications – Henry Whyte, Dir. EcoResto

EcoResto is a Tauranga based company, led by the author Henry Whyte, with a focus on restoration ecology.

| | |
|---|---|
| Educational qualifications: | B.Com Otago University (Management) |
| | B.Sci Waikato University (Biological Science) |
| Professional designations: | Western BOP DC Approved Ecologist |
| | Tauranga CC Approved Contractor |
| | Waipa DC Approved Ecologist |

## Experiential context

Ecological assessments and management plans in support of Resource Consent applications in recent years include…

**Kawau Island** c/o Zakara Investments Ltd, Auckland District – 2020
**Ohau River Rural-Residential zone** c/o McIntyre Properties Ltd, Mackenzie District – 2024
**Whangamoa Papakainga Development** c/o Whangamoa Trust – 2024
Additionally, the author has previously supported smaller scale Resource Consent applications in the Matamata-Piako District.

## Ecological context

The majority of the property, over 110 hectares, has been used intensively for farming, resulting in the complete loss of indigenous vegetation, with only a few exotic shrubs and trees remaining. Biodiversity is low compared to its pre-habitation state.

A smaller 6.9-hectare area at the western end of the property near a tributary of the Waitoa Stream shows ecological sensitivity. The stream flows through a 3-4 meter wide channel surrounded by aquatic plants and fenced-off native plantings. The area includes secondary flow paths, drains, oxbows, and ponds within a 40-80 meter wide floodplain. Livestock grazing is evident. Although the site is modified, natural features remain, contributing to biodiversity, groundwater recharge, erosion control, and carbon sequestration. Streams and their associated environments offer ecological and amenity value.

Within this area are found natural inland wetlands. The Resource Management Act 1991 defines a natural inland wetland as "permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions". The identification of the wetland areas was done using the Wetland Delineation Protocol 2022.

### Assessments undertaken on site

1. Ecological assessment (*completed*)
2. Visit site to identify any areas of potential ecological sensitivity (*completed*)
    a. Bats
    b. Lizards
    c. Fish
    d. Vegetation
3. Wetland delineation protocol (*completed*)
    a. Not including pasture exclusion assessment

## Associated statutory and non-statutory policy documents

In relation to the ecological matters, the following statutory and non-statutory documents are considered relevant to the project. The documents are briefly

summarized in the subsequent sections and will be assessed in their entirety in the Ecological Assessment to be prepared to accompany a resource consent application

### National Policy Statement for Indigenous Biodiversity 2023

The NPS-IB serves to underpin the topics for discussion within this report. The NPS…

> "*prioritises the mauri and intrinsic value of indigenous biodiversity and recognises people's connections and relationships with indigenous biodiversity.*" and…
>
> "*recognises that the health and wellbeing of people and communities are dependent on the health and wellbeing of indigenous biodiversity and that in return people have a responsibility to care for and nurture it. It acknowledges the web of interconnectedness between indigenous species, ecosystems, the wider environment, and the community, at both a physical and metaphysical level."* (Ministry for the Environment, 2023).

### National Policy Statement for Freshwater Management 2020

Requirements include the manage freshwater in a way that 'gives effect' to Te Mana o te Wai:

- *through involving tangata whenua*
- *working with tangata whenua and communities to set out long-term visions in the regional policy statement*
- *prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses.*
- *Improve degraded water bodies, and maintain or improve all others using bottom lines defined in the Freshwater NPS (Ministry for the Environment, 2020).*

### Resource Management (National Environmental Standards for Freshwater) Regulations 2020

1. Earthworks or land disturbance within, or within a 10 m setback from, a natural inland wetland is a restricted discretionary activity if it is for the purpose of constructing urban development.
2. Earthworks or land disturbance outside a 10 m, but within a 100 m, setback from a natural inland wetland is a restricted discretionary activity if it—
    a. is for the purpose of constructing urban development; and
    b. results in, or is likely to result in, the complete or partial drainage of all or part of the wetland.

3. The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if—
    a. the activity is for the purpose of constructing urban development; and
    b. there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and
    c. the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland.
4. The discharge of water into water within, or within a 100 m setback from, a natural inland wetland is a restricted discretionary activity if—
    a. the discharge is for the purpose of constructing urban development; and
    b. there is a hydrological connection between the discharge and the wetland; and
    c. the discharge will enter the wetland; and
    d. the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.
5. A resource consent for a restricted discretionary activity under this regulation must not be granted unless the consent authority has first—
    a. satisfied itself that the urban development—
    b. will contribute to a well-functioning urban environment; and
    c. will provide significant national, regional, or district benefits; and
6. Satisfied itself that—
    a. there is no practicable alternative location for the activity within the area of the development; or
    b. every other practicable alternative location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and
    c. applied the effects management hierarchy.
7. A resource consent for a restricted discretionary activity under this regulation must not be granted if the activity—
    a. occurs on land other than land that is identified for urban development in the operative provisions of a regional or district plan; or
    b. occurs on land that is zoned in a district plan as general rural, rural production, or rural lifestyle.

## Effects Management Hierarchy

The Effects Management Hierarchy is a critical concept embedded in New Zealand's National Policy Statement for Freshwater Management (NPS-FM) 2020. It provides a framework for managing adverse effects on freshwater ecosystems when undertaking resource use and development activities. The steps of the hierarchy are as follows...

### 1. Avoidance

The first and most preferred approach in the hierarchy is to avoid adverse effects altogether.

### 2. Minimisation

If adverse effects cannot be completely avoided, the next step is to minimise these effects as much as possible.

### 3. Remediation

When minimisation is insufficient, the next approach is to remediate the negative effects.

### 4. Offsetting

If avoidance, minimisation, and remediation do not fully address the effects, the hierarchy allows for offsetting.

### 5. Compensation (as a last resort)

The final step, used only when all other steps have been exhausted, is compensation.

## Significance of the Hierarchy in the NPS-FM 2020

The Effects Management Hierarchy is designed to ensure that environmental impacts on freshwater systems are addressed progressively, with an emphasis on protecting the intrinsic values of water bodies. It ties directly to the Te Mana o te Wai framework, which prioritizes the health of water bodies above all other uses.

## Assessment of possible effects of development activities

On initial review and at a high level, the following potential effects have been considered:

1. Diversion of water within a 100 m setback from a natural inland wetland if it
    a. results in, or is likely to result in, the complete or partial drainage of all or part of the wetland.
2. The discharge of water into water within a 100 m setback from a natural inland wetland if
    a. the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.

Opinion: These potential adverse ecological effects are considered to be no more than minor.

It appears, upon review of the documents indicating the intended development activities, that the project is anticipated to be in accordance with these associated statutory and non-statutory policy documents.

## Conclusion

Based on my experience and the information received to date, it is concluded that there are no ecology related reasons why the development as described above could not proceed under a fast-track application process. I acknowledge that further assessment will be undertaken.

Signed:

Henry Whyte