



**RESPONSE TO
DOCUMENTS SUBMITTED
TO FTAA FOR MATAMATA
DEVELOPMENT LTD:
ASHBOURNE
DEVELOPMENT**

Notes by Helen Slattery

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These notes are my personal thoughts and I AM NOT AN EXPERT!

These notes are in response to documents Submitted on behalf of Matamata Development Ltd for the Fast Track Substantive Application for the Ashbourne Development near Matamata, New Zealand.

Each part of the development has been assessed against the application documents in order to ascertain compliance and effects on neighbouring properties – whether intended or unintended.

The intentions of the comments is to provide a lived experience connection with the land that the proposed development is to be constructed on from people who have lived and worked on the land.

The proposed development

The proposed development is situated off Station Road, Matamata with a proposed entrance from 127 Station Road on the south side for the residential subdivision and past the western side of the Highgrove subdivision for the entrance to the Retirement village and access to the Southern Solar farm In the appendix Vol 2 Stage 0 vacant lot subdivision there was mention of Peakedale Road and Eldonwood Drive terminating at the site boundary. The Norther solar farm entrance is west of 172 Station Road.

The retirement village and Southern Solar farm stretch west to the Waitoa River.

The zoning for the proposed subdivision is complex, ranging from ESSP, Rural Residential and Rural. The rural residential zoning on the Westerns side of Matamata was designed to be a sympathetic buffer between the urban zone and rural properties. There are two different types of rural residential zoning, one that must average 5,000m² and the other that must average 10,000 m². It should be noted that the designers claim the proposed rural sections of less than 4,000m² to be in keeping with the different properties along Station Road. It is an attempt by the designers to manipulate the zoning, flouting the rules regarding the connection of town supply water for those two sections. The developers frequently admit that the sections are not consistent with the broader direction of the NPS-HPL to the subdivision of HPL. (pg 23 of appendix Vol 2 Day 0 of Subdivision). The expectation of a new connection via the town water is marked on plans on the western boundary of the Northern solar farm & troughs (pg 70 through 72 of 128 of Appendix 1 M Geotech GIR part 1).

There is a known issue of flooding in a discrete area on the North Eastern boundary of the proposed subdivision that adjoins Highgrove. In addition to that, historical knowledge of the area indicates an area prone to flooding at 127 Station Road, where the board drain previously drained water to the north east. This drain was removed by a previous owner of the property (Ashworth – the drain can be clearly seen on historical photos, leading to the drain that goes around the northern side of Sheffield Street). The soil, outside the ESSP, is classified as LUC 2 & 3 and High quality in the MPODP, as well as highly productive land in the NPS_HPL. The developers' experts indicate that “Turning a producing dairy farm with LUC 2 & 3 Soils into a solar farm and subdivisions will have a less than minor effect” and that “significant areas of the overall site are subject to drainage and topography limitation which resist production potential”.

On page 25 of the appendix Vol 2 Day 0 of subdivision, the policies are quoted to clearly state that residential development is to be located and consolidated within appropriate existing zone boundaries, subject to the availability of infrastructure, and to manage the orderly and programmed expansion of residential areas consistent with relevant structure plan.

The proposed development along Station Road is not part of the council's orderly and programmed expansion of residential areas and is not consistent with the relevant structural plan. The appendix also states that Developers anticipated that the new development and expansion/ intensification of the existing development would take place where the infrastructure can be appropriately provided for. There is little to no infrastructure that is provided along Station Road, and access to the existing infrastructure has been denied to previously developed rural residential and rurally zoned properties.

The developers are attempting to stretch the ESPP boundaries, and they try on page 26 of Vol 2 to bluff that the land immediately adjoining the ESPP can be appropriately serviced. The ESPP does not include the land to the West, which the developers want to develop not as rural residential land but as residential. The intensification of zoning on Highly Productive land from Rural to Residential will put a strain on already failing infrastructure.

Infrastructure and government-funded services for the town of Matamata, with its population of over 9,000, are stretched to their limit. An influx of over 1,000 residents and over 400 retirees will put a huge strain on an already stretched health system, emergency services and council provided services.

Consultation:

The Iwi groups, listed as Ngati Hinerangi, Ngati Haua, Ngati Raukawa and Waikato Tainui, raised valid concerns for the River including sediment, wastewater and stormwater.

Iwi have highlighted concern for the Health of the Waitoa River in initial consultation over the Ashbourne Subdivision, but there has been no further evidence of indepth consultation with Iwi or the required Memorandum of Understanding/ Partnership between Ashbourne developers and local Iwi – as laid out in all communication to Matamata Development from Iwi. (pg 37 of appendix 3F)

Total document about Ashbourne Substantive Application

A single consultation Impact assessment document was presented, authored by one Iwi spokesperson. Can that be considered enough consultation with Maori?

Pg 55 of Vol 1 Overview states that there has been Appropriate consultation & engagement with MPDC, mana whenua and administering agencies, where as evidence provided by the developers proves there has been very little consultation.

Contact with Affected Landowners

Identifying and consulting with affected landowners is part of FTAA

Not all potentially affected landowners identified or contacted, consulted

Example the owner of the large block of land at the end of Odlum Drive – Mrs Odlum, whose land will be affected by potential flooding from runoff of water from stormwater system.

Initial contact with a letter also missed the farm owner on Peria Road, Mr Troughton, whose property abuts the Northern Solar farm.

Health and Safety

A call for independent reassessment of the risks.

P 398

Appendix H: Safety in Design Risk Assessment

Total document about Ashbourne Substantive Application

CMW Safety in Design Risk Assessment									
HAM2023-0124 - Station Road Proposed Subdivision and Solar Farm									
Design Element	Hazard	Description	Assessed Risk			Controls Incorporated in Design	Residual Risk		
			Consequence	Likelihood	Risk Rating		Consequence	Likelihood	Risk Rating
Retaining Walls (if required)	Falling from height	Injury to construction staff while constructing or public once wall is constructed.	4	3	12	Temporary barrier fence to avoid public climbing, permanent fencing to be considered to prevent falls access.	4	1	4
	Striking underground services	Injury to construction staff if live services are struck.	4	2	8	All sites cleared for services prior to construction requiring digging or boring into the ground.	4	1	4
	Moving Machinery	Lifting and swing area of machinery may cause injury to construction staff.	4	3	12	Separate moving machinery from light vehicles and person movements with fencing and/or safe distances from exposed construction staff operations.	4	1	4
	Working at edges of excavations	Injury to construction staff or public by falling into excavations.	4	3	12	Site to be made safe if excavations are to be left open and public can access, excavations to be filled or securely covered on same day of excavation, safe distances from excavations to be maintained and demarked with boundary fence.	4	1	4
	Excavation collapse	Injury to construction staff or persons able to access the excavation after hours.	4	3	12	Staged excavation to be undertaken where able, boundary fence where excavations are under construction or other means of separation for staff or public from potential collapse.	4	1	4
	Retaining wall failure	Exceed specified loading conditions, wall drainage blockage.	4	2	8	Appropriate construction and permanent loading conditions allowed for, design adequate drainage measures, assess impact of blocked drainage on design.	4	1	4
	Falling objects from above	Injury to construction staff or persons under the proposed wall.	4	3	12	Hard hats to be worn at all times as the wall is constructed and where lifting is undertaken, safe distance from any lifting or movements above when being undertaken.	4	1	4
Earthworks	Falling from height	Injury to construction staff while constructing steep temporary or permanent earthworks cut or fill faces.	4	3	12	Temporary barrier fence or other means to be used to ensure persons cannot access to the edge of steep excavations	4	1	4
	Striking underground services	Injury to construction staff if live services are struck.	4	2	8	All sites cleared for services prior to site investigations and earthworks construction	4	1	4
	Moving Machinery	Injury to construction staff.	4	3	12	Separate moving machinery from light vehicles and person movements with fencing and/or safe distances from exposed construction staff operations.	4	1	4
	Working at edges of excavations	Injury to construction staff.	4	3	12	Install safety barriers, exclusion zones, signage as necessary to warn of hazard.	4	1	4
	Trench excavation collapse	Injury to construction staff or persons due to crushing/impact injury.	4	3	12	Follow Worksafe requirements, trench shields or benching of excavations to be used. No staff to enter the trench without appropriate and approved measures already in place.	4	1	4
	Cut / fill batter collapse	Injury to construction staff during construction.	3	2	6	Safe distances and appropriate temporary slope gradients and heights to be assessed prior to construction and monitored during to confirm as appropriate, safe distances and barrier fencing to be used on site where deemed necessary.	3	1	3
	Excessive noise during construction	Damage to hearing of construction staff or persons adjacent to the site.	3	2	6	Comply with appropriate allowances for noise on site, ear protection to be worn where appropriate, setback distances from adjacent sites or notified working hours to avoid conflict with adjacent property inhabitants.	3	1	3
	Machinery rollover	Machinery trafficability over soft, wet or uneven ground.	4	2	8	Appropriate construction of temporary haul roads, implement drainage and geofabrics, appropriate driver training.	4	1	4
Contaminated Soils	Airborne or in-ground contaminants affecting construction staff.	4	1	4	Perform an environmental assessment of the site prior to construction.	4	1	4	
Plant Platform	Moving Machinery	Injury to construction staff.	4	3	12	Separate moving machinery from light vehicles and person movements with fencing and/or safe distances from exposed construction staff operations.	4	1	4
	Plant platform instability	Injury to construction staff or persons due to crushing/impact injury.	4	3	12	Design to incorporate adequate factor of safety, prepare lift management plans to ensure adequate separation between plant and persons.	4	1	4
	Excessive plant settlement	Plant / equipment damage, injury to construction staff or persons due to sudden plant / load movements.	4	3	12	Undertake trial lift with adequate separation of plant and load from persons, monitor settlements during lift.	4	1	4

NOTE: It is the Contractors responsibility to cover construction related risks in a more comprehensive manner (being the competent party in that respect).

Safety in Design Assessment Framework						
Risk Matrix		Consequence				
		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Likelihood	Event Will Occur 5	Medium 5	High 10	High 15	Extreme 20	Extreme 25
	Event Almost Certain to Occur 4	Low 4	Medium 8	High 12	Extreme 16	Extreme 20
	Event May Occur 3	Low 3	Medium 6	High 9	High 12	High 15
	Event Not Likely to Occur 2	Low 2	Low 4	Medium 6	Medium 8	High 10
	Event Rarely Occurs 1	Low 1	Low 2	Low 3	Low 4	Medium 5

The number of assessments that are greater than or equal to 10 (too high) pre-controls is 19, over 3 design elements

Risk assessment number	Number of occurrences on table
High (12)	12
Medium (8)	4
Medium (6)	2
Low (4)	1

Superlot subdivision

Superlot subdivision

- High quality soils in the subdivision Non-complying
- Creation of vacant lots Non-complying

Residential development

Overland Flow paths (OLFPS) Carriageway (pg 62 of Appendix 3F)

There are 3 Sections in residential development and six sections in the Retirement Village that are not within the Standard design thresholds. The infrastructure report indicated these are a MINOR EXCEEDENCE. The issue is with historical flooding on Station Road; any additional minor exceedance will increase the flooding.

Of additional concern is the conveyance East of the residential development and conveyance West of Residential Catchment C (map on pg 64 of Appendix 3F). The water route proposed to the east of the residential subdivision is a known flooding risk; therefore, additional water flow will cause more issues for MPDC. The developers have suggested basins and dry ponds to deal with water from a heavy rain event. This raises the question of what happens if the groundwater level is higher than was tested by the experts. There are known recordings of groundwater in that area being as high as 0.7m below the surface.

The conveyance to the West of the residential catchment C also highlights an area that is already prone to flooding, where water flow is constricted under Station Road before it flows into an open Board drain.

The designers of the Stormwater Management plan admit that the plan exceeds some limits and will require further refinement on page 73 of Appendix 3F.

Several design aspects of the proposed Stormwater will require further refinement during detailed design stage to ensure compliance and for further value engineering covered under design optimisation section of this [SMP](#).

Infrastructure of Subdivision

The developers acknowledge that there is no existing stormwater for the proposed site. There are existing riders and water mains on Peakedale Drive and on Station Road. The developers assume that the council will facilitate connections for water, along with a Wastewater manhole on the NE corner of the boundary and a Gravity main on Peakedale Drive.

Pg 23 of Vol 5 Subdivision, the Access via new intersection with Peakedale Drive and construction of Spine Road connect to new intersection onto Station Road. The layout aligns with provisions of the ESSP area, with connection provided into Peakedale Drive and made available into future roads enabled by subdivision currently being undertaken by Pippins Development Ltd. While there is only one public connection to be made from Station Road with a second connection being Highgrove Avenue

Total document about Ashbourne Substantive Application

- **Proposal Does NOT include connections into Highgrove This option is Not desired by owners**
 - It should be noted this has been highlighted to show that Ashbourne Subdivision is proposing to not use Highgrove Avenue as an entry to the subdivision.

Appendix 1P Transport pg 6 of 61: Proposed to have three connections to the existing road network, including one onto Peakedale Road to the south.

Summary of Non-Compliances for Roading for the residential subdivision is listed on pages 54 to 58 of Appendix 1P Integrated Transport Assessment Appendices, which considers the non-compliances through the ESSP, MPDCDM and district plan for the Subdivision, proposed retirement village and solar farms.

Appendix 1Q Urban Design: 16 roads, one of which is 20m wide, the rest of the roads are 18m wide, and there are 12 private JOALS which are designed to function as ROW (Not compliant). The private roads of the retirement village precinct are only 6-7m wide. The Urban design plan proposed links to Peakdale Drive (pg 17)

Noise exceedance during Treeworks for three receivers, at 6 & 8 Odium Drive and 18 Eldonwood Drive. The limits set out in the MPODP are 70 dB LA 10 and 80 dB LA Max, whereas the Odium Drive residents will be exposed to 75 dB LA 10 & 90 dB LA Max, and the Eldonwood Drive property will be 72 dB LA 10 & 87 dB LA Max.

The development is a non-complying activity under MPODP through several rules and performance standards, which are listed on page 31 of Vol 5 Subdivision and Greenway. It should be noted that the authors of Vol 5 highlighted Road Crossings, in particular, non-compliance with the development manual, such as the 19 crossings in the development that do not comply with the minimum separation distances from an intersection.

The number of homes and retirement villas proposed in the development changes throughout the documents:

- Vol 1 Overview report pg 9 Executive summary, 518 vacant Freehold lots, 218 retirement villas, 70-bed aged care hospital,
- Vol 1 Overview report pg 20 section 8, 530 new homes, 250 retirement units, power for 8,000 homes, 184 ha
- Vol 1 Overview report page 55 530 new homes and 250 retirement units
- Vol 2 Day 0 of Subdivision pg 29 Residential development with 530 new homes and 250 retirement villas
- Infrastructure report states the site is 102.82 ha for the eight legal parcels for the four project site – other documentation states 127 ha (p24 of appendix 3F)
- Vol 4 Retirement Village 218 detached villas with an aged care hospital with 70 beds.

Total document about Ashbourne Substantive Application

- Vol 5 Subdivision and Greenway 518 vacant lots
- Appendix 1K Economic Impact assessment pg 53 Housing supply approx. 736 dwellings, including retirement housing for 280 older residents
- Appendix 1 P Transport 518 residential dwellings, two lifestyle dwelling properties, retirement village of 217 units and 71 care beds.
- Appendix 3G Acoustic Assessment pg 6 328 lot residential subdivision to the east of the southern solar farm, 500 unit retirement village north of the southern solar farm.

Geotech report

The site subsoil has been recognised as Class D, and it is noted that there are challenging issues of low strength and potential for settlement. If intense development is erected on this area, what exposure is the MPDC willing to accept for the risk of liquefaction and lateral spread?

The infrastructure report (Appendix 3F) identifies the residential development on the Eastern and Western blocks and the solar farm in the Northern Block as having a risk of liquefaction that requires mitigation. If the mitigation is not successful and the MPDC has approved the development, what is the risk to the council?

On page 384 of Appendix 3F, the developers experts state there is a Recognised that natural Hazard risk assessment provided herein is Qualitative & due to wide range of possible geo hazards that could occur, is somewhat subjective

Rating before mitigation = 12 Liquefaction whole site.

GEOHAZARD ASSESSMENT FOR LAND SUBDIVISION

Q smp

Station Road, Matamata

The occurrence of natural hazards and their potential impacts on the proposed subdivision development is assessed in terms of risk significance, which is based on likelihood and consequence factors. A risk table is used to help assess the likelihood and consequence factors, the form of which used by CMW for this project is presented in Table B1.

Risk Matrix		Consequence				
		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Likelihood	Almost Certain 5	Medium 5	High 10	Very high 15	Extreme 20	Extreme 25
	Likely 4	Low 4	Medium 8	High 12	Very high 16	Extreme 20
	Moderate 3	Low 3	Medium 6	Medium 9	High 12	Very high 15
	Unlikely 2	Very low 2	Low 4	Medium 6	Medium 8	High 10
	Rare 1	Very low 1	Very low 2	Low 3	Low 4	Medium 5

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Appendix F - Geohazard Assessment Summary											
Item	Geotechnical Hazard	Description	Area Affected	Assessment Outcome	Existing Risk of Damage to Land / Structures			Mitigation Measure	Residual Risk of Damage to Land / Structures		
					Likelihood	Consequence	Risk Rating		Likelihood	Consequence	Risk Rating
1	Earthquake	Seismicity	Entire Site	Site subclass class = Class D due to less than dense/ stiff soil profile Importance Level = 2 (Residential Subdivision) Importance Level = 3 (Solar Farm)	1	5	5	None	1	5	5
		Fault Rupture	Entire Site	Nearest active fault (Kerpehi fault) is approximately 5km from the site. (Refer to section 6.2)	1	5	5	Mitigation not required	1	5	5
		Liquefaction	Whole site	Refer to section 6.3	3	4	12	TC2 or TC2-TC3 hybrid foundations required.	3	2	6
		Cyclic Softening	Entire Site	Not anticipated.	1	4	4	Mitigation not required.	1	4	4
		Lateral Spread	Swale drains, proposed greenway and riverbanks	Refer to Section 6.5	3	4	12	Lateral spreading risk should be considered in the design, further investigation and analysis will be required.	3	2	6

from page 379 of

406.

As noted in the Infrastructure report, the Appendix 1M Geotech appendix GIR part 1 also indicates that lateral spread is more than a low to medium hazard (pg 11) and requires further investigation. On page 12 of the same report, the authors indicate that Lateral spread occurs when Soils behave as very weak, undrained material, which can give rise to lateral spreading where a free face is present, at various sites, or where proposed cut and fill batters are proposed over or within liquefied soils.

The report indicates on page 2 that Swale drains are currently located within each development area. The drains at the Residential Subdivision, the Retirement Village, Solar Farm A and Solar Farm B will be infilled as per drawings provided by Maven Associates. (indicated on pages 2 and 7). This information contradicts the servicing section of Volume 3 Solar Farms, page 20, which highlights that the Stormwater, on both solar farm sites, will utilise existing farm drains for conveyance and ground soakage to manage stormwater. Therefore, lateral spread is still a risk in the development.

The authors of the report also highlighted on page 7 of the report, “The riverbank along the western boundary of the Solar Farm B is approximately 5m high. Based on the current landform, free face height and continuity of liquefiable layers, there is high potential for lateral spreading.”

Future Proof Strategy

The developers highlight the need for their development through the housing demand for Matamata. In the most recent housing & business Demand assessment, “*Matamata Piako District has sufficient development capacity for residential and businesses (including industrial) for THE NEXT 10 YEARS*” Housing levels are OK in the short term, there are developments that are not being purchased due to economic constraints over the last few years. The long term plan for the district is designed to enable capacity

Matamata Piako housing capacity			
Urban area	Housing demand	Housing supply	Sufficiency
Matamata			
Short term 2022-25	418	418	0

Medium term 2022-2035	825	703	-122
Long term 2022-2055	1430	1308	-122

From the above table, it can be seen that the projected shortfall of housing needs in Matamata is not the 520 houses in the development.

This development could lead to an oversupply of housing, which would be disastrous for Matamata.

Retirement village

Does the bore drilled to supply the RV have resource consent?

Existing culvert on Station Road (p32 of appendix 3F), the developers propose that the culvert remain in service, despite being a known factor that leads to flooding and retained water in the area. It is also noted on page 33 of Appendix 3F that the culvert on the Eastern boundary of the Retirement Village is in bad condition and will restrict the flow and lessen the capacity of water flow away from that area, therefore posing a risk of upstream flooding. This is increased by the higher runoff of water from the impervious surfaces. There is a reliance on the Drain between the retirement village and Highgrove subdivision as a water catchment (pg 51 of Appendix 3F)

Increased housing in Retirement villages and residential developments will increase runoff that will affect the flooding of the Northern solar farm and nearby properties.

Vol 4 Retirement village – Groundwater levels between 1.6 to 2.6m. The groundwater of the surrounding area has been measured at 0.7m, which discredits the developer's reliance on dry detention ponds for stormwater and the ground being suitable for building platforms.

The developers' first mention of consultation rooms is in or near the hospital units or commercial node (page 17, Vol 4 Retirement village). Matamata Medical Centre cannot accommodate 1000 to 1500 residents and 400-500 residents who possibly have complex medical needs. It takes 3 weeks to get an appointment in August 2025

Water supply is detailed in Vol 4, Retirement Village. The report notes that there is insufficient capacity in the existing public reticulation network for the proposed site on Station Road. The developers have drilled a 120m deep bore near the Western Boundary of the farm, Bore 72_12812: Production Bore. According to the developers, the bore will be adequate for firefighting (16 tanks of water), and the draw will be 92,000 m³ combined annual volume for irrigation and the village. The experts note the Bore draw to be unlikely to have any effect on nearby structures from groundwater drawdown (pg 35 Vol 4 Retirement Village).

The developers indicated that Unity Development Ltd will review the water supply plan every 5 years. Unity Development owns Matamata Development Ltd. Unity Development Ltd is not the applicant for the FTAA application.

Staff dwellings, medical facilities, and subdivision of the sites containing high-quality soil are all non-complying activities under the MPODP.

From page 47 of Vol 4 Retirement Village. The writers of Vol 4 argue that, given the development's proximity to the ESSP, there will be an extension of infrastructure suitable for urban development. This is a very interesting comment in light of the fact that the Highgrove subdivision has no connection to the town infrastructure – the subdivision is equipped with its own bores, and the sections must contain their own wastewater and stormwater. The Retirement Village is desired by the developer to be located in the rural zone, land that has no infrastructure available. Existing wide spaced houses with a rural outlook will be cut off by intensified houses in a small area, and then a septic drip line field. The increased visual bulk takes away from the rural outlook of existing properties, therefore reducing the existing visual amenity.

Northern Solar Farm

The land where the proposed Northern solar farm is to be located is currently classified as Rural land. It is presently used as a support block for farming and the production of crops to feed animals.

The developers are intent on highlighting the lack of economic value that is produced at the moment from the land that the 13.2-hectare (ha) solar farm is proposed to be built on. Interestingly, the developers state in their incorrectly titled Assessment of Ecological Effects on the FTAA website, which is Ashbourne Volume 3: Solar Farms, that the earthworks that will take place for the Northern Solar farm are over 18 ha.

The approx. 14,700 solar panels are to be set inside a 2.2 m high fence with plantings of between 3 and 7 metres wide around the entire boundary of the solar farm. The plantings are said to be planted at 0.3m high and will take between 10 to 15 years to reach full maturity, and for the highest trees, between 5 to 10 metres. (Appendix 1Q Urban Design pg 30). Nearby residents will be looking at security fencing and solar panels for 7-10 years. Some residents will not have the view of the solar farm mitigated at all (182 Station Road, 148 Station Road)

When the boundary buffer zone is fully grown, one house will lose all of the afternoon sun, due to the 5 m tall trees. The loss of sunlight and heating may increase mould growth in the house, increase power consumption due to the loss of passive heating, and may make residents feel claustrophobic, given the security fence and tall trees are only 16 m from their building façade.

The developers have not taken into consideration the views of the residents of properties that are not adjacent to the solar farm. There are more than five houses with direct boundaries to the northern solar farm that will have to look at the solar farms, and will continue to have the solar panels as a permanent view, reducing the rural views and rural amenity of the properties. The view of the solar farm panels will not be mitigated by proposed planting for 15 years at least, and some of the view will not be mitigated at all for houses built at a slightly higher altitude than the solar farm.

The designers of the planting and fencing around the Northern Solar farm have not taken into consideration the Board Drain on the Northern Boundary of the property; access must be provided for inspecting, cleaning and spraying of the Board drain. This is notorious for flooding – check the WRC flooding map.

The design calls for two power transformers to be housed in 20-foot containers, which is noted as non-compliant in the documentation. Additionally, the section on Underground cables also indicates that the solar farms are intended to connect with PowerCo cables, and the Northern Solar Farms 11 kV transformers will be kept in 20 containers, which is non-compliant.

In the Vol 1 Overview report appendix of the substantive application on page 14, it is noted that two solar farms will provide sustainable energy onsite with a potential to integrate into the wider electricity network to generate energy outside the immediate development.

Noise

During the construction of the Northern solar farm, one property, 164 Station Road, Matamata, will have its construction noise limits exceeded. This residence is home to three shift workers, who work different shifts at OCD and spend six out of every eight nights on night shift. The construction noise will affect the quantity and quality of their sleep. This will affect their health and well-being for the entire length of the construction. The developers and their experts have proposed two mitigation strategies: either the residents should not be home during the day when the work is to be completed, or they should position themselves on the eastern side of the house. This mitigation is entirely unacceptable for someone who is attempting to sleep during the day for a night shift of work. The implication for loss of sleep over the construction period may have implications for the residents – their physical health, mental health, and financial stability.

Additionally, the operational noise of the solar farms will impact their ability to sleep during the day when power is being generated. This is because the mitigation for the noise will not come into full effect for between 5 and 10 years – the time it takes for the buffering plants to grow tall enough to consistently mitigate the noise produced during power generation.

In the section for Noise and vibration effects (5.6.3), the information presented for the panel has not been assigned to the correct solar farm – the section indicates the Northern Solar Farm will comply with permitted noise standards under MPODP, whereas the solar farm that complies with the standards is the Southern Solar Farm. *It should be noted that the document claimed that the noise limit exceedance was on the Southern Solar Farm, where in fact the Solar Farm with the Noise Limit Exceedance is the Northern Solar Farm. The document suggested incorporating the acoustic report's recommendations into the proposed conditions; however, it does not state the facts correctly. This means that the FTAA panel is assessing incorrect information.

Appendix Vol 2 Day 0 of the subdivision indicates that all Noise limits can be met (pg 31), but there are exceedances during the Northern solar farm construction and the residential development.

Appendix 3G Acoustic Assessment notes that 164 Station Road is the Closest residence, with 40m from the boundary to the inverter/MVPS and 22m from the panels to the building.

Time	Noise limit
7 am to 8 pm	50dBAL10
8 pm to 7 am	40dBAL10

- *What about the noise levels for the buildings at Penrad Holdings?*

It should be noted that all noise models were virtual.

The MVPS sound levels are calculated to be 65dBA at 10m away from the sound source. The Inverters (90 of them) operate at Daytime (100% noise level) with 87dB Lwa and Nighttime (10% noise level) with 70 dB Lwa. Although the noise decreases with distance, residents of 164 Station Road, who are shift workers, will still experience noise during the day.

Pg 13 of appendix 3G notes here is a noise issue if a building is constructed on the noise shadow of the inverters 40 m from the eastern boundary of the northern solar farm on the rear lot of 164 Station Road. The noise level 50 dB (A) L10 would be exceeded *the report says Noise level contours shown (Fig 2) show the extent of adjacent vacant land affected by daytime 50 dB (A) L10 noise contours is relatively small, and the potential risk of encroachment is likely to be very low.

Pic from pg 13 of 32

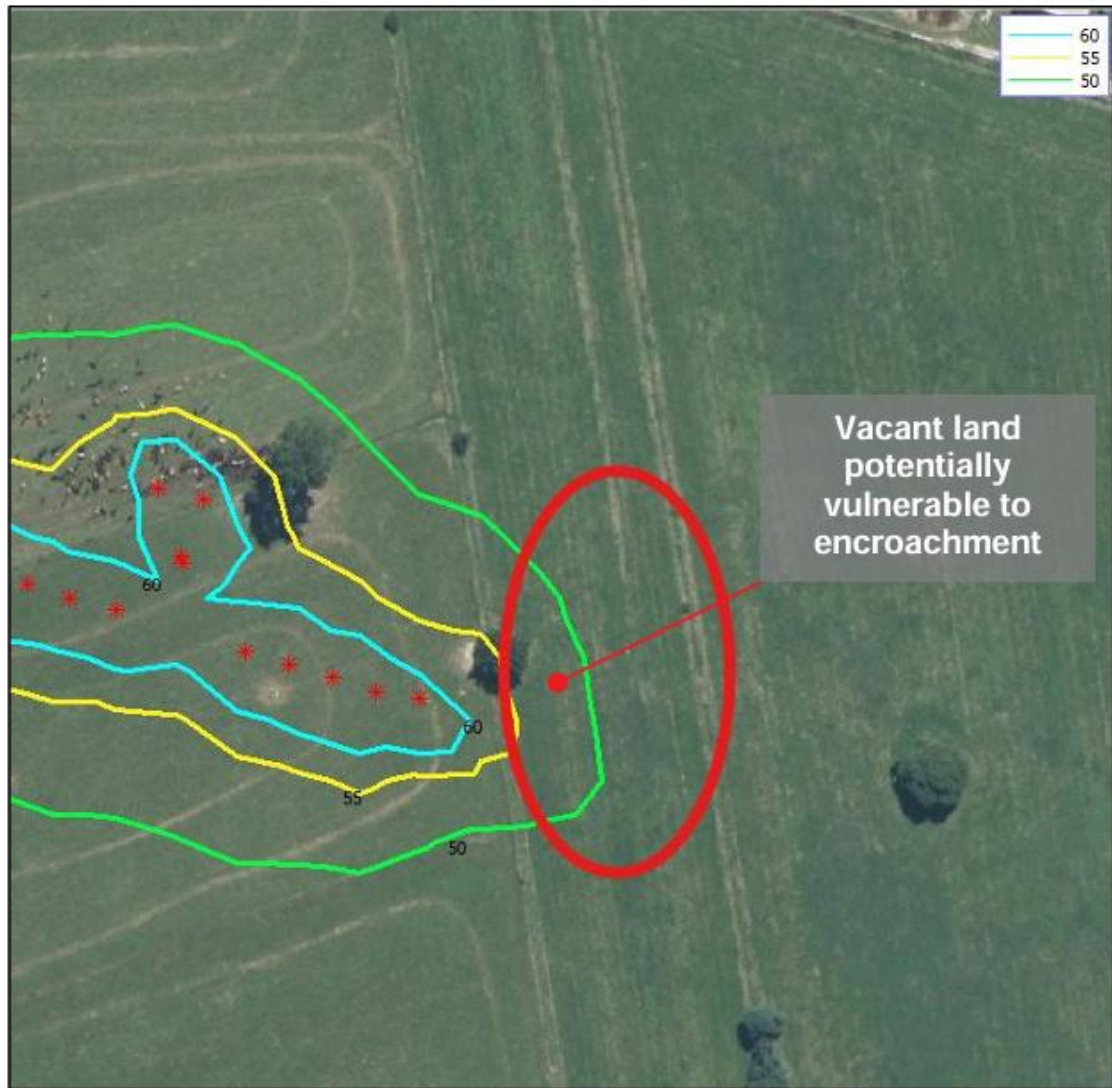


Figure 2: Adjacent vacant land potentially affected

this is taken from the map on pg 37 of 32

taller than the security fence. The designers praise the Strategic setbacks, all the while not acknowledging that some residences are 9 m away from the boundary and a building that houses horses is between 10-15 m from the boundary.

It should be noted that not all adjacent land owners have been contacted by the developers.

Glint and Glare assessments

At no time have the glint and glare assessments taken into account the effects on the residents residing close to the solar farms –

- the effects on the second story of the house at 182 Station Road – virtual testing for Glint and Glare assessment was conducted at 1.5m height only.
- The effects on 164 Station Road – withing 9 m of boundary to solar farm
- The effects of glint and glare on residents that view the solar farm from higher vantage points.
- The effects of glint and glare on pilots – not just usual flight paths at the Waharoa airport.

Vibration

Vibration affects of pile driving and heavy machinery have not been considered in relation to the location of a workplace at 190 Station Road. The building is approximately. 10 m off the boundary, and workers' health and safety may be put at risk during piling as the business raises and trains thoroughbred horses – Penrad Holdings. There is a risk of the horses being frightened by vibrations and the vibrations affecting the stability and structure of the wading pool.

What effect will the vibrations have on the structure of the pool at 182 Station Road?

From Appendix 3H CNVMP, pages 7 & 8, 22 Figure 2 (below) shows the closest buildings, but discounts the buildings next to the boundary at 196 Station Road (buildings containing horses). There are no mitigation factors put in place for the horses housed in those buildings or the people who work with the horses.

Closest buildings	Site Boundary	Piling work
164 Station Road	20m	35m
Proposed Subdivision	28m	40m
172 Station Road	30m	44m
182 Station Road	40m	60m
60 James Ave	80m	120m
196 Station Road	90m	100m (House)
	<i>10-15m</i>	<i>20-25m (Buildings containing horses)</i>

Vibration mitigation measures are not effective enough to guarantee the safety of workers around horses.

Operation of piling rig will have the Potential to generate vibration which May be felt within dwellings (*Questions about vibrations in workplaces and around horses?*)

The following measures will be observed working within 50 m of an occupied dwelling to ensure vibration complies with project conditions and does not cause unreasonable disturbance:

Education of workers on the Need to decrease vibration effects at nearest dwellings (*What about working spaces??*) And mitigation measures available to achieve this, including Speed of travel for excavators & heavy vehicles, fast movement across uneven worksite, which will cause High vibration levels, using light weight plant where possible that are wheeled and avoiding the bucket hitting the ground.

Water for the Northern Solar Farm

In the proposal, the developers indicate that the property will be connected to the town water supply that supplies existing dwellings along Station Road. The existing 25mm water line runs along the northern side of Station Road. (pg 16 of appendix 3F)

The proposal includes water for firefighting with 2 tanks of water totalling 50,000 litres of water from the town supply, as well as water for the troughs for animals that will graze the proposed solar farm. Furthermore, other property owners along the same road have been declined for hooking into the 25mm water line in both the rural residential and rural zoning. MPDC has declined the connection for a rural residential property which is now using rainwater and tanks, and a rural property due to the owner's desire to provide water for animals.

From page 25 of Volume 3 Water, wastewater and stormwater connections to public networks

8.5 Water, Wastewater and Stormwater	
1. Water, wastewater, and stormwater connections to public networks	No stormwater or wastewater connections to public networks are proposed. Water connections from the public network will be extended to the southern solar farm site from the proposed residential subdivision (refer Volume 5 of this application), and from the existing public network on Station Road for the northern solar farm. This is considered to be a permitted activity.
2. Ventilation, drop shafts and manholes	As confirmed by the Infrastructure Report

Further indication of connection from existing public network on Station Road for Northern Solar Farm – considered permitted activity.

Wildlife Approval

Wildlife approval is required under the Wildlife Act 1953 for the management of Long tailed bats and Copper skinks.

During the Construction of the Northern solar farm, the work will result in an exceedance to permitted noise levels for one receiver (in the document, it is the property that will be 162 Station Road – actual address 164 Station Road) by 2 dB, and therefore is a restricted discretionary activity.

Water

When considering Water, wastewater & stormwater indicates that the water is expected to be connected to the town supplied water that runs along the north side of Station Road. There is an additional expectation that the water for firefighting requirements and the water supply for troughs for animals will also be met by the existing water main on Station Road.

Land Use Capacity

Land Use Capacity (LUC) is primarily underlain by LUC2 soils. The developers attempt to make LUC2 soils look not valuable / not High Class Soils, and are overstated at a regional scale. The information is slanted toward not including LUC 2 and 3 soils in the Highly Productive soils, whereas soils classed LUC 4 and lower are not highly productive soils. The report goes on to indicate that significant areas are subject to drainage/topology limitations, once again, attempting to suggest that the soil restricts production potential. The developers are trying to sway the panel with half-truths, exaggerations, and false marketing.

The other solar farm infringes on yard and building coverage provisions in the Matamata Piako Operative district plan.

Subdivision

The developers desire to subdivide off two sections to the east of 172 Station Road. This site is positioned in a rural zone; therefore, subdividing this land does not meet the rural zoning requirements of the property. The house at 172 Station Road has already been subdivided off the property. Now the developers want to cut two more sections off the property in a rural zone, an act that has already been denied to residents in the rural zone on Station Road (Godsalves).

Southern solar farm

The Southern Solar farm crossing does not comply with MPODP and is also a discretionary activity.

On page 36 of appendix 1Q Urban Deign, the designers indicate that the Solar farm precinct would be positioned at the periphery of the site, supporting a defined urban edge and enabling a gradual transition to the surrounding land. There is no indication that the buffering planting will take 10-15 years to reach maturity, covering the security fence and view of the solar panels. As with the Northern Solar Farm, the designers suggest low-profile built elements, strategic setbacks & layered planting, while not indicating that the solar panels will be 2.5m tall at their tallest, and the planting will take a long time to buffer the operational noise and view of the panels.

Concerning incorrect information that has been presented to the panel for consideration

This section indicates the information that has been provided to the panel for consideration that is incorrect.

Address from Morrinsville in Application

Pg 54 of appendix 3F indicates that the address for the Ecological assessment is 162 Studholme Street – an address for the Lockerbie Estate in Morrinsville.

Incorrect details in CN Number Details

Pg 48 of Appendix 3F

Table 13 Design Parameters table

The post-development model and ...

*USES INCORRECT DETAILS IN THE CURVE NUMBER (CN NUMBERS) DETAILS AND THE TABLE.
This screen snip is from page 48*

The post development model and calculations are built upon the following input and assumptions:

- CN numbers
 - Post-development CN=74 for Impervious Areas
 - Post-development CN=98 for Impervious Areas
- Rainfall data from National Institute of Water and Atmospheric Research (NIWA) rainfall pattern and depth:

Post Development CN		
Pervious	Impervious	
74	98	
Pre Development 24hr Rainfall Depth (mm)		
10yr RCP8.5	100 yr RCP8.5	100yr-10yr
128	200	98

Table 13 Design Parameters table

Calculation above 100y – 10 y should be $200 - 128 = 98$, when in fact the calculation details should be from page 123/261 Appendix 5I Stormwater Management post development (RCP 8.5) in the table below showing $265 - 167 = 98$

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Pre-Development CN		Post Development CN	
Pervious	Impervious	Pervious	Impervious
61	98	74	98

	Pre Development		Post-Development (RCP 8.5)		
	10yr	100 yr	10yr	100yr	100yr-10yr
24 hour rainfall depth (mm)	128	200	167	265	98

In this screen snip the incorrect information are listed below:

The post development model and calculations are built upon the following input and assumptions:

- CN numbers
 - Post-development CN=74 for Impervious Areas
 - Post-development CN=98 for Impervious Areas
- Rainfall data from National Institute of Water and Atmospheric Research (NIWA) rainfall pattern and depth:

Post Development CN		
Pervious	Impervious	
74	98	
Pre Development 24hr Rainfall Depth (mm)		
10yr RCP8.5	100 yr RCP8.5	100yr-10yr
128	200	98

Table 13 Design Parameters table

The CN Numbers details

- CN numbers
 - Post-development CN=74 for Impervious Areas
 - Post-development CN=98 for Impervious Areas

On the original information from Appendix 5 In Stormwater management, the Post development CN number CN = 74 for **PERVIOUS** Areas

The pre Development 24 hr Rainfall Depth (mm) equation on the table

Pre Development 24hr Rainfall Depth (mm)		
10yr RCP8.5	100 yr RCP8.5	100yr-10yr
128	200	98

The **pre development** figures for 10 yr and 100 yr have been extracted from the table on pg 123 of Appendix 5 In Stormwater management 10 yr RCP8.5 of 128, 100 yr RCP8.5 of 200 should = 200 – 128 = 72.

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The equation that is published on page 48 indicates that the 100 yr – 10 yr CN for pre-development has been swapped with the post-development CN number 98.

	Pre Development		Post-Development (RCP 8.5)		
	10yr	100 yr	10yr	100yr	100yr-10yr
24 hour rainfall depth (mm)	128	200	167	265	98

The **Post-development** CN was calculated by the 100 yr number of 265 less the 10 yr CN number of 167. Using the equation 100 yr – 10 yr the equation worked out to be 265-167 = 98.

The pre-development 24-hour rainfall Depth (mm) should be noted as 72, whereas the post-development figure has been inserted in its place.

Therefore, the incorrect information has been published for the expert panel to consider.

Lot numbers

Appendix 3F Pg 403 of 406

Tuatahi First Fibre as a telecom operator

- Letter about the norther solar farm connections for the lots requiring connection
- Letter for the southern solar farm connection with the same lot numbers

From page 403 of 406



PO Box 27050
Garnett Avenue 3257
0800 Fibre LTD
tuatahifibre.co.nz

30 May 2025

CONDITIONAL ACCEPTANCE BY TUATAHI FIRST FIBRE LIMITED AS TELECOMMUNICATIONS OPERATOR

Development: Ashbourne Northern Solar Farm
Legal Description: LOT 3 DPS 14362, LOT 2 DP 21055, PTL 1 DP 21055, LOT 2 DP 567678

1. Tuatahi First Fibre Limited (TFF) confirms that a TFF telecommunications connection will be

From page 405 of 406

30 May 2025

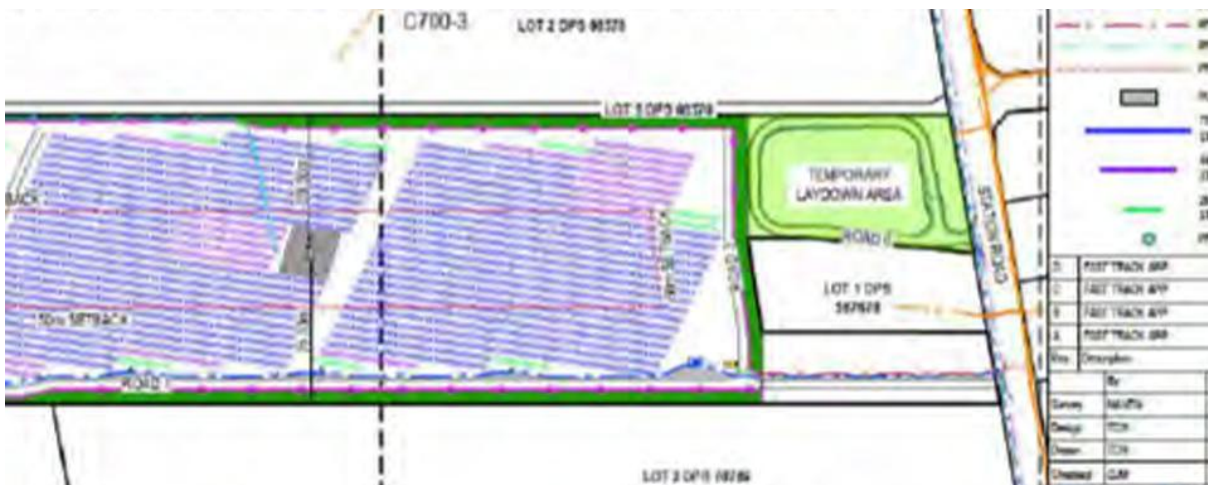
**CONDITIONAL ACCEPTANCE BY TUATAHI FIRST FIBRE LIMITED AS
TELECOMMUNICATIONS OPERATOR**

Development: Ashbourne Southern Solar Farm

Legal Description: LOT 3 DPS 14362, LOT 2 DP 21055, PTL 1 DP 21055, LOT 2 DP 567678

1. Tuatahi First Fibre Limited (TFE) confirms that a TFE telecommunications connection will be

Additionally from p 404 of 406 the developers have given Tuatahi a plan of the Northern solar farm development with the laydown area to the north of 172 Station Road



With a close up plan of Lots 8 & 9



Waitoa River

Page 46 of Volume 4 Retirement village, “Extensive landscape planting and ecological restoration is proposed along the Waitoa River, a tributary of the Waikato River. The planting will improve the ecological integrity of the water body and reconnect people with the awa.”

The Waitoa River is not a tributary of the Waikato River.

Page 54 of Vol 5 Subdivision and Greenway repeats the quote listed above, “Extensive landscape planting and ecological restoration is proposed along the Waitoa River, a tributary of the Waikato River. The planting will improve the ecological integrity of the water body and reconnect people with the awa.”

The Waitoa River is in the Hauraki Catchment, not the Waikato River Catchment.

The map supplied to Iwi for consideration is incorrect

The map on the Application document called Treaty Settlements and other obligations (section 18 report) pg 10 of 23 is not accurate for all the land that is under the application for this development.



Site location – Station Road, Matamata

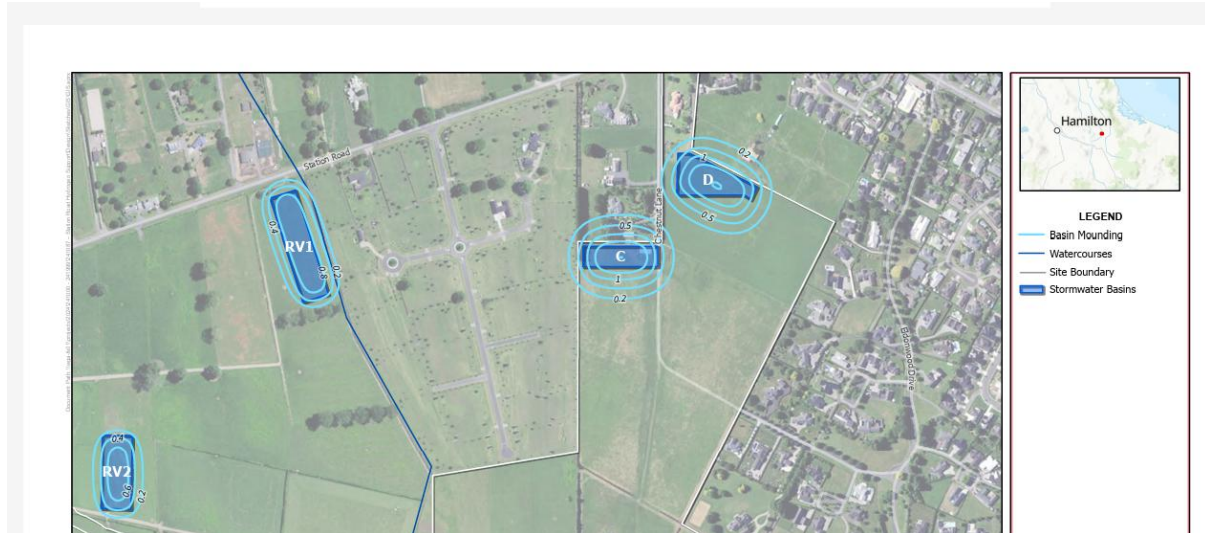
1 N Hydrological report

*From the initial application, the WRC – Joao Paulo Silva noted :

There is no commentary on construction water requirements. The Piako River catchment is overallocated, so surface water will not be a viable source. Should there be a need to take surface water for any stage of this development, s124C(1)(c) RMA will be relevant. If the development needs water for construction purposes (e.g. dust suppression) and MPDC will not supply this, the applicant may need to consider obtaining resource consent to take water on the site. There are a large number of applications to take surface water in the Piako River catchment awaiting processing by WRC that would be considered competing applications for surface water.

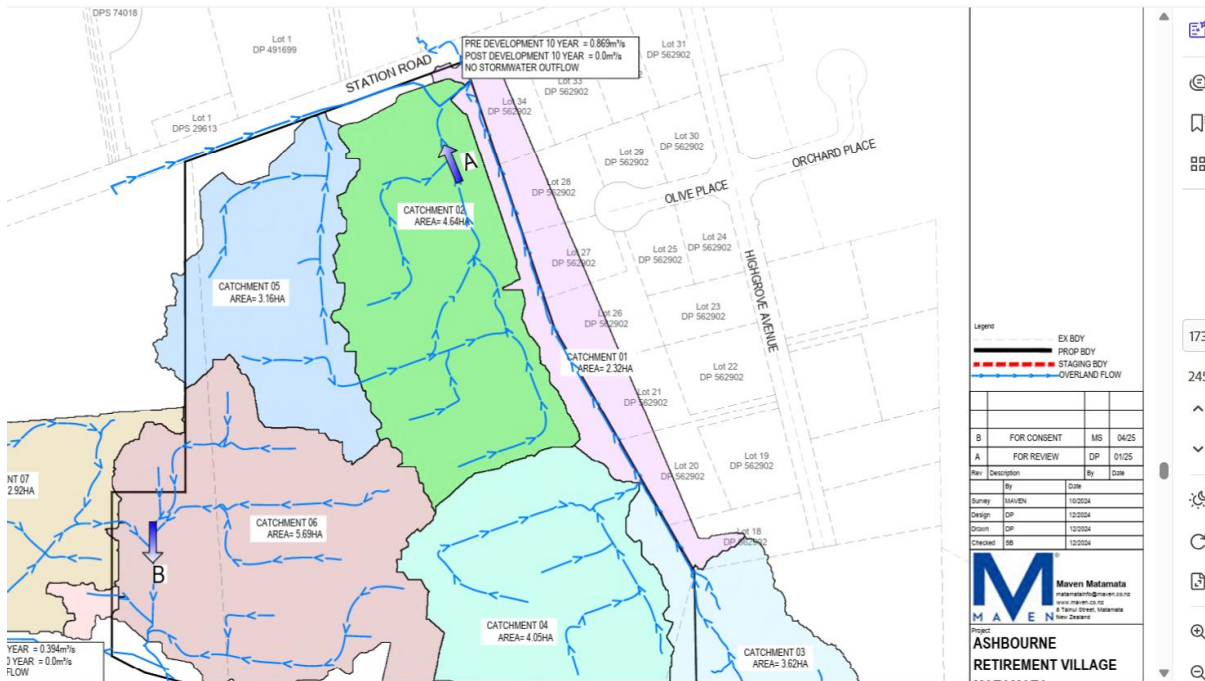
Taking groundwater from a bore in this vicinity will be taking water from the Southern Hauraki Aquifer, which has allocation available within the management level as per the WRP. With the Piako River catchment currently over-allocated taking surface water from a nearby tributary will encounter allocation difficulties.”

Pg 15 of Appendix 1N



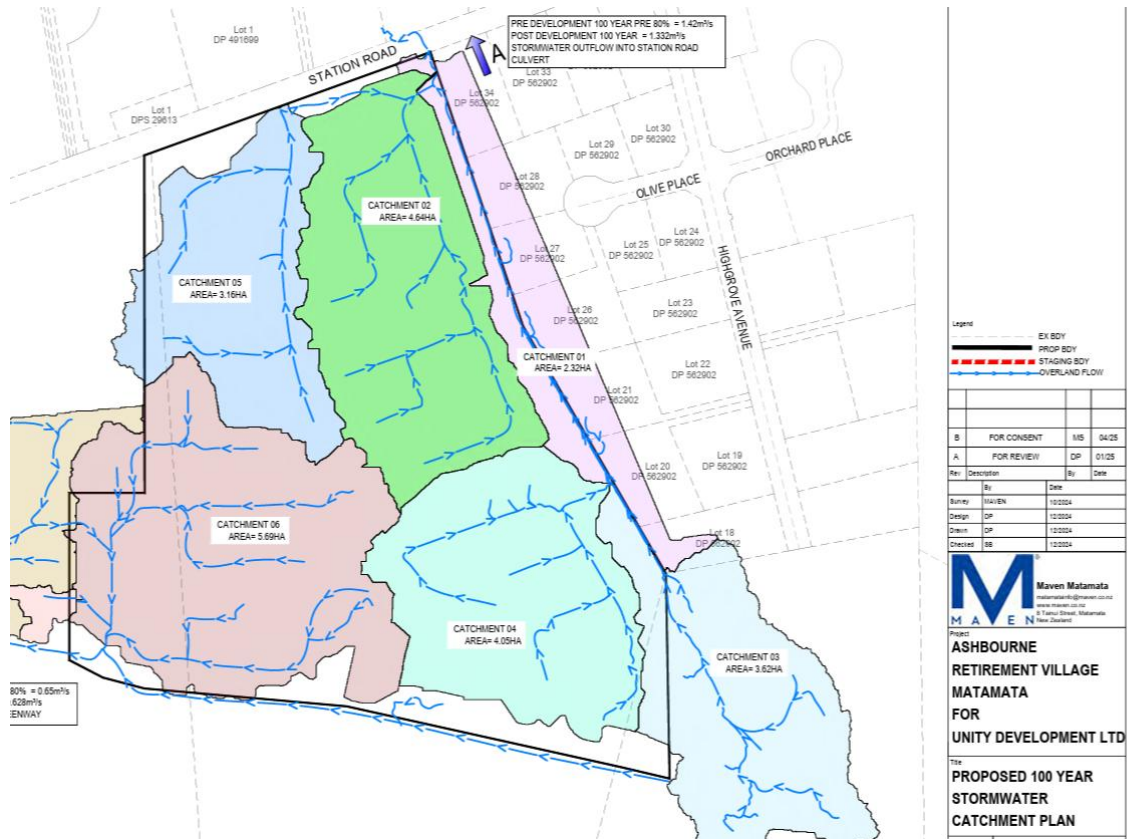
Basin mounding of Stormwater Basin D goes into the neighbouring property, owned by Mrs Odlum.

Pg 173 of 245 Stormwater catchment plan of Retirement village (10-year plan), reliant on a small pipe under the road for water to flow away from the site



Pg 174 of 245 100 year flow also reliant on Culvert under Station Road

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Additional concerns

Heavy Metals

In appendix 1R pg 21/81

The following was found in several locations on the properties that are in the proposed development area”

- Arsenic exceeds PBC of 6.8 mg/kg in 1 sample (127 Station Road)
- Cadmium exceeded the PBC of 0.22 mg/kg in 7 sampled areas over 2 properties
 - Ranging between 0.3 to 1.13 mg/kg
- Copper exceeded PBC of 25mg/kg in 2 samples at 127 Station Road
- Lead exceeded the PBC of 20mg/kg in 3 sampled areas over 2 properties
 - 25-31 mg/kg
- Zinc exceeded PBC 53mg/kg in 7 samples over 2 properties
 - 63 to 230mg/kg

The heavy concentrations were higher than expected but below the NECS SES concentrations. Therefore, controlled consent under regulation 9(3) of NESCSCS is required to undertake the change of land use and for further soil disturbances as part of the developments.

Soil management

In Appendix 1S Contaminated soil management, the report states that all suitable soils are to be used on site, or if stockpiled or removed from site, there is a process that must be followed (also mentioned in Appendix 3L proposed conditions Solar farm alignment with Council standards – MPDC & WRC). Fill being brought in is mentioned ...

But nowhere in the entire application is there a Biosecurity plan for the pest plant **Noogoora Bur** (*Xanthium strumarium*) that is known by the WRC and should be on the LIM reports at 127 Station Road. There should be a biosecurity plan for moving any plant material and soil for that specific location as the plant is on the WRC eradication program. There are severe penalties for the known spread of the weed.

The screenshots below provide information that is freely available about Noogoora bur, and further information is available on the WRC website.

6.2.1.11 Noogoora bur (*Xanthium strumarium*)

Management programme

Exclusion	Eradication	Progressive containment	Sustained control	Site-led
-----------	--------------------	-------------------------	-------------------	----------

Impacts

Economic	Biodiversity	Soil resources	Water quantity/ quality
Human health	Social and cultural wellbeing	Amenity/ recreation	Animal welfare



Description

Noogoora bur is a tall growing (up to 3 metres tall when growing in maize) annual herb with a stout tap root and extensive root system. It has two growth forms, either erect and single stemmed or very branched and spreading, depending on whether it is growing in competition with other plants or in the open. Leaves are dark green, sometimes mottled purple and similar in shape to grape leaves. Stems have short coarse hairs and may be covered with purple blotches. Flowers are inconspicuous in the leaf axils. Fruit are woody burs, covered in hooked spines which can attach to livestock wool or hair and clothing.

Adverse effects

Noogoora bur seeds and seedlings are poisonous to all livestock (especially pigs and cattle), horses and poultry. Dry burs may cause discomfort and injury, particularly to sheep, and damage wool. It can also cause contact dermatitis in humans and animals.²⁹ Plants can compete with pasture species and carry fungal diseases capable of infecting horticultural plants.

Management regime – eradication

Objective	Over the duration of this Plan, reduce the level of infestation of noogoora bur within the Waikato region to zero density to prevent adverse effects and impacts as identified above.
Principal measures to achieve objective	<p>Requirement to act</p> <p>All persons will comply with all statutory obligations and the rules specified in this section of the Plan (see sections 3.3.1, 5.3 and 6.2.1 for further detail).</p> <hr/> <p>Inspection and monitoring</p> <p>Authorised person(s) on behalf of Waikato Regional Council will inspect and monitor properties with suspected or confirmed infestations of noogoora bur to establish the extent of any infestations and to identify any remedial action that needs to be undertaken.</p> <p>Authorised person(s) on behalf of Waikato Regional Council may undertake inspections, monitoring and surveillance of nurseries, markets, and the online plant trade to reduce the likelihood of this pest plant being sold.</p> <hr/> <p>Service delivery</p> <p>Authorised person(s) on behalf of Waikato Regional Council will undertake control of noogoora bur in accordance with section 5.3 of the Plan.</p>

²⁹ <https://agpest.co.nz/?pesttypes=noogoora-bur>

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	<p>Advocacy and education</p> <p>Waikato Regional Council will provide advice and information on the identification, impacts, and control of noogoora bur to affected occupiers and other interested parties in accordance with section 5.3 of the Plan.</p>
<p>Monitoring and anticipated outcomes</p>	<p>Monitoring for the presence of eradication pests will be undertaken in accordance with section 7 of the Plan to ensure that all known or new pest infestations are controlled to zero density over the duration of the RPMP.</p>

Rules

NGB-1

All persons shall inform Waikato Regional Council of the presence of noogoora bur in the Waikato region, within five working days of the presence first being suspected.

Note:

1. A breach of this rule will create an offence under section 154N(19) of the Act.
2. Enforcement will be in accordance with section 9 of the Plan.
3. If Noogoora bur is present on a property that is to be subdivided or developed, please also refer to section 6.6 of the Plan.

Explanation of purpose of the rules

The purpose of rule NGB-1 is in accordance with section 73(5)(a) of the Biosecurity Act and is to assist Waikato Regional Council staff with identifying any potential new sites within the region where this pest plant is present to ensure control work can be undertaken to achieve the objective.

Common Name	Programme	Page No.
Marshwort	Exclusion	
Mexican water lily	Progressive containment	
Mile-a-minute	Eradication	
Moth plant	Progressive containment (Taupō and Rotorua districts) Sustained control (excluding Taupō and Rotorua districts)	
Murray River turtle	Site-led (Wetlands)	
Mustelid (ferret, stoat, weasel)	Site-led (Hūnua Ranges)	
Nassella (fine stemmed needle grass/Mexican feather grass)	Eradication	
Nassella tussock	Eradication	
Noogoora bur	Eradication	
Old man's beard	Progressive containment	

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Subdivision and land development

When undertaking subdivision or land development, if any of the above pest plants are present on the land to be subdivided and/or developed, occupiers must also comply with rules relating to these activities. These rules can be found in section 6.6 of the RPMP.

Eradication programme

Common name	Scientific name	GNR	Page
African feather grass	<i>Cenchrus macrourus</i> (also known as <i>Pennisetum macrourum</i>)		50
Cathedral bells	<i>Cobaea scandens</i>		52
Chilean flame creeper	<i>Tropaeolum speciosum</i>		54

Evergreen buckthorn	<i>Rhamnus alaternus</i>		56
Horse nettle	<i>Solanum carolinense</i>		58
Horsetail (rough horsetail)	<i>Equisetum hyemale</i>		60
Knotweed:			62
Giant knotweed	<i>Fallopia sachalinensis</i>		
Japanese/Asiatic knotweed	<i>Fallopia japonica</i>		
Mile-a-minute	<i>Dipogon lignosus</i>		64
Nassella/fine stemmed needle grass/Mexican feather grass	<i>Nassella tenuissima</i>		66
Nassella tussock	<i>Nassella trichotoma</i>		68
Noogoora bur	<i>Xanthium strumarium</i>		70

6.2 Eradication programme – overview

Waikato Regional Council’s eradication programme covers species that are present in the region, but that the council considers can be eradicated from the region over the duration of the Plan due to their low density and/or distribution. Table 8 provides an overview of the pests included in this programme.

Table 8: Quick reference guide to plant and animal pests in the eradication programme and their reasons for inclusion

Plant pest	Status/reason for inclusion	Page reference
African feather grass	Production, environmental and social/amenity pest	50
Cathedral bells	Production, environmental and social/amenity pest	52
Chilean flame creeper	Environmental and social/amenity pest	54
Evergreen buckthorn	Environmental and social/amenity pest	56
Horse nettle	Production and social/amenity pest	58
Horsetail (rough)	Production, environmental and social/amenity pest	60
Knotweed (giant and Japanese/Asiatic)	Environmental and social/amenity pest	62
Mile-a-minute	Environmental and social/amenity pest	64
Nassella (fine stemmed needle grass/Mexican feather grass)	Production and environmental pest	66
Nassella tussock	Production and environmental pest	68
Noogoora bur	Production and social/amenity pest	70

6.6 Rules relating to management of pest plants when undertaking subdivision and land development

When undertaking subdivision and land development, the following rules apply to those pest plants listed in the **exclusion, eradication and progressive containment plant pest programmes**. These rules *are in addition* to any rules listed in those programmes and have been grouped here for easy reference.

6.6.1 Pest plant threats associated with subdivision and land development

There are a number of pest plants that can easily establish or spread when vegetation is cleared, or soil is disturbed during subdivision and land development. Their spread can also occur via the movement of vehicles and equipment during these activities. This is particularly problematic when land is subdivided and pest plants are then spread to multiple properties, as the control and management of these plants then becomes more difficult and costly.

To control pest plants in these situations, Waikato Regional Council has previously:

- invoked section 130 (restricted places) of the Biosecurity Act
- sprayed infested sites
- enforced weed hygiene procedures (such as vehicle washing) at infested sites, and/or
- required contaminated material to be either buried onsite or disposed of at a registered landfill.

Although these measures have resulted in good control at all known sites, serious pest plants are still being spread to new sites during land subdivision and development activities.

Alligator weed is one such pest plant. It is the most expensive and difficult to control pest plant within the Waikato region due to its ability to invade a range of terrestrial and wetland sites. When growing on land, it displaces other more favourable plants such as crops or native vegetation and can be harmful to animals. When growing in fresh water, alligator weed can cover the entire water surface, reducing or preventing flow, blocking drainage channels and potentially increasing flood damage. When it forms dense mats, it can also reduce oxygen exchange, affecting in-stream plant and animal life and reducing water quality.

Although there are large infestations of alligator weed at Te Rore, Lake Whangape and along the Waikato River to the delta, these are being successfully managed with herbicides. However, due to rapid land development and urbanisation, it is becoming increasingly difficult to manage the terrestrial infestations that have been discovered in Hamilton, Cambridge, Te Kopu and Kihikihi.

Given that there is continued spread of high-risk pests, such as alligator weed, despite the council's control and management efforts, more comprehensive weed hygiene measures are required in the industry. Mainstreaming weed hygiene measures across the entire building and construction industry is problematic and needs to be done in conjunction with the industry. Therefore, a targeted approach to the development and implementation of appropriate weed hygiene measures is considered to be more appropriate.

Given the significant economic and environmental risks associated with the spread of pest plants like alligator weed within the Waikato region, and the limited success that education and advocacy is having, it is clear that more needs to be done to manage exclusion, eradication and containment pest plants during the subdivision and land development processes. The following rules outline the measures required.

Management regime – subdivision and land development

Objective	The objectives for each pest plant listed in the exclusion, eradication and progressive containment programmes apply.
Principal measures to achieve objective	<p>Requirement to act</p> <p>All persons will comply with all statutory obligations and the rules specified in this section of the Plan (see sections 3.3.1, 5.3, 6.1.1, 6.2.1 and 6.3.1 for further detail).</p> <p>Inspection and monitoring</p> <p>When undertaking land development or subdivision, authorised person(s) on behalf of Waikato Regional Council will inspect and monitor properties with suspected or confirmed infestations of pest plants in the exclusion, eradication and progressive containment programmes to establish the extent of any infestations and to identify any remedial action that needs to be undertaken.</p> <p>Waikato Regional Council will undertake site inspections as necessary to determine compliance with these rules.</p> <p>Service delivery</p> <p>Authorised person(s) on behalf of Waikato Regional Council may undertake control of those pest plants subject to land development and subdivision rules in accordance with their respective management regimes as outlined in the exclusion, eradication, and progressive containment programmes.</p> <p>Advocacy and education</p> <p>Waikato Regional Council will provide advice and information on the identification, impacts, and control of pest plants in the exclusion, eradication and progressive containment programmes, with regards to land development and subdivision, to affected occupiers and other interested parties in accordance with section 5.3 of the Plan.</p>

Rules

The following rules apply to the development and subdivision of any land within the Waikato region that has infestations of plants declared as pests under the exclusion, eradication, and progressive containment programmes.

SUBD-1

If a pest plant listed in either the exclusion, eradication or progressive containment programmes is present on a property within the Waikato region that is to be subdivided or developed, the person undertaking the subdivision or development activity must, at least 30 working days prior to the commencement of the activity, prepare and submit a Biosecurity Management Plan to Waikato Regional Council for approval. The Biosecurity Management Plan shall include and address (but may not necessarily be limited to) the following matters:

- I) A description of the soil disturbance, vegetation removal and land development activities proposed on the site, including a timetable for these activities and any rehabilitation/revegetation works proposed on the site.
- II) A site plan of a suitable scale to identify the locations of:
 - exclusion, eradication and containment pest plants on the site
 - waterways
 - all key pest management facilities/sites (such as wash down areas and green waste disposal sites)
 - any other relevant site information.
- III) Details of procedures that will be implemented to manage pest plants on the site and prevent their spread (such as pest plant control programmes, restrictions on material exported, vehicle decontamination procedures, and short and long-term treatment of bare ground). This should also include maintenance, monitoring and reporting.
- IV) Response and contingency measures, including procedures to minimise adverse effects in the event that eradication and/or containment pest plants are spread on or off site as a result of the works.
- V) Procedures and timing for review and/or amendment to the Biosecurity Management Plan.
- VI) Identification of specific person(s) responsible for the implementation, operation and maintenance of the weed mitigation and management practices outlined in the Biosecurity Management Plan.

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SUBD-2

All Biosecurity Management Plans prepared under Rule SUBD-1 shall be certified in writing by Waikato Regional Council acting in a technical certification capacity, prior to any subdivision or development works commencing.

SUBD-3

Any changes proposed to a Biosecurity Management Plan prepared under Rule SUBD-1 shall be confirmed in writing by Waikato Regional Council acting in technical certification capacity, prior to the implementation of any of those proposed changes.

SUBD-4

The person undertaking the subdivision or development activity shall ensure that a copy of the approved Biosecurity Management Plan, including any approved amendments, is kept onsite and the onsite copy of the Biosecurity Management Plan is updated within five working days of any amendments being approved.

SUBD-5

At least five working days before commencement of any subdivision or development works, the person undertaking the works shall inform Waikato Regional Council of the name and contact details of an appointed representative(s) who shall be Waikato Regional Council's principal contact person for matters relating to the works.

SUBD-6

In the event the appointed person identified in Rule SUBD-5 changes during the period of the works, the person undertaking the subdivision or development works shall immediately inform Waikato Regional Council of the change and give written notice of the new representative's name and contact details.

SUBD-7

The person undertaking the subdivision or development works shall inform Waikato Regional Council of the commencement of the works covered by the Biosecurity Management Plan in writing at least five working days in advance to allow a pre-work site inspection to be carried out by Waikato Regional Council.

SUBD-8

There shall be no transfer of earthen material or green waste from an infested site to an uninfested site, other than to an approved landfill facility.

.. .

Note:

2. Contact can be made with the Waikato Regional Council biosecurity team for assistance or advice on pest plant identification prior to undertaking any land development or subdivision.
3. A breach of any of these rules will create an offence under section 154N(19) of the Act.
4. Enforcement will be in accordance with section 9 of the Plan.
5. Should land with any one of the identified pest plants subject to this programme be subdivided or developed, the council has the ability to recover costs for the inspection, monitoring and service delivery in accordance with section 135 of the Biosecurity Act 1993.
6. The occupier shall be responsible for all contracted operations related to the works carried out on the site and must ensure contractors are made aware of the content of the Biosecurity Management Plan and ensure compliance with the commitments given in the Biosecurity Management Plan.

Explanation of purpose of the rules

The reasons for rules SUBD-1 to SUBD-8 are to ensure pest plants are not spread between and from properties during land development and subdivision, and that infestations of pest plants on properties subject to these activities can be appropriately managed. This is to ensure threats to environmental, economic, and cultural values are minimised. Rules SBD-1 to SUBD-8 are in accordance with sections 73(5)(a), (b), (f), (h), (i), (m) and (q) of the Biosecurity Act.

7. Monitoring Te aroturuki

7.1 Measuring what the objectives are achieving

Each programme contains one or more objective. Progress against these objectives will provide the key measures of success of RPMP implementation. Each year, progress against each of the programme objective(s) will be outlined and reported as part of the annual operational plan report. The way each programme is monitored depends on the biological nature of the organism, the nature of infestations and the site(s) at which they occur, and the cost effectiveness of the method of monitoring relative to the programme cost. A summary of the programme monitoring methods is outlined in table 17.

Table 17: Summary of monitoring methods

Anticipated result	Indicator	Method of monitoring	Frequency of monitoring	Reporting to council
Exclusion programmes				
No exclusion programme pests established within the region. Adverse effects to production, environmental, social/amenity values are avoided.	Presence/absence of any exclusion programme pests in the Waikato region	Reporting by occupiers or other persons	As reported	Annually and as required
		Surveillance programmes	Annual surveillance programme	Annually and as required
Eradication programmes				
All known sites and any new sites identified are controlled to zero density by 2032. Adverse effects to production, environmental, social/amenity values are eliminated.	Presence/absence, distribution, and extent of the subject pests in the Waikato region	Reporting by occupiers or other persons	As reported	Annually and as required
		Surveillance programmes	Annual surveillance programme	Annually and as required
		Population assessment based on inspections	Annual/as appropriate inspection programme	Annually and as required

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Anticipated result	Indicator	Method of monitoring	Frequency of monitoring	Reporting to council
Site-led programmes				
Support community and stakeholders in minimising adverse effects of these pests on identified sites.	Number of sites under a site-led programme Output and outcome based, and pest trend monitoring of sites Number of persons or groups receiving advice and/or education in relation to site-led pest management Complaints/enquiries received	Site-led programme areas are digitally mapped Community group and stakeholder reporting	Annually	Annually and as required
Subdivision and land development rules (applying across exclusion, eradication and progressive containment programmes) ²¹⁰				
Pest plant infestations are not exacerbated by subdivision and land development activities. That subdivision and land development activities do not compromise the objectives set for pest plants included in the exclusion, eradication, and progressive containment programmes.	Biosecurity Management Plans are being prepared and adhered to for properties subject to subdivision/land development with specified pest plants present	Reporting by occupiers or other persons	As reported	Annually and as required
		Surveillance programmes	Annual surveillance programme	Annually and as required
		Population assessment based on inspections	Annual/as appropriate inspection programme	Annually and as required
	Complaints/enquiries received	Number of enforcement actions undertaken	As reported/appropriate	Annually and as required

Acid Sulphate Soils on the Northern Half of the Northern Solar Farm

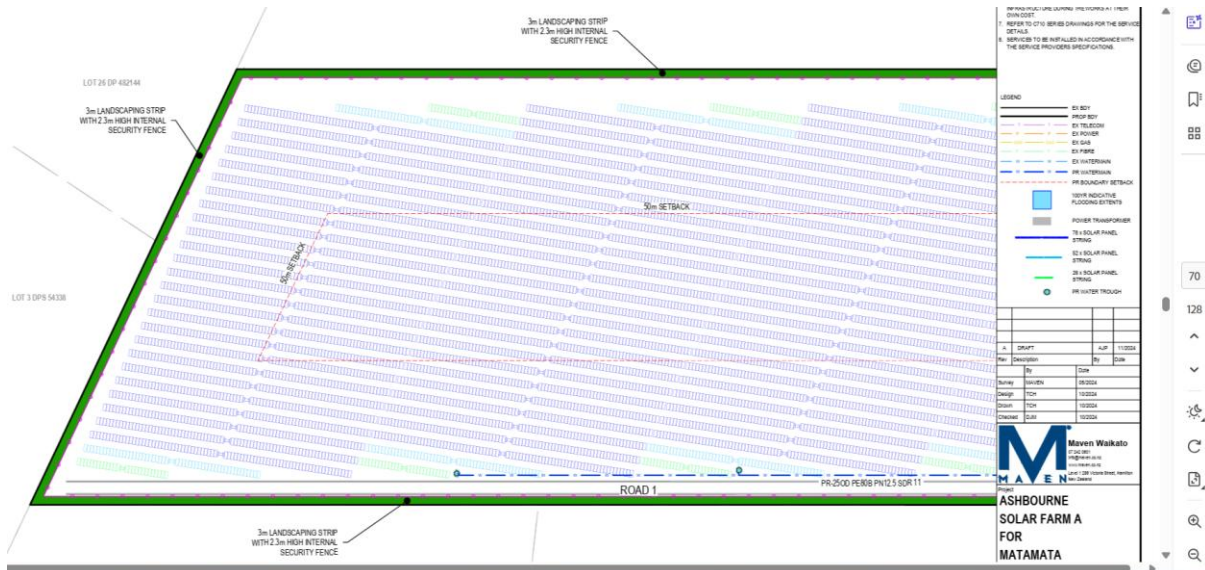
Appendix 1T Acid Sulphate Soil Management suggests that there is a high likelihood of these soils and that the runoff can release acid into the environment. There is a horse training facility that is next to that area of the Northern solar farm, where animals live and people work every day. How can exposure to this be mitigated for those people?

No Access provided for Board Drains

Screenshot from Appendix 1M Geotechnical report GIR part 1, page 70/128

No allowance for access to the northern boundary board drain – far left states 3m LANDSCAPING STRIP WITH 2.3m HIGH INTERNAL SECURITY FENCE.

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There is no allowance for access to the Board drain at the northern end of the Northern Solar farm.

This photo (below) is of the paddock beside the board drain, showing how much room is required by a digger when cleaning out the board drain. The piles of drain cleanings can be seen to the left in the paddock. The drain is only accessible on the left-hand side; further downstream, access is blocked by a large hedge.



Lateral Spread

As noted in the Infrastructure report, the Appendix 1M Geotech appendix GIR part 1 indicates that lateral spread is more than a low to medium hazard (pg 11) and requires further investigation. On page 12 of the same report, the authors indicate that Lateral spread is when Soils behave as very weak undrained material, which can give rise to lateral spreading where a free face is present with a variety of sites or where proposed cut and fill batters are proposed over or within liquefied soils.

The report indicates on page 2 that Swale drains are currently located within each development area. The drains at the Residential Subdivision, the Retirement Village, Solar Farm A and Solar Farm B will be infilled as per drawings provided by Maven Associates. (indicated on pages 2 and 7). This information contradicts the servicing section of Volume 3 Solar Farms, pg 20, which highlights that the Stormwater, on both solar farm sites, will utilise existing farm drains for conveyance and ground soakage to manage stormwater. Therefore, lateral spread is still a risk in the development.

The authors of the report also highlighted on page 7 of the report, “The riverbank along the western boundary of the Solar Farm B is approximately 5m high. Based on the current landform, free face height and continuity of liquefiable layers, there is high potential for lateral spreading.”

Electricity Transmission & Distribution Activities

Appendix 3J Vol3 Solar Farm Rules assessment pg 39/53

Rule 8.2.1 Does not comply

The proposed transformer on the Northern Solar Farm 11kV will be contained within 20-foot containers measuring 6.1m length X 2.4m width x 2.6m high, which totals a volume of 38.064m³ and a gross floor area of 14.64m².

Rule: space not exceeding gross floor area 4m² and height 2m

Appendix 3K Solar Farm Objectives

Objective IM-O4 – Health and well-being of the Waikato River on page 22, the authors of the objectives report state:

Although not located directly on the Waikato River, the site lies within the **Waikato River catchment** and contributes to its overall health and well-being.

The Site lies within the PIAKO Catchment.

Extensive landscape planting and ecological restoration along the Waitoa River, **a tributary of the Waikato River.** The planting will improve the ecological integrity of the water body and reconnect people with the awa in line with the Vision and Strategy.

The Waitoa River is a tributary of the Piako River.

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Objective IM-04 – Health and wellbeing of the Waikato River

The health and wellbeing of the Waikato River is restored and protected and Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved.

Although not located directly on the Waikato River, the site lies within the Waikato River catchment and contributes to its overall health and wellbeing. The solar farm component of the proposal is considered to be consistent with and supports the objectives and principles of Te Ture Whaimana o Te Awa o Waikato for the following reasons:

- Early engagement has occurred with iwi to ensure a holistic and integrated approach which allowed for iwi input into the design of the project;
- The project avoids any direct discharge into sensitive freshwater environments;

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- Appropriate management of risks and adverse effects through a series of Management Plans through the project construction phase; and
- Extensive landscape planting and ecological restoration along the Waitoa River, a tributary of the Waikato River. The planting will improve the ecological integrity of the water body and reconnect people with the awa in line with the Vision and Strategy.

Collectively, these actions enhance mauri and improve ecosystem functioning.

How can the panel trust the information given to them by the Applicant if a basic geographical error undermines the validity of the information?

3C landscape assessment

Pg 33 of 58 the writer of the assessment mentions the site visits undertaken

Public viewing audiences – Northern Solar Farm

6.19. Based on my observations during the site visits undertaken on the 24th of June and 8th of November 2025, I consider that the views to the northern solar farm from the public realm are primarily limited to Station Road when travelling westwards (i.e.: away from Matamata township), with the majority of the exposure to the site occurring from neighbouring properties within the private realm.

24th of June and 8th of November 2025

How can the assessment have taken place on the 24th of June and 8th of November 2025 when the report was produced on the 3rd of June 2025?

Using images produced in appendix 3B 02 of 03 Visual assessment from Station Road





The 2 storey house 184 Station Road is visible.



The upper floor windows are still visible with the panels installed.

After 5 years



The second floor windows are clearly visible.

After 10 years



The second storey of the building can be seen in the original rendering, therefore, if the view was reverse engineered the residents of the home will be overlooking the entire solar farm.

The view from the West side of the solar farm is taken from near the boundary of 182 Station Road and the solar farms proposed site. The point of view is taken from a person standing on the boundary, a change of perspective is required for the upper storey of the house.



Image from appendix 3B 02 of 03.

The images following this in the appendix indicate how much the plantings will grow in 10 years to mitigate the view and noise. But this is not the perspective from the second storey of the building. Five-metre-high trees will not mitigate the view, or the potential glint and glare that was not tested at that height.

Removal of Consent Notices and Easements on Eldonwood Drive, Chesnut Lane and 247 Station Road

Appendix 2B Consent Notice Assessment and Attachments: Concern over the removal of all consent notices and Easements, in particular the removal of consent notice and easements over Lot 100 of Eldonwood. This lot is the roading system in Eldonwood which is a private road and not controlled by MPDC. Why does Matamata Development Ltd need that to be removed or lifted? Is there a plan to use the Eldonwood Roads as an accessway onto Station Road?