

Your comment on the Ashbourne project draft conditions

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to substantive@fasttrack.govt.nz.

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|------------------------------------------------------------------------------------------------------------|----------------|-------------------|------------|
| 1. Contact Details | | | |
| Please ensure that you have authority to comment on the application on behalf of those named on this form. | | | |
| Organisation name (if relevant) | | | |
| First name | John and Maria | | |
| Last name | van Heuven | | |
| Postal address | [REDACTED] | | |
| Home phone / Mobile phone | [REDACTED] | Work phone | [REDACTED] |
| Email (a valid email address enables us to communicate efficiently with you) | [REDACTED] | | |

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| <input checked="" type="checkbox"/> | I can receive emails and my email address is correct | <input type="checkbox"/> | I cannot receive emails and my postal address is correct |
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Please provide your comments below, include additional pages as needed.

Introduction

Our original submission on the Ashbourne Fast track application¹ highlighted many concerns with the development, including potential effects on water quality and water volumes into the Waitoa River (which our farm borders). Our concerns around the effects on the Waitoa River are still live, and we feel these issues have not been addressed adequately.

Furthermore, we share the concerns of other landowners that the draft conditions, as currently worded, defer much of the critical technical work to approval through resource consent conditions after the resource consents are approved by the Fast Track panel. We

¹ https://www.fasttrack.govt.nz/_data/assets/pdf_file/0018/14751/37.-10November2025_john-and-Maria-van-Heuven_comments_Redacted.pdf

feel that further monitoring and checks are needed in the draft conditions to ensure that effects are appropriately managed, mitigated, and enforced through conditions.

We have engaged Sue Southerwood to provide an expert engineering opinion on the proposed consent conditions, as they relate to stormwater flows into the Waitoa River. Based on Ms Southerwood's feedback and our own concerns, we seek the following amendments and additions to the proposed draft consent conditions, as demonstrated in underline and italics below.

Proposed additional resource consent conditions

Appendix A3 – WRC (PERMANENT – Diversion and damming) (PDF, 225 KB)

After current proposed Condition 8 in Appendix A3 (permanent consent for diversion and damming), we seek the inclusion of the following consent condition (or similar wording with similar intent):

Condition 9

The outlet structure to the Waitoa River shall be configured to comply with Condition 24 b i. and iv. of Appendix A6 (Permanent Stormwater), that is, attenuation to ensure flowrates are no greater than 80% of predevelopment flows in the 1%, 10% and 50% AEP events, in order to demonstrate no adverse downstream flood or erosion effects.

Condition 10

- (a) Prior to the greenway being constructed, the consent holder shall install a continuous flow monitoring device in the drain that exists closest to the proposed greenway location.
- (b) Once the greenway and accompanying structures have been constructed, the consent holder shall install a continuous flow monitoring device at the outlet structure that discharges to the Waitoa River. The flow monitoring data shall be made available to WRC and published on the WRC website for public access.

The purpose of the flow monitoring device is to provide data for calibration of future flow risk assessment modelling which is required by consent condition 24(b)(vii) of Appendix A6 (permanent stormwater discharge consent).

Appendix A5 – WRC (PERMANENT – Structure in water) (DOCX, 79 KB)

While we agree with the intent of Condition 10 in Appendix A5 (permanent consent for the structure in water), there is currently no mechanism to determine (for example) that the Waitoa Stream has silted up at the greenway outlet and needs cleaning. Therefore, we seek the inclusion of the following consent condition (or similar wording with similar intent):

Condition X

Cross-sections of the Waitoa River upstream and downstream of the greenway outlet shall be measured by the consent holder on an annual basis.

- (a) When there is a 10% increase in bed level of the downstream cross-sections compared to the upstream level, or between an initial baseline cross-section or consecutively dated cross-sections at the downstream cross-section, across more than 30% of the riverbed width, then desilting is required. Desilting should include (but is not limited to) riverbed maintenance with a digger to remove excess silt and ensure river flow management.
- (b) The consent holder shall be responsible for the off-site removal and disposal of any silt removed from the Waitoa river as a result of Condition [X(a)].

Appendix A6 – WRC (PERMANENT – Stormwater) (PDF, 198 KB)

We seek the following additional conditions in Appendix 6 (permanent stormwater consent) under current condition 24(b) – Stormwater Management Plan requirements:

Condition 24(b)

(x) The stormwater management plan shall provide detail on the continuous flow monitoring methods, and record keeping and reporting to WRC of the greenway discharge to the Waitoa River.

(x) The stormwater management plan shall provide detail on the Waitoa River cross-section monitoring methods and record keeping and reporting to WRC of cross-sections one upstream and one immediately downstream of the greenway discharge to the Waitoa Stream.

(x) The consent holder shall fund an independent peer review to be carried out by an accredited WRC agency, of the flood risk assessment required by consent condition 24.b.vii including revision of the modelling files, and shall be provided to WRC.

We seek the following addition to current condition 24(b)(vii) - our additions are underlined:

Condition 24(b)(vii)

Include a flood risk assessment with a model build report to confirm the detailed design. The flood risk assessment shall be carried for the 1%, 10% and 50% AEP events 48-hour duration heavy ended storm and clearly show that there is no increase in Waitoa River levels or any flood level increase on any adjacent properties to the site

We note that Condition 9 of Appendix A6 requires the consent holder to manage the stormwater network to avoid discharges on receiving waters that, after reasonable mixing, could cause water quality effects. However, there is no condition that explicitly requires the monitoring and reporting of these parameters. We feel it is appropriate to amend this condition (or alternatively, create a new condition) to include the following (or wording with similar intent):

Condition 9 (current proposed wording)

Further, the Consent Holder must manage the stormwater network to avoid discharges on receiving waters that, after reasonable mixing, cause:

- a. Dissolved oxygen levels to fall below 80% of saturation
- b. pH to fall below 6 or exceed 9
- c. Undesirable biological growths
- d. Water temperature to change by more than 3 degrees Celsius or exceed 23 degrees Celsius.
- e. Increases in suspended solids concentrations by more than 10 percent or exceedance of 80 grams per cubic metre (whichever is the lesser).
- f. Ammoniacal nitrogen concentrations to exceed 0.88 grams of nitrogen per cubic metre.

Condition X

- (a) The consent holder shall collect at least one representative sample of the discharge each quarterly basis, between the months of 1 January and 31 March, 1 April and 30 June, 1 July and 30 September and 1 October and 31 December, for the duration of this consent and analyse it for the parameters outlined in Condition 9(a)-(f) above.
- (b) Any exceedance in the concentrations listed in Condition 9(a)-(f), shall trigger the following:
 - (i) Notify, in writing, the Waikato Regional Council within 2 working days of the exceedance(s); and
 - (ii) Investigate the causes of the exceedance(s); and
 - (iii) Identify corrective action to address the exceedance(s); and
 - (iv) Identify timing and implementation of any corrective actions and measures identified; and
 - (v) Re-test the discharge for the constituents listed in (a)-(f) following the implementation of corrective actions; and
 - (vi) Send a report detailing points (ii)-(v) (inclusive) to the Waikato Regional Council within 10 working days of receiving the test results under condition X(v)
- (c) Should the stormwater quality results be more than the discharge quality specifications listed in condition 9(a)-(f) for three consecutive samples, the consent conditions may be reviewed under condition 7 to require additional on-site stormwater treatment to address these effects.

(d) The results of sampling shall be made publicly available via the WRC website.

Final comments

While comment on the draft decision itself is not allowed, we would like to put on record that we feel the fast-track process for the Ashbourne application has been extremely frustrating and stressful. The short time frames, and limited scope for comment from affected landowners has compounded these issues. We take issue with many of the comments made in the draft decision; however, we appreciate that this is the process that needs to be followed and comments are not permitted at this time.

We appreciate the opportunity to provide comment on the proposed draft conditions and thank you in advance for taking our concerns on board. Our proposed conditions and amendments need to be incorporated to ensure that our concerns for our farm, our way of life, and the effects on the Waitoa River are appropriately addressed and managed.

Thank you again for consideration of our feedback.

Kind regards,

John and Maria van Heuven