

Comment on Draft Conditions – Ashbourne Project [FTAA-2507-1087]

From: Eldonwood Residents' Association

Date: 18 March 2026

Introduction

In response to the draft conditions proposed by the Expert Consenting Panel, pursuant to s 70 of the Fast Track Applications Act 2024, the Eldonwood Resident's Association (**ERA**) makes the following comments:

1. Concurrence with comment lodged by Andrew Bonner

The ERA has reviewed a copy of the comment submitted by Andrew Bonner, and affirms and repeats the comments there which are capable of general application, including the "Concerns" numbered 11 to 14 (inclusive) and the general conclusion appearing at the end of the submission.

2. Eldonwood Wastewater Pump Station

In Condition 67(a) of Appendix A1 it is stated that Eldonwood's wastewater pump station (20080213160306) must be upgraded, at the Consent Holder's cost.

In the ERA's view, this requires further expansion to provide greater security to the ERA. This condition should be amended to further confirm that the consent holder is liable for the cost of:

- (a) Any further upgrades to the wastewater pump station required as a result of the increased demand by the Ashbourne development needed to maintain ordinary operation;
- (b) Any repairs or maintenance for the wastewater pump station necessary prior to the commencement of the operation of the proposed northern wastewater pump station, and any repairs and maintenance required which are attributable to the increased demand placed on the station by the Ashbourne development; and
- (c) Any works required as a result of any incident at the wastewater pump station prior to the commencement of the operation of the proposed northern wastewater pump station, and any repairs and maintenance required which are attributable to the increased demand placed on the station by the Ashbourne development.

3. Surrender of Rights

Condition 116 of Appendix A1 requires that the Consent Holder must surrender all rights conveyed by the deed of assignment which purports to assign founding member rights to the developer of the Ashbourne project.

The ERA appreciates and agrees that any rights purportedly conveyed under this assignment must be surrendered. However, for clarity, the ERA would prefer that the Consent Holder not be enabled to still exercise these rights for the purpose of undertaking the wastewater upgrade works contemplated, as this provides uncertainty as to the enforceability of the assignment, even temporarily. The ERA would

prefer to provide its consent to these works being undertaken now, and agree that the Consent Holder have the necessary access it requires to complete the works, rather than the assignment being upheld to a partial degree.

4. Time of construction works and construction traffic

The ERA objects to the hours of construction work stipulated in Condition 35(e) and 44(b)(3)(C) of Appendix A1 and Condition 18(e) of Appendix 10, which all allow for construction work between the hours of 7:30am to 6:00pm on Monday to Friday and 8:30am to 2:00pm on Saturday.

The ERA firmly opposes the extended hours proposed by this condition, as these are entirely inappropriate given the nature and character of Eldonwood and the wider surrounding area, which is described at length in the comments already made in this application.

The ERA would propose that these conditions be reflected to align with, at least, ordinary working hours of 8:30am to 5:00pm. As an alternative, the ERA would suggest that clear restrictions be imposed on any work done outside of normal working hours, either explicitly limiting noisy kinds of work and / or imposing a strict decibel limit.

It is the ERA's firm position that, given the nature and character of the surrounding area, construction work at as early as 7:00am on weekdays and 8:30am on Saturday is unreasonable.

Relatedly, the ERA would also request that greater certainty be Condition 43 of Appendix A1, including on reasonable times for construction traffic.

Stockpiles must be located at least 30 metres from any site boundary – 41, unclear 136 and 16, firmer restriction on construction traffic on p 17

5. Stockpiles

The ERA requests further clarification of Condition 31(b)(iii)(E) and 97 of Appendix A1, Condition 32(b)(iii)(E) of Appendix A9, and Condition 21(b)(iii)(E) and 51 of Appendix 10. Specifically, the ERA would request that 'Stockpiles' be defined to clearly cover any piling of construction or earthworks material, and that the 30m limitation on Stockpiles clearly applies to all work completed as part of the Ashbourne project.

6. Planting and buffer zone

In addition to the submission made in the comment by Andrew Bonnder in "Concern 11", the ERA would also request, regarding Condition 53 of Appendix A1, that the buffer zone be populated primarily or exclusively with a native plant mix, ideally, species agreed upon with the consultation of the neighbouring owners and consistent with the surrounding landscape. In the ERA's view, the present wording of the condition allows too wide a scope for the developer. The condition should have greater certainty and emphasis on native planting species.

The ERA would finally request that the references to a 4m buffer zone throughout the appendices be changed to at least a 5m buffer, or, ideally, a 6m buffer, for all boundaries shared with Eldonwood to protect the privacy of the owners and the character of the area. The 6m buffer would be in addition to the 8m 'building line restriction' described in Condition 117(a) of Appendix A, providing for a minimum distance of 14m between any building in the development and the boundary with Eldonwood.

7. Connectivity with Eldonwood Drive

The ERA appreciates the inclusion of Condition 79 of Appendix A1 which prohibits the construction of any vehicle, cycle, or pedestrian link with Eldonwood Drive. For further assurance and clarity on this point, the ERA requests that the condition make clear that this includes any connectivity to Chestnut Lane. The ERA would propose simply included the words "including via Chestnut Lane" withing the condition.

Respectfully submitted,

Eldonwood Residents' Association