

# Invitation for Comment on Queenstown Arterials Project (LP17)

The Queenstown Arterials Project is a Listed Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020

<b>Application Name</b>	Queenstown Arterials Project
<b>EPA Reference</b>	FTC000017
<b>Applicant</b>	Queenstown Lakes District Council
<b>Comments due by</b>	Friday, 26 <sup>th</sup> February 2021
<b>Accessing the application</b>	<i>The full application and supporting documents can be viewed on the EPA website, which can be accessed here:</i>  <a href="https://www.epa.govt.nz/fast-track-consenting/listed-projects/queenstown-arterials-project/the-application/">https://www.epa.govt.nz/fast-track-consenting/listed-projects/queenstown-arterials-project/the-application/</a>

An application has been made by Queenstown Lakes District Council under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for resource consent and notice of requirement for the Queenstown Arterials project.

To comment on the Queenstown Arterials Project application using the form below, please fill in the details and:

- **Email** the form to [queenstownarterialsfasttrack@epa.govt.nz](mailto:queenstownarterialsfasttrack@epa.govt.nz). Please mark in the subject line: "Comments on Queenstown Arterials Project Fast Track Application (Your name/organisation) by Friday, 26th February 2021"; or
- **Post** the form to Queenstown Arterials Project Fast Track Application, Environmental Protection Authority, Private Bag 63002, Waterloo Quay, Wellington 6140 in time for the form to be received by the Friday, 26th February 2021; or
- **Deliver in person** to Environmental Protection Authority, Grant Thornton House, Level 10, 215 Lambton Quay, Wellington by Friday, 26th February 2021. Please note that due to potential changes in COVID-19 Alert Levels our reception may not be open to the public. We suggest phoning ahead to check.

**Comments must be received by the EPA, on behalf of the Queenstown Arterials Project Expert Consenting Panel, no later than Friday, 26th February 2021**

If your comment is not received by the EPA by Friday, 26th February 2021 the Panel is not required to consider your comment (although it may decide to). Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 there is no right to seek a waiver of the time limit.

If you are an iwi authority you may share the consent application with hapū whose rohe is in the project area in the application, and choose to include comments from the hapū with any comments you may wish to provide.

## Important information

Your personal information will be held by the EPA and used in relation to the Queenstown Arterials Project consent application process. You have the right to access and correct personal information held by the EPA.

A copy of your comments, including all personal information, will be provided to the Expert Consenting Panel and the applicants.

All comments received on the application will be available on the EPA website.

If you are a corporate entity making comments on this application, your full contact details will be publicly available. For individuals, your name will be publicly available but your contact details (phone number, address, and email) will not be publicly available.

Please do not use copyright material without the permission of the copyright holder.

All information held by the EPA is subject to the Official Information Act 1982.

More information on the fast-track consenting process can be found at <https://www.epa.govt.nz/fast-track-consenting/about/>.

## Comment on the Queenstown Arterials Project Fast-track Application and Notice of Requirement

All sections of this form with an asterisk (\*) are mandatory.

### 1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

#### Contact 1:

<b>Organisation name (if relevant)</b>	Otago Regional Council		
<b>*First name</b>	Joanna		
<b>*Last name</b>	Gilroy (Manager Consents)		
<b>Postal address</b>	70 Stafford Street, Dunedin, 9016		
<b>*Home phone / Mobile phone</b>		<b>*Work phone</b>	027 201 0888
<b>*Email (a valid email address enables us to communicate efficiently with you)</b>	<a href="mailto:Joanna.Gilroy@orc.govt.nz">Joanna.Gilroy@orc.govt.nz</a>		

#### Contact 2

<b>Organisation name (if relevant)</b>	Otago Regional Council		
<b>*First name</b>	Katrina		
<b>*Last name</b>	Black (Senior Consents Officer)		
<b>Postal address</b>	Terrace Junction, 1092 Frankton Road, Queenstown, 9300		
<b>*Home phone / Mobile phone</b>		<b>*Work phone</b>	027 228 3482
<b>*Email (a valid email address enables us to communicate efficiently with you)</b>	<a href="mailto:Katrina.Black@orc.govt.nz">Katrina.Black@orc.govt.nz</a>		

## 2. \*We will email you draft conditions of consent for your comment about this application

√	I can receive emails and my email address is correct	€	I cannot receive emails and my postal address is correct
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## 3. Please provide your comments on the Queenstown Arterials Project Application

If you need more space, please attach additional pages. Please include your name, page numbers and [insert project name] Application on the additional pages

Otago Regional Council (ORC) has the following comments:

### 1) Possible Additional Consents Required

#### Regional Plan: Water (Rules):

- Permitted activity rule 12.3.2.3 may be relevant for any temporary diversion works proposed during erection/construction of instream structures (i.e. culverts);
- Consent may be required for a discretionary activity under Rule 12.3.4.1(i) for the 'temporary dams' proposed during instream works at Horne Creek and One Mile Creek as permitted activity rule 12.3.2.1 cannot be met (as the AEE states that the catchment is greater than 50 hectares in area);
- Consent may be needed for the proposed 'dewatering' activities if permitted activity rules relating to the taking and use of surface and groundwater cannot be met. The relevant rules are 12.1 and 12.2, respectively.

#### Regional Plan: Waste (RPWaste):

The AEE states that 'No resource consents have been identified as being required under the Waste Plan on the basis that there are no hazardous wastes associated with the road construction activity'. However, Rule 5.6.1 (1) Hazardous wastes at contaminated sites (discretionary activity), is relevant in relation to the disturbance of contaminated sites. Resource Consent is required for a Discretionary Activity under the RPWaste for the disturbance of land at a contaminated site. Therefore, the effects of this activity need to be considered in the assessment of environmental effects.

Under the RPWaste a contaminated site is defined as:

*"For the purpose of this Plan, a contaminated site is a site at which hazardous substances occur at concentrations above background levels **and** where assessment indicates it poses, or is likely to pose an immediate or long term hazard to human health or the environment"*.

A site is classed as a contaminated site under the RPWaste if substance levels exceed relevant soil guidelines values **and** they are not naturally occurring. It is advised that resource consent is obtained on a precautionary basis if there is any suspicion that the site may be contaminated and if it is known that the site is contaminated, then consent must be required from ORC prior to any site disturbance. This would relate to the HAIL sites identified in Appendix 13. Consent is likely required from ORC to disturb a contaminated site for the proposed works.

### 2) Comment on Instream works conditions

It is recommended that you consider including the following condition in relation to the temporary diversion/dam:

*'The diversion and dam must only remain in place while the works permitted by consent [X] are being undertaken. On completion of the works the diversion must cease and the site must be returned to its existing state prior to the commencement of works'.*

Please note: ORC's internal Resource Science Unit have not provided a review of the application.

3) Comment on the Contaminated Land Requirements (provided by a Senior Environmental Officer at ORC)

Based on the information contained in the PSI, the old mine tailings has been registered in the ORC HAIL database. The database reference is HAIL.2036.01 and the name is Lake Esplanade Mine Tailings. The Arterials Project Assessment and Management of Contaminated Soil performed by E3 Scientific lists 22 HAIL sites on page 5 (Table 1). The historical buildings referred to as numbers 6 – 12 are not registered in the HAIL database and ORC are considering HAIL Classification options for these sites. The same relates to the ten sites where electrical transformers are located.

The PSI anticipates a low risk to human health associated with the short duration of exposure of contractors involved with the proposed earthworks. Due to the extensive nature of the proposed soil disturbance that will take place as a result of the required earthworks, it is not practical to perform a Detailed Site Investigation for all the identified HAIL areas where soil disturbance is planned. However, the implementation robust, pragmatic Contaminated Site Management Plan (CSMP) can effectively mitigate the risk to human health and the environment.

Requirements relating to the Contaminated Land Management Plan (CLMP) are comprehensive but it is noted that E3 refers to this management plan as a Contaminated Soil Management Plan (CSMP), whereas the ORC (and NES ) refers to a Contaminated Site Management Plan (CSMP). Going forward, there should be the consideration of the use of “Contaminated Site Management Plan (CSMP)”

Regarding the proposed consent conditions documented on pages 8 & 9 (Land Use Consents – NESCS, Part I – Contamination), please consider adding the conditions listed below:

- *No activity on the subject sites may commence until all measures identified in the certified/approved CSMP as needing to be put in place prior to commencement of any works have been established.*
- *The relevant contact information of those on-site and managing the construction or earthwork activities onsite; and the allocation of responsibilities, including who is responsible for implementing and monitoring the controls detailed within the CSMP for the entirety of the works covered by the CSMP.*
- *All works must comply with the certified/approved CSMP at all times.*
- *All personnel working on the site must be made aware of the requirements contained in the CSMP.*
- *A copy of the certified/approved CSMP management plan must be held on-site at all times.*

4) Comment on Natural Hazard Requirements (provided by Manager Natural Hazards at ORC)

The following documents were reviewed:

- Notice of Requirement for Designation of Arterial Route and associated resource consents (Harrison Grierson, December 2020)
- Appendix 4 - Preliminary Engineering Plans
- Appendix 7 - Visual Render Plan
- Appendix 16 - Stormwater Report (Beca, October 2020)
- Appendix 24 - Recommended Conditions for Resource Consents

The following comments are based on the information provided in the above documents. They relates to the likely effects of the proposed work on Horne Creek and associated flood mitigation work.

1. Effects of the proposed stormwater network discharge on Horne Creek and its associated flood protection infrastructure have not been sufficiently assessed: Beca stormwater management report (October 2020), specifically states that (page 40, pdf page 44):

*“In a number of locations, the proposed stormwater management system will result in the 100-year flows being piped, rather than being conveyed via overland flow and being discharged to*

*Horne Creek further upstream than at present. This will have a minor increase in flows into Horne Creek at the Rec Grounds, and hence a minor negative effect on flooding in that location and downstream.”*

No quantitative assessment of those effects has been provided by Beca. Better understanding those effects and how they can impact Horne Creek channel capacity (particularly for high flows) and the flood mitigation work performance and flood hazard is important given the urban environment (a “minor negative effect on flooding” might have large consequences).

2. The proposal is considering two options to mitigate flooding of the proposed arterial road in the vicinity of the Recreational Grounds: increased storage in the Matakauri Wetland upstream of the Recreational Grounds or the construction of a flood wall between the arterial road and the Recreational Grounds. A detailed assessment of the effects of the selected option on the performance of the existing flood protection work associated with Horne Creek will be required once the preferred option is identified (this may require a defence against water consent). The assessment needs to include an assessment of the likely effects of the selected option on the flood hazard and confirming there is no exacerbation of the hazard to surrounding properties and infrastructure.

Thank you for your comments