

4 March 2021

Environmental Protection Agency
Private Bag 63002
WELLINGTON 6140



Attention: Alex Erceg (project lead)
queenstownarterialsfasttrack@epa.govt.nz

Dear Alex,

RESPONSE TO REQUEST FOR INFORMATION FROM QUEENSTOWN LAKES DISTRICT COUNCIL (QLDC) UNDER THE COVID-19 RECOVERY (FAST-TRACK CONSENTING) ACT 2020 (THE ACT): CONSENT DURATIONS

On 25 February 2021 the QLDC (as applicant) received the Queenstown Arterials Project Expert Consenting Panel's (the panel) request for further information under clause 25 of Schedule 6 of the Act. The panel requested:

1. *Please advise the consent duration that is sought for each individual activity that requires consent under Resource Management Act sections 9, 13, 14 or 15.*

Our response is outlined in the table below.

The majority of the consents sought are construction-related and are not required beyond this period. A preliminary construction programme by Alta is appended to the Transport Report (ref. Application bundle, Appendix 10, Part B Document, page 81 of the PDF document, page 16 of the Alta report). The programme indicates the construction period across all three stages of the Project will commence within two years of the grant of consent and finish in October 2023. However, this is a preliminary programme and could be subject to change on account of external factors that cause delays. By their nature major roading projects are seasonal in nature, principally on account of the earthworks and significant construction required for retaining walls or stormwater infrastructure. If for any reason the works are not completed in the season planned, then the works must await the new construction season to commence in the following year.

Most of the Project works also occur within the most intensive, built-up part of Queenstown's urban area. This area is currently undergoing development on sites located in near or adjacent to the Project. All works in the vicinity of the Queenstown town centre, including the Project, will require management and coordination to minimise disruption. This may mean the Project timeline does not occur in a sequential, linear way across all of the Project area and specific segments of the Project route may require a temporary deferral to coordinate with other works.

For these reasons we are recommending a duration of 5 years for these consents.

The Arterials Project includes the establishment of culverts and bridges on the beds of the Horne Creek and One Mile Creek streams. These are permanent structures and QLDC recommends a term of 35 years is applied.

Please note we have updated the list of consents sought to take into account the Otago Regional Council's comments that a possible additional consent is required under Rule 5.6.1 of the Regional Plan: Waste for Otago 1997 for hazardous wastes at contaminated sites. Although we remain of the view that this rule is not triggered by the Arterials Project, out of an abundance of caution we have included it in the list of consents sought.

Consents		Recommendation	
RMA Section:	Consents Sought	Duration Sought	Reason
9 Restrictions on use of land	<p>NESCS – Contamination.</p> <p>Regulation 11</p> <p>Disturbing soil on a piece of land that does not have a DSI (Discretionary Activity).</p>	5 Years	<p>Tied to construction programme.</p> <p>A Contaminated land Management Plan is required prior to excavations commencing on potentially contaminated land.</p> <p>Earthworks completion report required no later than two months of the completion of soil disturbance works.</p>
	<p>Regional Plan Waste for Otago 1997</p> <p>Rule 5.6.1</p> <p>Hazardous wastes at contaminated sites (discretionary activity)</p>	5 Years	
13 Restriction on certain uses of beds of lakes and rivers	<p>Regional Plan: Water for Otago 2004</p> <p>Rule 13.2.3.1</p> <p>Erection of structures in river bed (Discretionary Activity).</p>	<p>5 Years for implementing the consent conditions.</p> <p>35 years duration for the structures.</p>	<p>The consent conditions relate to construction, the duration of which is tied to construction programme.</p> <p>Involves the construction of new culverts in Horne Creek and One Mile Creek, and new crossing at One Mile Creek, and associated stream works.</p> <p>These are permanent structures so the maximum duration of 35 years under Section 123 of the RMA is sought.</p>
	<p>Regional Plan: Water for Otago 2004</p> <p>Rule 13.5.3.1</p> <p>Alteration of bed of river (Discretionary Activity).</p>	5 Years	<p>Tied to construction programme.</p> <p>Horne Creek and new crossing at One Mile Creek, temporary crossing across Horne Creek and associated streamworks.</p>

Consents		Recommendation	
RMA Section:	Consents Sought	Duration Sought	Reason
14 Restrictions Relating to Water	<p>Regional Plan: Water for Otago 2004</p> <p>Rules 12.3.2.1 & 12.3.4.1(i)</p> <p>Diversion of Water where the upstream catchment is greater than 50 hectares</p> <p>(Discretionary Activity).</p>	5 Years	<p>Tied to construction programme.</p> <p>Temporary and permanent diversion of water not otherwise provided for in the ORP:W. Relates to construction of new culverts and associated streamworks in Horne Creek and One Mile Creek.</p>
15 Discharge of contaminants into environment	<p>Regional Plan: Water for Otago 2004</p> <p>Rule 12.C.2.2</p> <p>Discharge of contaminants to water for up to 2 years from a short-term activity</p> <p>(Discretionary Activity).</p>	5 Years	<p>Tied to construction programme.</p> <p>Consists of works in water courses outlined above including earthworks near both the Horne Creek and One Mile Creek water courses.</p>

Should you wish to seek further information or clarification on the above, please do not hesitate to contact me.

Yours sincerely

Harrison Grierson



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