

Applicant Responses to Relevant Comments from the Otago Regional Council on the Southern Link Inland Port Project

Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
General ORC comments			
ORC considers that the proposal has the potential to give rise to adverse effects on flood hazard, surface water quality, aquatic ecology, groundwater and contaminated land. Independent technical peer reviews undertaken on behalf of ORC conclude that these effects can be appropriately avoided, remedied or mitigated through the proposed design and management measures, subject to amendments to the proposed consent conditions to strengthen the monitoring, adaptive management and management frameworks. While some technical uncertainty remains, particularly in relation to the proposed stormwater monitoring and adaptive management regime, it is considered these matters are considered capable of being satisfactorily addressed through the consent framework. <i>p. 1, Section A: Executive Summary, Paragraph 7</i>	Stormwater	Part A.02A - Southern Link Inland Port – Substantive Application Report, Sections 6.4, 6.10 & 6.11 Part C.02 - Proposed Conditions – Otago Regional Council	These comments are noted. They are responded to in more detail in rows below, in response to the reports provided with the ORC comment. ORC Conditions B.22 and B.23 include the requirement to prepare a Stormwater Monitoring Plan to be certified by ORC in accordance with consent conditions which will verify stormwater treatment performance during the operational phase.



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Overall, ORC considers that the proposal, when assessed as a whole, is likely to provide significant regional and national benefits for the purposes of the FTAA. However, ORC notes that its involvement is limited to approvals outlined in Section D.3 within its functions. While these approvals are necessary to facilitate the proposal overall, the regional and national benefits identified above arise primarily from the ongoing use of the site as an inland port facility itself, rather than from the approvals required from ORC in isolation. <i>p.5, Section C.3: Is the purpose of the FTAA met?</i> <i>Paragraph 23</i>			SLPL agrees that the proposal will result in significant regional and national benefits and notes that the resource consents sought from ORC will facilitate the delivery of this Project, including the construction and ongoing operation of the SLIP to ensure these benefits are realised.



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The expansive development occurring within the East Taieri Drainage Scheme area, if not managed appropriately, could increase the overall flood risk of the area, as flood prone land becomes more intensely populated and developed. The major overland flow paths and flood hazard areas on the Taieri Plains are shown on Figure 2 of Appendix 7. <i>p.10, Section D.4: Key Characteristics of the receiving environment relevant to the approvals sought, Paragraph 43</i>	Stormwater	Part A.02 – Substantive Application – Southern Link Inland Port, Section 6.11 Part B.13 – Stormwater Assessment, pages 1, 25 – 31 Part C.02 - Proposed Conditions Otago Regional Council	The Stormwater Assessment considered overland flow paths and flood hazard areas. Flood risk can be managed in accordance with the proposed stormwater management systems subject to detail design. The proposed site modifications will not impact on flood extents at Mosgiel. Further, ORC Condition B.21 requires SLPL to provide detailed design plans prepared by qualified experts demonstrating that, during a 1% AEP flood event with climate change, the SLIP will not cause floodwater depths in existing buildings to exceed specified limits, including residential (<10 mm), rural (<100 mm), and other affected buildings (<100 mm) within and beyond 500 m of the site.



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The proposed buildings and associated impervious surfaces will alter existing overland flow paths, displace floodwaters, and reduce the site's flood conveyance capacity. If not appropriately managed, these changes could result in adverse flooding effects on upstream and downstream properties. <i>p. 12, Section D.5.1: Effects on stormwater management and existing flood hazard, Paragraph 58</i>	Stormwater	Part A.02 – Southern Link Inland Port - Substantive Application – Section 6.11 Part B.13 – Stormwater Assessment, pages 1, 9, 12 -15 & 40 Part C.02 - Proposed Conditions Otago Regional Council	Stormwater modelling has been undertaken for the Project as detailed in the Stormwater Assessment including design of the stormwater system and mitigation measures to ensure any adverse effects are appropriately managed. The Stormwater Assessment considers that the combined strategy of diverting external flows, managing controlled site flow paths, and robust internal attenuation minimises flood risk to the site and downstream areas. The proposed stormwater scheme will ensure the flood capacity of the site is maintained and development of the site will not result in adverse flooding effects on surrounding properties. Further, ORC Condition B.21 requires SLPL to provide detailed design plans prepared by qualified experts demonstrating that, during a 1% AEP flood event with climate change, the SLIP will not cause floodwater depths in existing buildings to exceed specified limits, including residential (<10 mm), rural (<100 mm), and other affected buildings (<100 mm) within and beyond 500 m of the site.



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Ms Ling's advice is that the proposed stormwater management system demonstrates that the effects of the proposal can be effectively managed as proposed in the substantive application or otherwise addressed through proposed conditions of consent. Based on this, ORC considers that the stormwater management proposal will not exacerbate flood hazards experienced offsite. <i>p. 14, Section D.5.1: Effects on stormwater management and existing flood hazard, Paragraph 64</i>	Natural Hazards	Part A.02 – Southern Link Inland Port - Substantive Application, Section 6.11 Part B.13 – Stormwater Assessment, pages 1, 8, 15, 17, 23, 25, 32 & 39.	SLPL support the conclusion from Ms Ling's independent peer review.



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During the construction phase, potential adverse effects on Silver Stream could arise from sediment-laden runoff generated by earthworks, construction activities undertaken in close proximity to the stream (including the establishment of spillways), and accidental spills of fuels, oils or other contaminants. Unmanaged sediment mobilisation is identified by the Applicant as the key risk during construction. This has the potential to reduce water clarity, increase deposition and infill gravels which could affect fish spawning and egg survival. <i>p.15, Section D.5.2: Effects on the surface water quality and aquatic ecology of the Silver Stream, Paragraph 72</i>	Stormwater Freshwater Ecology	Part A.02 – Southern Link Inland Port - Substantive Application, Sections 6.4, 6.7, 6.10.2 & 6.11 Part B.13 – Stormwater Assessment, pages 2, 4, 15, 17, 32 – 33, 35, 37 & 39 Part B.04 – Freshwater Ecological Impact Assessment, pages 33 – 43 Part C.02 - Proposed Conditions – Otago Regional Council	Sediment control for the Project is extensively described through the application documents. These matters will also be addressed in the Erosion and Sediment Control Plan ORC Conditions 20-25C along with numerous other conditions that have been amended under Resource Consent B of the proposed ORC Conditions



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There is insufficient evidence to support the conclusions made in the Freshwater Ecological Impact Assessment that impacts of stormwater discharges on Silver Stream will be low. While the Freshwater Ecological Impact Assessment identifies the key impact pathways, there remains uncertainty linking the identified impacts to their potential ecological consequences. The adaptive management framework proposed by the Applicant is not sufficiently developed to manage the resulting uncertainty as set out above. It is considered the Stormwater Monitoring Programme needs to be revised <i>p.18, Section D.5.2: Effects on the surface water quality and aquatic ecology of the Silver Stream, Paragraph 86</i>	Freshwater Ecology	Part B.04 – Freshwater Ecological Impact Assessment, pages 5 -7, 8 – 31 & 33 – 35 Attachment 13 SOE of Ms Miller, Section 2 Part B.13 – Stormwater Assessment	The methodology for assigning overall level of effect is clearly described in Section 5 of the Freshwater Ecological Impact Assessment. The high ecological value of Silver Stream alongside the low magnitude of stormwater contamination (which is described in Stormwater Assessment), equates to a low level of effect based on standard EIANZ impact assessment guidelines. This is addressed in Section 2 in the SOE of Ms Miller.



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ORC considers that there is uncertainty associated with the potential effects on the surface water quality and aquatic ecology of the Silver Stream. ORC considers that the remaining concerns are technical in nature and are capable of being addressed by way of strengthening the proposed adaptive management framework and associated Stormwater Monitoring Programme in line with the recommendations made by Mr Chang and Ms Lion-Cachet. Subject to further amendments in accordance with the advice of ORC's technical reviewers, ORC considers the adverse effects of the proposal on surface water quality and aquatic ecosystems can be appropriately managed. <i>p.20, Section D.5.2: Effects on the surface water quality and aquatic ecology of the Silver Stream, Paragraph 88</i>	Stormwater Freshwater Ecology	Part B.13 – Stormwater Assessment, page 23 Part B.04 – Freshwater Ecology Impact Assessment, pages 14 & 18 Part C.02 - Proposed Conditions – Otago Regional Council Attachment 9 SOE of Dr Conwell, Section 2 Attachment 15 SOE of Dr Allibone, Section 2 Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Dr Conwell, Section 2 in the SOE of Dr Allibone and Section 2 in the SOE of Mr Bloomberg. ORC Condition B.22 and B.23 relating to the preparation of a Stormwater Monitoring Plan have been updated to including monitoring of the water quality and ecology in Silver Stream.



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The principal recommendation of the contaminated land review was that a more comprehensive Sampling and Analysis Plan (SAP) be prepared to demonstrate how identified data gaps would be addressed and to provide a framework for subsequent remediation and management planning. Dr Waterhouse considers that contaminated land risks associated with the site can be appropriately managed through consent conditions. Subject to the inclusion of consent conditions as recommended in the review of Dr Waterhouse, ORC considers residual contaminated land matters can be appropriately managed through the consent framework. <i>p.21, Section D.5.4: Effects arising from the disturbance of contaminated land, Paragraphs 96-98</i>	Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition A.4A has been added to require additional sampling in accordance with a SAP be undertaken prior to submitting the Remedial Action Plan to ORC.



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In addition to the policies assessed by the Applicant, ORC also considers that Policy 10 is relevant for assessment given the documented presence of trout in the Silver Stream. As concluded in the Effects Assessment Section of this memorandum, technical uncertainty remains at this time in relation to the impacts of stormwater discharges on the surface water quality and ecology of Silver Stream. <i>p.22, Section E.1: NPS-FM, Paragraph 105</i>	Planning	Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4 Appendix 15 SOE of Dr Allibone, Section 2	This is addressed in Section 4 in the SOE of Mr Kyle and Ms Hankey and Section 2 in the SOE of Dr Allibone.
Uncertainty remains regarding the potential effects of stormwater discharges on the surface water quality and ecological values of the Silver Stream. In particular, further clarification is required regarding the effectiveness of the proposed stormwater management approach, the adequacy of the adaptive management framework, and the monitoring measures proposed to demonstrate that the health and well-being of water bodies and freshwater ecosystems is maintained as directed by LF-FW-P8. <i>p.24, Section G.7: ORPS 2021, Paragraph 116</i>	Stormwater Freshwater Ecology	Part B.13 – Stormwater Assessment, page 23 Part B.04 – Freshwater Ecology Impact Assessment, pages 14 & 18 Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4 Attachment 9 SOE of Dr Conwell, Section 6	This is addressed in Section 6 in the SOE of Dr Conwell and Section 4 in the SOE of Mr Kyle and Ms Hankey.



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Further clarification is required regarding the effectiveness of the proposed stormwater management approach, the adequacy of the adaptive management framework, and the monitoring measures proposed to demonstrate that the identified values of the Silver Stream will be maintained or enhanced as required by the direction in the RPW. <i>p.25, Section E.8: RPW, Paragraph 120</i>	Stormwater	Part B.13 – Stormwater Assessment, page 23 Part B.04 – Freshwater Ecology Impact Assessment, pages 14 & 18 Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4 Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 4 in the SOE of Mr Kyle and Ms Hankey and Section 2 in the SOE of Mr Bloomberg.
ORC considers care is required to ensure that only conditions that are genuinely common to all consents are included within the general condition set. Matters that are specific to a particular activity, approval, or monitoring requirement should remain attached to the relevant consent to ensure clarity, avoid ambiguity, and assist with future compliance and enforcement. <i>p.30, Section F.1: General conditions which apply to all Otago Regional Council consents, Paragraph 154</i>	Planning	Part C.02 – Proposed Conditions – Otago Regional Council Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4	This is addressed in Section 4 in the SOE of Mr Kyle and Ms Hankey.



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Given the different nature of the permits required, ORC considers that the individual resource consents should be clearly separated. This will ensure that it is readily apparent to compliance officers which conditions relate to each activity, the scope of each approval, and the respective responsibilities for monitoring and compliance. <i>p.30, Section F.2: Separation of consent conditions, Paragraph 155</i>	Planning	Part C.02 – Proposed Conditions – Otago Regional Council Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4	This is addressed in Section 4 in the SOE of Mr Kyle and Ms Hankey.
Where a management plan is required by a condition of consent, ORC considers that the purpose and intended outcomes of the plan must be clearly identified. The condition should specify the matters the management plan is required to address, including any applicable performance standards, limits, monitoring requirements, or response actions. Where certification by ORC is required, the condition should clearly identify the matters against which the plan will be assessed and establish a clear process for certification and any subsequent amendments or re-certification. <i>p.31, Section F.3: Management plans, Paragraph 159</i>	Planning	Part C.02 – Proposed Conditions – Otago Regional Council Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4	This is addressed in Section 4 in the SOE of Mr Kyle and Ms Hankey.



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ORC considers further work is required to ensure that the key outcomes, performance standards, monitoring requirements, and adaptive management responses identified within the management plans are appropriately incorporated into the consent conditions. This is necessary to ensure that key matters are not deferred to future decision-making processes and that the conditions provide sufficient certainty, accountability, and enforceability. <i>p.31, Section F.3: Management plans, Paragraph 161</i>	Planning	Part C.02 – Proposed Conditions – Otago Regional Council Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4	This is addressed in Section 4 in the SOE of Mr Kyle and Ms Hankey.
Appendix 2 – Technical advice relating to Natural Hazards			
The detailed design will need to demonstrate the performance of the pond outlet and pond attenuation function will not be impacted by the maximum water surface elevation of Silver Stream. <i>p.2, Section 3: Specialist Assessment</i>	Stormwater	Part B.13 – Stormwater Assessment, pages 17, 22, 28, 30 – 31, 33 & 37 Part C.02 – Proposed Conditions Otago Regional Council	Detailed design plans for the pond outlet and attenuation pond are required under ORC Conditions B.8, B.15 and B.18.



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The detailed design of the spillway alignment will need to consider the degree of discharge to the stream to minimise erosive turbulence. <i>p.2, Section 3: Specialist Assessment</i>	Stormwater	Part B.13 – Stormwater Assessment, pages 15, 20, 30 Part C.02 – Proposed Conditions – Otago Regional Council	Detailed design plans for the spillway are required under ORC Conditions C.4 and C.5.
Condition B.18: Reference should be made that the detailed design plans and drawings for the stormwater attenuation pond, western swale and eastern swale should be provided by a SQEP. <i>p.2-3, Section 4: Comment on Proposed Conditions (Table)</i>	Planning	Part C.02 - Proposed Consent Conditions Otago Regional Council	Condition B.8 has been updated to reference that the detailed design plans should be prepared by a SQEP. Condition B.18 does not require its own reference as it is required in B.8.



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Condition B18.3 (b) and (c): The conditions should include reference to the design of the outfalls and associated erosion/scour protection devices. (b) Layouts, dimensions, and operational design details of the western swale (including but not limited to outlet design, channel / impact basin design, erosion prevention measures); and (c) Layouts, dimensions, and operational design details of the eastern swale (including but not limited to outlet design, channel / impact basin design, erosion prevention measures). <i>p.3, Section 4: Comment on Proposed Conditions (Table)</i>	Stormwater	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition B.18 has been updated to include the wording suggested by ORC.



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Condition B.21: Addition to the consent condition referencing the proposed building finished floor levels shall be provided with appropriate freeboard above the 1% AEP flood level in accordance with the Dunedin City Council 2021 Update to Methodology for Determining Minimum Floor Levels. <i>p.3, Section 4: Comment on Proposed Conditions (Table)</i>	Stormwater	Part C.02 – Proposed Conditions Otago Regional Council Attachment 6 SOE of Mr Craig, Section 3	This is addressed in Section 2 in the SOE of Mr Craig and subsequent amendments to proposed Condition B.21. The amendments of the condition require that before construction begins, the Consent Holder must provide detailed design plans prepared by qualified experts demonstrating that, during a 1% AEP flood event with climate change, the Southern Link Inland Port will not cause floodwater depths in existing buildings to exceed specified limits, including residential (<10 mm), rural (<100 mm), and other affected buildings (<100 mm) within and beyond 500 m of the site.



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Appendix 3 – Technical advice relating to Earthworks			
There is a comment in the construction management plan (at section 8.11.1) that chemical treatment is not anticipated to be used on this project. Chemical treatment is particularly effective in managing clay-sized particles and silts that are part of the material that would be worked in this area. The application material provided no details that could confirm that chemical treatment would not be effective. I have therefore included a recommendation below for a condition of consent to this effect. <i>p.2, Section 3: Specialist Assessment</i>	Earthworks	Attachment 7 SOE of Mr Keenan, Section 2	This is addressed in Section 2 in the SOE of Mr Keenan. A new condition for a Chemical Treatment Management Plan is not considered necessary. ORC Condition 20 that requires the preparation of an Erosion and Sediment Control Plan is considered sufficient for ensuring best practice.



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There is a comment in the construction management plan regarding the size of the contributing catchment to the SRP during stage 1 being in excess of 5 ha. This is in excess of the limit recommended in GD05 and contrary to the ESCPs submitted elsewhere in the application material. Not considered a material issue as the proposed conditions give ORC sufficient recourse to address any minor departures from GD05 in the construction issue ESCP. <i>p.2, Section 3: Specialist Assessment</i>	Earthworks	Part D.01 – Draft construction management plan	This comment is referring to the draft version of the CMP. Any inconsistencies will be addressed and rectified in the final version of these plans.



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The proposed 'Resource Consent B' conditions contain the proposed conditions for the discharge of stormwater for both the construction and operational phases. Although the latest set of proposed conditions includes headers to separate these distinct phases, it is not always clear what phase is being associated, and some conditions have been incorrectly grouped. Recommendation made that the construction and operational discharge consent conditions are separated as separate consent conditions and/or separate consents. <i>p.3, Section 4: Comment on Proposed Conditions</i>	Planning	Part C.02 – Proposed Conditions – Otago Regional Council Attachment 5 SOE of Mr Kyle and Ms Hankey, Section 4	ORC Resource Consent B has been updated to distinguish between construction and operation phases more clearly. This is addressed in Section 4 in the SOE of Mr Kyle and Ms Hankey.
Condition B.10.2 - the reference to the temporary Sediment Retention Ponds being mucked out when at 20% capacity is the correct standard and aligns with GD05. However, a 20% capacity would be much earlier than the subsequent sub-points (a), (b) and (c). This is a contradiction within the condition, and the difference would materially impact on the functioning of the SRP.	Stormwater	Part C.02 – Proposed Conditions Otago Regional Council Attachment 7 SOE of Mr Keenan, Section 2	This is addressed in Section 2 in the SOE of Mr Keenan. Sub-points (a), (b) and (c) of ORC Condition B.10.2 have been removed.



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The subpoints should be removed (or separated into a separate condition for the operational phase of stormwater discharge). <i>p.3, Section 4: Comment on Proposed Conditions (table)</i>	Stormwater		See response above.
Conditions B.26 and B.27: These water quality parameters do not include a measure for deposited fine sediment, which is recommended to be monitored in the FWEcIA. This matter has been raised to ORCs reviewing ecologist (Beca). Reiterates that the monitoring of deposited fine sediment would be an appropriate monitoring tool for measuring potential effects arising from the earthworks. <i>p.3, Section 4: Comment on Proposed Conditions (table)</i>	Freshwater Ecology	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition B.32 has been updated to include a requirement to monitor deposited fine sediment.



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Condition B.32: Although this condition is under the ‘operational’ stormwater consent conditions, it is referring to construction monitoring. A useful measure for monitoring sediment impacts would be of the deposited fine sediment cover. This is usually measured as a percentage (and can be directly measured by one of the Sediment Assessment Monitoring (SAM) methods as used in the FwEcIA). <i>p.3, Section 4: Comment on Proposed Conditions (table)</i>	Freshwater Ecology	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition B.32 has been updated to include a requirement to monitor deposited fine sediment.
Recommends new condition X relating to a Chemical Treatment Management Plan. <i>p.3-4, Section 5: Recommended conditions</i>	Stormwater	Attachment 7 SOE of Mr Keenan, Section 2	This is addressed in Section 2 in the SOE of Mr Keenan. A new condition for a Chemical Treatment Management Plan is not considered necessary. ORC Condition 20 that requires the preparation of an Erosion and Sediment Control Plan is considered sufficient for ensuring best practice.



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Appendix 4 – Technical advice relating to Freshwater Ecology			
There is still uncertainty regarding the magnitude of operational stormwater effects on Silver Stream. There is an absence of robust and transparent assessment that provides evidence to support the conclusion of a Low level of effect. <i>p.2, Section: Matters of contention</i>	Stormwater	Attachment 7 SOE of Mr Keenan, Section 2	This is addressed in Section 2 in the SOE of Mr Keenan.
Review of application material has identified information gaps, including: > clear linkage between identified impacts and ecological consequences; > transparent methodology for assigning the overall level of effect; > quantitative assessment supporting the Low effect conclusion; and > Insufficient baseline data to support trigger calibration. <i>p.2, Section: Matters of contention</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



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Review of application material has also identified technical disagreements, including: > Appropriateness of trigger values; > Adequacy of adaptive management framework; and > Whether monitoring is sufficient to manage residual uncertainty. <i>p.2, Section: Matters of contention</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.
Given the existing uncertainty around baseline conditions and potential effects, a conservative approach to an effects assessment would be expected. In practice this would likely drive a stronger mitigation response than currently proposed. It is not possible to be more definitive in the absence of more baseline information. The sufficiency of the proposed mitigation is therefore also difficult to determine. <i>p.3, Section: Adequacy of Effects Assessment</i>	Freshwater Ecology	Part B.04 – Freshwater Ecology Impact Assessment, pages 33 – 40 Attachment 13 SOE of Ms Miller.	The highly modified nature of Silver Stream, including its existing eutrophic condition, is well understood. A precautionary approach has been applied throughout the development of the SLIP Project and the associated monitoring framework. This is addressed in Section 2 of the SOE of Ms Miller.



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The FEcIA correctly identifies primary risks and potential impacts but does not adequately develop the relationship of these to their ecological consequences. Based on the identified impacts, the key effects on freshwater ecological values requiring assessment/ discussion include: > Degradation of instream habitat quality and availability; > Loss of spawning habitat > Disruption of fish migration and ecological connectivity; and > Impairment of biological processes. <i>p.3, Section: Adequacy of Effects Assessment</i>	Freshwater Ecology	Part B.04 – Freshwater Ecology Impact Assessment, pages 33 – 40 Attachment 13 SOE of Ms Miller, Section 2 Attachment 15 SOE of Dr Alibone, Section 2	This is addressed in Section 2 in the SOE of Ms Miller and Section 2 in the SOE of Dr Allibone.



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In place of a substantive assessment of the effects on freshwater values, the FEClA describes the proposed stormwater treatment train and the implementation of best-practice erosion and sediment control measures. While effects associated with unmanaged sediment mobilisation during earthworks can be appropriately managed through the proposed erosion and sediment controls, consent conditions, and implementation of a management plan, the assessment of operational stormwater effects lacks a transparent and evidence-based justification for the conclusion that residual effects on freshwater values will be Low. <i>p.3, Section: Adequacy of Effects Assessment</i>	Freshwater Ecology	Part B.04 – Freshwater Ecology Impact Assessment, pages 35 – 40 Attachment 7 SOE of Mr Keenan, Section 2 Attachment 13 SOE of Ms Miller, Section 2	This is addressed in Section 2 in the SOE of Mr Keenan and Section 2 in the SOE of Ms Miller.



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This assessment relies largely on professional opinion rather than a transparent evaluation of ecological effects. A typical assessment would adopt a clear and systematic approach to quantification and consider effects on the identified ecological values, including: > Extent; > Duration; > Frequency; and > Reversibility. The FEClA does not provide this rationale and as such lacks sufficient information to justify the assigned overall level of effect. The absence of a transparent, effects-based assessment is compounded by the status of a quantitative tool that was provided to inform such an assessment. <i>p.3, Section: Adequacy of Effects Assessment</i>	Freshwater Ecology Stormwater	Part B.04 – Freshwater Ecology Impact Assessment, pages 33 – 40 Attachment 13 SOE of Ms Miller, Section 2	This is addressed in Section 2 in the SOE of Ms Miller.



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The application of Auckland Council's Contaminant Load Model (CLM) had a number of methodological limitations and data gaps, including: > Compounding of load reduction factors; > Reliance on annualised concentration estimates; > Incomplete representation of contaminants; > Simplified dilution assumptions; and > Limited justification for the adopted level of ecological protection. These issues compound to introduce a high degree of uncertainty and are likely to overestimate treatment performance. The CLM assessment has not been revised and is not relied upon in subsequent technical assessments. Given that the CLM was the only assessment tool provided that attempted to quantitatively evaluate stormwater-related effects, and given the identified limitations of that assessment, it is not apparent how the updated FEcIA has arrived at a Low level of effect. <i>p.3-4, Section: Adequacy of Effects Assessment</i>	Freshwater Ecology Stormwater	Attachment 9 SOE of Dr Conwell, Section 2	This is addressed in Section 2 in the SOE of Dr Conwell.



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As the CLM no longer appears to form part of the evidential basis for the effects assessment, further detailed discussion of its methodological limitations is redundant, but the lack of reliance on this tool highlights our wider concern about a lack of transparency of lines of evidence supporting the assertions about the baseline and the level of assessed effect. <i>p.3, Section: Adequacy of Effects Assessment</i>	Freshwater Ecology Stormwater	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.
While adaptive management is a legitimate tool for managing residual uncertainty, considering our prior comments, in this case it is compensating for unresolved uncertainties in the assessment itself. The proposed framework relies on future monitoring to establish baseline conditions, calibrate triggers, and confirm the significance of effects, resulting in limited confidence that the conclusion of a Low level of effect is adequately supported or that adverse effects on the High-value receiving environment can be effectively managed. <i>p.4, Section: Adaptive Management</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



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As only one storm flowing sampling event has been undertaken, there is insufficient information to characterise baseline variability or evaluate whether the proposed trigger values and management responses are appropriate. There is uncertainty regarding the effectiveness of the proposed adaptive management framework. <i>p.4, Section: Adaptive Management a. Baseline Water Quality Sampling</i>	Stormwater Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.
Grab sampling is poorly suited to quantifying the actual effects of an intermittent stormwater discharge. In a discharge event, small number of discrete grab samples are unlikely to: > Represent a discharge event as a whole; > Reliably capture first-flush periods; or > Have the various confounding variables that may influence concentrations at any one specific point from which a grab sample might be taken, to give adequate comparability across events. <i>p.4, Section: Adaptive Management b. Characterisation of the stormwater discharge</i>	Stormwater Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



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A monitoring method that is capable of providing a representative event mean concentration (EMC) should be adopted, such as: > sampling from a certain stage of an attenuation pond immediately prior to discharge; or > Integration of a separate buffering device that is capable of capturing first flush / size / timing that provides a stronger and more replicable basis for assessing discharge quality, and hence the magnitude of effect on Silver Stream This should be reflected in both the SMP and the associated conditions. <i>p.5, Section: Adaptive Management b. Characterisation of the stormwater discharge</i>	Stormwater Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



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There is insufficient baseline data available to determine whether the proposed 10% trigger value exceeds the natural variability of the receiving environment for the relevant analytes. In highly variable natural systems, fluctuations greater than 10% may occur under normal conditions, creating uncertainty as to whether the trigger would identify genuine project-related effects – or conversely, this system may also be relatively stable, and a 10% allowance for variability may also hide some project-related effects. <i>p.5, Section: Adaptive Management c. Monitoring Triggers – Water quality</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



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The applicant proposes the use of a baseline modification factor to account for natural variability. While this approach is generally appropriate, the basis for deriving the modification factor has not yet been established due to the limited baseline dataset currently available. The proposed methodology provides little detail regarding the statistical approach that will be applied to derive modification factors, determine trigger thresholds, or define meaningful change for different analytes. As a result, there is currently limited confidence that the proposed trigger framework will be appropriately calibrated to distinguish project-related effects from normal environmental variation. <i>p.5, Section: Adaptive Management c. Monitoring Triggers – Water quality</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The framework appears to require both the site-specific trigger - a percentage change from baseline - and the relevant ANZG guideline value to be exceeded before a management response is initiated. Where existing baseline concentrations sit well below the ANZG guideline a substantial proportional increase attributable to the discharge could occur without triggering a response, because the absolute guideline value has not been exceeded. This materially reduces the early-warning function of the trigger. The site-specific trigger should operate independently as an investigation and early-warning trigger, with the ANZG guideline retained separately as an absolute upper limit, rather than the two operating as a combined test. <i>p.5, Section: Adaptive Management c. Monitoring Triggers – Water quality</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The appropriateness of the proposed 10% trigger should be reviewed once a sufficient baseline dataset has been collected. To make sure that trigger values represent a detectable and meaningful change from baseline conditions, rather than normal environmental variation, this review should: > Consider the variability of individual analytes; and > Apply an appropriate statistical approach. <i>p.5, Section: Adaptive Management c. Monitoring Triggers – Water quality</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The proposed MCI trigger is not considered appropriate as a response threshold. Based on the MCI survey data presented in Table 6 of the FEclA, application of the proposed 20% MCI trigger would permit a decline in ecological values from Attribute Band C to Attribute Band D, below the National Objectives Framework (NOF) bottom line (NPS-FM 2020, amended 2025). This represents a measurable degradation in ecological condition and we do not consider it reasonable to characterise this potential change as a Low level of effect. <i>p.5-6, Section: Adaptive Management c. Monitoring Triggers – Aquatic Ecology</i>	Freshwater Ecology	Part B.04 – Freshwater Ecology Impact Assessment, pages 15 – 16, 23 – 24, 33 & 39 Attachment 13 SOE of Ms Miller, Section 2	This is addressed in Section 2 in the SOE of Ms Miller.
The trigger value should detect ecological degradation before a significant adverse effect has occurred. The trigger value should be set at a level that requires a response before the ecological condition as indicated by the MCI score would result in a decline to a lower NOF attribute band (which in this case would be below the national bottom line) at a minimum.	Stormwater Freshwater Ecology	Part B.04 – Freshwater Ecology Impact Assessment, pages 7, 11, 14 – 16 & 18 Attachment 13 SOE of Ms Miller, Section 2	This is addressed in Section 2 in the SOE of Ms Miller.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
This should be derived from further monitoring and set, once adequate baseline data are available – and agreed / certified as the appropriate threshold by ORC. Exceedances of the trigger thresholds / values then require a response to be provided (as identified in the SMP) that sets a pathway to maintain or improve ecological values to ORC with 90 days of monitoring results. Where a persistent decline in ecological values is identified as attributable to the project, further controls should be considered. The SMP should articulate this adaptive management framework clearly. <i>p.6, Section: Adaptive Management c. Monitoring Triggers – Aquatic Ecology</i>			
The proposed SMP is not consistently linked to the effects assessment. <i>p.6, Section: Adaptive Management d. Monitoring / programme</i>	Stormwater Freshwater Ecology	Part B.04 – Freshwater Ecology Impact Assessment, pages 33 – 40 Attachment 13 SOE of Ms Miller, Section 2	This is addressed in Section 2 in the SOE of Ms Miller.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
In particular, lamprey/ kanakana monitoring is proposed within the SMP, but the FEcIA does not clearly assess effects on these values or explain how monitoring results would inform management response. Ideally, this would be discussed in the FEcIA and any monitoring undertaken to determine impacts on this species (if present) should be justified and explicitly linked to sediment and habitat effects with defined decline thresholds and response actions. <i>p.6, Section: Adaptive Management d. Monitoring programme</i>	Stormwater Freshwater Ecology	Attachment 15 SOE of Dr Allibone, Section 2	This is addressed in Section 2 in the SOE of Dr Allibone.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The SMP contains considerable duplication between the construction and operational monitoring frameworks and repeats the rationale for monitoring and adaptive management in several sections. This repetition: > Makes it difficult to follow the relationship between identified effects, monitoring requirements, trigger values and management responses; and > Risks overstating confidence in the proposed management approach by presenting repeated elements of the same monitoring framework as though they represent multiple independent lines of evidence. <i>p.6, Section: Adaptive Management d. Monitoring programme</i>	Stormwater Freshwater Ecology	e3Scientific Memorandum - Stormwater Monitoring Plan Attachment 13 SOE of Ms Miller, Section 2	This is addressed in Section 2 in the SOE of Ms Miller.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The SMP should be revised to address the matters outlined above following completion of baseline monitoring, and the updated SMP should be submitted to ORC for certification, prior to construction commencing. <i>p.6, Section: Adaptive Management d. Monitoring programme</i>	Stormwater Freshwater Ecology	Part C.02 – Proposed Conditions – Otago Regional Council e3Scientific Memorandum - Stormwater Monitoring Plan	The SMP is currently in draft form and is intended to be a live document. An updated version has been lodged (attached to Mr Bloomberg’s SOE) that reflects updates made in evidence. Through implementation of the consent, it can be updated further as required together with the final consent conditions. Ultimately the SMP that is provided for certification will need to comply with relevant conditions of consent. This will ensure that the SMP reflects the most current understanding of potential effects, monitoring requirements, trigger levels, and adaptive management responses and certification from ORC will be sought. ORC Conditions B.22 - B.23 detail the requirements of the SMP including monitoring requirements and certification.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The requirement for fine sediment cover surveys should be incorporated into the SMP and captured in the Aquatic Habitat and Macroinvertebrate Monitoring condition suite. Baseline sediment cover surveys have not been undertaken as part of the baseline aquatic ecology investigations. Therefore, no baseline sediment condition has been established for Silver Stream. Additionally, no survey methods have been detailed within the monitoring programme. As a result, it is unclear how future changes in sediment condition will be quantified, attributed to site activities, or assessed against the proposed trigger and response framework. A monitoring methodology should be included to assess changes in sediment deposition over time, and this information is considered necessary to implement the framework outlines in Section 4.2 of the SMP. <i>p.6-7, Section: Adaptive Management d. Monitoring programme – Fine deposited sediment</i>	Stormwater Freshwater Ecology	Attachment 13 SOE of Ms Miller, Section 2 Attachment 15 SOE of Dr Allibone, Section 2 e3Scientific Memorandum - Stormwater Monitoring Plan	This is addressed in Section 2 in the SOE of Ms Miller and Section 2 in the SOE of Dr Allibone.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The SMP proposes first-flush sampling but does not specify the method by which the first flush will be captured. For reasons outlined above, the methodology should specify a defensible first-flush sampling approach, together with defined antecedent dry-period and rainfall-depth or similar thresholds for initiating sampling. <i>p.7, Section: Adaptive Management d. Monitoring programme – Fine deposited sediment</i>	Freshwater Ecology	Attachment 14 SOE of Mr Bloomberg, Section 2	This is addressed in Section 2 in the SOE of Mr Bloomberg.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The proposed framework provides limited detail and certainty on the timing and escalation of management responses following a trigger exceedance. In particular, it does not appear to provide for immediate notification of ORC in the event of an exceedance nor for an increase in monitoring frequency once a trigger has been activated. It is recommended that the framework includes a defined immediate-notification pathway for exceedances, sitting outside the routine tiered process, together with a stepped increase in monitoring frequency following any trigger activation. <i>p.7, Section: Adaptive Management d. Monitoring programme – Response and escalation pathway</i>	Stormwater Freshwater Ecology	Part C.02 – Proposed Conditions – Otago Regional Council e3Scientific Memorandum - Stormwater Monitoring Plan Attachment 14 SOE of Mr Bloomberg, Section 2	The SMP provides a framework and trigger escalation which requires action from the consent holder and consent authority following a trigger exceedance with is outlined in ORC Conditions B.23 and B.35. This is addressed in Section 2 in the SOE of Mr Bloomberg.
Summary of recommendations includes: > Complete the baseline monitoring programme and use the full dataset to recalibrate trigger values and baseline modification factors before framework implementation;	Stormwater Freshwater Ecology		These points have all been addressed above.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
> Adopt a discharge characterisation and sampling method capable of providing a representative event mean concentration; > Specify a first-flush sampling methodology; > Revise the water quality trigger framework; > Revise the ecological trigger framework; > Explicitly evaluate the effects on lamprey / kanakana monitoring and link it the sediment and habitat effects; > Include a robust fine sediment monitoring programme; > Revise the SMP to remove duplication and clearly articulate the relationship between effects, monitoring, triggers and responses, and submit the updated SMP to ORC for certification; > Submit revised trigger values, modification factors and supporting methodology to ORC for certification prior to commencement of construction-related and operational discharges; > Provide for a defined response and escalation pathway; and > Include review provisions and provide for consideration of further controls to achieve no net loss of aquatic biodiversity.			



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
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p.7-8, Section: Recommendations

Appendix 5 – Technical advice relating to Hydrogeology			
The conditions include a comprehensive monitoring, trigger, and response framework for Silver Stream. However, they rely largely on design assumptions to manage effects associated with: > stormwater infiltration and recharge; > operational stormwater discharges to land; > groundwater–surface water interactions; > contaminant migration through groundwater pathways; and > the trade waste discharge to land authorised under Consent D. The remaining gaps do not concern groundwater abstraction or dewatering. They centre on verifying that infiltration-based stormwater and trade waste discharges.	Stormwater Hydrogeology	Part B.11 – Groundwater Assessment Part C.02 - Proposed Conditions – Otago Regional Council Attachment 8 SOE of Mr Scaife, Section 2	SLPL had included groundwater abstraction as an optional future aspect of the project. This is no longer proposed. ORC Condition 32 stipulates that should groundwater monitoring indicate dewatering will be required for construction purposes, the necessary consents and / or approvals will be obtained. This is addressed in Section 2 in the SOE of Mr Scaife.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
Conditions 28–31 require groundwater information to be collected but do not expressly require the findings to inform the subsequent design process. Suggests expanding Condition 31 and the addition of a new condition immediately following. p.2, Section 1: Linkage between groundwater monitoring and detailed design	Hydrogeology	Part B.11 - Groundwater Assessment Part C.02 - Proposed Conditions – Otago Regional Council Attachment 8 SOE of Mr Scaife, Section 2	This is addressed in Section 2 in the SOE of Mr Scaife. An additional condition is not considered to be necessary, as the Groundwater Assessment already informs the design basis and the proposed ORC Conditions 28-32 secure implementation.
Infiltration and stormwater discharge to land are key parts of the stormwater management strategy. However, the conditions do not specifically require: > groundwater recharge to be maintained; or > verification that infiltration systems perform as assumed in the design. Suggests adding a condition around B.18-B.20 to this effect. Also suggests the addition of verification conditions. p.2-3, Section 2: Groundwater recharge and infiltration performance	Stormwater Hydrogeology	Part B.11 - Groundwater Assessment Attachment 8 SOE of Mr Scaife, Section 2 Part C.02 - Proposed Conditions – Otago Regional Council	This is addressed in Section 2 in the SOE of Mr Scaife. An additional condition is not considered to be necessary, as the need for verification is not a valid groundwater consent condition.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
Conditions A.3–A.16 (related to infiltration within contaminated land areas) are not directly linked to the proposed infiltration-based stormwater management approach. Suggests condition relating to location of stormwater infiltration devices. <i>p.3, Section 3: Infiltration within contaminated land areas</i>	Hydrogeology Stormwater	Part C.02 - Proposed Conditions – Otago Regional Council Attachment 8 SOE of Mr Scaife, Section 2	This is addressed in Section 2 in the SOE of Mr Scaife. The identification and remediation of contaminated land will be adequately dealt with via the Contaminated Site Management Plan and Remedial Action Plans (OCR Conditions A.1 -A,.10) which are required to be lodged with ORC at least 20 working days prior to the commencement of each development stage of earthworks.
Condition B.20 requires the attenuation pond and swales to be inspected and maintained, but it is unclear whether this requirement covers all infiltration devices. Suggested addition: Operational infiltration devices shall be inspected at least annually and maintained as necessary to ensure continued infiltration capacity and stormwater treatment performance. Records of inspections, maintenance activities and remedial works shall be retained and provided to the Otago Regional Council upon request. <i>p.3, Section 4: Infiltration device maintenance</i>	Stormwater Hydrogeology	Part B.11 - Groundwater Assessment Attachment 8 SOE of Mr Scaife, Section 2 Part C.02 - Proposed Conditions – Otago Regional Council	This is addressed in Section 2 in the SOE of Mr Scaife. An additional condition is not considered necessary.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
Extend the proposed groundwater monitoring programme to include groundwater level and groundwater quality monitoring. This would: > support interpretation of the Silver Stream monitoring results; > verify assumptions used in the stormwater and trade waste designs; and > confirm that significant groundwater effects are not occurring. Replace Conditions 28–31 with a broader groundwater monitoring programme. <i>p.3-5, Section 5: Groundwater level and groundwater quality monitoring</i>	Stormwater Hydrogeology	Part B.11 - Groundwater Assessment Attachment 8 SOE of Mr Scaife, Section 2 Part C.02 - Proposed Conditions – Otago Regional Council	This is addressed in Section 2 in the SOE of Mr Scaife. Additional monitoring to what is already proposed in ORC Conditions 28-31 is not commensurate with the magnitude of the potential effects the development may have on groundwater due to all infrastructure being above groundwater, any potential recharge reduction to the aquifer being very small and discharges to groundwater comprising clean roof runoff or post-treatment stormwater.

Appendix 6 – Technical advice relating Land Contamination			
Recommend that a Sampling and Analysis Plan (SAP) be prepared and provided to ORC for review and approval prior to additional investigation. <i>p.1, Section 2: Specialist Assessment</i>	Planning Contaminated Land	Part C.02 - Proposed Conditions – Otago Regional Council	ORC Condition A.4A has been added to require additional sampling in accordance with a SAP be undertaken prior to submitting the Remedial Action Plan to ORC.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
The asbestos building survey alone is insufficient to confirm the presence/absence of asbestos risk in soils, based on the known information reported by EC Otago. <i>p.2, Section 2: Specialist Assessment; p.2, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Conditions A.4(k) and A.13 have been updated to reflect soil sampling for the presence/absence of asbestos.
Recommend adding “and/or the additional investigations required in Condition A.6 show asbestos contamination in soil requiring management” <i>p.2, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition A.4(k) has been updated to reflect this recommendation.
Consider requirement for a broader SAP to address gaps in the investigation rather than reliance on ‘delineation’ sampling.	Planning Contaminated Land	Part C.02 - Proposed Conditions – Otago Regional Council	ORC Condition A.6.has been updated to reflect this recommendation.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
Alternatively remove reference to ‘delineation sampling’ and use words relating more broadly to ‘site investigation’. ‘Delineation’ is not considered appropriate wording given not all recommended sampling is for delineation purposes. If a SAP is not required, the subsequent sample reporting should undergo review and approval process with ORC. <i>p.2-3, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 - Proposed Conditions – Otago Regional Council	ORC Conditions A.5 and A.6.have been updated to reflect this recommendation.
Condition A.5-A.6: ‘or any other areas identified as requiring remediation...’ should be ‘and any other areas....’ <i>p.3, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition A.6.has been updated to reflect this recommendation.
Recommend standalone DSI addendum site investigation document rather than incorporating the gap-filling sampling in the RAP document. <i>p.3, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition A.4A has been added to reflect this recommendation.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
Condition A.7: Retain reference to 'site' rather than 'contaminated area' as the site has not been fully assessed.	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition A.7 has been updated to reference 'site'.
Furthermore, referring to 'contaminated area' is unnecessary as any contaminated soils leaving the site must meet A.7 (a) and (b). <i>p.3, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition A.7 has been updated to reflect this recommendation.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
Condition A.8: Standalone Ongoing Management Plan is recommended, which sits outside the Site Validation Report. Recommend capturing this in a separate condition. Add ORC review and approval to condition(s). <i>p.3, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	The request for an Ongoing Management Plan is not accepted. It is considered that the measures to manage contaminated soil at the site set out in the ORC Conditions, including further sampling, a Contaminated Site Management Plan and Remedial Action Plan, are adequate to address potential contaminated land effects. It is unclear what value an Ongoing Management Plan would achieve in addition to these requirements. ORC request for certification of the Site Validation Report is also not accepted. This report will outline the results of the contaminated land management measures that have been undertaken, in accordance with the detailed measures of this condition. Providing this report to ORC will ensure compliance with these measures, and certification of this report is not necessary and will provide no value.



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
EC Otago's assessment notes that asbestos-containing materials were used in the construction of buildings on the site (while acknowledging that not all potential source areas have been assessed), and it is clear that soils around these building have not been fully assessed. The proposed conditions now require asbestos surveys prior to demolition and asbestos procedures if asbestos is identified. However, the contaminated land concern relates more broadly to management of the uncertainty associated with incomplete investigation, and that asbestos in soil is not quantified by way of building asbestos survey. This uncertainty should continue to be recognised within the contaminated land management framework until sufficient soil investigation has been completed. <i>p.2, Section 2: Specialist Assessment; p.3, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council, Condition	ORC Conditions A.4 and A.13 have been updated to reflect these recommendations. Appropriate health and safety controls are to be implemented and adhered to in accordance with the provisions of the Contaminated Site Management Plan (in accordance with Condition A.3).



Comment	Applicant Technical Input	Where Addressed in the Application Documents / Response	Response
Condition A.13: Asbestos uncertainty remains where source areas remain incompletely investigated. Add reference to assessing soils for asbestos. <i>p.3, Section 3: Comment on Proposed Conditions (Table 1)</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Condition A.13 was updated to reflect this recommendation.
Recommend that the SAP (if completed), RAP, CSMP, SVR and associated documentation be subject to ORC review and approval. <i>p.3, Section 3.1: Recommendations</i>	Planning Contaminated Land	Part C.02 – Proposed Conditions – Otago Regional Council	ORC Conditions A3, A.4A, A.5 and A reflect this recommendation.

