APPLICATION BY SOUTHERN LINK PROPERTY LIMITED FOR THE SOUTHERN LINK INLAND PORT

RESPONSE TO MINUTE 14 OF ANGELA FENEMOR ON BEHALF OF OTAGO REGIONAL COUNCIL

21 September 2026

INTRODUCTION

1. This statement sets out Otago Regional Council's (ORC) alternative wording for resource consent conditions that remain unresolved between ORC and the Applicant, following the Freshwater Hearing held on Tuesday 15 September 2026.

2. Following the Freshwater Hearing, the Applicant circulated an updated version of their proposed consent conditions. ORC has reviewed that version of the conditions and identified further amendments it considers necessary.

GENERAL COMMENTS RELATING TO CONDITIONS

3. ORC provided general comments on consent conditions in Section F of their Section 53 comments. As stated in these comments, ORC does not object to the overall format of conditions, including the application of a general set of conditions to all ORC consents. There were several references in the activity specific condition sets that stated, "*where relevant, General Conditions of RMFT25.004.01",* which created uncertainty about which of the general conditions applied to the activity specific condition sets. However, this issue is resolved in the applicant's updated set of proposed consent conditions.

4. ORC's Section 53 comments also noted that individual resource consent should be clearly separated. ORC considers this issue to be resolved in the updated set of proposed consent conditions as it is now clear what conditions apply to construction and operational phase stormwater discharges.

SPECIFIC AMENDMENTS TO CONSENT CONDITIONS

5. ORC considers that some minor further changes are necessary to the consent conditions, as shown in the table below. ORC's further amendments to the applicant's updated proposed conditions are shown in red tracked changes,

and generally relate to:

a. Minor amendments and corrections to improve the accuracy and clarity of conditions;

b. Increased certainty around management plan certification;

c. Addressing uncertainty around operational stormwater discharges to land, including clarification of discharge routes; and

d. Increased certainty around the stormwater monitoring programme, including ongoing monitoring of analytes that are representative of site operations.

Condition number	**Amended wording (ORC additions shown in red underline and deletions shown in red strikeout)**	**Commentary**
GENERAL		
14b)	a) Seek advice from the Kaitiaki Advisory Panel on those draft management plans identified in Condition 12(d) above, at least twenty working days prior to their submission for certification. If no written comments are received within 20 working days of the draft management plan being provided, the Consent Holder may proceed with submitting the management plan/s to the Otago Regional Council ~~relevant Consent Authority~~ for certification;	Amendment to clarify that the ORC are the relevant consenting authority.
17	1. In accordance with Condition (5) of this consent A Construction Management Plan must be provided to the Otago Regional Council for certification that it meets the objective in condition (17)(2) and includes the content required by condition (18) ~~in accordance with Condition 5 of this consent.~~ 2. The objective of the Construction Management Plan is to outline best practice procedures, mitigation and methodologies required to manage the effects of all construction activities associated with the Southern Link Inland Port.	While the advice note in condition (4) requires the document to adequately address the objective, we consider this detail should be contained in a consent condition.
20	1. The Consent Holder must engage a Suitably Qualified and Experienced Person to prepare an	While the advice note in condition (4) requires

	Erosion and Sediment Control Plan for earthworks associated with each stage of construction (development Stage 1, Stage 2 and Stage 3 as outlined in the Civil Works and Earthworks report prepared by Stantec, date 16 April 2026). 2. The objective of the Erosion and Sediment Control Plan is to ensure that all appropriate erosion and sediment control measures are adopted to minimise any soil erosion and sedimentation effects associated with the project construction activities. 3. ~~The Consent Holder must provide the Erosion and Sediment Control Plan to the Otago Regional Council for certification~~ in accordance with Conditions 4-6 of this consent the Consent Holder must provide the Erosion and Sediment Control Plan to the Otago Regional Council for certification that it meets the objective in condition (20)(2) and includes the content required by condition (21).	the document to adequately address the objective, we consider this detail should be contained in a consent condition.
21(h)	For construction of Stage 1, the details of the water quality monitoring in accordance with Conditions B.21C-B.21E~~D~~ and the methods set out in the Stream Assessment Method 2,	Correcting a cross-referencing error.
21A	3. Otherwise, the Consent Holder must prepare a CTMP for construction related earthworks. At least 20 working days prior to the commencement of construction works, the Consent Holder must submit the CTMP to the Otago Regional Council for certification that chemical treatment systems are appropriately designed and operated to minimise sediment discharges from earthworks and includes the content required by condition (21A)(5) in accordance with Condition 4 of this consent.	While the advice note in condition (4) requires the document to adequately address the objective, we consider this detail should be contained in a consent condition.
26	1. The Consent Holder must engage a Suitably Qualified and Experienced Person to prepare a Spill Response Plan. 2. ~~The Spill Response Plan must be provided to the Otago Regional Council for certification~~ in accordance with Conditions 4-6 of this consent	While the advice note in condition (4) requires the document to adequately address the objective, we consider

	the Spill Response Plan must be provided to the Otago Regional Council for certification that it meets the objective in condition (26)(3) and includes the content required by condition (27). 3. The objective of the Spill Response Plan is to specify suitable management measures to avoid, remedy, mitigate, and / or minimise risks from contaminant spills during construction to: (a) The onsite environment (including Silver Stream); and (b) The offsite environment (including the health of neighbouring site users).	this detail should be contained in a consent condition.
RESOURCE CONSENT A		
A.3	1. In accordance with Condition 5 of the general conditions a Contaminated Site Management Plan must be provided to the Otago Regional Council for certification that it meets the objective in condition A.3(2) and includes the content required by condition (A.4) ~~in accordance with Condition 5 of the general conditions~~. 2. The Contaminated Site Management Plan must identify best practice options for the safe and efficient management of contaminated soils and materials to ensure the health of humans and the environment is protected. 3. The Contaminated Site Management Plan must be prepared by a suitably qualified and experienced professional.	
RESOURCE CONSENT B		
B.2 (3)	h. Plans identifying all operational stormwater discharge locations and routes, and confirming that any infiltration is incidental; i. Confirmation that the location and design of any stormwater feature that discharges, or may discharge, to land has taken account of the investigation, remediation and validation requirements of Resource Consent A; and	To address the remaining uncertainty identified in Mr Thorley's summary statement with regards to infiltration to land. These amendments

	j. Confirmation that the detailed design for construction and operational stormwater management systems do not introduce purpose-designed soakage or rely on infiltration for hydraulic capacity or disposal. Any material change that introduces purpose-designed soakage or relies on infiltration for hydraulic capacity or disposal must not be implemented at the site.	require the final design to identify discharge routes, distinguish incidental infiltration from reliance on soakage, and link stormwater features that may discharge to land to the investigation, remediation and validation requirements of Resource Consent A
B.3	3. The detailed design and certified Erosion and Sediment Control Plan must identify each construction-phase discharge route to land or water and state whether infiltration from any temporary sediment retention pond, the stormwater attenuation pond, swale or other feature is incidental or relied on for hydraulic capacity or disposal.	To address the remaining uncertainty identified in Mr Thorley's summary statement with regards to infiltration to land.
B.12	This resource consent authorises the incidental discharge of operational phase stormwater to land as follows: 1. Discharges associated with operational phase stormwater to the stormwater attenuation pond; 2. Discharges associated with operational phase stormwater within the western swale; 3. Discharges associated with operational phase stormwater within the eastern swale; and 4. Incidental infiltration of operational phase stormwater from the stormwater attenuation pond, western swale and eastern swale, as identified in the detailed design required by Conditions B.2 ~~Discharges to permeable land throughout the site.~~ This resource consent also authorises the use of land for defences against water associated with the	It has been clarified by the Applicant that infiltration is incidental and not relied on for stormwater performance. The proposed amendments reflect the proposal as it is understood.

	stormwater attenuation pond, the western swale and spillway and the eastern swale and spillway and the diversion of water (operational phase stormwater) to the stormwater attenuation pond. For the avoidance of doubt, the discharge of stormwater to land authorised by this condition is incidental and must not be relied on to provide stormwater attenuation, treatment or disposal capacity at the site.	
B.18	~~1. Detailed design plans and drawings for the stormwater attenuation pond, the western swale, and the eastern swale necessary to service the Southern Link Inland Port must be provided to the Otago Regional Council at least 20 working days prior to any construction works commencing on the site.~~ ~~2. The designs must be in general accordance with those detailed in the Stormwater Assessment prepared by Stantec, dated 15 April 2026, along with any changes made to the preliminary / concept level design plans as necessary as a result of detailed design.~~ ~~3. The detailed design plans and drawings must include but not be limited to:~~ ~~(a) Layouts, dimensions, and operational design details of the stormwater attenuation pond (including treatment methods prior to the discharge of water from the pond to the western swale) including but not limited to outlet design, channel/ impact basin design and erosion prevention measures;~~ ~~(b) Layouts, dimensions, and operational design details of the western swale, including but not limited to outlet design, channel/ impact basin design and erosion prevention measures; and~~	Condition B.18 appears to double up with the content of revised condition B.2.

	~~(c) Layouts, dimensions, and operational design details of the eastern swale, including but not limited to outlet design, channel/ impact basin design and erosion prevention measures.~~	
B.19	The stormwater attenuation pond, the western swale, and the eastern swale must be constructed in general accordance with the detailed design plans and drawings prepared in accordance with Condition B.2~~B.18~~.	As result of the changes to condition B.2, the reference in B.19 should be updated accordingly.
B.20	The Consent Holder must ensure that the stormwater attenuation pond, the western swale and spillway, and the eastern swale and spillway are inspected, maintained and repaired as necessary to ensure that they are structurally sound, pose no undue risk to human life, property or the natural environment, and continue to operate within the design criteria confirmed via the detailed design plans and drawings required under Condition B.2~~B.18~~. The Consent Holder must keep a written record of any maintenance activities and provide this to the Otago Regional Council upon request.	As above.
B.21D	1. For the duration of the construction of development Stage 1, the Consent Holder must undertake water quality monitoring in accordance with the methods set out in the Erosion and Sediment Control Plan required by Condition 20 of the General conditions, with samples collected at monthly intervals in order to confirm that the water quality standards in Condition B~~C~~.21E are being met. 2. If there is any evidence that the water quality standards in Condition B~~C~~.21E are not being met, the Consent Holder must immediately undertake any necessary maintenance of erosion and sediment control features or take other appropriate measures in order to ensure the ongoing and future effectiveness of water quality controls onsite and compliance with the water quality standards in Condition B~~C~~.21E.	Amendments tracking minor corrections.

B.22	1. The Consent Holder must engage a Suitably Qualified and Experienced Person(s) to prepare a Stormwater Monitoring Plan. 2. The objective of the Stormwater Monitoring Plan is to verify stormwater treatment performance by: (a) Setting out the measures that will be implemented to monitor the stormwater discharge into Silver Stream during the operation of the Southern Link Inland Port, including where construction of Stage 2 and 3 of the development is occurring concurrent with this operation; and (b) Setting out the management response to avoid, remedy or mitigate any potential effects of the stormwater discharge on the water quality and ecology of Silver Stream. 3. ~~The Stormwater Monitoring Plan must be provided to the Otago Regional Council for certification~~ in accordance with Conditions 4-6 of the general consent conditions that apply to all Otago Regional Council consents the Stormwater Monitoring Plan must be provided to the Otago Regional Council for certification that it meets the objective in condition B.22(2) and includes the content required by condition B.23.	
B.23	j. A description of the reporting requirements including any annual review of activities occurring on site and the appropriateness of the analyte suite being tested in the stormwater, in accordance with Condition B.35; and	Amendments to include a link between this condition and the annual reporting requirements set out in B35.
B.24 (2)	(a) A minimum of 24 water quality samples must be collected across the sampling events. In circumstances where construction activities occur ahead of 24 samples being obtained, the consent holder shall demonstrate to the Otago Regional	Agree that the wording of condition B.24 now resolves the concerns raised in the Freshwater Hearing about the

	Council, via the Stormwater Monitoring Plan submitted in accordance with condition B.25, how the remaining samples can be obtained without the results of those samples being affected by any construction related discharge to the Silver Stream	collection of sufficient samples during the baseline period. Further minor amendments have been suggested increase certainty of the condition.
B.25(2)	The findings of the review and the setting of trigger limits and baseline modification factors must be included in the final Stormwater Monitoring Plan that is submitted to the Otago Regional Council for certification in accordance with Condition B.22 ~~s 4-6 of the General Conditions~~. Where it is proposed to set an alternative trigger limit in accordance with (c)(ii) above, the Consent Holder must include evidence to demonstrate the suitability of this alternative.	To clarify that the SMP is submitted in accordance with condition B.22.
B.35	1. For the duration of the operation of the Southern Link Inland Port, the Consent Holder must engage a Suitably Qualified and Experienced Person(s) to prepare an annual Silver Stream Monitoring Report. The purpose of the Silver Stream Monitoring Report must be to present, summarise and analyse the Silver Stream stormwater monitoring data collected in the preceding year and ensure the monitoring requirements remain appropriate for the activities undertaken on site. The report must include: (a) Details of the sampling events, including time, date and flow conditions; (b) Details of the results of the Silver Stream water quality monitoring that has been undertaken in the preceding year, including the four quarterly water quality sampling events and any additional overflow monitoring undertaken during the operation of the project; (c) Details of the results of the aquatic habitat and macroinvertebrate monitoring surveys undertaken in accordance with Condition B.28 that have been undertaken in the preceding year when construction of Stage 2 or 3 is occurring; (d) Details of the results of any monitoring undertaken in accordance with the cultural	Amendments recommended to include a requirement to review the parameter suite on an annual basis to ensure that the stormwater monitoring programme remains fit for purpose, links to condition B.23.

	monitoring programme outlined in the Stormwater Monitoring Plan; (e) An assessment of the results compared to the relevant guidelines; (f) Comparison of the upstream "baseline" site and the downstream "compliance" site findings; (g) If relevant, details of any changes to the monitoring regime made under Condition B.32(4); and (h) If relevant, details of any management and/or mitigation measures that have been implemented to: i. Address any exceedance of a key analyte(s) identified during the construction or operation of the Project in accordance with the stormwater monitoring trigger and response procedure required by Conditions B.29 and B.32; ii. Address any change in Silver Stream ecology identified during construction of development Stage 2 and 3 in accordance with Condition B.29; and iii. Address any identified elevated deposited fine sediment identified during the construction of development stage 2 and 3 in accordance with Condition B.30. (i) A review of the activities occurring on site and consideration of the appropriateness of the parameters being monitored in accordance with condition B.31 and whether any additional parameters listed in condition B.26 should be monitored. 2. The first annual Silver Stream Monitoring Report must be provided to the Otago Regional Council and Kaitiaki Advisory Panel one year following the commencement of the construction of the Southern Link Inland Port, and thereafter the report must be provided annually for the duration of the consent. *Advice Note: The Silver Stream Monitoring Report may be prepared in conjunction with any other Silver Stream Monitoring Report prepared in accordance*	

	with any consent requirements applying to the Southern Link Inland Port.	
RESOURCE CONSENT D		
D.4	c. Confirmation of the hydraulic basis for containing and conveying all washbay runoff generated by storm events up to and including the 10% annual exceedance probability Representative Concentration Pathway 8.5 2080–2100 design storm to the Dunedin City Council reticulated wastewater network; d. Details demonstrating physical and operational separation of the trade-waste and stormwater systems; e. Details of the overflow threshold and route for storm events exceeding the 10% annual exceedance probability Representative Concentration Pathway 8.5 2080–2100 design storm; and f. Details confirming that any overflow will connect into the stormwater attenuation pond before discharge to Silver Stream.	This amendment is to ensure design details are appropriately confirmed, as recommended by Mr Thorley's summary statement.

ATTENDANCE AT CONDITIONS HEARING

6. If the Panel considers a hearing on consent conditions is required, our attendees will be:
   a. Ms Angela Fenemor (ORC planning expert) angela.fenemor@orc.govt.nz
   b. Mr Mat Bell (ORC representative) mat.bell@orc.govt.nz

ANGELA FENEMOR

21 September 2026