

Before the Expert Consenting Panel
Appointed by the Environmental Protection Authority

Under the COVID-19 Recovery (Fast-track Consenting) Act 2020

In the matter of an application for resource consents for the New Dunedin
Hospital – Whakatuputupu

**Memorandum of Counsel on behalf of Foodstuffs South Island Properties
Limited regarding conditions of consent**

20 December 2021

Interested party's solicitor:

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**anderson
lloyd.**

May it please the Panel

- 1 This memorandum of Counsel is filed on behalf of Foodstuffs (South Island) Properties Limited (**Foodstuffs**) in relation to the draft conditions issued for the resource consents required for the New Dunedin Hospital – Whakatuputupu (**NDH** or **Proposal**).
- 2 Foodstuffs thanks the expert consenting panel for the opportunity to provide comments on the draft conditions for the NDH. Foodstuffs is the owner of the properties at [REDACTED], [REDACTED], [REDACTED], all located in close proximity to the NDH site. The properties at [REDACTED] (the **Properties**) are directly opposite and adjacent to the Proposal, are occupied by Foodstuffs and operated as a supermarket (New World Centre City) and Centre City Mall.
- 3 Foodstuffs made comments on the application for the Proposal, expressing concern in particular in relation to the following aspects of the Proposal and potential effects on Foodstuffs' properties:
 - (a) Noise, vibration and construction;
 - (b) Road works and access;
 - (c) Management plans; and
 - (d) Conditions of consent.
- 4 Foodstuffs has experience in processes similar to this, and was surprised and disappointed to see little change has been made to the proposed conditions in response to the fair and reasonable concerns expressed. The Proposal will directly adversely affect Foodstuffs' staff and business, and it will also impact and potentially disrupt the approximately 30,000 visitors a week that frequent the essential service supermarket and Centre City Mall (of which no consideration has been given to by the Proposal).
- 5 The fast-track consenting process creates a decision-making process that leaves little time for an affected party to engage expert assistance on a proposal to "test" the evidence and conclusions made and to gain a full picture of the potential effects a proposal may have on its business. Therefore it is important that a decision-maker take a cautious approach in considering the potential effects of an application, and ensure there is sufficient certainty reflected in the conditions of a consent. For the Applicant to propose no provision for the relevant concerns raised makes the process appear token.

- 6 We note in particular that Foodstuffs sought to be consulted in relation to the development of various management plans required for ongoing activities. This is essential as:
- (a) No draft management plans for traffic, land stability, and noise and vibration are available for review at this stage (and much of the technical detail relies on these plans) and the conditions which require them do not provide certainty;
 - (b) Foodstuffs needs to clearly understand the likely disruptions and potential for damage to its business and properties; it also needs to efficiently manage deliveries, signage and the potential access, noise and vibration effects that will be experienced by the community (of varying ages and abilities) frequenting its stores;
 - (c) Feedback provided on the proposed processes in management plans will assist to ensure adequate knowledge is held by the Applicant of the Proposal's actual "on the ground" (i.e. not theoretical or modelled) impacts. In this respect it is noted that Foodstuffs supports the Proposal in principle gaining consent, and is a pragmatic commercial operator who will provide timely, technically supported and relevant feedback to ensure there is no unacceptable business or customer disruption while the Proposal proceeds;
 - (d) The Proposal is due to commence works early next year and therefore management plans will also be required to be developed at pace, making it all the more important that these are subject to expert scrutiny including by experts on behalf of Foodstuffs during the consultation process; and
 - (e) It is not unreasonable in the circumstances of the Proposal for Foodstuffs (a directly adjacent neighbour) to seek a direct line of communication and consultation prior to forming management plans. It is surprising that this has not been offered up by the Applicant in the conditions as requested.
- 7 It is appropriate that the certification of management plans by the Dunedin City Council is done alongside considering the comments provided by affected parties and an independent peer reviewer. This needs to be expressly provided for in conditions.
- 8 Foodstuffs seeks the conditions be amended to reflect this position, and further seeks the specific changes identified in the draft conditions included as **Appendix 1** to this memorandum.

Dated this 20th day of December 2021

A Booker

A Booker
Counsel for Foodstuffs (South Island) Properties Limited

NDH Stage 1 Enabling Works –Land Use Conditions

GENERAL CONDITIONS

Activity in Accordance with Application

1. The enabling works must be undertaken in general accordance with the information provided in the resource consent application dated 13 August 2021, and the responses to requests for further information received on 19 October 2021, 8 November 2021, 16 November 2021 and 7 December 2021, except where modified by the following conditions. If there are any inconsistencies between the application and this consent, the conditions of this consent must prevail.

PRE-COMMENCEMENT CONDITIONS

Pre-Condition Surveys

2. Prior to the Land Stability Management Plan (LSMP) for the Inpatient building site required by condition 4(a) being submitted to the Dunedin City Council for approval, a pre-construction condition survey must be undertaken by a certified structural engineer for land, buildings, adjacent state highways, and surface infrastructure to establish baseline conditions where dewatering on the Inpatient site is likely to result in a predicted differential ground settlement exceeding 15 millimetres over 10 metres.

The pre-construction condition surveys must include the modelled drawdown observation points set out in *New Dunedin Hospital, Inpatient Building Geotechnical Preliminary Design Report, Tonkin + Taylor, July 2021*, other sensitive buildings/infrastructure, State Highways 1 and 88, and the site boundary ground surface.

A reasonable attempt must be made to contact property owner(s) to carry out the pre-condition surveys, and if access is not made available, details of the attempt(s) must be recorded.

The results of the survey must be included within the LSMP provided to the Council under condition 4(a).

3. Prior to the Noise and Vibration Management Plan (NVMP) required by condition 4(c) being submitted to the Dunedin City Council for approval, a pre-construction condition survey must be undertaken by a certified structural engineer for buildings and adjacent state highways where the enabling works are likely to result in an exceedance of the guideline vibration limits set out in *DIN 4150-3:2016 Vibration in Buildings – Part 3: Effects on Structures*.

The pre-construction condition survey must include the following locations:

- Strawberry Sound ([REDACTED])
- Cook Brothers Flats [REDACTED]
- [REDACTED]
- Dunedin Fire Station
- Dairy and Machine House Building (on application site)
- State Highways 1 and 88 adjacent to the site boundaries
- [REDACTED]

The pre-condition surveys must identify if any building and adjacent state highways are capable of withstanding higher levels of vibration, and if so, what the new vibration limit is.

Commented [AL1]: Comment applicable to all conditions. Management Plans

The Applicant presumes in its response that the DCC will peer review its Management plans. An independent peer review should be **expressly required** in conditions before the DCC can certify the management plan.

DCC should consider the independent peer review and the comments provided by affected parties during consultation (which should be provided to DCC) when certifying management plans.

Commented [AL2]: Foodstuffs' properties at [REDACTED]

[REDACTED] should be added to this list, as the properties are adjacent to the application site, and noting particularly the age of the buildings and presence of an underground carpark servicing the New World supermarket, making this an additional element in assessing the effects of vibrations on the buildings and carpark, and ensuring the buildings can withstand the effects.

Amend condition 3 to add [REDACTED] and [REDACTED].

From a commercial perspective, this would be appropriate and standard practice to avoid potential future liability claims.

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A reasonable attempt must be made to contact property owner(s) to carry out the pre-condition surveys, and if access is not made available, details of the attempt(s) must be recorded.

The results of the survey must be included within the NVMP provided to the Council under condition 4(c).

Construction Management Plan (CMP)

4. A Construction Management Plan (CMP) must be submitted to the Dunedin City Council (via email to rcmonitoring@dcc.govt.nz) for approval by the assigned compliance or monitoring officer at least 1 month prior to the enabling works on each site commencing. This plan must include:
 - a) A Land Stability Management Plan (LSMP) prepared by a suitably qualified experienced practitioner that outlines how earthworks and dewatering of the site will be conducted in a way that maintains the stability and structural integrity of land, buildings, adjacent state highways, and infrastructure beyond the site. The plan must include:
 - i. methods and land stability mitigation measures for excavation activities, including temporary support measures.
 - ii. methods and mitigation measures for dewatering, including well layout, and depths.
 - iii. procedures for communication with surrounding properties and stakeholders including:
 - details of contact person for community liaison and complaints.
 - list of properties and stakeholders that will be communicated with.
 - procedures for informing surrounding properties and stakeholders of construction programme and progress.
 - communication activities proposed for each property and stakeholder, including procedures and methods of communication.
 - iv. procedures for the receipt, management and response to any complaints received about land stability.
 - v. for works within 2.5m of any water main, and 1.5m of any sewer or stormwater pipe/structure, or electricity or telecommunication line/structure outside of the site, procedures for supervision of works to ensure no damage to these utilities occurs.
 - vi. for the Logistics Centre building site only, procedures for engineering supervision where earthworks occur close to buildings at Strawberry Sound ([REDACTED]).
 - vii. for the Inpatient building site only, the results of the pre-construction condition land, building, adjacent state highways, and surface infrastructure surveys required by condition 2.
 - viii. for the Inpatient building site only, procedures for survey monitoring of dewatering induced structural and cosmetic damage, which as a minimum includes:

- monitoring locations, including the modelled drawdown observation points set out in *New Dunedin Hospital, Inpatient Building Geotechnical Preliminary Design Report, Tonkin + Taylor, July 2021*, other sensitive buildings/infrastructure, State Highways 1 and 88, and the site boundary ground surface where pre-construction condition surveys have been undertaken under condition 2. Each monitoring location must comprise a pair of measurement points 10m apart perpendicular to the excavation.
 - a survey methodology capable of identifying movement of 2mm or more in any direction. Measurements must occur daily for 2 weeks, followed by twice weekly for 10 weeks, and twice monthly for the remaining duration of dewatering.
 - trigger levels which require monitoring frequencies to be reviewed (if settlements exceed 50% of the predicted potential total or differential settlements), or consideration of measures to slow the rate of settlement (if settlements exceed 70% of the predicted potential total or differential settlements).
- ix. for the Inpatient building site only, contingency measures where settlements exceed 70% of the predicted potential or differential settlements.
- b) A Ground Contamination Site Management Plan (GCSMP) prepared by a suitably qualified experienced practitioner comprising either the *New Dunedin Hospital Ground Contamination Site Management Plan, Tonkin + Taylor, July 2021*, or a GSCMP that gives effect to that plan, and which outlines how soil contamination effects will be managed to ensure effects on human health and the surrounding environment are minimised.
- c) A Noise and Vibration Management Plan (NVMP) prepared by a suitably qualified experienced practitioner that addresses the requirements of Annex E of *NZS6803:1999 "Acoustics – Construction Noise"* and *DIN 4150-3:2016 "Vibration in buildings – Part 3: Effects on structures"*; and outlines how noise will be managed in accordance with the best practicable option at all times to meet the requirements of Condition 11, and how vibration will be managed to ensure effects received at surrounding sites are minimised as far as practicable in accordance with Condition 12. The plan must include:
- i. specific mitigation measures developed following consultation with the landowners for the management of noise received at the following buildings, including the triggers or thresholds for implementing them.
- Strawberry Sound ([REDACTED])
 - Cook Brothers Flats [REDACTED]
 - [REDACTED]
 - Dunedin Fire Station
 - Quest Apartments
 - RNVH Hall
 - Te Rangi Hiroa College
 - [REDACTED]
- ii. procedures for noise monitoring.
- iii. specific mitigation measures for the management of vibration received at the following buildings/sensitive equipment.
- Strawberry Sound ([REDACTED])

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Commented [AL3]: Foodstuffs' properties at [REDACTED] should be added to this list, as the properties are adjacent to the application site and have 30,000 community visitors per week. It is essential that consultation with Foodstuffs is carried out in relation to the development of mitigation measures to allow sufficient opportunity for Foodstuffs to ensure the effects are appropriate.

Amend condition 4(c)(i) to add [REDACTED].

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- Cook Brothers Flats ([REDACTED])
- [REDACTED]
- Dunedin Fire Station
- Dairy and Machine House Building (on application site)
- Dunedin Hospital Oncology Department
- Allied Press printing press

† [REDACTED]

- iv. the results of the pre-condition building surveys required by condition 3.
 - v. procedures for vibration monitoring, and survey monitoring of vibration induced structural and cosmetic damage, and sensitive equipment, which as a minimum includes:
 - the monitoring locations where pre-construction condition surveys have been undertaken under condition 3, the Dunedin Hospital Oncology Department, and the Allied Press printing press.
 - monitoring and survey methodology.
 - vibration trigger levels, including those established for:
 - buildings and adjacent state highways capable of withstanding higher levels of vibration under the pre-construction building surveys required by condition 3.
 - the Dunedin Hospital Oncology Department.
 - the Allied Press printing press.
 - vi. contingency measures where the vibration trigger levels are exceeded or induced structural and cosmetic damage is detected.
 - x. procedures for communication with surrounding activities and stakeholders, including:
 - details of contact person for community liaison and complaints.
 - list of properties and stakeholders that will be communicated with.
 - procedures for informing surrounding properties and stakeholders of construction programme and progress.
 - communication activities proposed for each property and stakeholder, including procedures and methods of communication.
 - vii. procedures for the receipt, management and response to any complaints received about noise or vibration.
- d) A Dust and Sediment Control Plan (DSCP) prepared by a suitably qualified and experienced practitioner consistent with the GCSMP required by condition 4(b), and which outlines:
- i. how dust and sediment will be managed to ensure it does not cause a noxious, dangerous, offensive or objectionable discharge of dust, sediment, or contaminants beyond the site, or into the Council reticulated stormwater network and Te o Arai Te Uru – Otago Coast.

Commented [AL4]: Foodstuffs' properties at [REDACTED] should be added to this list, as the properties are adjacent to the application site, and have 30,000 visitors per week. Noting particularly the presence of an underground carpark servicing the New World supermarket, making this an additional element in assessing the effects of vibrations that must be adequately assessed. It is essential that consultation with Foodstuffs is carried out in relation to the development of mitigation measures to allow sufficient opportunity for Foodstuffs to ensure the effects are appropriate.

Amend condition 4(c)(iii) to add [REDACTED].

- ii. procedures for the receipt, management and response to any complaints received about dust and sediment.
- e) For the Inpatient building site only, a Heritage Temporary Protection Plan (HTPP), prepared by a suitably qualified and experienced heritage practitioner outlining how the works will be managed to ensure there are no adverse effects on the structural integrity and heritage values of the Dairy and Machine House building, and the adjoining Allied Press (Otago Daily Times) Building.
- f) The LSMP, NVMP, and HTPP required under conditions 4(a), (c), and (e) must detail how works will be conducted to ensure there are no adverse effects on the structural integrity and heritage values of surrounding heritage buildings on the Heritage New Zealand List / Rārangī Kōrero, including the Dairy and Machine House building, Allied Press building, Dunedin Fire Station, and Dunedin Railway Station.

Prior to submitting the CMP required by condition 4, it must be provided to Heritage New Zealand Pouhere Taonga for review and any feedback from them incorporated into the plan before it is submitted to the Dunedin City Council.

Traffic Management Plans

5. A Traffic Management Plan (TMP) must be submitted to Waka Kotahi NZ Transport Agency and Dunedin City Council (via email to rcmonitoring@dcc.govt.nz) as road controlling authorities for approval by the assigned compliance or monitoring officers at least 1 month prior to the enabling works on each site commencing. The TMP's must outline how truck movements, site access, and temporary alterations to the transport network will be managed to ensure effects on the safe and efficient operation of the road network are minimised for each stage of construction. [Draft TMP to be provided to Foodstuffs for feedback].

Any proposed lane reductions/closures covered by the TMP's which exceed 3 days duration shall be modelled for their effects on the transport network using the Dunedin City Council transport model, prior to submission to the road controlling authorities.

The TMP's must be prepared in accordance with the Code of Practice for Temporary Traffic Management (CoPTTM) and be consistent with the key principles set out in the *New Dunedin Hospital Enabling Works Transport Assessment, Novo Group, August 2021*, and include:

- a) key traffic management principles to be adhered to during the works.
- b) results of any modelling undertaken.
- c) preferred heavy vehicle routes.
- d) site vehicle access locations.
- e) traffic management measures including:
 - i. site vehicle access by trucks and other vehicles.
 - ii. traffic lane reductions, closures, and diversions.
 - iii. cycle lane provision, ensuring continuous cycle lanes are provided on State Highway 1 north and south.
 - iii. footpath closures/diversions, ensuring that at least one footpath remains available for pedestrians on St Andrew Street (SH88) at all times.
 - iii. ensuring St Andrew Street (SH88) remains accessible by vehicles in both directions at all times.

Commented [AL5]: Foodstuffs must be consulted with on the development of the traffic management plan, particularly in relation to any lane closures or diversions, including specifically in relation to circulation of vehicles (and delivery vehicles) on the road network around its Properties (which includes four roads: Hanover Street, Cumberland Street, St Andrew Street and Great King Street), which include limited routes for large B-trains. This is necessary to ensure Foodstuffs is able to manage any potential effects of these closures or diversions on the day-to-day function of the New World supermarket.

Amend condition 5 to require consultation with Foodstuffs in relation to the Traffic Management Plan.

Commented [AL6]: Necessary to ensure there are no closures of St Andrews Street between Cumberland Street and Great King Street (the Applicant has said there will not be).

Amend condition 5(e) to add "ensuring St Andrew Street (SH88) remains accessible by vehicles in both directions at all times".

- v. continued vehicle and pedestrian property access for surrounding properties, ensuring signposting of access locations where necessary.
- f) maps showing the location of any enabling works within the road corridor and traffic management treatments in (e) above.
- g) location and management of containers or hoardings placed on footpaths so they do not obstruct visibility of traffic signals on the State Highway and local road network.
- h) procedures for communication with surrounding activities, stakeholders, and the public, including:
 - details of contact person for community liaison and complaints.
 - list of properties and stakeholders that will be communicated with, including Waka Kotahi, Dunedin City Council, Otago Regional Council, Fire and Emergency New Zealand, and NZ Police.
 - procedures for informing surrounding properties and stakeholders of construction programme and progress.
 - communication activities proposed with each property and stakeholder, including procedures and methods of communication.

Commented [AL7]: Amend to specify *continued vehicle and pedestrian property access for surrounding properties...*

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Approval of Bridge Pier and Bollard Design

- 6. The final design plans for the bridge piers and bollards to be located in road reserve shall be submitted and approved by Waka Kotahi NZ Transport Agency prior to construction to ensure they are optimally located and designed to provide for pedestrian movement and protection of the bridge piers from vehicles.

Screening

- 7. Continuous ground level screening around the perimeter of the sites must be erected and maintained for the duration of the enabling works on each site, except where site access/egress is required. Such screening must consist either of:
 - a) Shipping containers; or
 - b) Solid hoardings 2m high with no gaps or cracks.

Containers and hoardings may be moved as required as the works progress, subject to meeting any specific noise or traffic management requirements set out in the NVMP under condition 4(c) and/or the TMP's required under condition 5 above.

Notification of Commencement of Work

- 8. Notice of the commencement date of the enabling works on each site must be provided to the assigned compliance or monitoring officer at Dunedin City Council via e-mail to rcmonitoring@dcc.govt.nz and to Aukaha, at least 5 working days before the works commence.

DURING PHYSICAL WORKS CONDITIONS

Works in Accordance with Approved CMP

- 9. The enabling works on each site must be undertaken in accordance with the approved CMP required by condition 4 above for the duration of the works, or any subsequent version of that document provided to and approved by the Dunedin City Council.

Hours of Work

- 10. The enabling works must be limited to between 7.00am and 6.00pm, Monday to Friday (inclusive), and 7.00am to 2.00pm on a Saturday, except that the use of machinery is limited to between the hours of 7.30am and 6.00pm, Monday to Friday (inclusive), and 7.30pm to 2.00pm on a Saturday, except for dewatering. No work may occur outside of these times, on Sundays, or public holidays, except where emergency works are required to protect public health and safety.

Note – specific limitations on the hours machinery use are set out in the NVMP under condition 4(c) above.

Noise

- 11. Except as provided in Condition 11(a) below, noise from the enabling works must comply with the recommended residential and commercial noise limits for long term construction outlined in Tables 1 and 2 of NZS6803: 1999 'Acoustics - Construction Noise'.
- 11(a) In the event that noise levels arising from the pile driving, PDA testing and sheet piling exceed the noise limits in the following table (for works conducted between 7am and 6pm from Monday to Saturday) the consent holder shall notify and consult with the assigned compliance or monitoring officer at Dunedin City Council and with the noise receiver affected by an exceedance to demonstrate that the best practicable option to reduce and mitigate noise has been and will continue to be adopted, in accordance with the NVMP, at all times.

Receivers	BDST piling	PDA testing	Sheet piling
Strawberry Sound			
Cook Brothers flats			
[REDACTED]			
[REDACTED]			
Fire Station	<u>Noise limit</u>	<u>Noise limit</u>	<u>Noise limit</u>
[REDACTED]	80 dB LAeq and 95 dB LAmax	85 dB LAeq and 100 dB LAmax	75 dB LAeq and 90 dB LAmax
Quest apartments			
Navy and RNVR hall			
Cello Technology Hub			
Castle Street panelbeaters			
Otago Tyres			
The Victoria Hotel			
Police office	<u>Noise limit</u>	<u>Noise limit</u>	<u>Noise limit</u>
ODT building	75 dB LAeq and 90 dB LAmax	85 dB LAeq and 100 dB LAmax	75 dB LAeq and 90 dB LAmax
[REDACTED]			
[REDACTED]			

Commented [AL8]: The properties owned by Foodstuffs [REDACTED] should be added to the table following condition 11(a). Foodstuffs has had insufficient opportunity to obtain an independent assessment of the likely noise effects on its properties, and therefore a cautious approach to managing noise effects in conditions should be adopted. Foodstuffs' properties should be included in the noise limit notification/consultation table, to ensure Foodstuffs is appropriately consulted with should any high noise levels be anticipated at any stage.

Receivers	BDST piling	PDA testing	Sheet piling
Countdown supermarket	Noise limit 80 dB L_{Aeq} and 95 dB L_{Amax}	Noise limit 85 dB L_{Aeq} and 100 dB L_{Amax}	Noise limit 87 dB L_{Aeq} and 102 dB L_{Amax}

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- 11(b) The noise level from any equipment required to run between the hours of 8pm and 6.30am the next day (such as submersible pumps for dewatering and generators) must comply with a noise limit of 45 dB L_{Aeq} when measured and assessed in accordance with NZS6803: 1999 'Acoustics - Construction Noise'

Vibration

12. Vibration from enabling works, must comply where practicable with the guideline vibration limits outlined in *DIN 4150-3:2016 Vibration in Buildings – Part 3: Effects on Structures*, except where the pre-construction condition surveys required by condition 3 above have demonstrated that the receiving building(s) are capable of withstanding higher levels of vibration, and indicated what the new vibration limit is.

Where compliance is not practicable, and the buildings are capable of withstanding higher levels of vibration, works must be undertaken in accordance with the specific measures identified for those buildings in the NVMP required by condition 4(c).

13. If vibration from enabling works activities might exceed 2.0 mm/s PPV at an occupied building, the consent holder must consult with the occupants where such exceedance is anticipated, to:
- discuss the nature of the work and the anticipated days and hours when the exceedances are likely to occur;
 - determine whether the exceedances could be timed or managed to reduce the effects on the receiver; and
 - provide in writing, no less than three days prior to the vibration-generating works commencing, details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager

The consent holder must maintain a record of these discussions and make them available to the assigned compliance or monitoring officer at Council upon its request (via email to rcmonitoring@dcc.govt.nz).

If the building is not occupied, then the 2.0 mm/s PPV vibration limit does not apply. This allows higher vibration work to be scheduled when receivers are not present, subject to compliance with all other conditions.

Commented [AL9]: As noted in relation to the pre-construction condition surveys and condition 4, it is essential that Foodstuffs properties be assessed for ability to withstand higher levels of vibration, to ensure an appropriate limit is set.

Traffic Management

14. The enabling works on each site must be undertaken in accordance with the approved TMP's required by condition 5 above for the duration of the works, or any subsequent version of the document provided to and approved by Waka Kotahi NZ Transport Agency and Dunedin City Council as road controlling authorities.

15. Meetings between the consent holder, Waka Kotahi NZ Transport Agency Dunedin City Council and Fire and Emergency New Zealand shall be held every three months for the duration of the enabling works for the purpose of reviewing the effectiveness of the TMP's in place, and whether any improvements are required. Prior to these meetings, feedback from directly adjacent properties should be requested and provided to the parties present at the meeting. Any improvements required will be incorporated in the TMP's which will be provided to Waka Kotahi New Zealand Transport Agency and Dunedin City Council for approval.

Contaminated Soils and Water Management

16. All earthworks involving contaminated soils must give effect to the approved GCSMP required under condition 4(b), and must:
 - a) be undertaken in a way that minimises the potential for effects on human health and the surrounding environment, including Te Tai o Arai Te Uru – Otago Coast.
 - b) minimise where practicable the area of exposed contaminated soils and avoid the potential for cross-contamination of materials.
 - c) be undertaken in accordance with the directions of a suitably qualified and experienced practitioner.
17. Contaminated soils and material removed from the site must be deposited at a disposal site that holds a consent to accept soils for disposal with the relevant level of contamination. All soil and material must be covered during transportation off-site.
18. All contaminated water from dewatering and wheel wash facilities is to be discharged to the Dunedin City Council trade waste sewer network in compliance with the Dunedin City Council Trade Waste Bylaw permitted discharge characteristics, or a trade waste consent, including any requirements for on-site pre-treatment. Discharges must be managed to ensure that no overflow or accidental discharge occurs to the stormwater network and Te o Arai Te Uru – Otago Coast.

Erosion and Sediment Control

19. Erosion and sediment controls must be implemented for the duration of the works in accordance with those in the GCSMP and DSCP required under conditions 4(b) and (d) to ensure there is no noxious, dangerous, offensive, or objectionable transfer of dust or sediment beyond the boundaries of the site, onto roads, or into the reticulated stormwater network and Te o Arai Te Uru – Otago Coast.

Archaeological Discovery

20. The following archaeological discovery protocols must occur where any unidentified archaeological site, which may include suspected kōiwi (human remains), taonga, Maori artefacts, or evidence of pre-colonial occupation is encountered during the enabling works:
 - a) Work shall cease immediately at that place and within 20m around the site.
 - b) The contractor must shut down all machinery, secure the area, and advise the Site Manager.
 - c) The Site Manager shall secure the site and notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist.
 - d) If the site is of Maori origin, the Site Manager shall notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist and Aukaha of the discovery and ensure site

access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act, Protected Objects Act).

- e) If any kōiwi (human remains) are encountered, the Heritage New Zealand Pouhere Taonga Regional Archaeologist, New Zealand Police and Aukaha must be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (Archaeological Guideline Series No.8) and no further work in the area may take place until future actions have been agreed by all parties.
- f) Where Papatipu Rūnaka so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.

Advice Note:

Heritage New Zealand Pouhere Taonga will advise if any further archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required for works to continue.

Heritage New Zealand Pouhere Taonga Archaeologist current contact details:

Nikole Wills Regional Archaeologist Otago/Southland
Heritage New Zealand Pouhere Taonga
PO Box 5467 Dunedin
Ph. +64 3 470 2364, mobile 027 240 8715
Fax. +46 3 477 3893
nwills@heritage.org.nz

Complaints Management

- 21. Signage outlining the procedures for persons to make any complaint about the enabling works activities must be provided at each construction entrance to the site for the duration of the enabling works.
- 22. A record of any complaints received must be maintained for the duration of the enabling works. The register must include, but not be limited to:
 - a) the name, phone number, and address of the complainant, unless the complainant elects not to supply this information.
 - b) location, date, and time where the problem was experienced.
 - c) description of the problem experienced.
 - d) for any complaint relating to a discharge of dust or sediment, a description of the weather conditions at the time, including approximate wind speed and direction when the discharge was detected by the complainant.
 - e) likely cause of the problem.
 - f) action taken to avoid, remedy, or mitigate the problem.

The complaints register must be provided to the Dunedin City Council on request.

- 23. Meetings between the consent holder, and Dunedin City Council RMA Monitoring and Compliance Team shall be held every three months for the duration of the enabling works for the purpose of reviewing the effectiveness of complaints procedures in place and determining whether any improvements are required to those procedures. Any

improvements will be incorporated in the relevant management plans which will be provided to Dunedin City Council for approval.

AFTER PHYSICAL WORKS CONDITIONS

Reinstatement of Roading Assets

24. Any public road, footpath, or other public roading asset that has been temporarily altered or damaged as a result of the enabling works must be reinstated to the reasonable satisfaction of the relevant road controlling authority (i.e. Waka Kotahi NZ Transport Agency and/or the Dunedin City Council) at the expense of the consent holder. The pre-condition surveys required under conditions 2 and 3 shall be used as the baseline to determine any damage that has occurred.

Site Validation Reporting

25. Within 3 months of the completion of the enabling works a Site Validation Report (SVR) must be provided to the Dunedin City Council's assigned compliance or monitoring officer (via email to rcmonitoring@dcc.govt.nz), prepared by a suitably qualified and experienced practitioner and in accordance with *Contaminated Land Management Guideline No 1, Reporting on Contaminated Sites in New Zealand, Ministry for the Environment, Revised 2021*. The SVR should include:
- a) summary of the works undertaken.
 - b) confirmation the works were completed in accordance with the Ground Contamination Site Management Plan (GCSMP) and whether there were any variations during the works.
 - c) records of the site, type and volumes of soil material removed from the site, associated test results (if any), disposal destination of surplus soil, and waste disposal acceptance receipts.
 - d) records of any unexpected contamination encountered during the works including any associated test results, if applicable; and
 - e) confirmation that there were no safety or environmental incidents during the works. If any incidents occurred, then the report must detail the nature of the incident and the measures taken to mitigate effects.
 - f) the location and dimensions of contaminated soil remaining on site including a relevant site plan, if applicable.

All sampling must be undertaken in accordance with *Contaminated Land Management Guideline No 5, Site Investigation and Analysis of Soils, Ministry for the Environment, Revised 2021*.

Long-Term Management of Contaminated Soils

26. Within 3 months of the completion of the enabling works a Long-Term Site Management Plan (LTSMP) must be provided to the assigned compliance or monitoring officer at Dunedin City Council (via email to rcmonitoring@dcc.govt.nz), prepared by a suitably qualified and experienced practitioner and in accordance with *Contaminated Land Management Guideline No 1, Reporting on Contaminated Sites in New Zealand, Ministry for the Environment, Revised 2021*. The LTSMP must detail how site workers will be protected from remaining soil contamination.

ADVICE NOTES

- a) The enabling works must be undertaken in accordance with the conditions of the following archaeological authorities issued by Heritage New Zealand Pouhere Taonga, or any subsequent authority issued:
- Authority 2021/323 – Inpatient site
 - Authority 2020-745 – Outpatient site
 - Authority 2019/481 – Logistics centre site
- b) It is an offence under section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an authority from Heritage New Zealand Pouhere Taonga irrespective of whether the works are permitted or consent has been issued under the Resource Management Act.
- c) Prior to submitting the Land Stability Management Plan required as part of condition 4(a), the plan should be provided to the Dunedin City Council 3 Waters Department for review in respect of condition 4(a)(v), and any feedback from them incorporated into the plan before it is submitted to the Dunedin City Council.
- d) Prior to submitting the Land Stability Management Plan required as part of condition 4(a), the consent holder should consult with Aurora Energy Limited regarding the proposed mitigation measures for the protection of electricity supply assets.
- e) Prior to submitting the Dust and Sediment Control Plan required as part of consent condition 4(d), the plan should be provided to the Dunedin City Council 3 Waters Department and RMA Monitoring and Compliance Team for review and any feedback from them incorporated into the plan before it is submitted to the Dunedin City Council.
- f) Prior to submitting the Traffic Management Plans required by condition 5, the consent holder should consult with Otago Regional Council regarding the extent to which bus stops will be affected by the enabling works, and the requirements for any alternative temporary arrangements or relocation.
- g) Prior to the submitting the Traffic Management Plans required by condition 5, the consent holder should consult with Fire and Emergency New Zealand regarding maintaining access to and from the Dunedin Fire Station for emergency response.
- g)h) Prior to the submitting the Traffic Management Plans required by condition 5, the consent holder should consult Foodstuffs South Island Properties Limited, including about maintaining access and clear directional signage for customers and delivery vehicles into its properties at [REDACTED].
- h)j) It is a requirement of the Government Roding Powers Act 1989 that any person wanting to carry out works on a state highway first gain the approval of Waka Kotahi NZ Transport Agency for the works and that a Corridor Access Request (CAR) is applied for before any works commence.
- i)j) Detailed design approval for the works affecting the highway, from Waka Kotahi NZ Transport Agency will be required prior to the CAR process. In the case of the airbridge foundations this will be confirmed by way of a Licence to Occupy.
- j)k) A CAR is made online via www.submitica.co.nz. The CAR needs to be submitted at least 20 working days prior to the intended start date. A copy should also be sent to the Waka Kotahi NZ Transport Agency environmental planning team at environmentalplanning@nzta.govt.nz. The Corridor Access Request will need to include:
- (i) The detailed design for the works. In developing the detailed design, the consent holder will need to consult with Waka Kotahi NZ Transport Agency.
 - (ii) A Construction Traffic Management Plan that has attained approval from the Waka Kotahi appointed state highway maintenance contractor for Coastal Otago (Highway Highlanders).

Commented [AL10]: As a directly affected adjacent property with substantial community visitors per week (30,000), Foodstuffs should be provided an opportunity to comment on draft management plans, particularly as draft plans are not yet available with the application, but form a key part of the technical aspects of the proposal. Related to this, Foodstuffs has had limited ability to call evidence and therefore provision should be made for peer review of management plans by appropriately qualified and independent experts.

Amend advice notes, or alternatively add conditions as appropriate, to require consultation on all draft management plans and peer review of all draft management plans.

(iii) A design safety audit which has been prepared, processed and approved in accordance with Waka Kotahi guidelines for Road Safety Audit Procedures for Projects (<https://www.nzta.govt.nz/assets/resources/road-safety-audit-procedures/docs/road-safety-audit-procedures-tfm9.pdf>).

k) The New Zealand Code of Electrical Practice for Electrical Safety Distances – NZECP 34:2001 sets out mandatory safe distance requirements for buildings, structures, building works, and earthworks near overhead electric lines and other electricity works that must be complied with by the enabling works.

l) The lapse period is 2 years from the date of the commencement of this consent. This may be extended on application to the Council pursuant to Section 125 of the Act.

NDH Stage 1 Enabling Works – Discharge of Soil Contaminants to Land and Groundwater Conditions

GENERAL CONDITIONS

Activity in Accordance with Application

27. The enabling works must be undertaken in general accordance with the information provided in the resource consent application dated 13 August 2021, and the responses to the request for further information received on 19 October 2021, except where modified by the following conditions. If there are any inconsistencies between the application and this consent, the conditions of this consent must prevail.

PRE-COMMENCEMENT CONDITIONS

Construction Management Plan (CMP)

28. A Construction Management Plan (CMP) must be submitted to the Otago Regional Council for approval by the assigned compliance or monitoring officer at least 1 month prior to the enabling works on each site commencing. This plan must include:
- g) A Ground Contamination Site Management Plan (GCSMP) prepared by a suitably qualified experienced practitioner comprising either the *New Dunedin Hospital Ground Contamination Site Management Plan, Tonkin + Taylor, July 2021*, or a GCSMP that gives effect to that plan, and which outlines how soil contamination effects will be managed to ensure effects on human health and the surrounding environment are minimised.
 - h) A Dust and Sediment Control Plan (DSCP) prepared by a suitably qualified and experienced practitioner consistent with the GCSMP required by condition 2(a), and which outlines:
 - iii. how dust and sediment will be managed to ensure it does not cause a noxious, dangerous, offensive or objectionable discharge of dust, sediment, or contaminants beyond the site, or into the Council reticulated stormwater network and Te Tai o Arai Te Uru – Otago Coast.
 - iv. procedures for the receipt, management and response to any complaints received about dust and sediment.

Notification of Commencement of Work

29. Notice of the commencement date of the enabling works on each site must be provided to the assigned compliance or monitoring officer at the Otago Regional Council, and Aukaha at least 5 working days before the works commence.

DURING PHYSICAL WORKS CONDITIONS

Works in Accordance with Approved CMP

30. The enabling works on each site must be undertaken in accordance with the approved CMP required by condition 2 above for the duration of the works, or any subsequent version of that document provided to and approved by the assigned compliance or monitoring officer at the Otago Regional Council.

Contaminated Soils and Water Management

31. All earthworks involving contaminated soils must be undertaken in accordance with the approved GCSMP required under condition 2(a), and must:
 - d) be undertaken in a way that minimises the potential for effects on human health and the surrounding environment, including Te Tai o Arai Te Uru – Otago Coast.
 - e) minimise where practicable the area of exposed contaminated soils and avoid the potential for cross-contamination of materials.
 - f) be undertaken in accordance with the directions of a suitably qualified and experienced practitioner.
32. All contaminated water from dewatering and wheel wash facilities is to be discharged to the Dunedin City Council trade waste sewer network in compliance with the Dunedin City Council Trade Waste Bylaw permitted discharge characteristics, or a trade waste consent, including any requirements for on-site pre-treatment. Discharges must be managed to ensure that no overflow or accidental discharge occurs to the stormwater network and Te Tai o Arai Te Uru – Otago Coast.

Erosion and Sediment Control

33. Erosion and sediment controls must be implemented for the duration of the works in accordance with those in the GCSMP and DSCP required under conditions 2(a) and (b) to ensure there is no noxious, dangerous, offensive, or objectionable transfer of dust or sediment beyond the boundaries of the site, onto roads, or into the reticulated stormwater network and Te Tai o Arai Te Uru – Otago Coast.

Dewatering Wells and Sumps

34. All dewatering wells must ensure the well spear is sealed by a suitable filter material that prevents the ingress of soil contaminants into the well.
35. All hose lines from dewatering wells and sumps must be fitted with a valve which prevents the back flow of contaminated groundwater.

Complaints Management

36. Signage outlining the procedures for persons to make any complaint about the enabling works activities must be provided at each construction entrance to the site for the duration of the enabling works.
37. A record of any complaints received must be maintained for the duration of the enabling works. The register must include, but not be limited to:
 - g) the name, phone number, and address of the complainant, unless the complainant elects not to supply this information.
 - h) location, date, and time where the problem was experienced.
 - i) description of the problem experienced.

- j) for any complaint relating to a discharge of dust or sediment, a description of the weather conditions at the time, including approximate wind speed and direction when the discharge was detected by the complainant.
- k) likely cause of the problem.
- l) action taken to avoid, remedy, or mitigate the problem.

The complaints register must be provided to the assigned compliance or monitoring officer at the Otago Regional Council on request.

ADVICE NOTES

- m) The lapse period is 2 years from the date of the commencement of this consent. This may be extended on application to the Council pursuant to Section 125 of the Act.

NDH Stage 1 Enabling Works –Discharge of Soil Contaminants (Dust) to Air Conditions

GENERAL CONDITIONS

Activity in Accordance with Application

38. The enabling works must be undertaken in general accordance with the information provided in the resource consent application dated 21 August 2021, and the responses to the request for further information received on 19 October 2021, except where modified by the following conditions. If there are any inconsistencies between the application and this consent, the conditions of this consent must prevail.

PRE-COMMENCEMENT CONDITIONS

Construction Management Plan (CMP)

39. A Construction Management Plan (CMP) must be submitted to the assigned compliance or monitoring officer at the Otago Regional Council for approval at least 1 month prior to the enabling works on each site commencing. This plan must include:
- i) A Ground Contamination Site Management Plan (GCSMP) prepared by a suitably qualified experienced practitioner comprising either the *New Dunedin Hospital Ground Contamination Site Management Plan, Tonkin + Taylor, July 2021*, or a GCSMP that gives effect to that plan, and which outlines how soil contamination effects will be managed to ensure effects on human health and the surrounding environment are minimised.
 - j) A Dust and Sediment Control Plan (DSCP) prepared by a suitably qualified and experienced practitioner consistent with the GCSMP required by condition 2(a), and which outlines:
 - v. how dust and sediment will be managed to ensure it does not cause a noxious, dangerous, offensive or objectionable discharge of dust, sediment, or contaminants beyond the site, or into the Council reticulated stormwater network and Te Tai o Arai Te Uru – Otago Coast.
 - vi. procedures for the receipt, management and response to any complaints received about dust and sediment.

Notification of Commencement of Work

40. Notice of the commencement date of the enabling works on each site must be provided to the assigned compliance or monitoring officer at the Otago Regional Council, and Aukaha at least 5 working days before the works commence.

DURING PHYSICAL WORKS CONDITIONS

Works in Accordance with Approved CMP

41. The enabling works on each site must be undertaken in accordance with the approved CMP required by condition 2 above for the duration of the works, or any subsequent version of that document provided to and approved by the Otago Regional Council.

Contaminated Soils Management

42. All earthworks involving contaminated soils must be undertaken in accordance with the approved GCSMP required under condition 2(a), and must:
- g) be undertaken in a way that minimises the potential for effects on human health and the surrounding environment, including Te Tai o Arai Te Uru – Otago Coast.
 - h) minimise where practicable the area of exposed contaminated soils and avoid the potential for cross-contamination of materials.
 - i) be undertaken in accordance with the directions of a suitably qualified and experienced practitioner.

Erosion and Sediment Control

43. Erosion and sediment controls must be implemented for the duration of the works in accordance with those in the GCSMP and DSCP required under conditions 2(a) and (b) to ensure there is no noxious, dangerous, offensive, or objectionable transfer of dust or sediment beyond the boundaries of the site, onto roads, or into the reticulated stormwater network and Te Tai o Arai Te Uru – Otago Coast.

Complaints Management

44. Signage outlining the procedures for persons to make any complaint about the enabling works activities must be provided at each construction entrance to the site for the duration of the enabling works.
45. A record of any complaints received must be maintained for the duration of the enabling works. The register must include, but not be limited to:
- m) the name, phone number, and address of the complainant, unless the complainant elects not to supply this information.
 - n) location, date, and time where the problem was experienced.
 - o) description of the problem experienced.
 - p) for any complaint relating to a discharge of dust or sediment, a description of the weather conditions at the time, including approximate wind speed and direction when the discharge was detected by the complainant.
 - q) likely cause of the problem.
 - r) action taken to avoid, remedy, or mitigate the problem.

The complaints register must be provided to the Otago Regional Council on request.

ADVICE NOTES

- n) The lapse period is 2 years from the date of the commencement of this consent. This may be extended on application to the Council pursuant to Section 125 of the Act.

NDH Stage 1 Enabling Works – Disturbance of Contaminated Site Land Use Conditions

GENERAL CONDITIONS

Activity in Accordance with Application

46. The enabling works must be undertaken in general accordance with the information provided in the resource consent application dated 13 August 2021, and the responses to the request for further information received on 19 October 2021, except where modified by the following conditions. If there are any inconsistencies between the application and this consent, the conditions of this consent must prevail.

PRE-COMMENCEMENT CONDITIONS

Construction Management Plan (CMP)

47. A Construction Management Plan (CMP) must be submitted to the assigned compliance or monitoring officer at the Otago Regional Council for approval at least 1 month prior to the enabling works on each site commencing. This plan must include:
- k) A Ground Contamination Site Management Plan (GCSMP) prepared by a suitably qualified experienced practitioner comprising either the *New Dunedin Hospital Ground Contamination Site Management Plan, Tonkin + Taylor, July 2021*, or a GCSMP that gives effect to that plan, and which outlines how soil contamination effects will be managed to ensure effects on human health and the surrounding environment are minimised.
 - l) A Dust and Sediment Control Plan (DSCP) prepared by a suitably qualified and experienced practitioner consistent with the GCSMP required by condition 2(a), and which outlines:
 - vii. how dust and sediment will be managed to ensure it does not cause a noxious, dangerous, offensive or objectionable discharge of dust, sediment, or contaminants beyond the site, or into the Council reticulated stormwater network and Te Tai o Arai Te Uru – Otago Coast.
 - viii. procedures for the receipt, management and response to any complaints received about dust and sediment.

Notification of Commencement of Work

48. Notice of the commencement date of the enabling works on each site must be provided to the assigned compliance or monitoring officer at the Otago Regional Council, and Aukaha at least 5 working days before the works commence.

DURING PHYSICAL WORKS CONDITIONS

Works in Accordance with Approved CMP

49. The enabling works on each site must be undertaken in accordance with the approved CMP required by condition 2 above for the duration of the works, or any subsequent version of that document provided to and approved by the Otago Regional Council.

Contaminated Soils and Water Management

50. All earthworks involving contaminated soils must be undertaken in accordance with the approved GCSMP required under condition 2(a), and must:
- j) be undertaken in a way that minimises the potential for effects on human health and the surrounding environment, including Te Tai o Arai Te Uru – Otago Coast.
 - k) minimise where practicable the area of exposed contaminated soils and avoid the potential for cross-contamination of materials.
 - l) be undertaken in accordance with the directions of a suitably qualified and experienced practitioner.
51. Contaminated soils and material removed from the site must be deposited at a disposal site that holds a consent to accept soils for disposal with the relevant level of contamination. All soil and material must be covered during transportation off-site.
52. All contaminated water from dewatering and wheel wash facilities is to be discharged to the Dunedin City Council trade waste sewer network in compliance with the Dunedin City Council Trade Waste Bylaw permitted discharge characteristics, or a trade waste consent, including any requirements for on-site pre-treatment. Discharges must be managed to ensure that no overflow or accidental discharge occurs to the stormwater network and Te Tai o Arai Te Uru – Otago Coast.

Erosion and Sediment Control

53. Erosion and sediment controls must be implemented for the duration of the works in accordance with those in the GCSMP and DSCP required under conditions 2(a) and (b) to ensure there is no noxious, dangerous, offensive, or objectionable transfer of dust or sediment beyond the boundaries of the site, onto roads, or into the reticulated stormwater network and Te Tai o Arai Te Uru – Otago Coast.

Dewatering Wells and Sumps

54. All dewatering wells must ensure the well spear is sealed by a suitable filter material that prevents the ingress of soil contaminants into the well.
55. All hose lines from dewatering wells and sumps must be fitted with a valve which prevents the back flow of contaminated groundwater.

Complaints Management

56. Signage outlining the procedures for persons to make any complaint about the enabling works activities must be provided at each construction entrance to the site for the duration of the enabling works.
57. A record of any complaints received must be maintained for the duration of the enabling works. The register must include, but not be limited to:
- s) the name, phone number, and address of the complainant, unless the complainant elects not to supply this information.
 - t) location, date, and time where the problem was experienced.
 - u) description of the problem experienced.

- v) for any complaint relating to a discharge of dust or sediment, a description of the weather conditions at the time, including approximate wind speed and direction when the discharge was detected by the complainant.
- w) likely cause of the problem.
- x) action taken to avoid, remedy, or mitigate the problem.

The complaints register must be provided to the assigned compliance or monitoring officer at Otago Regional Council on request.

AFTER PHYSICAL WORKS CONDITIONS

Site Validation Reporting

58. Within 3 months of the completion of the enabling works a Site Validation Report (SVR) must be provided to the Otago Regional Council, prepared by a suitably qualified and experienced practitioner and in accordance with *Contaminated Land Management Guideline No 1, Reporting on Contaminated Sites in New Zealand, Ministry for the Environment, Revised 2021*. The SVR should include:
- g) summary of the works undertaken.
 - h) confirmation the works were completed in accordance with the Ground Contamination Site Management Plan (GCSMP) and whether there were any variations during the works.
 - i) records of the site, type and volumes of soil material removed from the site, associated test results (if any), disposal destination of surplus soil, and waste disposal acceptance receipts.
 - j) records of any unexpected contamination encountered during the works including any associated test results, if applicable; and
 - k) confirmation that there were no safety or environmental incidents during the works. If any incidents occurred, then the report must detail the nature of the incident and the measures taken to mitigate effects.
 - l) the location and dimensions of contaminated soil remaining on site including a relevant site plan, if applicable.

All sampling must be undertaken in accordance with *Contaminated Land Management Guideline No 5, Site Investigation and Analysis of Soils, Ministry for the Environment, Revised 2021*.

Long-Term Management of Contaminated Soils

59. Within 3 months of the completion of the enabling works a Long-Term Site Management Plan (LTSMP) must be provided to the Otago Regional Council, prepared by a suitably qualified and experienced practitioner and in accordance with *Contaminated Land Management Guideline No 1, Reporting on Contaminated Sites in New Zealand, Ministry for the Environment, Revised 2021*. The LTSMP must detail how site workers will be protected from remaining soil contamination.

ADVICE NOTES

- o) The lapse period is 2 years from the date of the commencement of this consent. This may be extended on application to the Council pursuant to Section 125 of the Act.

NDH Stage 1 Enabling Works – Take of Groundwater Conditions

GENERAL CONDITIONS

Activity in Accordance with Application

60. The enabling works must be undertaken in general accordance with the information provided in the resource consent application dated 13 August 2021, and the responses to the request for further information received on 19 October 2021, except where modified by the following conditions. If there are any inconsistencies between the application and this consent, the conditions of this consent must prevail.

PRE-COMMENCEMENT CONDITIONS

Notification of Commencement of Work

61. Notice of the commencement date of the enabling works on each site must be provided to the assigned compliance and monitoring officer at Otago Regional Council, and Aukaha at least 5 working days before the works commence.

DURING PHYSICAL WORKS CONDITIONS

Take of Groundwater

62. Groundwater must be:
- a) only be taken for dewatering purposes
 - b) taken via wells, or sumps surrounding or within areas to be excavated.
 - c) pumped a depth not exceeding 10 metres below ground level.
 - d) taken at a rate no greater than 57 litres per second (L/s).
63. The rate of groundwater taken for dewatering shall be recorded continuously, and records provided to the Otago Regional Council on request.

ADVICE NOTES

- p) The lapse period is 2 years from the date of the commencement of this consent. This may be extended on application to the Council pursuant to Section 125 of the Act.