

BEFORE THE DUNEDIN CITY COUNCIL

Independent Hearing Commissioner

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER a Resource Consent Application by the
Ministry of Health to demolish the former
Cadbury Factory buildings for the purposes of
constructing the New Dunedin Hospital, at 280
and 336 Cumberland Street, Dunedin. (LUC-
2020-263)

STATEMENT OF EVIDENCE OF KEN GIMBLETT
Planner for the Applicant
23 October 2020

GREENWOOD ROCHE
LAWYERS
CHRISTCHURCH
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1 QUALIFICATIONS AND EXPERTISE

- 1.1 My name is Ken Gimblett. I hold the position of Senior Resource Management Planner / Partner with the environmental consultancy firm Boffa Miskell Limited, based in the firm's Christchurch office. I have been employed by Boffa Miskell since 1998 and have been a director of the company since 2008.
- 1.2 I hold a Bachelor of Regional Planning (Hons) from Massey University. I am also a full member of the New Zealand Planning Institute and an accredited independent Resource Management Commissioner (Chair Endorsement). I have 33 years' experience gained both in New Zealand and the UK, in statutory and environmental planning, effects assessment, policy analysis, plan preparation and administration, and public consultation.
- 1.3 I have extensive experience in preparing numerous resource consent applications and their associated assessments of environmental effects in relation to a wide range of planning and resource management projects. I am regularly engaged to provide strategic planning advice and act as an expert planning witness before Council hearings and the Environment Court.
- 1.4 I was engaged by the Ministry of Health in 2018 to provide expert planning and consenting advice in relation to designing and constructing a new replacement hospital in Dunedin. Since then I have assisted in the development and implementation of the consenting strategy for the project and in obtaining various planning approvals relating to site clearance, establishing a temporary project office and undertaking preliminary investigative works. My involvement to date in the project as part of the consenting team has required close liaison with local regulatory authorities, working closely also with Ministry representatives, the wider design team and a range of technical specialists. Through this involvement I have gained a comprehensive understanding of the project objectives and emergent design concepts.

2 CODE OF CONDUCT

- 2.1 I have read the Code of Conduct for Expert Witnesses issued as part of the Environment Court Practice Notes. I agree to comply with the code and am satisfied the matters I address in my evidence are within my expertise. I am not aware of any material facts that I have omitted that might alter or detract from the opinions I express in my evidence.

3 SCOPE OF EVIDENCE

- 3.1 As directed by the Commissioners Minute 1, dated 10 October 2020, my evidence briefly addresses the following matters:
- (a) Areas of agreement and disagreement with the section 42A report;
 - (b) The consultation process undertaken within Heritage New Zealand Pouhere Taonga;
 - (c) The agreed set of conditions.

4 THE s42A REPORT

- 4.1 I have reviewed the Council's s42A report. I am substantially in agreement with the identification and discussion of relevant matters for consideration as contained within that report, and the conclusions reached by the reporting officer Ms Karen Bain.
- 4.2 I agree the overall activity status is non-complying.
- 4.3 I acknowledge the applicability of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 to the site, but not to the activity applied for through this application.
- 4.4 I agree with the summation of matters raised in submissions.
- 4.5 I generally agree with the assessment of environmental effects of allowing the activity, and while I also acknowledge the different opinions of the relevant heritage advisors for the Applicant and the Council as to the significance of the loss of

heritage values through demolition of the protected facades, I agree the adverse impact on these values would be substantially more than minor. I also agree that adverse impact is not realistically avoidable.

- 4.6 I acknowledge the application and proposed conditions include the retention of the Dairy and Machine House Building, but I accept the actual protection of the heritage value of that building is achieved through the continuation of its identification in the Schedule of Heritage Items and Sites (Appendix A.1.1) in the proposed District Plan. Accordingly, in a direct sense, this should not be considered a positive offset or compensation pursuant to section 104(1)(ab).
- 4.7 I agree the only reason the application has been made is to facilitate the establishment of a new hospital on the site. I fully endorse the identification and evaluation of the positive benefits a new hospital would bring, and would note that even though an application has not been made, a detailed design completed or final sign-off obtained for the new hospital, even if that were the case, there remains no absolute certainty of realising those benefits until such time as the hospital is actually built and remains operational. Factoring those benefits into the determination of this application is necessarily therefore about a probability of outcome. In my opinion, for the reasons provided in support of the application, that probability is high.
- 4.8 The heritage related provisions of the proposed District Plan are beyond appeal and I agree with Ms Bain that they are deemed to give effect to the provisions of the Regional Policy Statement. I also agree the proposed activity is consistent with all relevant objectives and policies of the operative (as still applicable) and proposed District Plans, and the partially operative Otago Regional Policy Statement.
- 4.9 In terms of these objective and policy provisions, the effects of the activity on the transportation network would be periodic and temporary in duration, and subject to a Traffic Management Plan approved by Dunedin City Council. Similarly, noise effects would

also be temporary, of limited duration and managed to occur at times when ambient levels are already elevated by traffic noise. A Demolition Management Plan will be directed to minimising as far as practicable adverse effects on the amenity of surrounding properties, and on people's health and safety.

- 4.10 Importantly, the built heritage provisions do not seek absolute protection and it is recognised that demolition may be appropriate in some circumstances, including to allow for a significant public benefit that outweighs the loss of the building, and where there is no reasonable alternative to demolition. At a strategic level, the policy is to restrict demolition, recognising these limited circumstances, rather than avoid it.
- 4.11 Construction feasibility and functionality of the hospital would be critically impacted upon if the facades are retained, and significant financial cost would be incurred in doing so. I have already referred to the benefits to the public associated with the new hospital and I agree with Ms Bain that the costs involved in retention and resultant compromises to the efficacy of the hospital outweigh the loss of the heritage facades. The preliminary masterplan and initial design concepts also indicate enhanced streetscape amenity is a likely outcome of the new development.
- 4.12 I agree with the conclusions regarding Part 2 matters.
- 4.13 I agree the activity passes the threshold requirement of section 104D(1)(b).
- 4.14 I agree that providing for the new hospital is an exceptional circumstance and support the conclusions reached by Ms Bain regarding maintaining the integrity of the district plan and public confidence in its administration.
- 4.15 I accept the proposed conditions (**Appendix 2**) as being both necessary and appropriate if the activity is to proceed, and I support the recommendation to grant consent to the application subject to those conditions.

- 4.16 More specific matters relating to conditions are addressed in section 6 of this evidence.

5 CONSULTATION WITH HERITAGE NEW ZEALAND POUHERE TAONGA

- 5.1 I have been directly involved in the consultation undertaken with Heritage New Zealand Pouhere Taonga during preparation of the application and following the close of submissions. Section 12 of the application for resource consent¹ outlines the pre-application consultation undertaken with Heritage New Zealand Pouhere Taonga, including their feedback on the Heritage Impact Assessment included with the application.
- 5.2 Heritage New Zealand Pouhere Taonga's submission² supported the application but sought amendment of some of the proposed conditions included in the application. Those changes included:
- (a) The draft Demolition Management Plan (DMP) being forwarded to Heritage New Zealand Pouhere Taonga for review and comment, prior to it being forwarded to the Dunedin City Council for approval.
 - (b) Requiring the Noise and Vibration Management Plan (part of the DMP) to include measures for vibration received at all surrounding heritage buildings, which included outlining the areas of influence of vibration effects, and monitoring of buildings for structural and cosmetic damage.
 - (c) Significant historical or archaeological features/materials salvaged from the buildings for reuse or made available to the community, being stored in a manner that does not cause damage to the materials.
 - (d) A copy of the draft Conservation Plan and Cyclical Maintenance Plan for the Dairy and Machine House building being forwarded to Heritage New Zealand Pouhere Taonga for review and comment.

¹ Boffa Miskell Limited, Application for Resource Consent for Demolition of the Former Cadbury Factory, 11 June 2020.

² Submission of Heritage New Zealand Pouhere Taonga to Resource Consent LUC-2020-263 – Ministry of Health, 7 August 2020.

- (e) An advice note advising the applicant of the need to obtain an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014.

5.3 In my opinion, the changes sought by Heritage New Zealand Pouhere Taonga are all appropriate. Following the close of submissions, the conditions included in the application were revised by the applicant to incorporate Heritage New Zealand Pouhere Taonga's requested changes and were forwarded to Heritage New Zealand Pouhere Taonga on the 3rd of September 2020.

5.4 Heritage New Zealand Pouhere Taonga confirmed by way of letter on the 19th of October 2020 that the amended conditions addressed the relief sought in their submission, and Heritage New Zealand Pouhere Taonga would withdraw their concerns with respect to the application if the amended conditions were included. A copy of Heritage New Zealand Pouhere Taonga's letter is attached as **Appendix 1**.

6 AGREED CONDITIONS

6.1 Following the receipt of the Council's s42A report, the applicant undertook to review the conditions of consent recommended in the report, and ensure they aligned with the changes sought by, and agreed with Heritage New Zealand Pouhere Taonga. As a result, several amendments have been agreed with the Council's s42A reporting officer Ms Karen Bain. While the amendments and inclusions do not align word for word with those requested by Heritage New Zealand Pouhere Taonga, I consider the differences are minor and immaterial, and that the conditions reflect the intent of the changes they sought.

6.2 I provided Heritage New Zealand Pouhere Taonga with a copy of the updated set of conditions on the 20th of October 2020, identifying how the previously agreed amendments were still included, such that there were no substantive differences compared with the earlier version. On the 21st of October 2020 I received by email from Heritage New Zealand Pouhere Taonga confirmation that the updating of proposed conditions has not

affected Heritage New Zealand Pouhere Taonga's earlier agreement and approval.

6.3 To assist the Commissioner's understanding, the amendments to conditions described at paragraph 5.2 of this evidence and agreed with Heritage New Zealand Pouhere Taonga on the 19th October are reflected in the updated version (**Appendix 2**), as follows:

- (a) It was agreed that the Demolition Management Plan should be approved prior to any demolition works occurring and that a copy should be given to Heritage New Zealand Pouhere Taonga allowing 15 working days for comment prior to the Plan's approval. This requirement is now included as proposed condition 7.
- (b) It was agreed there should be measures for management of vibration at all surrounding (identified) heritage buildings, including monitoring for structural and cosmetic damage. This commitment is now included in proposed condition 6(d)v.
- (c) During demolition it was agreed that salvage and storage of significant historical or archaeological features/materials would be undertaken in a manner that did not cause them damage. This is a requirement of proposed condition 8.
- (d) It was agreed that the required Conservation and Cyclical Maintenance Plans should also be given to Heritage New Zealand Pouhere Taonga allowing 15 working days for comment. This is now included as proposed condition 16.
- (e) It was agreed that an advice note inform the consent holder of the general obligations and requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Such an advisory note is included in association with the proposed conditions.

6.4 Other various minor amendments have also been agreed to the conditions to improve their clarity and robustness.

6.5 The final **Agreed Conditions** are attached as **Appendix 2**.

KEN GIMBLETT
Planner for the Applicant
Boffa Miskell Limited
23 October 2020

**APPENDIX 1 – LETTER FROM HERITAGE NEW ZELAND POUHERE
TAONGA, DATED 19 OCTOBER 2020.**



19 October 2020

File Reference: 12009-553

Ken Gimblett
Boffa Miskell
141 Cambridge Terrace
Christchurch 8013

By email: ken.gimblett@boffamiskell.co.nz

Dear Ken

HERITAGE NEW ZEALAND POUHERE TAONGA APPROVAL OF PROPOSED CHANGES TO RESOURCE CONSENT APPLICATION CONDITIONS LUC-2020-263 – MINISTRY OF HEALTH

1. Heritage New Zealand Pouhere Taonga is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage.
2. Heritage New Zealand lodged a submission in partial support of the Ministry of Health's resource consent application LUC-2020-263 for the demolition of the Cadbury Factory facades to Cumberland and Castle Street, on 7 August 2020.
3. The submission addressed the scientific and social heritage values of the Cadbury Factory buildings, including the buildings' education potential and the adverse effects the loss of the buildings would have. The submission also addressed the proposed mitigation measures and the significant public benefit a new hospital would provide. The submission proposed amended conditions to strengthen notification requirements to Heritage New Zealand.
4. On 3 September 2020, Ken Gimblett informed Heritage New Zealand that the applicant had agreed to the changed proposed without alteration and provided a set of amended conditions to this effect (copy attached). The amended conditions provide for:
 - Including an advice note on the archaeological authority requirements;
 - Providing Heritage New Zealand 15 working days to make comments on a Cyclical Maintenance Plan for the Dairy and Machine House building;
 - Providing Heritage New Zealand 15 working days to make comments on a Conservation Plan for the Dairy and Machine House building;
 - Providing Heritage New Zealand 15 working days to make comments on a Demolition Management Plan;
 - The Demolition Management Plan will include a Heritage Protection Plan and Noise and Vibration Management Plan which identifies listed heritage within the area of vibration influence and monitoring methods; and
 - Ensuring the storage of any salvaged historic features will be "in a manner that will not cause damage to the materials".
5. The amended conditions, as set out in the attached document, satisfy the relief sought in Heritage New Zealand's submission. Should the Ministry of Health's resource consent application LUC-2020-263 be amended to include the proposed conditions, Heritage New Zealand would withdraw their concerns with respect to the application.



HERITAGE NEW ZEALAND
POUHERE TAONGA

6. Please note that this advice by Heritage New Zealand Pouhere Taonga does not constitute or in any way prejudice its response to any application for an archaeological authority made under the HNZPTA in respect of the proposed works.
7. Thank you for consulting Heritage New Zealand on this matter.

Yours sincerely

Sheila Watson
Director, Southern Region

Address for Service:

Fran Davies
Planner
Heritage New Zealand Pouhere Taonga
PO Box 5467
Dunedin 9054
Email: fdavies@heritage.org.nz

New Dunedin Hospital – Cadbury Factory Demolition

Proposed Changes to Resource Consent Conditions in Response to Submissions

Note: all additions shown underlined, and deletions shown ~~struck out~~.

General:

1. *The demolition works shall be undertaken in general accordance with the information submitted in the resource consent application, prepared by Boffa Miskell Ltd, dated 11 June 2020, except where modified by the following conditions.*
2. *The Dairy and Machine House building shall be retained.*

Conditions to be met prior to demolition commencing:

3. *Detailed building recording of the Cadbury Factory buildings shall be completed by a suitably qualified heritage practitioner to a Level 2 standard defined by Heritage New Zealand – Pouhere Taonga. The record shall be provided to the Dunedin City Council and Heritage New Zealand – Pouhere Taonga within 6 months of the completion of demolition.*
4. *Each building to be demolished shall be surveyed by a suitably qualified heritage practitioner to identify significant historical or archaeological features and historic building materials that are able to be salvaged for either reuse in the hospital development, or made available to the wider community.*
5. *A Demolition Management Plan (DMP) shall be submitted to rcmonitoring@dcc.govt.nz and approved by the resource consent manager prior to any demolition works being undertaken on the site. A copy of the DMP shall be provided to Heritage New Zealand – Pouhere Taonga, who shall be given 15 working days to make comments prior to the Plan's approval. This plan must include:*
 - *An Asbestos Removal Control Plan outlining how asbestos will be removed from buildings in accordance with the Health & Safety at Work (Asbestos) Regulations, and WorkSafe NZ Approved Code of Practice (ACOP).*
 - *A Waste Management Plan outlining how the amount of waste sent to landfill will be minimised, and ensures hazardous materials and other waste sent to landfill is disposed at consented facilities with the appropriate waste acceptance criteria.*
 - *A Heritage Protection Plan, prepared by a suitably qualified heritage practitioner outlining how works will be conducted to ensure there are no adverse effects on structural integrity and heritage values of surrounding heritage buildings, and in particular the Dairy and Machine House building, and the Allied Press (Otago Daily Times) Building.*
 - *A Noise and Vibration Management Plan prepared by an acoustic specialist that outlines how noise and vibration will be mitigated during demolition activities, and addresses NZS6803: 1999 “Acoustics – Construction Noise” and DIN 4150-3:2016 “Vibration in buildings – Part 3: Effects on structures”. The plan must include measures for:*
 - *Higher noise generating activities that cannot practically comply with the noise limits in NZS6803: 1999 “Acoustics – Construction Noise”.*
 - *Noise received at the Dunedin Fire Station crew sleeping quarters, developed in consultation with Fire and Emergency New Zealand.*

- Noise received in the office areas of the ODT building during remedial works to the facade.
- Vibration received at all surrounding heritage buildings identified on a plan, outlining the area of influence of vibration effects, and including monitoring of the buildings for structural and cosmetic damage.
- Vibration received at the ODT building, including sensitive working areas, and vibration sensitive equipment such as the printing press, including monitoring of the building for structural and cosmetic damage.
- A Site Specific Safety Plan outlining how hazards will be managed to ensure the safety of the public and site workers.
- A Traffic Management Plan outlining how truck movements, traffic/cycle lane relocation and closures, and pedestrian routes will be managed to ensure the safe and efficient operation of the road network.
- Controls to suppress and minimise dust nuisance, and avoid the tracking of sediment off the site or into the Council reticulated stormwater network.

Conditions to be met during demolition:

6. Significant historical or archaeological features and historic building materials identified for salvage under condition 4 above, are to be carefully removed and securely stored in a manner that will not cause damage to the materials, for potential reuse in the hospital development, ~~or~~ and made available to the wider community.
7. All site works and demolition must be undertaken in accordance with the approved Demolition Management Plan required by condition 5 above.
8. The undertaking of demolition works must be limited to between 7.30am and 6.00pm, Monday to Saturday (inclusive). No demolition work may occur outside of these times, on Sundays, or public holidays, except where emergency works are required to protect public health and safety, or to accommodate the requests of specific stakeholders.
9. Noise from demolition works must comply where practicable with the recommended residential and commercial noise limits for long term construction outlined in Tables 1 and 2 of NZS6803: 1999 "Acoustics – Construction Noise". Where compliance is not practicable, demolition works must be undertaken in accordance with the measures for managing higher noise generating activities that are identified in the Noise and Vibration Management Plan required by condition 5 above.

Conditions relating to future site development:

10. Within 6 months following the commencement of demolition of Cadbury Factory buildings, and prior to any work being undertaken to the Dairy and Machine House Building:
 - A Conservation Plan shall be prepared by a suitably qualified heritage practitioner to provide guidance for the adaption, repair, restoration, execution of works, and maintenance of the Dairy and Machine House building in a way that ensures interventions to heritage fabric of the building are sympathetic and kept to a minimum. A copy of the Conservation Plan shall be provided to Heritage New Zealand – Pouhere Taonga, which shall be given 15 working days to provide any comments.

- A Cyclical Maintenance Plan shall be prepared by a suitably qualified heritage practitioner which sets out routine maintenance actions to be undertaken to ensure preservation of heritage fabric of the Dairy and Machine House building. A copy of the Cyclical Maintenance Plan shall be provided to Heritage New Zealand – Pouhere Taonga, which shall be given 15 working days to provide any comments.

11. Where re-use of the stored significant historical or archaeological features and historic building materials as part of the hospital redevelopment is not practicable or reasonable or would compromise clinical and functional outcomes, the features and materials shall be securely stored and made available to the wider community for a minimum of 2 years following the completion of the hospital development on the site.

Advice Notes:

- The Heritage New Zealand Pouhere Taonga Act 2014 defines an 'archaeological site' as any place occupied prior to 1900 that may provide archaeological information on the history of New Zealand. This includes building and structures constructed prior to 1900. An Archaeological Authority is required for any works that may modify or destroy an archaeological site, including demolition of a building built prior to 1900, and it is an offence to undertake activities that may modify or destroy an archaeological site unless authorised by an Archaeological Authority issued under the Heritage New Zealand Pouhere Taonga Act 2014. A building consent or resource consent does not constitute such authorisation.
- Prior to submitting the Traffic Management Plan required as part of condition 5, the plan should be provided to NZTA for review; and any feedback incorporated into the plan before it is submitted to the DCC for approval.

APPENDIX 2 – AGREED CONDITIONS

Amended Recommended Conditions of Consent

Conditions:

1. *The proposed activity must be undertaken in general accordance with the approved plans attached to this consent as Appendix One, and the information provided with the resource consent application received by the Council on 11 June 2020, except where modified by the following conditions.*
2. *The Dairy and Machine House building, which forms part of protected item **B030** in 2GP Appendix A.1.1 (Schedule of Protected Heritage Items and Sites), must be retained.*

Conditions to be met prior to any site works or demolition commencing

3. *Detailed building recording of the Cadbury Factory buildings must be completed by a suitably qualified heritage practitioner. This recording must be undertaken in accordance with the Level II standards set out in Section 5.3 of the Heritage New Zealand – Pouhere Taonga ‘Investigation and Recording of Buildings and Standing Structures’ (2018) document. The recording must be provided to the Dunedin City Council at rcmonitoring@dcc.govt.nz; and to Heritage New Zealand Pouhere Taonga.*
4. *Each building to be demolished must be surveyed by a suitably qualified heritage practitioner to identify significant historical or archaeological features and historic building materials that are able to be salvaged, for reuse in the hospital development or to be made available to the wider community.*
5. *If vibration from demolition activities might exceed 2.5mm/s PPV at an occupied building, the consent holder must consult with the occupants where such exceedance is anticipated, to:*
 - a) *discuss the nature of the work and the anticipated days and hours when the exceedances are likely to occur;*
 - b) *determine whether the exceedances could be timed or managed to reduce the effects on the receiver; and*
 - c) *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 Council upon its request.

If the building is not occupied, then the 2.5mm/s PPV vibration limit does not apply. This allows higher vibration work to be scheduled when receivers are not present, subject to compliance with building damage criteria, and with the controls at other nearby occupied buildings.

6. *A Demolition Management Plan (DMP) must be submitted to rcmonitoring@dcc.govt.nz and approved by the resource consent manager. This plan must include details of the consultation with Heritage New Zealand – Pouhere Taonga required by condition 7 below; and:*
 - a) *An Asbestos Removal Control Plan outlining how asbestos will be removed from buildings in accordance with the Health & Safety at Work (Asbestos) Regulations, and WorkSafe NZ Approved Code of Practice (ACOP).*

- b) *A Waste Management Plan that outlines how the amount of waste sent to landfill will be minimised, and ensures hazardous materials and other waste sent to landfill is disposed at consented facilities with the appropriate waste acceptance criteria.*
 - c) *A Heritage Protection Plan, prepared by a suitably qualified heritage practitioner outlining how works will be conducted to ensure there are no adverse effects on structural integrity and heritage values of surrounding heritage buildings, and in particular the Dairy and Machine House building, and the Allied Press (Otago Daily Times) Building.*
 - d) *A Noise and Vibration Management Plan prepared by a suitably qualified professional 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" as a minimum; and outlines how noise and vibration will be minimised and mitigated during demolition activities. The plan must incorporate the vibration data gathered during the test piling activities authorised by resource consent LUC-2020-365; and must include:*
 - i. *measures for higher noise generating activities that cannot practicably comply with the noise limits set out in NZS6803: 1999 "Acoustics – Construction Noise"*
 - ii. *the procedures and management measures for noise received at the Dunedin Fire Station crew sleeping quarters (to be developed in consultation with Fire and Emergency New Zealand)*
 - iii. *measures for the management of noise received in the office areas of the Allied Press Limited building*
 - iv. *measures for the management of vibration received at the Allied Press Limited building, including sensitive working areas, and vibration sensitive equipment such as the printing press*
 - v. *measures for the management of vibration received at all surrounding scheduled heritage buildings (including the Dairy and Machine House building and the Allied Press Limited building), outlining the area of influence of vibration effects, and including monitoring of the buildings for structural and cosmetic damage.*
 - vi. *A procedure for the receipt, management and response to any complaints received about noise or vibration.*
 - e) *A Site Specific Safety Plan that outlines how hazards will be managed to ensure the safety of the public and site workers.*
 - f) *A Traffic Management Plan that outlines how truck movements, traffic/cycle lane relocation and closures, and pedestrian routes will be managed to ensure the safe and efficient operation of the road network.*
 - g) *A Dust and Sediment Control Plan that outlines the controls to be implemented to suppress and minimise dust nuisance, and avoid the tracking of sediment off the site or into the Council reticulated stormwater network. (Refer to advice note 3 below.)*
7. *Prior to the DMP required by condition 6 above being submitted to the Council for approval, it must be provided to Heritage New Zealand – Pouhere Taonga, who must be given no less than 15 working days to provide comments on it.*

Conditions to be met at commencement of, or during, demolition

8. *Significant historical or archaeological features and historic building materials identified for salvage in accordance with condition 4 above, must be carefully removed and securely stored in a manner that will not cause damage to the materials, for potential reuse in the hospital development and/or made available to the wider community. Details of the storage location(s) must be provided to rcmonitoring@dcc.govt.nz.*
9. *All site works and demolition must be undertaken in accordance with the approved Demolition Management Plan required by condition 6 above.*
10. *All redundant wastewater and stormwater laterals within the sites must be sealed off at the DCC pipes in the road way.*
11. *The undertaking of demolition works must be limited to between 7.30am and 6.00pm, Monday to Saturday (inclusive). No demolition work may occur outside of these times, on Sundays, or public holidays observed on Monday to Saturday, except where emergency works are required to protect public health and safety, or to accommodate the requests of specific stakeholders (such as undertaking high-impact works while an adjacent property is unoccupied).*
12. *Noise from demolition works must comply where practicable with the recommended residential and commercial noise limits for long term construction outlined in Tables 1 and 2 of NZS6803: 1999 'Acoustics - Construction Noise'. Where compliance is not practicable, works must be undertaken in accordance with the measures for higher noise generating activities that are identified in the Noise and Vibration Management Plan required by condition 6(d).*

Note: Noise from demolition works associated with this activity must be assessed cumulatively with all demolition and/or construction activities associated with the New Dunedin Hospital project.

13. *The guideline vibration limits set out in DIN 4150-3:2016 must not be exceeded, except where the vibration data required to inform the Noise and Vibration Management Plan required by condition 6(d) has demonstrated that the receiving building(s) are capable of withstanding higher levels of vibration; and indicated what the new vibration limit is.*

Conditions to be met at the conclusion of demolition

14. *Any public road, footpath, or other public roading asset that has been affected/damaged as a result of the demolition works must be reinstated to the satisfaction of the relevant road controlling authority (i.e. the NZ Transport Agency and/or the DCC) at the expense of the consent holder.*
15. *The following plans must be prepared and submitted to the Dunedin City Council at rcmonitoring@dcc.govt.nz and to Heritage New Zealand Pouhere Taonga within six months of the commencement of demolition of the Cadbury Factory buildings, and prior to any work being undertaken to the Dairy and Machine House Building:*
 - a) *a Conservation Plan prepared by a suitably qualified heritage practitioner, which provides guidance for the adaption, repair, restoration, execution of works, and the maintenance of the Dairy and Machine House building, in a way that ensures interventions to heritage fabric of the building are sympathetic and kept to a minimum; and*
 - b) *a Cyclical Maintenance Plan prepared by a suitably qualified heritage practitioner, which sets out routine maintenance actions to be undertaken to ensure the preservation of the heritage fabric of the Dairy and Machine House building.*
16. *Prior to the plans required by condition 15 above being submitted to the Council for approval, they must be provided to Heritage New Zealand – Pouhere Taonga, who must be given no less than 15 working days to provide comments on them.*

17. *With regard to the significant historical or archaeological features and historic building materials required to be stored by condition 8 above, where re-use of those materials as part of the hospital redevelopment is not practicable or reasonable, or would compromise clinical and functional outcomes, the features and materials must be securely stored in a manner that will not cause damage to the materials, and made available to the wider community for a minimum of two years following completion of the hospital development on the sites. Details of the storage location(s) must be provided to rcmonitoring@dcc.govt.nz.*
18. *If a building consent application for development of the site has not been lodged within four years of demolition being completed, then a landscaping plan must be submitted to rcmonitoring@dcc.govt.nz and approved by the resource consent manager. The plan must:*
- a) detail how the site is to be remediated to provide a landscaping area with a minimum width of 1.5m along the full length of any road boundary that does not have a building within 1.5m of that boundary.*
 - b) meet the performance standards for boundary treatments and other landscaping set out in Rule 18.6.1 of the Proposed 2GP.*

Upon approval, the landscaping plan must be implemented.

Advice Notes:

Heritage

1. The Heritage New Zealand Pouhere Taonga Act 2014 defines an 'archaeological site' as any place occupied prior to 1900 that may provide archaeological information on the history of New Zealand. This includes building and structures constructed prior to 1900. An Archaeological Authority will be required for any works that may modify or destroy an archaeological site, including demolition of a building built prior to 1900. It is an offence to undertake activities that may modify or destroy an archaeological site unless authorised by an Archaeological Authority issued under the Heritage New Zealand Pouhere Taonga Act 2014. A building consent or resource consent does not constitute such authorisation.

Noise and Vibration Management

2. It is recommended that the Noise and Vibration Management Plan required as part of consent condition 6(d) is provided to Allied Press Limited for their information.

Management of Dust and Sediment

3. It is recommended that prior to submitting the Dust and Sediment Control Plan required as part of consent condition 6(g), the plan is provided to the Council's 3 Waters Department for review; and any feedback from them incorporated into the plan before it is submitted to the DCC for approval. The plan will be required to detail all practicable measures and devices to prevent sediment-laden stormwater run-off from the site into the Council stormwater network and neighbouring properties during any stages of site disturbance associated with the proposed demolition. It should include details of:
- Dust Mitigation measures
 - Objectives of the plan
 - Roles and Responsibilities
 - Training
 - Environment Auditing

- Dealing with wind generated dust
- Monitoring
- Complaints record
- Plans for inclement weather

Transportation

4. It is recommended that prior to submitting the Traffic Management Plan required as part of consent condition 6(f), the plan is provided to the NZ Transport Agency for review; and any feedback from them incorporated into the plan before it is submitted to the DCC for approval.
5. In the event of future development on the site, the DCC Transport Department will assess any associated transportation effects at the time of application for resource consent/building consent.
6. Demolition/deconstruction traffic will need to be managed in such a way so as to retain appropriate provision/level of service for all road users, to ensure that the safety and efficiency of the transport network is maintained to an appropriate standard, throughout the demolition period. This includes the bus service, as well as vehicle, pedestrian and cycle traffic.
7. Separate approval for any temporary vehicle access locations might also be required. These will need to comply with the vehicle access performance standards detailed within Rule 6.6.3 of the 2GP.

General

8. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through Sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
9. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
10. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to, during and after (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in Section 339 of the Resource Management Act 1991.
11. The lapse period specified above may be extended on application to the Council pursuant to Section 125 of the Resource Management Act 1991.

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Karen Bain
Planner

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