

Invitation for Comment on New Dunedin Hospital – Whakatuputupu

New Dunedin Hospital – Whakatuputupu is a Referred Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Application name	New Dunedin Hospital – Whakatuputupu
EPA reference	FTC000030
Applicant/s	Ministry of Health, Minister of Health
Comments due by	Friday 29 October 2021
Accessing the application	The full application and supporting documents can be viewed on the EPA website, which can be accessed here: https://www.epa.govt.nz/fast-track-consenting/referred-projects/new-dunedin-hospital-whakatuputupu/application/

An application has been made by the Ministry of Health and Minister of Health under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the act) for Stage 1 enabling works for the New Dunedin Hospital – Whakatuputupu.

To comment on Stage 1 enabling works consent application, please fill in the details on the attached form and:

- **Email** the form to Dunedinhospitalfasttrack@epa.govt.nz . Please mark in the subject line: “Comments on New Dunedin Hospital – Whakatuputupu Fast Track Application (Your name/organisation) by Friday 29 October 2021; or
- **Post** the form to New Dunedin Hospital – Whakatuputupu Fast Track Application, Environmental Protection Authority, Private Bag 63002, Waterloo Quay, Wellington 6140 in time for the form to be received by the Friday 29 October; or
- **Deliver in person** to Environmental Protection Authority, Grant Thornton House, Level 10, 215 Lambton Quay, Wellington by 29 October 2021. *Please note that due to potential changes in COVID-19 Alert Levels our reception may not be open to the public. We suggest phoning ahead to check.*

Comments must be received by the EPA, on behalf of the New Dunedin Hospital – Whakatuputupu Expert Consenting Panel, no later than Friday 29 October 2021

If your comment is not received by the EPA by Friday 29 October 2021 the Panel is not required to consider your comment (although it may decide to). Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 there is no right to seek a waiver of the time limit.

If you are an iwi authority you may share the consent application with hapū whose rohe is in the project area in the application and choose to include comments from the hapū with any comments you may wish to provide.

Important information

Your personal information will be held by the EPA and used in relation the Stage 1 enabling works - New Dunedin Hospital – Whakatuputupu consent application process. You have the right to access and correct personal information held by the EPA.

A copy of your comments, including all personal information, will be provided to the Expert Consenting Panel and the applicant.

All comments received on the application will be available on the EPA website.

If you are a corporate entity making comments on this application, your full contact details will be publicly available. For individuals, your name will be publicly available, but your contact details (phone number, address, and email) will not be publicly available.

Please do not use copyright material without the permission of the copyright holder.

All information held by the EPA is subject to the Official Information Act 1982.

More information on the fast-track consenting process can be found at <https://www.epa.govt.nz/fast-track-consenting/about/>.

Your Comment on the New Dunedin Hospital – Whakatuputupu

All sections of this form with an asterisk (*) are mandatory.

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

Organisation name (if relevant)	Foodstuffs (South Island) Properties Limited		
*First name	Alex		
*Last name	Booker		
Postal address	C/ Anderson Lloyd, Level 3, 70 Gloucester Street, Christchurch		
*Home phone / Mobile phone	033351231	*Work phone	0276562647
*Email (a valid email address enables us to communicate efficiently with you)	alex.booker@al.nz; rebecca.parish@foodstuffs-si.co.nz		

2. *We will email you draft conditions of consent for your comment

Y	I can receive emails and my email address is correct		I cannot receive emails and my postal address is correct
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3. Please provide your comments on this application

If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages

Foodstuffs (South Island) Properties Limited (Foodstuffs) comments:

Thank you for the opportunity to provide comment on the New Dunedin Hospital – Whakatuputupu (**NDH** or **Proposal**). The Proposal is being pursued under the fast-track consenting process in two stages. This first stage is the enabling works – generally consisting of foundations and infrastructure / servicing. The second stage is the build. These comments are limited in scope generally to matters of construction (first stage) which are proposed to take 18 months.

Foodstuffs is the owner of the properties at 95-95E Hanover Street, 121 Great King Street, 133 Great King Street and 371 Cumberland Street, 124 St Andrew Street (the **Properties**). The Properties are

directly opposite and adjacent to the Proposal, are occupied by Foodstuffs and operated as a supermarket (New World Centre City), Centre City Mall and Henry's Store. Centre City Customers are attracted to the Properties from all over Dunedin. Centre City New World provides essential grocery needs, and as an essential service it attracts some 30,000-35,000 visitors per week through its doors. It is the largest New World in the South Island, and one of the largest New Worlds in New Zealand. The hours of New World Centre City are 7.30am- 10pm, seven days per week.

Foodstuffs is supportive of the NDH, and particularly the economic and positive benefits of the Proposal. However, the construction of the NDH could directly adversely affect Foodstuffs and cause significant business disruption, including to its essential services, if it is not managed carefully and appropriately. The Proposal lacks detail of its impact on Foodstuffs Properties and its businesses. This creates uncertainty that adverse effects will be mitigated and minimised to the extent practicable. It is of concern that particular details of management of effects and communication are not specified and have been left to various management plans with no ability for Foodstuffs to have a say about the proposed activities implications for its business and people (staff and customers).

Foodstuffs seeks to be fully informed of the potential effects of the NDH, so it can manage its business activities and people accordingly. Foodstuffs comments are broken down into the following categories:

- Noise, vibration and construction;
- Road works and access;
- Management plans; and
- Conditions of consent.

Noise, vibration and construction

The enabling works are proposed to occur over a prolonged period (18 months) and are likely to affect staff and Foodstuffs varied customer base. This is also only the first stage of NDH.

The Proposal includes earthworks of such a scale that effects on stability surrounding buildings may occur depending on the ground conditions and the proximity, area, depth and methods. Specific consideration of Foodstuffs' Properties has not occurred in the assessments.

The Noise and Vibration Assessment (**NVA**) concludes that it may not be practical to always comply with noise limits, even when the best practicable options have been identified and applied to minimise the level and duration of noise emissions, but that NZS6803:1999 recommends that a detailed management strategy be applied in these circumstances. Higher noise activities are proposed to be limited within 0730-1800 hours Monday- Friday and 730 to 1400 hours on Saturday. These hours are within the core hours of Foodstuffs' business activities.

Foodstuffs' Properties has been identified as areas expected to receive loud noise (up to 71-76 dB LAeq) but no detailed management strategy has been applied. It is noted instead that these noise limits are "for a limited period" and Foodstuffs' Properties are not "noise sensitive". These conclusions are not accepted by Foodstuffs. There is no discussion as to the site specific circumstances (including that the service provided from the Properties is essential with thousands of visitors per week) or justifications provided for these conclusions. The Properties are opposite the proposed Outpatient Building where periods of excavation and removal of existing slabs and foundations (using concrete breaker) will occur and piling activity is expected to take 10 weeks. The NVA recommends consultation with other receivers that experience noise levels within the range of 71-75 dB LAeq to ensure adverse effects are mitigated as far as practicable. No recommendation for consultation has been made for Foodstuffs, the Properties have not been identified as nominated buildings, and specific screening measures have not been identified for Foodstuffs' Properties.

Foodstuffs seeks:

- (a) a pre-construction condition and depilation survey to be taken of buildings and carparking areas of the Properties (particularly due to the nature and age of the buildings);
- (b) a peer review of *Noise and Vibration Assessment* to be completed by an appropriately qualified acoustic expert, with particular consideration of potential mitigation being given to Foodstuffs' Properties, taking into account the nature of its business and customers (which include a diverse range of people including vulnerable members of the community) and its hours of activities;
- (c) the Properties be identified as nominated buildings and specific screening measures be implemented;
- (d) that it is consulted with and has the ability to provide feedback on draft management plans which have the potential to affect Foodstuffs' Properties;
- (e) a specific requirement for a Communication Plan with Foodstuffs, which includes a process for clear communication of activities which exceed noise limits and/or which could result in vibration of the Properties (including supermarket shelves) 5-10 working days in advance of the activities occurring; and
- (f) mitigation measures determined to be the best practical option to minimise elevated noise levels at the Properties to be specifically identified in conditions, and not be left to Dunedin City Council to approve via a management plan, without any feedback being received from Foodstuffs.

Road works and access

The ITA (at para 56) recommends that further consultation with affected key stakeholders regarding the potential effects of traffic management is required. These parties include property owners or occupiers that may be affected by restrictions on the use of the surrounding road network.

Foodstuffs will be directly affected by restrictions on the use of the surrounding road network, including specifically the following recommendations in the ITA:

- (a) that two traffic lanes be provided on Cumberland Street at all times, thereby avoiding the need for diversion (refer to page 16 of ITA);
- (b) a reduction of speed limit to 30km/hr on Cumberland Street temporarily and associated delay (refer to page 16 of ITA);
- (c) footpath closure on Cumberland St on east side (opposite New World);
- (d) the proposal for two 8-week periods to locally divert traffic lanes, cycle lane and footpath to work within the road corridor, and to remove the parking lane temporarily;
- (e) closure of lanes on St Andrews St lanes may be required.

As an essential service, access to its Properties is critical to Foodstuffs' business. It is important that adequate access is maintained at all times, especially due to requisite circulation requirements of larger delivery vehicles/trucks. In particular, access from St Andrew Street is crucial as it is the only access for delivery vehicles to the supermarket. All deliveries (approximately 50 per day) come in from St Andrews Street, and once they have unloaded, they also exit around the back onto St Andrew Street. Foodstuffs must be consulted on any TMP (as recommended in the ITA), 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). The impacts of alternative routes must also be considered in light of planned activities of the Proposal such as the 30 truck movements planned per day over an eight month period to the site opposite the Properties for the Outpatient building (page 10 ITA).

It is essential that:

- (a) vehicle access to the Properties (including from Cumberland Street, a one way street, is appropriately maintained at all times;
- (b) pedestrian movements are safely provided to the Properties at all times;
- (c) there are no closures of St Andrews Street between Cumberland Street and Great King Street;
- (d) access to the Properties is clearly signposted at all times, including specifically throughout the proposed four month construction period of the Outpatient building; and

- (e) the impacts of the proposed removal of on-street carparking is assessed, and that this does not affect Foodstuffs onsite carparking which needs to remain available for its customers.

The Transport effects are assessed as appropriate on the basis of the effects are temporary effects and related to construction. The potential adverse effects on business disruption cannot be said to be "temporary", especially when there is inadequate consultation, inadequate detail and no site specific mitigation measures proposed.

Management plans

Foodstuffs seeks to be consulted on the detail of proposed management plans. Draft plans should be available now for Foodstuffs and other affected parties to provide comment, particularly considering the proposed timeframe for commencement of works (February 2022).

Due to the technical nature of effects, and the limited ability for affected parties to call evidence, areas of the CMP should be peer reviewed by appropriately qualified and independent experts (for e.g. LSMP, CNVMP, GCSMP, NVMP, TMP).

Conditions of consent

The NDH Enabling Works – Proposed Conditions of Consent are inadequate for the size of the Proposal, and do not provide sufficient detail or certainty to Foodstuffs that its business operations can continue without adverse impacts from the Proposal. Due to the prolonged period of the enabling works, it is inappropriate to rely on management plans where the detail of activities is to be approved by Dunedin City Council without any consultation with affected parties such as Foodstuffs. There are no specified procedures in the conditions for communication to businesses of construction activities of the NDH. Minimum notice periods should be provided in conditions of consent as a minimum.

Concerns raised above should be specifically included in conditions, and Foodstuffs would appreciate the opportunity to provide further comments on a revised draft set of conditions.

Foodstuffs welcomes discussions with the Ministry about its comments made, and potential proposed mitigation.

Thank you for your comments