

## **Notice of requirement by Dunedin City Council for designation**

**Sections 168A(1), (2) and 181 and clause 4 of First Schedule,  
Resource Management Act 1991.**

The Dunedin City Council gives notice of a requirement for a designation for a public work to enable the construction, operation and maintenance of a public walkway.

### **1. INTRODUCTION**

#### **1.1 PURPOSE OF DESIGNATION**

Dunedin City Council, a requiring authority pursuant to section 166 of the Resource Management Act 1991, gives notice to the Dunedin City Council of a requirement for a designation for a public work being the construction, operation and maintenance of a public walkway.

#### **1.2 BACKGROUND AND NATURE OF PROPOSED WORK**

The Council is currently preparing a Plan Change for the Harbourside area. The objective of the Council for the harbourside area is:

*To reconnect the heart of the City to the harbour and to rejuvenate the Harbourside with a mix of land uses, public spaces and amenity areas.*

The Harbourside Vision Plan is attached as Attachment A.

The Harbourside Plan Change project is being promoted jointly by the Dunedin City Council and Chalmers Properties Ltd, owner of a significant portion of the land to which the Plan Change relates. Chalmers Properties Ltd also own the land over which a number of designations are sought for public walkways and public places.

The walkway, known as The Fairley Street walkway forms part of the Council's objective for Dunedin's Harbourside (refer Attachment B) which is proposed in connection with the Harbourside Plan Change to the District Plan.

The proposed walkway runs between Fryatt Street and Willis Street. It will be 9 metres wide and will be constructed of high quality materials selected to co-ordinate with the new wharves, which will be constructed as part of the development of the harbour edge.

The walkway will provide access from the Railway Station bridge which provides a pedestrian link to the central city. A line of sight from the bridge to the water will also be made possible.

The walkway would be complemented by signage. The walkway will enable enhanced development opportunities for adjacent properties as well as potential vehicle access to the rear of these properties.

This walkway was identified as a key physical and visual link to the area, following the publication of the original vision in 2005 and discussions with Ontrack. While there was strong public support for reinstating the access across the railway tracks at Rattray Street, it became clear that the proposed direct at-grade vehicular link between the Harbourside and the central city at Rattray / Fryatt Street was likely to take a considerable time to be achieved.

Following a review of options the provision of a direct link between the railway station footbridge and the basin was identified as the most appropriate means of achieving the Council's objective:

*"To reconnect the heart of the City to the harbour and to rejuvenate the harbourside with a mix of land uses, public spaces and amenity areas."*

## 2. DESCRIPTION OF THE SITE

### 2.1 LOCATION AND DESCRIPTION

The site to which the requirement applies is shown on Attachment B: Fairley Street walkway (southern section): Harbourside (Designation Plan 1a).

The northern half of the walkway is covered by a separate designation (Designation Plan 1b).

### 2.2 LEGAL DESCRIPTION

Schedule 1: Land Physically affected by the Designation:

The following properties are affected by the Notice of Requirement.

Site ref.	Legal Description	Address shown on rating records	Freeholder	Building owner / Leaseholder
	Lot 2 DP 26371	51 - 55 Fryatt Street	Stephen Brent Tozer	Stephen Brent Tozer
	Lot 1 DP 7989	25 Willis Street	The Pines (Otago) Ltd	Botry Zen

### 2.3 EXISTING LAND USES

All of the above properties affected by the Notice of Requirement are currently zoned Port 2.

55 Fryatt Street has full site coverage with a single storey brick building with a one and a half storey corrugated iron extension. It is occupied as a warehouse at ground floor with ancillary offices at first floor and caretaker's flat above.

The site is bounded to the west by a warehouse owned by the same owner. To the east is a narrow walkway, 1.5 metres in width, linking to 27 Willis St.

25 Willis Street is an open yard, tarmac surfaced, with a chain link perimeter fence, used for storage and parking in connection with 21- 23 Willis Street. This site is occupied by Botry Zen for Bio-Tech manufacturing. To the west of the site is a driveway providing access to the parking area for 25 Willis Street (a vacant office building) and to the parking area rear of 57 Fryatt Street.



### **3. NATURE OF THE PROPOSED WORK**

#### **3.1 ACTIVITY OUTLINE**

The proposed designation is required to provide for the design, construction, operation and maintenance of a public walkway. The walkway forms part of the overarching vision for the Harbourside area and will provide for greater pedestrian connectivity between the centre of the City and the Harbourside area.

The construction works will generally comprise the following activities.

##### **3.1.1 ESTABLISHMENT**

The initial stage of the development of the walkways will require negotiations regarding acquisition of the required land. Upon confirmation of the Notice of Requirement, and once the site acquisitions are negotiated and completed, consultation will be undertaken with adjacent landowners and occupiers to focus on the final design and streetscape of the works.

Prior to the commencement of any of the works required to create the walkway, all necessary contracts, works procedures and design documentation will be prepared and any necessary traffic management and health and safety systems implemented. This will require the surveying and marking the widened road reserve, as well as surveying and making the necessary adjustments to cadastral boundaries to reflect the extent of the walkway.

##### **3.1.2 CONSTRUCTION WORKS**

The construction works associated with the creation of the walkway generally fall into three areas, as described below.

- (i) Demolition or part demolition of buildings. As the proposed designation route passes through areas currently occupied by buildings, it will be necessary to demolish parts or all of these buildings to provide the necessary space for the walkway. The timing of these works will be undertaken in agreement with the landowner. Similarly, the reinstatement of remaining areas and making good of any affected areas will be undertaken in agreement with the landowner.
- (ii) Construction of the new footpath. Once any necessary demolition has occurred the new footpath will be constructed in accordance with the final approved design. The Requiring Authority intends that the construction of the walkway would occur in tandem with development of Stage 1 of the Harbourside Plan Change.
- (iii) Once the walkway is constructed, associated landscaping and street furniture will be provided.

##### **3.1.3 REINSTATEMENT**

Any areas affected by the construction activities will be reinstated as near as practicable to the conditions that existed prior to the works, unless negotiated otherwise by the landowners.

#### **3.1.4 DURATION**

The Harbourside Plan Change is intended to provide for a significant portion of the city's growth and the rejuvenation of the Harbourside area over the next 10 years. The walkway is considered to be vital to unlocking the potential of the area by facilitating increased pedestrian access, the walkway is intended to be constructed as part of the implementation of Stage 1 of the Harbourside Plan Change. Given the scale of the project, and to enable sufficient flexibility to best fit the completion of the walkway with the development of the Harbourside area, a duration of 5 years from the date the Plan Change being made operative is requested for the Designation. At this stage, the Harbourside Plan Change process is anticipated to be completed around December 2008.

#### **4. PROPOSED RESTRICTIONS / CONDITIONS**

The following restrictions are proposed to be attached to the Designation:

- (i) Prior to the commencement of construction of the walkway, an Outline Plan shall be submitted to the Council identifying the final design and layout of the walkway, including landscaping and street furniture.



## 5. EFFECTS ON THE ENVIRONMENT

Section 3 of the Resource Management Act defines "effect" in the following way:

**3. Meaning of effect** – *In this Act, unless the context otherwise requires, the term effect ... includes –*

- (a) *Any positive or adverse effect; and*
- (b) *Any temporary or permanent effect; and*
- (c) *Any past, present, or future effect; and*
- (d) *Any cumulative effect which arises over time or in combination with other effects – regardless of the scale, intensity, duration, or frequency of the effect, and also includes –*
- (e) *Any potential effect of high probability; and*
- (f) *Any potential effect of low probability which has a high potential impact.*

The effects that the public work will have on the environment and the ways in which any adverse effects will be mitigated are explained below. As the walkway is a critical element in the Harbourside vision, the assessment must be seen in the context of the Harbourside Plan Change, as the walkway would not proceed if the Plan Change was not implemented.

### 5.1 PHYSICAL EFFECTS

The works require partial demolition of 55 Fryatt Street. Because approximately 50% of this building is required for the works, partial demolition and retention of half of the building in connection with the adjoining warehouse would appear impractical. Effectively therefore the proposal is likely to result in acquisition and demolition of 55 Fryatt Street.

### 5.2 TRAFFIC EFFECTS

The proposal will result in the loss of parking for the Bio-tech operation at 21 – 23 Fryatt Street. It is proposed that the effects on this property and business will be mitigated by reducing the width of the walkway to enable some on-site staff parking to be provided on the site and to provide for continued access to the workshop. This design aspect will be undertaken in consultation with the landowner and the occupier to ensure that their needs are taken into account.

The loss of parking in the area needs to be considered in the light of the Harbourside Plan Change, which aims in part to enable greater pedestrian access to the Harbourside area and to provide a greater range of business and commercial opportunities in the area. As part of this process, on-street parking and the provision of public parking facilities will be addressed. The proposed walkway is consistent with the overall vision for the Harbourside area, and the traffic and parking effects are not considered to be significant.

### 5.3 SAFETY

The existing walkway between 55 and 57 Fryatt Street is narrow and potentially unsafe by virtue of its narrow width and limited sight lines. These issues would be overcome through creation of the Fairley Street walkway, a wider path with good sight lines. The walkway will be designed in accordance with CPTED principles

(Crime Prevention Through Environmental Planning and Design) to ensure the highest quality standard and design which overcomes safety issues.

#### **5.4 NOISE EFFECTS**

Some construction noise is anticipated. Contractors will be required to adhere to the National Construction Noise Standard NZ56803:1999 "Acoustics - Construction Noise".

The physical works associated with the construction of the walkway, and the demolition of the existing building, will be short term in nature and will not create any adverse noise effects on adjoining property owners or occupiers.

It is anticipated that there will be a degree of increased noise associated with public use of the walkway, following its completion. This will generally be limited to low level conversation noise and the like, associated with normal human activity. However this is not anticipated to be significant given the industrial nature of existing activities and the nature of other developments enabled by the Plan Change. Future mixed uses, provided for via the Harbourside Plan Change, will be aware of the existence of the walkways by virtue of the designations and vision.

#### **5.5 HAZARDOUS SUBSTANCES**

No effects are anticipated from the construction, operation and maintenance of the walkway.

#### **5.6 DISCHARGE OF CONTAMINANTS**

No effects anticipated from the construction, operation and maintenance of the walkway.

#### **5.7 SITE CONTAMINATION**

Given the historical use of much of the area for a range of industrial purposes, sites will be tested for contamination prior to the construction of the walkway. Any areas found to be contaminated will be appropriately remediated.

#### **5.8 VISUAL EFFECTS**

Creation of the walkway will provide greater visual access between buildings and create a visual corridor from the existing rail pedestrian bridge to the Harbourside. This is consistent with the vision for the Harbourside area and the desire to create a pedestrian friendly environment.

#### **5.9 EFFECTS ON AMENITY**

There will be no adverse effects on the amenity of the surrounding area. The walkway will insert an open, public area through an existing industrial area that forms part of a wider pedestrian network in the Harbourside area. The landscaping and street furniture will create a pleasant public area and will increase the opportunities for people to access the Harbourside area.

#### **5.10 EFFECTS DURING CONSTRUCTION**



Construction effects will be limited given the nature of the proposed works. While there will be some noise arising from the demolition of the existing building, this will be temporary in nature and not inconsistent with construction noise experienced routinely in most parts of the City. The construction of the walkway itself will be limited to machinery required to create an appropriate flat area for surfacing. Any dust generated will be minor, and appropriate suppression techniques will be employed if necessary to ensure no dust creates a nuisance. Overall the effects of the construction of the walkway will be minor.

#### **5.11 IWI EFFECTS**

No effects on tangata whenua values are anticipated. No items or areas of cultural significance are identified in the District Plan.

#### **5.12 SOCIAL AND CULTURAL**

The creation of attractive new pedestrian walkways will encourage walking and contribute to the health and well-being of the local community. This is consistent with the overall vision of the Harbourside Plan Change, which is to enable a mix of land uses and public spaces and amenity areas.

#### **5.13 ECONOMIC**

The creation of improved pedestrian links, signposted from key tourist routes in the central area, and promoted in tourist guides, potentially increases tourism interest in the area, particularly as the Harbourside Plan Change is implemented and the anticipated rejuvenation of the area commences.

The proposed works are likely to result in disruption and loss of income to two existing businesses. These effects will be partly mitigated through phased implementation. There will be on going discussions with the affected landowners and occupiers, regarding relocation, so that property acquisition and construction are timed to minimise disruption to businesses and inconvenience to landowners.

#### **5.14 MONITORING**

No monitoring of the walkway is considered necessary.

## **6. STATUTORY PLANNING PROVISIONS**

### **6.1 RESOURCE MANAGEMENT ACT 1991**

Part II of the Act sets out its purpose and principles. The purpose of the Act is set out in section 5 as set out below:

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
  - (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Section 6 of the Act addresses Matters of National Importance. Of direct relevance to this proposal is section 6(d) which considers the maintenance and enhancement of public access to the coastal marine area a Matter of national importance. While the walkway will not give access directly to the coastal marine area, it will enable enhanced public access to the waterfront area and is therefore considered consistent with this section.

Section 7 addresses other matters. Particularly, sections 7(c) and (f) address amenity values and the quality of the environment. These matters have been considered earlier in the assessment of the effects of this proposal, and overall the proposed walkway will enhance the amenity values of the area and the overall quality of the environment.

### **6.2 RELEVANT POLICY STATEMENTS AND PLANS**

As the walkway is to be created under a designation it is not required to comply with the rules included within relevant plans, the Council must nonetheless consider the provisions of any relevant statutory planning document.

The relevant provisions of the New Zealand Coastal Policy Statement, Regional Policy Statement for Otago, Otago Regional Plans and the Dunedin City District Plan are addressed in the following sections.

### **6.3 NEW ZEALAND COASTAL POLICY STATEMENT**

The NZ Coastal Policy Statement (NZCPS) is not directly related to the proposal as the walkway is not within the coastal marine area. However, Chapter 3 of the NZCPS includes policy regarding the maintenance and enhancement of public access to the coastal marine area. The walkway is consistent with this policy as it will enhance public opportunities to access the waterfront.



## **6.4 REGIONAL POLICY STATEMENT FOR OTAGO**

There are no directly relevant policies in the Regional Policy Statement.

## **6.5 REGIONAL PLAN: COAST**

Made Operative in 1 September 2001, this Plan address activities within the coastal marine area of the region and as such is not directly relevant to the proposed walkway. However, Objective 7.3.1 seeks to maintain and enhance public access to the coastal marine area of the region. The proposed walkway is consistent with this objective as it enables direct pedestrian access to the waterfront and the Harbourside area.

## **6.6 DUNEDIN CITY DISTRICT PLAN**

The areas subject to the Notice of Requirement are zoned Port 2. The relevant sections of the Plan are Sections 4 (Significant Resource Management Issues), 10 (Industry) and 20 (Transportation). The proposal has been considered in terms of the relevant provisions as discussed below.

### *Section 4 - Significant Resource Management Issues*

#### **Objective 4.2.1**

##### **Enhance the amenity values of Dunedin.**

*Issue: 4.1.1*

*Policy : 4.3.1*

#### **Explanation**

Throughout the City there is a variety of significant amenity values in different locations. These include:

- spaciousness and separation of activities in the rural area
- heritage values throughout the City
- urban and rural landscapes
- natural and recreation areas.

The Council seeks to enhance all amenity values in the future.

#### **Policy 4.3.1**

##### **Maintain and enhance amenity values.**

*Objective: 4.2.1*

*Method: 4.4.1*

#### **Explanation**

Dunedin contains a wide range of amenity values in both urban and rural areas. Use and development of resources in some circumstances can adversely affect the pleasantness of an area, and where those effects are significant, such use and development should be avoided.

#### **Policy 4.3.6**

##### **Provide access to natural and physical resources.**

*Objective: 4.2.4*

*Methods: 4.4.1, 4.4.3,  
6.4.2, 11.4.3,  
12.4.2*

#### **Explanation**

People and communities require access to natural and physical resources and special provision must be made for access to reserves, including natural areas and the margins of rivers and the coast.



The proposed walkway is consistent with these provisions. Public access to the waterfront will be enhanced.

#### Section 11 – Port

##### **Policy 11.3.7**

**Public access to and along the coastal marine area margin should be provided except where it is inappropriate for public health and safety reasons.**

*Objective: 11.2.3*

*Method: 4.4.1*

##### **Explanation**

Maintaining and enhancing public access to and along the coastal marine area is of national importance. However, operational port areas at times are unsafe for the general public, particularly when vessels are being loaded and unloaded. As a consequence it is inappropriate and impractical to make provision for the movement of people along the water edge of the operational area. Port operators informally allow access at times, especially during the fishing season, and the Council will encourage a continuation of this practice. In some instances it may be appropriate, as part of port development, redevelopment or expansion to set aside areas for exclusive public use which are free of port activities.

The proposal is not inconsistent with these provisions. The walkway is to be constructed in Stage 1 of the Harbourside Plan Change, and will involve consultation with adjoining landowners to ensure that their activities are not unnecessarily curtailed.

#### Section 20 – Transportation

##### **Objective 20.2.2**

**Ensure that land use activities are undertaken in a manner which avoids, remedies or mitigates adverse effects on the transportation network.**

*Issue: 20.1.2*

*Policies: 9.3.4 - 9.3.6,  
12.3.8, 20.3.4 -  
20.3.6*

##### **Explanation**

Some land use activities may adversely affect the transportation network because of their character, scale, intensity or location. This includes reverse sensitivity effects produced by incompatible land use activities locating close to the transportation network. In promoting sustainable management of the transportation network it is necessary to ensure that these adverse effects are avoided, remedied or mitigated. *[Amended by Consent Order 4/5/2005]*

##### **Objective 20.2.3**

**Achieve integrated management of the roading network, including pedestrian and cycle use, with rail, air and sea networks.**

##### **Explanation**

The road and rail transportation networks, Momona Airport and the commercial ports within the City at Port Chalmers and Dunedin constitute significant physical resources which contribute to the City's social, cultural and economic well-being.

Consideration of how these physical resources interact,

*Issue: 20.1.3*  
*Policies: 9.3.5, 9.3.6,*  
*20.3.7, 20.3.8*

together with their interaction with pedestrian and cycle use, is essential to achieve sustainable management of these resources. In terms of the provisions of the Act, the extent to which the Council can achieve integration is limited to the development of appropriate land use controls on the roading network, liaison, consultation, adoption of protocols and accords, implementing bylaws, providing information and undertaking of works and services.

#### **Objective 20.2.4**

#### **Explanation**

**Maintain and enhance a safe, efficient and effective transportation network.**

Safety, efficiency and effectiveness require special consideration because of the reliance of people on the transportation network to achieve their social and economic well-being.

*Issues: 20.1.1 - 20.1.3*  
*Policies: 9.3.6, 12.3.8,*  
*20.3.5, 20.3.6*

A control may achieve safety and efficiency, but it may not be effective in terms of providing for people's reasonably foreseeable needs. The safe, efficient and effective operation of the transportation network will be achieved by recognising the interdependence of the use of the physical resources comprising the transportation network and the use of the land adjacent to those resources. Effectiveness, although not specifically recognised in Part II of the Act, is an important consideration in achieving sustainable management.

#### **Policy 20.3.8**

#### **Explanation**

**Provide for the safe interaction of pedestrians and vehicles.**

Pedestrians are users of the transportation network. Pedestrian activity is also environmentally-friendly and in areas where traffic congestion occurs, efforts should be made to minimise potential adverse effects on pedestrian safety.

*Objective: 20.2.3*  
*Methods: 20.4.1, 20.4.3,*  
*20.4.5 - 20.4.10*

For example, a high level of pedestrian traffic is a key feature of Campus traffic flows. The large area covered by the Campus, coupled with its location relative to both the Inner City Area and the core part of the student housing resource, means that a significant volume of pedestrian traffic interacts with major roads. This has implications for resource use efficiency and the safety of pedestrians and drivers of vehicles. In order to ensure the successful integration of Campus-generated pedestrian traffic within the broader environment, localised traffic and pedestrian management is essential.

The proposed walkway will achieve the intention of these provisions by providing a dedicated pedestrian area to facilitate public access to the waterfront. Providing a defined route will avoid pedestrian and vehicle conflicts as the area develops as anticipated by the Harbourside vision.



## 7. ALTERNATIVE SITES, ROUTES AND METHODS

### 7.1 ALTERNATIVES

In preparing a Notice of Requirement, a requiring authority is not required to select the best site or option for the proposed work. However, it has a requirement to show that alternatives have been investigated, and that the selected option is appropriate and will meet the requiring authority's objectives. Alternative sites, routes, and methods for the proposed walkway have been considered to the following extent. Two alternative routes have been considered, being:

- (i) Option 1a – Upgrading the existing pedestrian route between the Railway Station footbridge and the harbour basin (Custom House corner), with environmental and signing improvements.
- (ii) Option 1b – Walkway providing a direct link between the railway station and the basin but without requiring demolition of existing properties.

These alternatives are identified in Attachment C.

#### Assessment.

	Option	Pros	Cons
1a.	<b>Upgrading the existing pedestrian route with environmental and signing improvements.</b>	<ul style="list-style-type: none"> <li>i. May provide a clearer pedestrian route to the harbour than the existing.</li> <li>ii. Would create a marginally improved environment for pedestrians, with an established crossing of the arterial road.</li> <li>iii. It does not involve purchase of private property or demolition of any buildings</li> </ul>	<ul style="list-style-type: none"> <li>i. Would not provide a direct line of sight to the harbour basin from the railway station, and thus would not achieve the visual links sought.</li> </ul>
1b.	<b>Realigned walkway (without requiring acquisition of 25 Willis Street)</b>	<p><u>Physical</u></p> <ul style="list-style-type: none"> <li>i. Acquisition of part of 25 Willis Street is not required.</li> <li>ii. Disruption to fledgling bio- tech industry is avoided.</li> <li>iii. Walkway provides for a more direct and more safe pedestrian route than currently</li> </ul>	<p><u>Physical</u></p> <ul style="list-style-type: none"> <li>i. Requires partial demolition of 55 Fryatt Street.</li> <li>ii. Loss of development potential to owner of 55 Fryatt Street and disruption to existing tenant at 55 Fryatt Street</li> <li>iii. Walkway uses access way at 27 Willis Street which provides</li> </ul>



		exists.	<p>vehicular right of way to 57 Fryatt Street.</p> <p>iv. Walkway uses access way at 27 Willis Street which provides vehicular right of way to 57 Fryatt Street.</p> <p>v. Safety issues associated with narrowing the walkway to 2 metres behind 57 Fryatt Street (due to boundary lines).</p> <p>vi. Does not provide for a direct line of sight which is considered important for improving awareness of the harbourside for visitors.</p>
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These alternative options, along with the preferred route, are shown on the Map in Attachment D. The preferred option, being that subject to this Notice of Requirement, was selected as it provides the best approach to achieving the visual links sought as part of the Council's objective, which is to

*Reconnect the heart of the City to the harbour and to rejuvenate the Harbourside with a mix of land uses, public spaces and amenity areas.*

## **8. REASONS FOR DESIGNATION**

### **8.1 NEED FOR THE WORK**

The public work and designation are reasonably necessary for achieving the objective of the requiring authority. The objective is to:

*Reconnect the heart of the City to the harbour and to rejuvenate the Harbourside with a mix of land uses, public spaces and amenity areas.*

The proposed street square forms part of the vision for the Harbourside area (Refer Attachment A.) Improved public access to the harbour has been identified as a priority by the Dunedin Community, from the "Choices" consultation in 2001 on future priorities for the city, through to more recent consultations on the vision for the harbourside (July 2005.) The provision of the proposed walkway is important to provide improved pedestrian access from other key pedestrian routes and visitor areas, particularly following advice that the proposed direct at-grade vehicular and pedestrian link between the Harbourside and the central city at Rattray / Fryatt Street is not likely to be achieved in the short to medium term.

The walkway forms part of a wider plan for improved access to, and movement within, the harbourside area. Fairley Street walkway is one of two key pedestrian routes to the harbourside, as shown on Structure Plan (Attachment D.)

The walkway also serves an urban design function, contributing to a sense of interconnected public spaces and creation of a distinct character within the regenerated harbourside area.

**9. OTHER CONSENTS REQUIRED**

None



## **10. CONSULTATION**

### **10.1 COMMUNITY CONSULTATION**

The following consultation has been undertaken with parties that are likely to be affected:

Letters were sent to affected parties on 2 October 2006 inviting them to a briefing meeting to discuss the harbourside proposals. Follow-up letters were sent on 11 October stating that the draft long-term vision for the harbourside identifies an area of their land as potentially being required for roading, walkway or open space purposes. The Council is looking to designate areas of land for these purposes. The parties were invited to contact the Council; to discuss the potential implications and the designation processes. Visits or telephone calls were made to the occupiers and building owners of each of the affected sites between October and December 2006, to discuss the proposals.

- (a) 55 Fryatt Street – Meetings with the freeholder of the site and the adjoining warehouse at 53 Fryatt Street in December 2006. The freeholder indicated that he would be likely to oppose the designation. He would consider swapping the site for another freehold site on harbourside.
- (b) 23 Willis Street - Meetings with the freeholder and tenant on 25 October.
- (c) Meetings were also held with the freeholder and occupier of the adjoining property, 57 Fryatt Street.

### **10.2 SUMMARY OF COMMENTS RECEIVED**

Issues raised through consultation included:

- (a) loss of development potential to site owners;
- (b) disruption to existing businesses;
- (c) potential economic impact of disruption to a fledgling bio-tech business;
- (d) potential for relocation of existing businesses;
- (e) opportunities for land exchange / compensation;
- (f) timing of designation with business relocation;
- (g) consideration of alternative routes which do not affect the biotech industry.

### **10.3 OUTCOMES OF CONSULTATION**


Following the consultation process, the Council has assessed alternative options in light of the feedback received. In order to minimise the potential disruption to property owners and existing businesses, it is proposed that, where possible, the property acquisitions and implementation of the designation works will be timed to accommodate the needs of affected parties.

## 11. ADDITIONAL INFORMATION

Philip James Harland, Chief Executive, Dunedin City Council attaches the following information required to be included in this notice by the District Plan or any regulations made under the Resource Management Act 1991.

### Attachments

- A. Harbourside Vision
- B. Site Plan 1a
- C. Plans showing alternative sites / routes
- D. Harbourside Structure Plan – Access

  
.....  
Signature of the person giving notice (or person authorised to sign on behalf of person giving notice)

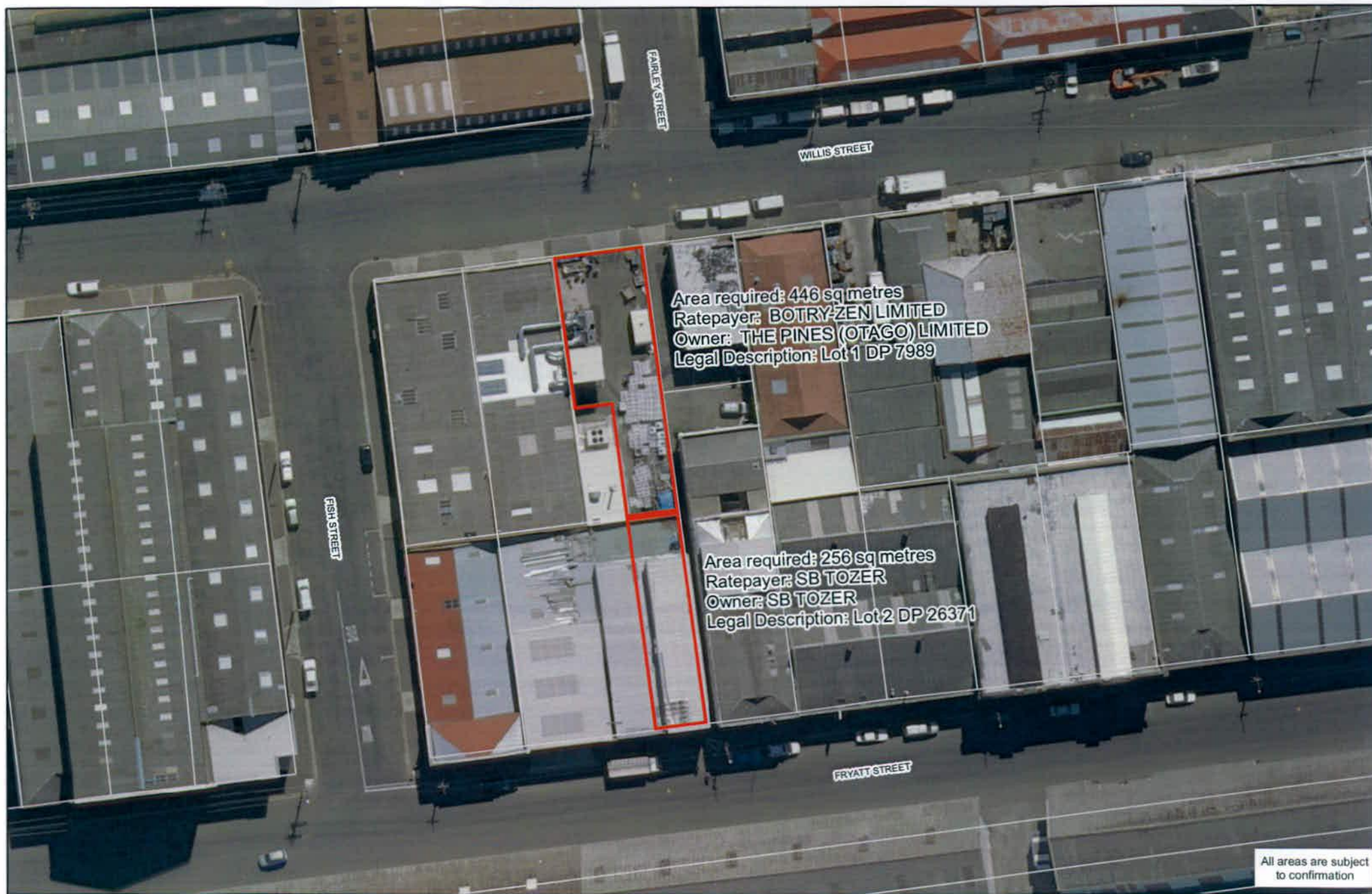
   
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Date





*Handwritten signature or initials.*





Area required: 446 sq metres  
Ratepayer: BOTRY-ZEN LIMITED  
Owner: THE PINES (OTAGO) LIMITED  
Legal Description: Lot 1 DP 7989

Area required: 256 sq metres  
Ratepayer: SB TOZER  
Owner: SB TOZER  
Legal Description: Lot 2 DP 26371

All areas are subject  
to confirmation





Notice of Requirement : Fairley Street Walkway  
Option 1a





Notice of Requirement : Fairley Street Walkway  
Option 1b

*h.*





Notice of Requirement : Fairley Street Walkway  
Preferred Option 1

*[Handwritten signature]*



