

5 September 2013

For: Julie McMinn

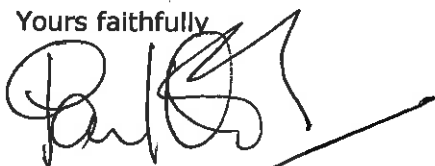
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Dear Julie

Notice of Requirement DIS-2013-1 - Direct Referral

1. The Dunedin City Council as requiring authority has lodged a fresh notice of requirement seeking two designations for part of the road adjacent to the Stadium that recently had its designation cancelled by the High Court.
2. Under delegated authority I have decided this application should be subject to a decision by the Environment Court instead of a decision by the Territorial Authority. This decision is made under section 198H Resource Management Act 1991 for the following reasons:
 - a. The designation has been publically notified and there are submissions in opposition.
 - b. The procedures under the Resource Management Act now enable applications for designation to be considered directly by the Environment Court rather than having to go through a Council hearing and then an appeal to the Environment Court.
 - c. This application has a long history of litigation and the adjacent neighbour has indicated during consultation and in a submission that the application will be opposed. It seems to me inevitable that an Environment Court hearing will be necessary.
 - d. For all parties involved it is more efficient and timely to have the Environment Court consider this matter directly, rather than await the outcome of an independent commissioner's decision which is then likely to be appealed to the Environment Court.

Yours faithfully



Paul Orders
Chief Executive Officer

CC: Paul Freeland