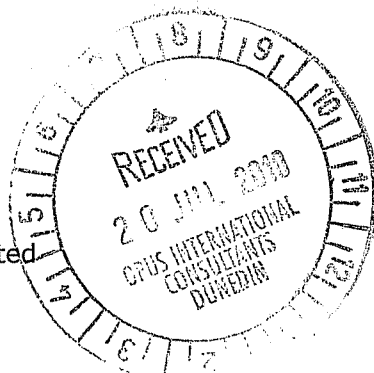


15 July 2010

Dunedin City Council
C/- Opus International Consultants Limited
Private Bag 1913
DUNEDIN



Attention: Julie McMinn

Dear Julie

APPLICATION: DIS 2010-2

**ALTERATION TO DESIGNATION (D845)
HARBOURSIDE ARTERIAL LINK**

The above application was considered by the Commissioner John Lumsden, who **decided that the alteration to the designation be confirmed without modification or additional conditions** under delegated authority on **30 June 2010**. The application under Section 181 of the Resource Management Act 1991 was processed on a non-notified basis in accordance with the provisions of Section 181(3) of the Act.

1. Resource Management Act – Section 181

Under Section 181 of the Resource Management Act, a requiring authority that is responsible for a designation may, at any time, give notice to the territorial authority of its requirement to alter a designation.

Upon such a request a territorial authority may at any time alter a designation in its District Plan if; the alteration involves no more than a minor alteration to the effects on the environment associated with the use or the proposed use of land or water concerned; or the alteration involves only minor alteration or adjustments to the boundaries of the designation.

The alteration to the designation may only be carried out if written notice of the proposed alteration has been given to every owner and occupier of the land directly affected and those owners and occupiers agree with the alteration, and both the territorial authority and requiring authority agree with the alteration.

2. Description of the Proposed Alteration to Designation D845 Harbourside Arterial Link

2.1 Description of Original Designation

Designation D845 Harbourside Arterial Link, which was issued by the Dunedin City Council as requiring authority as Notice of Requirement DIS-2008-3, was confirmed subject to a modification and conditions on 8 January 2009. The designation comprises approximately 6.3 hectares of land and allows for the construction and operation of a new arterial road corridor of around 2km in length from the intersection of Thomas Burns and Willis Streets to

Ravensbourne Road/SH88. The designation includes new road crossings of the railway corridor, and a new bridge across the Owheo/Water of Leith. The new road corridor will connect with the Southern Motorway via Wharf Street, Strathallan Street and Andersons Bay Road. The total length of the new route from the Southern Motorway to Ravensbourne Road will be approximately 3.5km.

The Outline Plan for the Owheo/Water of Leith bridge was considered by the territorial authority on 2 February 2010 and no changes were requested.

2.2 Alteration

Opus International Consultants Ltd has made an application on behalf of Dunedin City Council to alter designation D845 Harbourside Arterial Link.

Dunedin City Council's request is that 5555m² of land be added to the designation. The purpose of this additional land is:

- To facilitate design improvements at the Frederick Street and Ravensbourne Road intersections of the Arterial;
- To avoid land procurement issues;
- To allow for a pond to improve the quality of stormwater runoff; and
- To facilitate the timing of the completion of the Arterial road construction process so it can meet the opening of the Forsyth Barr Stadium in 2011.

3. Appointment of Commissioner

The Chairperson of the Hearings Committee, Councillor Colin Weatherall, has the delegation to determine any matters regarding minor alterations to delegations. However, since the Dunedin City Council is the requiring authority for D845, John Lumsden has been appointed as an independent commissioner to consider the application to alter this designation.

4. Location and description of the Site

Appendix 1 of the application for alteration of the designation contains a plan showing each of the parcels of land requested, together with the relevant Certificates of Title.

The additional 5555m² of land requested is located in two separate areas:

4.1 Frederick Street/Anzac Avenue

The proposed alteration comprises 3710m² of additional land to the east of the existing designation on privately owned industrial zoned land at 14 and 20 Parry Street. The underlying zoning of this land is Industrial 1. The land is currently occupied for industrial use and consists of an area of hard stand and informal parking and a warehouse building at 14 Parry Street. If the alteration is confirmed, the warehouse building will be demolished.

This land is legally described and owned as follows:

Address	Legal description	Area (m ²)	Owner
14 Parry Street	Section 35 BLK LXXVI	310	Dunedin City Council has entered into unconditional Sale and Purchase Agreements for the land required for the proposed alteration of the designation. Purchase of those transactions will be settled on 28 May 2010.
	Section 36 BLK LXXVI	377	
	Section 37 BLK LXXVI	481	
	Section 38 BLK LXXVI	536	
	Section 39 BLK LXXVI	640	
	Section 40 BLK LXXVI	773	
20 Parry Street	Section 41 BLK LXXVI	315	
	Section 42 BLK LXXVI	184	
	Section 43 BLK LXXVI	83	
	Section 44 BLK LXXVI	11	

4.2 Parry Street – Ravensbourne Road

The proposed alteration comprises 1845m² of additional land, divided into two areas adjacent to the Ravensbourne Road end of the existing designation: 1025m² at 130 Anzac Avenue and 820m² at 80 Parry Street. The underlying zoning of these portions of land is Stadium and Industrial 1, respectively. The land is currently occupied for industrial use and consists of areas of hard stand and informal parking, containing no buildings.

This land is legally described and owned as follows:

Address	Legal description	Area (m ²)	Owner
130 Anzac Avenue	Lot 2 DP 418365	1025	Dunedin City Council
80 Parry Street	Lot 1 DP 418365	820	

5. Nature of the Work

5.1 Extent of the Works

The works will form part of the construction of the Harbourside Arterial Link between Frederick St and Ravensbourne Rd. The works will include the closing of Parry Street to through traffic as described in the original designation application, with the result that Parry Street will become a cul-de-sac at its western end. Construction of the Link will be carried out in accordance with the design plan attached to the application for alteration of the designation as Appendix 2. The work is currently programmed to be carried out over a period of 12 to 15 months from May 2010. Construction will involve the following work:

Frederick Street/Anzac Ave:

- Removal of existing roading, buildings and hard stand areas including stripping of topsoil. Protected elm trees on Anzac Avenue will be unaffected.
- Preparation of a road foundation, laying and compacting sub-base and base-course metal.
- Asphalt concrete paving and pavement marking of the new road surface.
- Establishment of traffic signals, boundary fencing and landscaping.

Parry Street to Ravensbourne Road:

- Construction of road as described above, plus fill construction as part of the Ravensbourne Rd/Harbourside Arterial Link intersection, which will be in the form of a roundabout rather than traffic lights.
- Construction of a stormwater runoff pond and associated pipe work as follows:
 - **Pipe Line Installation:** excavation (cut to waste) of foundation for pipeline, installation of pipes, importation of bedding and backfill material, compaction and reinstatement of surface.
 - **Construction of Stormwater Pond:** Excavation of pond (cut to waste), compaction of clay pond liner, erosion protection of outlet and including reinforcement fabric and/or granular erosion protection, temporary hydroseeding of grass seed until landscaping planting can be accomplished in the next planting season.

5.2 Post-Construction Works

Post-construction works will involve landscaping of exposed soil at the closest suitable planting time. Landscape concept plans are attached to the application for alteration of the designation as Appendix 5. All construction waste materials will also be removed from the site.

5.3 Traffic Control

Construction traffic will be subject to the overall project road construction traffic management plans. These traffic management plans will form part of the construction management plan to

meet condition (b) of the existing designation. Traffic management techniques will be utilised to control traffic in accordance with DCC traffic management standards.

6. Consideration of the Proposal

This section of the report considers the proposed alteration to the designation to establish:

- (a) The extent to which the alteration involves a change to the effects on the environment of the original designation; and
- (b) The extent to which the alteration involves a change/adjustment to the boundaries of the original designation.

6.1 Effects on the Environment

Potential environmental effects and mitigation measures are discussed in this section as follows:

- Effects on vegetation
- Effects on landscape values
- Visual and amenity effects
- Archaeological and cultural effects
- Effects on built heritage
- Effects on the Hocken Library
- Effects on local roads/accesses
- Traffic effects
- Dust effects
- Noise effects
- Effect from stormwater pond
- Mitigation measures

6.1.1 Effects on vegetation

There is little or no vegetation growing in the area of the proposed alteration. Most of the land is covered by either buildings or car parking and other hard stand materials. The vegetation that is present consists mainly of poorly maintained grass and weeds. However, the following trees exist in the vicinity of the site, located outside the area of the designation:

- Two *Taxus baccata* (English Yew) (T147 & 148) trees outside the Hocken Library, protected on Schedule 25.3 of the Dunedin City District Plan.
- Avenue of *Ulmus procera* (Elms) (G008) along Anzac Avenue, protected on Schedule 25.3 of the Dunedin City District Plan.
- Two small Lime trees, not protected under the District Plan.

The two lime trees will be removed, but the protected trees T147, T148 and G008 will not be affected by the works. The following mitigation measures have been proposed to protect T147, T148 and G008, and have been included in the contract:

- Prior to start of the works the engineers, landscape architect, contractor and representative of the DCC will walkover the site and identify and mark existing vegetation to be protected and/or removed during the works;
- A temporary fence shall be erected around all existing trees and vegetation to be protected and retained including the listed trees above. The fence shall be erected a minimum of one metre outside the trees drip line. This is to ensure that the root growth zone is protected. None of the following shall be carried out within the root growth zone of existing trees and shrubs:
 - Removal or cutting of any trees
 - Excavation, fill or top-soiling
 - Storage of temporary buildings, construction materials, chemicals and the like
 - Disposal or temporary storage of construction debris, surplus liquids or solid materials etc.

The temporary fence will be erected before any works commence and will not be removed until all the works are complete. Where it is not possible to complete the works without encroaching within this fenced area, a proposed methodology will be submitted to the landscape architect for approval.

Overall, it is not considered that the proposed alteration will result in a change to effects on vegetation that is more than minor.

6.1.2 Effects on landscape values

The land required for the alteration to the designation is part of an area of reclaimed land adjacent to Dunedin Harbour. The Owheo/Water of Leith cuts through the area. There are two existing bridges over the river; the Anzac Avenue Road Bridge and the Rail Bridge closer to the mouth of the river. As part of the designation, a new road bridge is proposed to cross the river just upstream of the rail bridge.

The area is dominated by existing industrial activities and is now the location of the Forsyth Barr Stadium currently being constructed. Other key elements include Anzac Avenue, the main south rail line and other local roads. These elements sit within a wider urban landscape that include the presence of the Harbour to the south and Logan Park to the north.

The site is not identified on the District Plan Planning Maps as being an area of Outstanding Natural Features and Landscapes.

The proposed works will occur in an already heavily modified landscape. Upon completion, the Arterial alignment will not be out of context with the nature of the existing area. In addition, landscaping is proposed on areas of land within the designation not utilised by the road (see Appendix 5 of the application to alter the designation).

Overall, it is considered that the change to the landscape effects of the designation that would result from the proposed alteration would be no more than minor.

6.1.3 Visual and amenity effects

The proposed alteration would allow land at 14 and 20 Parry Street to be used to create a new intersection linking Frederick St and Anzac Avenue to the new Arterial, and land at 130 Anzac Avenue and 80 Parry Street to be used to create a new roundabout linking Ravensbourne Road and the eastern portion of Parry Street with the Arterial.

These intersections will change the appearance of the area, but will not alter its existing visual character, which is characterised by industrial yards, parking areas and buildings, existing roading and the railway line. In addition, any land within the designation not required for roading will be landscaped and planted at the appropriate planting time.

The finalised intersection design will bring the Arterial somewhat closer to the industrial site at 20 Parry St. However, the rear of this site would have been immediately adjacent to the new road even without the proposed alteration to the design of the intersection. In addition, the owner and occupiers of the site have provided their written approval of the application for alteration of the designation.

The construction process, which will involve the movement and temporary storage of machinery on the site, will temporally affect the visual amenity. These effects will occur at the same time as the construction of the rest of the proposed Arterial between Frederick and Ravensbourne Rd. Construction will be of limited duration and will not significantly or permanently affect the amenity of the area.

The only notable change to the visual and amenity effects that would result from the alteration to the designation is the removal of the existing building at 14 Parry Street to accommodate the intersection with Frederick Street and Anzac Avenue. That effect will be discussed in section 6.1.5 of this report.

6.1.4 Archaeological and cultural effects

Consultation has been undertaken with Kai Tahu ki Otago Ltd, who have indicated that in regard to cultural heritage there are no additional issues to those already identified for the existing designation (see Appendix 6 of the application to alter the designation). KTKO expect that the same accidental discovery condition imposed on the original designation shall be imposed on the proposed alteration, and that the existing protocol between Te Runanga o Otakou and the DCC will also be followed in relation to this proposal. Dunedin City Council has indicated that it agrees to these conditions.

An archaeological assessment of the land affected by the proposed alteration to the designation has been undertaken by Chris Jacomb. This assessment is attached to the application to alter the designation as Appendix 7. The discussion from this additional assessment states:

This additional assessment has not identified any definite archaeological sites or any new potential sites that might be affected by the development. The additional ground to be added to the designation at the Frederick St end of the section is very unlikely to contain any intact archaeological deposits, since it is well away from the pre-1900 shoreline. At the Ravensbourne Rd end of the section there is a possibility that evidence of the original railway track and formation might be encountered. Any such evidence should be recorded by an archaeologist during the excavations for the new highway.

The assessment recommends:

That the condition of any authority granted for the northern section of the SH88 designation be worded in such a way that any earthmoving works that have the potential to damage potential archaeological deposits identified in this report – that is, at the Ravensbourne Rd end of the section, within the shaded area shown on Lot 2 DP 15878 (Fig. 2 [of the assessment]) – be monitored by an archaeologist.

Condition (a) of the original designation specifies that the Dunedin City Council must apply for an archaeological authority from the New Zealand Historic Places Trust, under the Historic Places Act 1993, prior to commencing work, and must comply with the conditions of that authority. Given that this condition will also apply to the alteration of the designation, it is not considered that the proposed alteration will result in a change to the archaeological and cultural effects of the designation that is more than minor.

6.1.5 Effects on built heritage

As noted in section 6.1.3 of this report, the alteration to the designation will result in the removal of the existing building at 14 Parry Street, to accommodate the intersection with Frederick Street and Anzac Avenue. This building is not registered by the Historic Places Trust and is not protected under District Plan Schedule 25.1 Townscape and Heritage Buildings and Structures. However, it was mentioned in the Harbourside Heritage Inventory prepared by Elizabeth Kerr and Michael Findlay in 2002. Records indicate that the building was erected as a wool store in the 1940s and then substantially altered in 1977. Condition (g) of the original designation states that:

... prior to the commencement of any work on the site, a heritage assessment of buildings on Parry Street that are affected by the Harbourside Arterial Link shall be undertaken. If any buildings to be demolished to make way for the Arterial are found to be of heritage value, a full documentary photographic record of affected properties shall be compiled and provided to the New Zealand Historic Places Trust and the University of Otago Library Hocken Collections.

Given that this condition will also apply to the alteration of the designation, it is not considered that the proposed alteration will result in a change to the effects on built heritage that is more than minor.

6.1.6 Effects on Hocken Library

During the construction of roading within the additional land requested for the designation, access to the Hocken Library via both Anzac Avenue and Parry Street may be compromised at times. As part of the construction management plan process, a traffic management plan prepared by the contractor will include management of the construction site over existing roads and accesses not included within the designation. Part of this traffic management plan will require the contractor to inform and discuss with land owners any potential disruption and how this will be managed. It is not therefore anticipated that the proposed alteration will result in adverse effects on access to the library that are more than minor.

6.1.7 Effects on local roads and accesses

Changes to the local road network resulting from the construction of the Arterial were discussed and assessed via the original notice of requirement process. It is not considered that the proposed alteration to the designation would significantly increase any particular adverse effect on the local road network.

Under the final design option that would be facilitated by the alteration, it is no longer proposed to close Anzac Avenue at the Frederick Street intersection. Overall, the proposed alteration would therefore reduce adverse effects on the local network.

6.1.8 Traffic effects

Traffic management during construction will be in accordance with the traffic management plan prepared by the contractor to Council requirements, and all adverse traffic effects due to construction will be temporary in nature and of short duration. Post-construction, it is anticipated the new alignment will have significant positive effects for road users by promoting an increase in safety and efficiency for the of the city's arterial network.

It is not considered that the proposed alteration will result in a change to effects on traffic that is more than minor.

6.1.9 Dust effects

The proposed works involve demolition of buildings and the exposure of soil during construction. Soil may therefore be uplifted and transported by wind. To mitigate this potential effect, the contractor will be required to employ dust suppressant measures (e.g. water cart) and this mitigation method will also form part of the contractors construction management plan. There are no residential dwellings in close proximity to the proposed realignment, therefore the dust effects will be confined to the Industrial 1 and Stadium Zone environment.

It is not considered that the proposed alteration will result in a change to effects from dust that is more than minor.

6.1.7 Noise effects

There are no dwellings located in close proximity to the existing road that could be affected by noise generated by construction of the works facilitated by the proposed alteration. The existing designation identified that the properties on the north side of the rail corridor will eventually border a four lane Arterial instead of a rail corridor. As the proposed alteration is for a two lane Arterial there will not be any increase in traffic noise for any neighbouring industrial properties when compared to the existing designation.

Any noise effects from construction activities will be short term and limited to daylight hours when machinery is working on the site. Contractors will be expected to comply with NZS 6803:1999 – Acoustics – Construction Noise.

It is not considered that the proposed alteration will result in a change to effects from noise that is more than minor.

6.1.8 Effects from stormwater pond

The pond for stormwater runoff is part of the proposed road's stormwater management plan for improving stormwater from the paved areas. It has been designed and located in the area close to the boat harbour adjacent to the proposed road corridor. This area is shown as area 'BF' in the designation plan attached to the application for alteration of the designation as Appendix 1. The purpose of the pond is to intercept and filter suspended particulate matter from stormwater prior to discharge into the harbour. The pond has been designed to the NZ Transport Agency's best practice stormwater treatment quality guidelines.

The construction effects of the pond are similar to that of the road construction and will be timed to be undertaken as part of the overall road construction process. Therefore the effects from construction of the ponds are considered to be minor. The completed ponds will have a positive visual amenity effect, as the area around the ponds will be landscaped.

Overall, it is not considered that the pond will have adverse environmental effects that are more than minor.

6.1.9 Mitigation measures

In their application for alteration of the designation, the Dunedin City Council propose a number of measures to mitigate potential adverse effects on the environment. These include:

- A construction management plan addressing dust suppression and noise
- An accidental discovery protocol to be followed in the event of discovery of koiwi tangata (human skeletal remains), taonga or archaeological artefacts during construction.
- Application for archaeological authority from NZHPT.
- Adherence to the Cultural Archaeological Protocol established between the Te Runanga o Otakou and the DCC for the existing works.
- Compliance with the conditions of the existing designation in relation to works undertaken on the land requested in the proposed alteration.

6.1.10 Summary of effects

Overall, it is not considered that the proposed alteration to the designation will result in a change to its effects on the environment that is more than minor. Therefore, the proposed alteration complies with section 181(3)(a)(i) of the Act.

6.2 Change to the boundaries of the designation

The proposed alteration would add 5555m² to the existing approx. 6.3 hectare area of the designation – i.e. the area of the designation would be increased by roughly 9%. It is not considered that this increase qualifies as a 'minor' change or adjustment to the boundaries of the designation. Therefore, the proposed alteration does not comply with section 181(3)(a)(i) of the Act – however, it is not necessary for the alteration to pass this test in order to comply with section 181(3)(a) as a whole.

7. Consultation undertaken/directly affected parties

Dunedin City Council has entered into unconditional Sale and Purchase Agreements for the land required for the proposed alteration of the designation. Purchase of those transactions will be settled on 28 May 2010. The manager of the Dunedin City Council City Property department, Mr Robert Clark, has provided written approval of the proposed alteration as the authorised officer of the Council. The written approval is appended to this report. Written

approval has also been given by the occupier of 20 Parry Street, and by the lessee of 14 Parry Street.

In addition Dunedin City Council has consulted with:

- Kai Tahu ki Otago Limited
- New Zealand Historic Places Trust

It is therefore considered that Dunedin City Council have met their requirement under Section 181(3)(b) of the Act to give written notice to the owner and occupiers of the land directly affected and that owner and occupiers has agreed to the alteration.

RECOMMENDATION

That pursuant to Section 181 of the Resource Management Act 1991, the Dunedin City Council recommends that the alteration to the designation be CONFIRMED, without modification or additional conditions, for the alteration to designation D845 Harbourside Arterial Link in the Dunedin City District Plan, as requested by Opus International Consultants Limited, on behalf of Dunedin City Council in application DIS-2010-2.

The existing conditions that apply to designation D845 as a result of DIS-2008-3 will apply to the altered part of the designation as well, where relevant. The existing conditions are as follows:

- (a) That Dunedin City Council as Requiring Authority shall apply for an archaeological authority from the New Zealand Historic Places Trust, under the Historic Places Act 1993, prior to commencing work, and that the Council shall comply with the conditions of that authority.*
- (b) That prior to the commencement of any work on the site, a construction management plan shall be submitted to Dunedin City Council. That plan shall include, as a minimum, the following:*
 - i. Mitigation measures to reduce adverse effects on traffic management in relation to any nearby intersections or arterial roads;*
 - ii. Mitigation measures to reduce adverse effects on adjoining properties, including, dust, noise and safety of people visiting the sites; and*
 - iii. Outline the process to occur should condition (c) below be invoked.*
- (c) That if koiwi tangata (human skeletal remains), taonga or archaeological artefacts are discovered during site construction, the Requiring Authority shall, without delay:*
 - i. Cease all work within a 50m radius of the discovery and secure the area.*
 - ii. Notify their nominated archaeologist, the consent authority, Kai Tahu ki Otago, the New Zealand Historic Places Trust, and in the case of koiwi tangata (human skeletal remains), the New Zealand Police.*
 - iii. Enable a site inspection by the New Zealand Historic Places Trust and the appropriate runanga, and their advisors, who shall determine the nature of the discovery and the further action required, including whether an Archaeological Authority is required under the Historic Places Act 1993.*
 - iv. Any koiwi tangata or taonga shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal and preservation.*
 - v. Ensure that the further action identified in accordance in part (iii) of this condition is undertaken.*

- vi. *Upon completions of tasks (i) to (v) above, and provided all statutory permissions have been obtained, the Requiring Authority may recommence site construction following consultation with the consent authority, Kai Tahu ki Otago, the New Zealand Places Trust, and in the case of koiwi tangata (human skeletal remains), the New Zealand Police.*
- (d) *That the final design option for the Harbourside Arterial Link shall be chosen following consultation with affected land owners and occupiers.*
- (e) *That the final design option chosen for the Harbourside Arterial Link shall not prevent access to 170 Frederick Street, Dunedin, being that land legally described as Lot 2 DP 17329.*
- (f) *That the final design option chosen for the Harbourside Arterial Link shall ensure safe egress and ingress to 3 Wickliffe Street, Dunedin, being that land legally described as Sec 7 DP 3552.*
- (g) *That, prior to the commencement of any work on the site, a heritage assessment of buildings on Parry Street that are affected by the Harbourside Arterial Link shall be undertaken. If any buildings to be demolished to make way for the Arterial are found to be of heritage value, a full documentary photographic record of affected properties shall be compiled and provided to the New Zealand Historic Places Trust and the University of Otago Library Hocken Collections.*
- (h) *That the Outline Plan to be submitted in accordance with Section 176A of the Act shall address, but not be limited to, the following matters:*
 - i. *Areas within the designation that is not required for the roadway, footpaths or cycleways shall be landscaped.*
 - ii. *Footpaths and cycleways shall be identified that will allow for access for pedestrians and cyclists along Anzac Avenue and between the city centre and Harbourside.*
 - iii. *Footpaths and cycleways shall be designed in accordance with the principles of Crime Prevention through Environmental Design (CPTED).*
 - iv. *Landscaping shall be used to minimise the visual intrusion of road structures.*
 - v. *The Outline Plan shall contain a detailed design of the bridge across the Owheo/Water of Leith (aesthetic as well as functional matters will be considered by the Territorial Authority when assessing this design).*
 - vi. *The Outline Plan shall be prepared in consultation with the New Zealand Transport Agency.*
 - vii. *The design of the Arterial shall meet the specifications set out in the New Zealand Heavy Haulage Association document Road Design Specifications for Overdimension Loads (Revision 3, August 2006).*
 - viii. *The Arterial shall be designed and constructed to the Territorial Authority's satisfaction to ensure the continued safe operation of the Liquigas facility at 254 Fryatt Street, being that land legally described as Lot 3 DP 17945.*
 - ix. *Consideration shall be given to whether it is necessary or desirable to provide for a one way street connecting Frederick Street with the northern section of Anzac Avenue.*
 - x. *Consideration shall be given to whether or not mitigation measures should be provided to address any adverse economic impacts on Anzac Avenue*

businesses due to a decline in trade from passing traffic, in the event that such impacts are caused by the construction of the Harbourside Arterial Link.

REASONS

The proposed alteration to the existing designation involves a more than minor change to the boundaries of the designation, but will result in a no more than minor change to its effects on the environment. Written notice of the proposed alteration has been given to the owner and occupier of the land directly affected and that owner and occupier have agreed to the alteration.

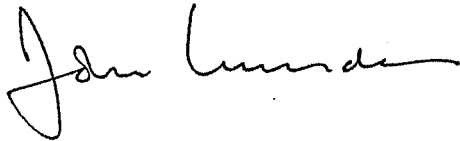
It is therefore considered by the Council as territorial authority that the application from Opus International Consultants Ltd on behalf of Dunedin City Council as requiring authority to alter designation D845 satisfies the criteria set out in Section 181(3) of the Resource Management Act 1991.



Jane Macleod
Planner (Policy)

DECISION

That the recommendation above be adopted.



John Lumsden
Commissioner