

Our Reference: A1075821

18 December 2017

Dunedin City Council
PO Box 5045
Dunedin 9058

Attention: Paul Freeland

Dear Mr Freeland

Decision on Notice of Requirement - DIS-2017-1, Central City Bus Hub, Great King Street, Dunedin

I refer to the recommendation issued by the Dunedin City Council's Hearings Commissioners on 22 November 2017. The Otago Regional Council wishes to advise of its decision on the recommendation, as required by section 172 of the Resource Management Act 1991.

The Otago Regional Council, as a Requiring Authority, has reviewed the recommendations dated 22 November 2017. The Hearings Commissioners recommended the Notice of Requirement for the Bus Hub at Great King Street be confirmed with conditions.

The Otago Regional Council considered the Hearing Commissioners recommendation at its meeting on 13 December 2017. Council resolved that the Hearing Commissioner's recommendation be **accepted in part**.

The Otago Regional Council accepts the recommendation to confirm the Notice of Requirement with conditions.

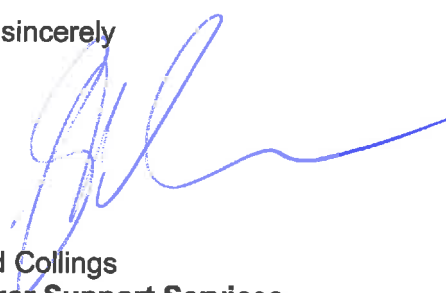
The Otago Regional Council's decision accepts some of the conditions recommended by the Hearings Commissioners, accepts in part some other conditions with modifications, and rejects some of the recommended conditions.

The full set of conditions to apply to the Bus Hub designation, which the Otago Regional Council has adopted, is set out in **Appendix 1** to this letter.

Appendix 2 to this letter provides the reasons for the Otago Regional Council's decision. In particular, Attachment 2 contains a table that sets out all the conditions sought by the Otago Regional Council as part of the Notice of Requirement (column 1), and the recommended changes to these conditions made by the Hearings Commissioners (column 2). The third column sets out the changes that the Otago Regional Council has made to the Hearings Commissioners recommendations and the reasons for the changes.

Please do not hesitate to contact Gerard Collings, Manager Support Services should you have any queries regarding this decision.

Yours sincerely



Gerard Collings
Manager Support Services
Encl

cc: N Donnelly, Acting Chief Executive, Otago Regional Council

APPENDIX 1

Designation

The designation provides for the establishment, operation, maintenance and upgrading of the Bus Hub for Dunedin public transport service purposes and will provide public transport services described in the Otago's Regional Council's Public Transport Plan, and to provide any site works, buildings or structures integral and ancillary to the operation of the Dunedin public transport system, including but not limited to:

- *Bus shelters and seating;*
- *Timetable and information displays;*
- *Bus stops;*
- *Public amenities, including toilets;*
- *Landscaping including structures;*
- *Pedestrian foot paths and accessways;*
- *Drainage;*
- *Technology;*
- *Lighting;*
- *Security;*
- *Vehicle priority;*
- *Signage;*
- *Passenger comfort initiatives and facilities;*
- *Passenger information facilities; and*
- *All other structures and facilities associated with or incidental to a comprehensive facility for the performances of functions of the bus hub and support of the Dunedin Public Transport Network for the requiring authority.*

The nature of the functions is that these activities will initially occur from approximately 05:30 hours to 00:30 hours, 7 days a week, year-round.

Conditions

1. *Prior to submitting an Outline Plan for the establishment of the Bus Hub, the Requiring Authority shall obtain the agreement of Dunedin City Council (Group Manager, Transport) for works required on the following seven intersections outside the designation, that are necessary to address any adverse effects on the transportation network resulting from changes to the bus routes associated with operation of the Bus Hub.*
 - a. *George Street / St Andrew Street*
 - b. *Moray Place / Lower Stuart Street*
 - c. *Moray Place / Burlington Street*
 - d. *Moray Place / Princes Street*

- e. Great King Street / Frederick Street
- f. Moray Place / Upper Stuart Street
- g. Castle Street / Lower Stuart Street

Such agreement will include the timing of the works, including those works the Group Manager Transport considers necessary, prior to the Bus Hub becoming operational. For the avoidance of doubt, this condition relates to the establishment of the Bus Hub, and not subsequent Outline Plans of Works that may be required for future changes to the Bus Hub.

2. *The Requiring Authority shall consult with Heritage New Zealand Pouhere Taonga prior to any Outline Plan being submitted for proposed works adjacent to any protected heritage façade identified in the District Plan. A record of the consultation is to be included as part of the submitted Outline Plan.*
3. *Where any new structures are to be located adjacent to any heritage item scheduled in the District Plan, the structure shall be sited, designed, and finished, to be sympathetic to the heritage values of the Heritage item, taking into account the operational requirements of the Bus Hub. Although the preference is for structures to not be located in the road reserve in front of the heritage item, if there are operational requirements, then the structure should be designed to enable maintenance of the heritage item. For structures to be located beside a heritage item, the structure should be designed and/or sited to enable maintenance of the heritage item.*
4. *The Requiring Authority shall consult with Ngai Tahu Justice Holdings Limited (or any subsequent legal entity as the owners of Sec 41 and Sec 42 Town of Dunedin), prior to any Outline Plan being submitted for proposed works that have a potential effect on the Police Station. A record of the consultation is to be included as part of the submitted Outline Plan.*
5. *An Outline Plan of Works for the establishment of the Bus Hub shall be submitted to Dunedin City Council under section 176A of the RMA. The Outline Plan is to address potential adverse amenity and safety effects within the designated Bus Hub, having regard to the following matters:*
 - a. *Safe pedestrian crossings, including light-controlled crossings at each end of the Bus Hub, and a mid-block pedestrian crossing;*
 - b. *Where practicable, providing unbroken footpath surfaces across vehicle access ways to adjacent properties so as to indicate pedestrian priority;*
 - c. *Shelter within the Bus Hub (including staging if necessary), with a preference for continuous shelter above footpaths as far as practical;*
 - d. *Streetscape design (for instance, such elements as paving, shelters, street furniture, lighting, signage, landscaping, public toilet): The Outline Plan shall state the outcome of consultation with the Dunedin City Council Urban Design team leader in the development of the materials palette proposed for the Bus Hub.*

6. *A Construction Management Plan (CMP) shall be submitted as part of the Outline Plan for the establishment of the Bus Hub, to deal with any adverse effects that may occur during the construction phase. The CMP shall include, as a minimum, the following:*
 - a. *Mitigation measures to reduce adverse effects on traffic management in relation to any nearby intersections or roads; and*
 - b. *Mitigation measures to reduce adverse effects on adjoining properties, including dust, noise, access to properties, and safety of people visiting the site.*
7. *Activities associated with the Bus Hub shall be carried out to achieve the following noise outcomes:*
 - a. *Noise during construction activities shall comply with the requirements of NZS 6803:1999 "Acoustics – Construction Noise".*
 - b. *Noise generated by activities being undertaken in accordance with the designation, shall comply with the applicable limits for the underlying zone at the time the Notice of Requirement is lodged, or the applicable Second Generation District Plan for Dunedin rules, if these are more lenient, except that vehicles operating within the designated site (including buses), are exempt from these requirements, and shall comply with the Land Transport (Road Users) Rule 2004, clause 7.4.*
8. *Signage is limited to information associated with the Bus Hub, Dunedin Public Transport Network and associated facilities, including signage associated with coffee kiosks, community events and public announcements.*
9. *A maximum of two coffee kiosks may be located within the designation site.*
10. *If an unidentified archaeological site is located during works, and if an archaeological authority is required for the works, the find shall be managed in accordance with the conditions of the relevant archaeological authority as granted by Heritage New Zealand Pouhere Taonga. Alternatively, if the works did not require archaeological authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014, then:*
 - a. *Work shall cease immediately at that place, and within 20m around the site.*
 - b. *The contractor must shut down all machinery, secure the area, and advise the requiring authority.*
 - c. *The requiring authority shall secure the site and notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist.*
 - d. *If the site is of Maori origin, the requiring authority shall notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist, and the appropriate iwi groups or kaitiaki representative, of the discovery, and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act, Protected Objects Act).*

- e. *If human remains (koiwi tangata) are uncovered, the requiring authority shall advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police, and the appropriate iwi groups or kaitiaki representative, and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.*
- f. *Works affecting the archaeological site, and any human remains (koiwi tangata), shall not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue.*
- g. *Where iwi so request, any information recorded as the result of the find, such as a description of location and content, is to be provided.*
- h. *Heritage New Zealand Pouhere Taonga will determine if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required for works to continue.*
- i. *The requiring authority will carry out any archaeological assessment required by Heritage New Zealand Pouhere Taonga.*

Note: *It is an offence under S87 of the Heritage New Zealand Pouhere Taonga Act 2014, to modify or destroy an archaeological site without an authority from Heritage New Zealand, irrespective of whether the works are permitted, or a consent or Outline Plan has been issued under the Resource Management Act.*

- 11. *As part of the Outline Plan for the establishment of the Bus Hub, the Requiring Authority shall include measures to mitigate the following adverse effects arising from the Bus Hub on the Community House:*
 - a. *Noise associated with the Bus Hub on the noise sensitive activities within the Community House;*
 - b. *Modification to air intakes to maintain air quality and ventilation within the Community House; and*
 - c. *Window tinting (or alternative measures) to mitigate loss of privacy for ground floor rooms adjacent to the Bus Hub.*

This condition will be met if a separate commercial agreement is reached between the Requiring Authority and the Community House Trust.

- 12. *No landscaping, buildings, and structures higher than 700mm shall be located within the red shaded area shown in Figure 1, to ensure sight distances for drivers of vehicles entering or exiting the Police Station, are provided. This condition shall not apply to a pole required to demarcate the pedestrian crossing, or a pole for a light within the red shaded area.*
- 13. *The Requiring Authority shall provide New Zealand Police access to the data from CCTV installed to monitor the Bus Hub.*

Appendix 2

Reasons for the Otago Regional Council's decision

The **green highlighting** depicts the final conditions accepted by the Otago Regional Council. The **red highlighting** depicts the conditions rejected or modified.

Conditions suggested by ORC in Notice of Requirement and at Hearing	Commissioners' Recommendation	ORC's Decision and Reasons for Decision
1) Activities associated with the Bus Hub shall be carried out to achieve the following: a) Noise during construction activities shall comply with the requirements of NZS 6803:1999 "Acoustics – Construction Noise". b) Noise generated by activities being undertaken in accordance with the designation shall comply with the applicable limits for the underlying zone at the time the Notice of Requirement is lodged, or the applicable Second Generation District Plan for Dunedin rules if these are more lenient, except that vehicles operating within the designated site (including buses) are exempt from these requirements and shall comply with the Land Transport (Road Users) Rule 2004, clause 7.4.	7. Activities associated with the Bus Hub shall be carried out to achieve the following noise outcomes: a) Noise during construction activities shall comply with the requirements of NZS 6803:1999 "Acoustics – Construction Noise". b) Noise generated by activities being undertaken in accordance with the designation shall comply with the applicable limits for the underlying zone, except that vehicles operating within the designated site (including buses) are exempt from these requirements and shall comply with the Land Transport (Road Users) Rule 2004, clause 7.4.	The Commissioners recommended a minor change to this condition. This minor change is accepted as it makes it clear that the condition relates only to noise. No change to this condition. The Commissioners' recommendation is accepted. The Commissioners recommended amending this condition to simply apply the underlying noise rules that are operative at any one time. This is problematic as currently the Dunedin City District Plan is undergoing review, and decisions on the proposed plan (2GP) will not be notified until mid-2018. From this date, the 2GP will be subject to appeals. Therefore, the future of the noise limits that will be imposed at this site is uncertain.

		Given this uncertainty, it is preferable to retain the condition suggested by the ORC which provides certainty by either applying the operative noise rules, or, should the 2GP noise rules enable higher noise levels than the operative plan, then these noise limits would apply. This approach is how a permitted activity would work, whereby the operative noise levels at the time the activity is established would apply to the activity, and the activity must operate within these noise limits. For the above reasons the ORC's suggested condition is retained, and the Commissioners' amendment to this condition is rejected.
2)	If an unidentified archaeological site is located during works, and if an archaeological authority is required for the works, the find shall be managed in accordance with the conditions of the relevant archaeological authority as granted by Heritage New Zealand Pouhere Taonga. Alternatively, if the works did not require archaeological authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 then: a) Work shall cease immediately at that place and within 20m around the site.	10. If an unidentified archaeological site is located during works, and if an archaeological authority is required for the works, the find shall be managed in accordance with the conditions of the relevant archaeological authority as granted by Heritage New Zealand Pouhere Taonga. Alternatively, if the works did not require archaeological authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 then: a) Work shall cease immediately at that place and within 20m around the site.
		No change to this condition. The Commissioners' recommendation is accepted.

b) The contractor must shut down all machinery, secure the area, and advise the requiring authority. c) The requiring authority shall secure the site and notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist. d) If the site is of Maori origin, the requiring authority shall notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act, Protected Objects Act). e) If human remains (koiwi tangata) are uncovered the requiring authority shall advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded. f) Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until Heritage New	b) The contractor must shut down all machinery, secure the area, and advise the requiring authority. c) The requiring authority shall secure the site and notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist. d) If the site is of Maori origin, the requiring authority shall notify the Heritage New Zealand Pouhere Taonga Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act, Protected Objects Act). e) If human remains (koiwi tangata) are uncovered the requiring authority shall advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded. f) Works affecting the archaeological site and any human remains (koiwi tangata) shall not resume until	
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Zealand Pouhere Taonga gives written approval for work to continue. g) Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records. h) Heritage New Zealand Pouhere Taonga will determine if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required for works to continue. i) The requiring authority will carry out any archaeological assessment required by Heritage New Zealand Pouhere Taonga. Note: It is an offence under S87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an authority from Heritage New Zealand irrespective of whether the works are permitted or a consent has been issued under the Resource Management Act.	Heritage New Zealand Pouhere Taonga gives written approval for work to continue. g) Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records. h) Heritage New Zealand Pouhere Taonga will determine if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required for works to continue. i) The requiring authority will carry out any archaeological assessment required by Heritage New Zealand Pouhere Taonga. Note: It is an offence under S87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an authority from Heritage New Zealand irrespective of whether the works are permitted or a consent or Outline Plan has been issued under the Resource Management Act.	The Commissioners recommended a minor change to the condition that requires the requiring authority to provide a record of the consultation undertaken in any outline plan. The Commissioners' recommendation is accepted.
3) Heritage New Zealand Pouhere Taonga shall be consulted prior to any Outline Plan being submitted under section 176A of the RMA for proposed works immediately adjacent to any protected heritage façade identified in the District Plan.	2. The Requiring Authority shall consult with Heritage New Zealand Pouhere Taonga prior to any Outline Plan being submitted for proposed works adjacent to any protected heritage façade identified in the District Plan. A record of the consultation is to be included as part of the submitted Outline Plan.	

4) Where any new structures are to be located adjacent to any heritage item scheduled in the District Plan, the structure shall be sited, designed and finished so as to be sympathetic to the heritage values of the Heritage item, taking into account the operational requirements of the bus hub. Although the preference is for structures to not be located in the road reserve in front of the heritage item, if there are operational requirements, then the structure should be designed to enable maintenance of the heritage item. For structures to be located beside a heritage item, the structure should be designed and/or sited to enable maintenance of the heritage item.	3. Any new structures to be located adjacent to the scheduled heritage item (ref. 2219) be designed and located so as to be sympathetic to the heritage values and external appearance of the building and not to hamper its on-going maintenance. This condition applies to any structures in the road reserve in front of the Community House or alongside the building in the existing car park area.	The Commissioners recommended changing this condition. The main change is that it now limits the application of the condition to Community House, and it does not apply to the second identified heritage building immediately adjacent to the designation site – which is located at the corner of St Andrew St and Great King St. Ref.2219 does not appear to reflect the current District Plan. The reference should be B4111. It is considered important to include the second identified heritage building in this condition to ensure potential effects on this building are appropriately managed. In addition, the Commissioners' wording for the condition does not acknowledge the designation purpose. It is considered important that this condition acknowledges that the bus hub structures have a functional requirement to establish within the designated site. Further the wording of the condition suggested by the ORC had previously been agreed with HNZPT.
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			For the above reasons, the wording of the condition as put forward by the ORC is preferred. I The Commissioners' wording for this condition is rejected in part.
5) Signage is limited to information associated with the Bus Hub, Dunedin Public Transport Network, and associated facilities, including signage associated with the coffee kiosks, community events and public announcements.	8. Signage is limited to information associated with the Bus Hub, Dunedin Public Transport Network and associated facilities including signage associated with coffee kiosks, community events and public announcements.		No change to this condition. The Commissioners' recommendation is accepted.
6) A maximum of two coffee kiosks may be located and maintained within the designation site.	9. A maximum of two coffee kiosks may be located within the designation site.		The Commissioners recommended the word "maintenance" is removed from the condition. The word 'maintenance' is not required in this condition as the maintenance of the activity is provided for by the designation. For this reason, the Commissioners' wording for this condition is accepted.
7) As part of any outline plan for the establishment of the bus hub, the requiring authority shall provide a finalised assessment and plan of the work required on the intersections below (outside the designated area) necessary to address effects on the transportation network resulting from changes to the bus routes	1. Prior to submitting an Outline Plan for the establishment of the Bus Hub the Requiring Authority shall obtain the agreement of Dunedin City Council (Group Manager, Transport) for works required on the following seven intersections outside the designation that are necessary to address any adverse effects on the transportation		The Commissioners recommended changes to the wording of this condition. The Commissioners' wording for this condition is accepted.

required to incorporate buses passing through the hub. The finalised assessment and plan shall be approved by the Dunedin City Council (General Manager, Transport). Where deemed necessary by the Dunedin City Council General Manager Transport, and the work on the identified intersections shall be undertaken prior to the bus hub becoming operational. ○ George St / St Andrew St ○ Moray Place / Lower Stuart St ○ Moray Place / Burlington St ○ Moray Place / Princes St ○ Great King St / Frederick St ○ Moray Place / Upper Stuart St ○ Castle St / Lower Stuart St	network resulting from changes to the bus routes associated with operation of the Bus Hub. a) George St / St Andrew St b) Moray Place / Lower Stuart St c) Moray Place / Burlington St d) Moray Place / Princes St e) Great King St / Frederick St f) Moray Place / Upper Stuart St g) Castle St / Lower Stuart Street Such agreement will include the timing of the works including those works the Group Manager, Transport considers necessary prior to the Bus Hub becoming operational. For the avoidance of doubt, this condition relates to the establishment of the Bus Hub and not subsequent Outline Plans of Works that may be required for future changes to the Bus Hub.	
8) As part of any outline plan for the establishment of the bus hub, the Requiring Authority shall prepare a noise mitigation plan to address the mitigation of noise on the noise sensitive activities within Community House, demonstrate how loss of privacy effects will be mitigated, and shall prepare a plan for modifying the air intakes for Community House. Timing for implementing this mitigation shall be described in the Outline Plan.	11. As part of the Outline Plan for the establishment of the Bus Hub, the Requiring Authority shall include measures to mitigate the following adverse effects arising from the Bus Hub on the Community House: a) Noise associated with the Bus Hub on the noise sensitive activities within the Community House.	The Commissioners recommended changes to the wording of this condition. The recommended wording achieves the same outcome as the ORCs suggested wording, and includes the option for the ORC to reach a private agreement with the Community House Trust to satisfy this condition.

	b) Modification to air intakes to maintain air quality and ventilation within the Community House; and c) Window tinting (or alternative measures) to mitigate loss of privacy for ground floor rooms adjacent to the Bus Hub. This condition will be met if a separate commercial agreement is reached between the Requiring Authority and the Community House Trust.	For the above reasons the Commissioners' wording for this condition is accepted.
9) As part of any outline plan for the establishment of the bus hub, a construction management plan shall be submitted to deal with any adverse effects, including noise that may occur during the construction phase. That plan shall include, as a minimum, the following:	6. A Construction Management Plan (CMP) shall be submitted as part of the Outline Plan for the establishment of the Bus Hub to deal with any adverse effects that may occur during the construction phase. The CMP shall include, as a minimum, the following:	The Commissioners recommended minor changes to the wording of this condition. The recommended wording achieves the same outcome as the ORC's suggested wording, and therefore is accepted.
a) Mitigation measures to reduce adverse effects on traffic management in relation to any nearby intersections or roads;	a) Mitigation measures to reduce adverse effects on traffic management in relation to any nearby intersections or roads; and	No change to this condition. The Commissioners' recommendation is accepted.
b) Mitigation measures to reduce adverse effects on adjoining properties, including, dust, noise and safety of people visiting the site.	b) Mitigation measures to reduce adverse effects on adjoining properties, including dust, noise, access to properties, and safety of people visiting the site.	The Commissioners amended this condition to include 'access to properties'. While 'access to properties' could be included as part of addressing clause (a) above, which refers to 'traffic management', including 'access to properties' in clause (b) is clearer.

10)	Only landscaping, buildings and structures up to a height of 700mm within the designation area shall be located within the red shaded area shown in figure 1 to ensure sight distances for drivers of vehicles entering or existing the Police Station are provided. This condition shall not apply to a pole required to demarcate the pedestrian crossing or a pole for a light within the red shaded area.	12.	No landscaping, buildings and structures higher than 700mm shall be located within the red shaded area shown in Figure 1 to ensure sight distances for drivers of vehicles entering or existing the Police Station are provided. This condition shall not apply to a pole required to demarcate the pedestrian crossing or a pole for a light within the red shaded area.	For this reason, this condition is accepted. The Commissioners recommended minor changes to the wording of this condition. The recommended wording achieves the same outcome as the ORCs suggested wording, and therefore is accepted, with the exception of the typo– ‘existing’ should be ‘ <i>exiting</i> ’.
11)	New Zealand Police shall be provided access to the CCTV data of CCTV installed to monitor the designated area.	13.	The Requiring Authority shall provide New Zealand Police access to the data from CCTV installed to monitor the Bus Hub.	The Commissioners recommended minor changes to the wording of this condition. The recommended wording achieves the same outcome as the ORCs suggested wording, and is therefore accepted.
12)	Ngai Tahu Justice Holdings Limited (or any subsequent legal entity), as the owner of Sec 41 and Sec 42 Town of Dunedin, shall be consulted prior to any Outline Plan being submitted under section 176A of the RMA for the proposed works that has a direct effect on the operation of the Police Station.	4.	The Requiring Authority shall consult with Ngai Tahu Justice Holdings Limited (or any subsequent legal entity as the owners of Sec 41 and Sec 42 Town of Dunedin) prior to any Outline Plan being submitted for proposed works that have a potential effect on the Police Station. A record of the consultation is to be included as part of the submitted Outline Plan.	The Commissioners recommended a minor change to the condition that requires the requiring authority to provide a record of the consultation undertaken in any outline plan. This condition is accepted.
		5.	An Outline Plan of Works for the establishment of the Bus Hub shall be submitted to Dunedin City Council under section 176A of the RMA. The Outline Plan is to address potential adverse amenity and	This is a new condition recommended by the Commissioners to complement/extend the Outline Plan requirements set out in s176A of the RMA. The Commissioners consider it is required to address the

	safety effects within the designated Bus Hub having regard to the following matters: a) Safe pedestrian crossings including light-controlled crossings at each end of the Bus Hub, and a mid-block pedestrian crossing; b) Investigation and, if feasible, configuring the light controlled intersection at Great King Street and Moray Place to provide a perpendicular crossing of Great King Street; c) Unbroken footpaths surfaces across vehicle access ways to adjacent properties so as to indicate pedestrian priority; d) Shelter within the Bus Hub (including staging if necessary) with a e) preference for continuous shelter above footpaths as far as practical; f) Further investigation to optimise the footpaths and carriageway within the Bus Hub to provide as wide footpaths as possible consistent with the safe operation of the Bus Hub for both pedestrians and vehicles; g) Streetscape design (for instance such elements as paving, shelters, street furniture, lighting, signage, landscaping, public toilet) of equivalent quality to that of Dunedin's principal city centre streets, and in keeping with	effects that have been identified by submitters and to provide a link between the indicative plans of the bus hub layout presented in the Notice of Requirement and the eventual bus hub layout. The ORC accepts this clauses (a) and (d-e), rejects clause (b), (f) and (h) of the condition and amends other clauses of the condition, as set out below: (a) This clause seeks to ensure that pedestrian crossings are appropriately located. The location of the pedestrian crossings in the bus hub design aligns with this condition and therefore it is accepted. (b) This clause requires further investigation into the intersection design at the Great King St-Moray Place intersection. In order to comply with this condition the removal of one stop would be required to provide a perpendicular crossing. The removal of the stop will compromise the efficient and effective operation of the Hub. This condition is therefore rejected.
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	the themes and materials palette being developed for the City Centre Plan; and h) Particular attention to the design of structures adjacent to the Community House so as to protect the heritage values of the building while also providing for people's amenity within the Bus Hub.	(c) This clause requires the ORC to remove the concrete crossing places that currently exist within the designation area, and replace these with the surface proposed for the footpath within the designation area. This condition will require the ORC to change the priority of existing crossing places for private landowners, and this change has not been discussed with these parties. For instance, the Police Station may prefer to retain the vehicle priority surface to deter people from standing at this crossing place. Further, from a traffic safety perspective, this condition may be problematic and may fail the traffic safety audit. Therefore, this condition has been worded to provide the ORC with flexibility in its implementation, as follows: (c) <i>Where practicable, providing unbroken footpath surfaces across vehicle access ways to adjacent properties so as to indicate pedestrian priority.</i> (d) This clause does not address an effect of the bus hub, rather it addresses a concern raised by
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		submitters which is an operational matter. However, this condition largely reflects what is desirable at the site, and the feedback received through both rounds of consultation has been for an increase in the level of shelter. Designs are being advanced for approval with more continuous shelter within the designation area having regard for the heritage buildings. It is noted increased shelter will be subject to funding. Therefore, this condition is accepted. The typographical error in this condition – (d) and (e) should be one clause – is corrected. (f) This clause is considered to be unreasonable. The use of the words 'as possible' would likely result in the removal of on-street infrastructure including shelter and signage. This clause is rejected. (g) This clause is problematic as it requires the quality of structures to be equivalent to that of Dunedin's principal city centre streets, while at the same time being in keeping with the
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		materials palette that is currently being developed for the upgrading of Dunedin's principal city centre streets. This introduces a high degree of uncertainty and conflict as to what the quality and palette benchmark is for the bus hub structures. Further, the Centre City Plan is not yet final, and it is not yet known when this will be final. It is considered that the Outline Plan process, which requires (s176A of the RMA) that details of landscaping and structures be provided as part of the Outline Plan, and enables the DCC to request changes to the outline plan (and can appeal if the ORC rejects the recommendation), is sufficient to ensure the complementary quality and material palette of these central city areas. Therefore this clause is replaced with: <i>(g) Streetscape design (for instance such elements as paving, shelters, street furniture, lighting, signage, landscaping, public toilet): the outline plan shall state the outcome of consultation with the Dunedin City</i>
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		<i>Council Urban Design team leader in the development of the materials palette proposed for the bus hub.</i> (h) This clause is a duplication of condition 3 (Commissioners numbering), and, as the wording is different, this clause may conflict with condition 3. Therefore this clause is deleted.
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