

BEFORE THE ENVIRONMENT COURT  
AT WELLINGTON

I MUA I TE KŌTI TAIAO O AOTEAROA  
KI TE WHANGANUI-A-TARA

IN THE MATTER of the Resource Management Act 1991  
AND of an appeal under cl 14 of Schedule 1 of  
the Act  
BETWEEN WELLINGTON CIVIC TRUST  
(ENV-2019-WLG-000113)  
Appellant  
AND WELLINGTON REGIONAL COUNCIL  
Respondent

Environment Judge B P Dwyer sitting alone pursuant to s 279 of the Act

In Chambers at Wellington

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**CONSENT ORDER**

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- [A] Under s 279(1)(b) of the Act, the Environment Court orders, by consent, that the changes set out in **Appendix A** be made to the Proposed Plan.
- [B] The appeal is otherwise dismissed.
- [C] Under s 285 of the Act, there is no order as to costs.

**REASONS**

**Introduction**

[1] The Court has read the notice of appeal and the memoranda of the parties dated 16 September 2020 and 29 October 2020.



**Other relevant matters**

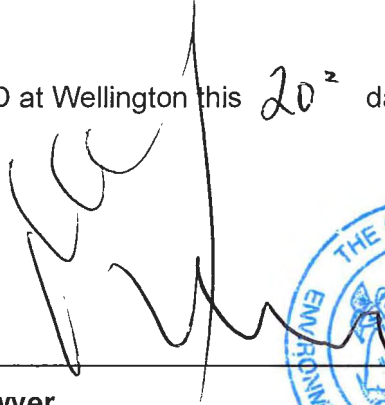
[2] No person gave notice of an intention to become a party to the appeal under s 274 of the Act.

**Orders**

[3] The Court is making this order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to s 297. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

DATED at Wellington this 20<sup>th</sup> day of November 2020

  
\_\_\_\_\_  
**B P Dwyer**  
**Environment Judge**



## Appendix A - amendments agreed at mediation

**KEY:**

Red track - changes made at mediation

Green track - changes in the Decisions Version of the PNRP, with clause 16 changes

*Amend Policy P142 as follows:*

Policy P142: Lambton Harbour Area 

When considering whether Use and development of the **Lambton Harbour Area** ~~may be~~ is appropriate, have regard to the extent which it if the use and development:

- (a) provides for a range of activities appropriate to the harbour/city interface, and
- (a) is compatible with the urban form of the city, and
- (b) recognises, where relevant, the ~~historic~~ heritage character, development and associations of ~~the area, and the wharf edges, reclamation edges, and finger wharves and their contribution to understanding and appreciation of the Lambton Harbour Area,~~ and
- (c) does not detract from the amenity of the area, and
- (d) recognises that the **Lambton Harbour Area** is adjacent to the **Commercial Port Area**, which is a working port, and
- (e) ensures that the development of **noise sensitive activities** is adequately acoustically insulated in order to manage **reverse sensitivity** effects, and
- (f) enables social and economic benefits to Wellington City and the wider region, and
- (g) provides for open space, pedestrian and cycle through routes and access to and from the water, and
- (h) recognises **mana whenua waka** and **waka ama** uses and enables them to continue, and
- (i) ~~has particular regard to~~ addresses provisions, including design guides, contained in the Wellington City District Plan and any relevant



proposed plan changes or variations, including the following matters: amenity values; noise and vibration; views; traffic; wind; lighting and glare; sunlight and shading; height, bulk and form; and urban design.

*Inclusion of the following text directly after the heading for Schedule E1*

Council’s website holds technical reports detailing the significant heritage values of sites included in this schedule, as well as other sites considered in the preparation of the schedule.

*Insertion of a new item into Schedule E2 as follows:*

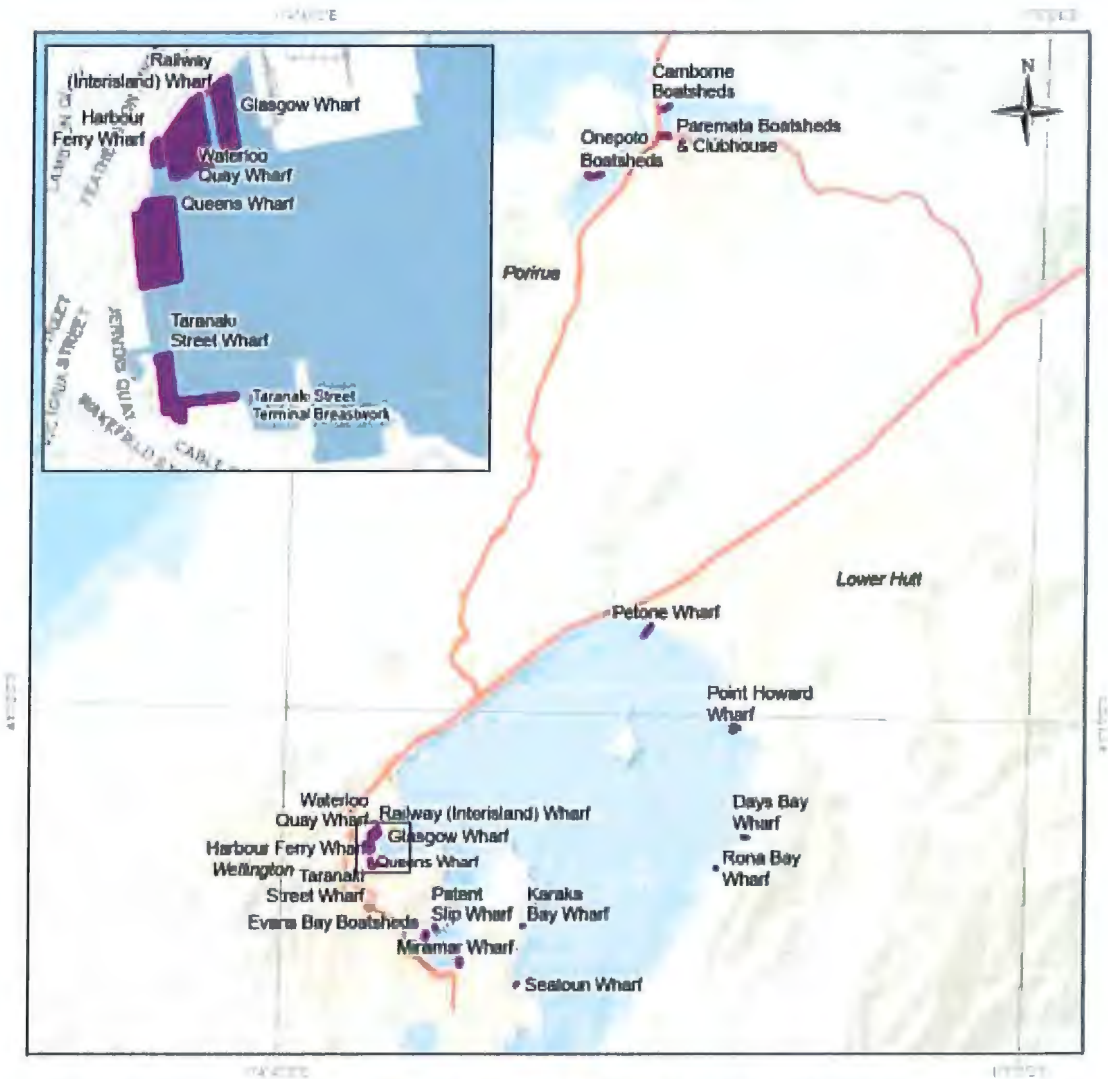
Schedule E2: Historic heritage wharves and boatsheds		
Name	Location	Summary of Significant Values
<u>Taranaki Street Terminal Breastwork</u>	<u>Lambton Harbour</u>	<u>The Taranaki Street Terminal Breastwork is a long length of berthage running east to west, some 230m in length and 16m in width. It is built of heavy cross-section Australian hardwood timbers of a unique design with vertical and bracing piles (between 400mm to 600mm in diameter) support short capping pieces (corbels) and large cross-section beams (400 x 400mm). The Breastwork was completed in 1969 and is the culmination of a series of reclamations of the western edge of the Te Aro Foreshore. Opposite the Breastwork, the Taranaki Street Wharf was in use for the trans-Tasman roll on roll off (ro-ro) service until the container port at Thorndon reclamation was completed. Ships still tie up to the Breastwork and alongside Taranaki Street Wharf.</u>



Amend Map 9 to include the Taranaki Street Terminal Breastwork as follows:

## Historic heritage wharves and boatsheds (Schedule E2)

Map 9



This version of the map is not complete. The version of this map available online through the online web map viewer shows the complete, detailed information on a GIS overlay that is not shown on this hard copy. The online version is available on the Council's website at <https://mapping.gw.govt.nz/gwrc/> (select theme Natural Resources Plan) and can be accessed from the Council offices or public library.

Significant structure — State Highway

greater WELLINGTON  
planning | science |  
 Te Papa | Te Kaitiaki



Basemap: World Oceans Base  
 Projection: NZTM 2000

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