



# WATERFRONT WATCH INC

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NEWSLETTER 64 – April-May 2008

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## ENVIRONMENT COURT STOPS HILTON HOTEL

The Environment Court has quashed the decision of the Wellington Regional Council to allow a Hilton Hotel to be built on the Outer-T of Queens Wharf. The court's judgement, released on March 14, says the hotel would destroy "many of the qualities which make this site special and unique."

The decision to stop the hotel states::

"The hotel building will dominate the public space due to its bulk, and reduce public access around the Outer-T. The scale of historic development will be disrupted and the new building will dominate the historic buildings around it.

"The stem of the Outer-T will become a vehicle precinct. We were not told how this would be safely managed.

"The amenity value of the area will be reduced. The use of the Outer-T as a working wharf and a place of berthage for a wide range of vessels will be substantially diminished.

"Views of the harbour and beyond from private buildings in the city and from at least one important viewpoint in the city will be significantly reduced.

"We do not consider that the adverse effects of the proposed development which we have identified can be adequately avoided, remedied or mitigated."

The appeal against the Hilton was lodged by Waterfront Watch and the Civic Trust, the Intercontinental Hotel, and two property companies; Mr W McClellan and Cr Helene Ritchie also participated in the appeal process.

Here are some extracts from the court's 94 page decision.

- There is an obvious conflict between pedestrians and vehicles in this area (the route from Hunter Street and Jervois Quay around Shed 6 to the outer-t). For some time there has been largely unrestricted vehicle access along the Shed 6 route to the Queens Wharf area. Mr Pike (general manager of the city council's Wellington Waterfront Limited) described this situation as unacceptable. Notwithstanding ... Mr Pike advised in response to a question from the Court that WWL had allowed this situation to continue for at least two years....In our view it was unacceptable for WWL to allow this situation to continue for at least two years (or longer).
- It is common ground that the existing (traffic) situation is unsatisfactory ... We do not think there is any doubt that the large extent of usage by private vehicles ... is not lawful.
- Traffic issues and the conflict between pedestrian usage of the Queens Wharf area are at the very heart of the issues before the Court.
- We have had regard to the principle in the Waterfront Framework which provides: *the entire waterfront is predominantly for people, not motor vehicles...*The Framework acknowledges the possibility of new buildings, however it appears to us a contradiction to consider new activities, such as a hotel, which have significant vehicle servicing requirements in such a sensitive position on the wharf which is predominantly for people not motor vehicles.

- We consider that a proposal such as this hotel appears contrary to the overall intent of the Waterfront Framework in terms of minimizing access by vehicles.
- We find that the traffic related effects of the Hilton on non-motorised users of the wharf (cycles, prams, skaters, crocodile bikes, pedestrians) ... on the spine of the outer-t will be significant and adverse.
- The Court indicated early in these proceedings that there were aspects of traffic management on Queens Wharf post Hilton about which we were uncertain and therefore unhappy. The applicant had ample time to address these issues but has failed to do so. The court must be satisfied that these matters have been adequately addressed. We are not in that position.
- We conclude that the establishment of a building of the bulk of the Hilton ... will further compromise the historic setting of Queens Wharf ... Rather than fitting in with the scale of the remaining heritage buildings ... the Hilton will tower over and dominate them. It will become the dominant building on the wharf and overwhelm the scale of past development.
- We accept that architectural treatments have been applied to the building in an attempt to diminish the effects of its bulk. Regrettably we do not consider that they can adequately mitigate the wider effects of the bulk of the building on this particular site. We accept [the] view that the building will be incongruous in its context.
- There will be adverse effects on views for the occupants of a number of floors of the two buildings (ABN Amro House and Deloitte House) and ... such effects will be more than minor.
- The impact of the Hilton building on the Johnston Street viewshaft is significant and of a kind which the criteria in the District Plan and PC48 describe as unacceptable.
- The Hilton development and in particular the vehicle precinct which it will create on the outer stem of Queens Wharf is contrary to the focus of the Lambton Harbour area which is a *primary open space on the waterfront*.
- The Hilton proposal diminishes a number of the aspects of Queens Wharf's character which are identified in the Waterfront Framework...The reduction of promenade space around the edge of Shed 1 and the creation of an environment dominated by the large hotel building and related activities ... neither maintains nor enhances public access...The proposal is in conflict with [the Resource Management Act requirement for] the protection of historic heritage from inappropriate subdivision, use and development.
- We acknowledge that the Hilton development will enable its developer and the hotel operator to promote their economic wellbeing [and] will provide economic benefits to the wider community ... Regrettably we consider those positive effects are achieved at the expense of many of the qualities which make this site special and unique.

## COMMENT FROM WW PRESIDENT

The Environment Court judgement upholds the policies which Waterfront Watch has been stating for many years. Yet the city council – our elected representatives – has for far too long chosen to ignore us and to ignore its own policies including the Waterfront Framework. With the ruling from the Court, we will now be seeking a new era for the waterfront, where the council at last has to accept the value of vehicle-free public open space, and heritage, and views, and viewshaft. We will also be seeking a competition for proposals for the outer-t, as specified in the Framework.

**We would also like to take this opportunity to thank our members and friends for their moral and financial support during the appeal.**

*Waterfront Watch Inc: President: Pauline Swann, Vice President: David Capper, Secretary: Chris Greenwood. Gayle Cullwick, Nigel Foster (o/s) David Lee (co-opt Oct.07) John Macalister, Mary Munro, Ron Oliver, Iona Pannett (resigned Oct.07), Pat Winton.*