



WATERFRONT WATCH INC

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Founded in 1995

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NEWSLETTER 67 – February 2009

PROGRESS OF APPEAL AGAINST OPT DEVELOPMENT

We thank members for their generous support of the Waterfront Watch appeal to the Environment Court against the resource consent decision to allow redevelopment of the Overseas Passenger Terminal.

Our appeal states (in part) that the proposed redevelopment **fails** to preserve the remaining natural character of the coastal environment from inappropriate use and development, **fails** to maintain and enhance public access, **fails** to protect historic heritage from inappropriate subdivision, use and development, **fails** to maintain and enhance amenity values, **fails** to maintain and enhance the quality of the environment, and **fails** to maintain the finite characteristics of natural and physical resources in that it will cause the loss of qualities of this site which make it special and unique.

Our appeal further lists ways in which the proposal fails to protect the heritage values of the wharf and wharf edge. It describes how the bulk, height and urban form of the redevelopment would create adverse amenity effects and reduce visual amenity. “The proposed replacement building for the OPT [is] too big for the site”, says our appeal, which notes that the new building would be longer and wider than the current building.

The Court case will start on 4 May. We’ll let you know the time and place. We are assembling expert witnesses, and as a result our costs are rising. If you wish to make a further donation, or if you have friends who are concerned, donations can be made:

- **By cheque to Waterfront Watch Overseas Passenger Terminal (OPT) Appeal, PO Box 19045, Courtenay Place, Wellington. Or**
- **By electronic transfer to Waterfront Watch Overseas Passenger Terminal (OPT) Appeal Fund, BNZ, Manners Street, Wgtn. Account number 020560 0364988 09**

CHANGES IN WATERFRONT DEVELOPMENT PLANNING

At the end of last year, the Wellington City Council approved two important documents changing policies for development of the waterfront. The first document relates to a District Plan Change for Kumutoto (North Queens Wharf – Sites 8, 9 and 10) and is called “**Variation 11**”. The second is the **Ten Year Plan for the Waterfront**.

Consultation on Variation 11 has begun and will continue till 6 April. Consultation arrangements for the ten-year plan have been delayed and have not yet been released.

Variation 11: This Plan Change seems designed to avoid legal action against new waterfront buildings. It has the effect of shutting the public out of the process of approving individual buildings. As the Council Report 1 on Variation 11 (4/12/08) states: “**To activate the original intention of devising tailored District Plan provisions for**

identified areas on the waterfront and to address the issues arising from the *Hilton* decision it is now recommended that appropriate changes to the District Plan be initiated before further Resource Consent applications for new developments are made.”

Key points:

- The new rules for Kumutoto (where three new buildings are planned) would restrict public input to the early stage of setting generalized planning specifications.
- The public would have no chance to make submissions on plans for individual buildings and thus there could not be any appeal to the Environment Court unless Plan rules were breached. This would give a great deal of unchallengeable authority to council officers (whose decisions have been successfully challenged in the past).
- The three buildings would each be allowed to go 15 per cent above the proposed height limits (presently 29.5m, 25.3m and 17.2m above mean sea level).

We note:

- Individual building proposals would be considered as Discretionary (Restricted) which means no notification and no public participation. We believe that waterfront buildings should be assessed through an open process, and not a closed one.
- The waterfront is “a special place” and developers should be prepared to face significant processes which include public input – after all, it’s public land.
- Ground floor space will not necessarily be accessible to the public. Contrary to long-standing city policy, the changes propose a reduction to only 60% public access. Current policy requires all ground floor space to be open to the public.
- Views of the waterfront will be affected by the new buildings. The Kumutoto development will have a negative impact on the Whitmore Street view shaft.
- If the same process is used for the four buildings planned for Waitangi Park, it would also exclude the public from participation on individual building designs.

TEN YEAR PLAN

Waterfront Watch opposes the planned construction of new buildings on the waterfront as proposed in this document. As well as three new buildings in the Kumutoto area, four new buildings are proposed for Waitangi Park (including one on the transition zone). There is no mention of how the Outer-T of Queens Wharf will be handled - given the Environment Court ruling against the Hilton Hotel, the omission is disturbing.

Waterfront Watch encourages Wellingtonians to send submissions to demonstrate their concern about the future of our waterfront. You can write your own submission or fill in the attached form. Closing date for **Variation 11 – 6 April**.

For assistance please email, telephone or check our website for updates.

www.waterfrontwatch.org.nz

For more news and opinion on Wellington issues including the waterfront, take a look at Wellington.scoop.co.nz

Committee: Pauline Swann, President (472 8417). David Lee, Vice-President. Chris Greenwood, Secretary (9349103). Gayle Cullwick, Ron Evans, Pat Linney, Mary Munro, Mary McNamara, Ron Oliver, Lynne Roborgh, Johnny Williams.

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