

Executive summary

Proposal

Waterfront Investments Limited (the applicant) has applied for resource consent to construct, use and maintain a hotel building on the Outer-T of Queens Wharf on the Wellington Waterfront, and to undertake associated activities solely within the coastal marine area (CMA). The new hotel will be operated by the Hilton Hotels Corporation as a 5-star hotel. The key features of the proposal are:

- Removal of the existing Shed 1 from the Outer-T, and strengthening of the northern arm of the existing wharf structure to meet the current Building Code requirements and the Wellington City Council (WCC) policy on Earthquake-prone Buildings.
- A 5 storey hotel building which will include a restaurant, bar, conference facilities and 142 guest rooms. Decks, for the use of hotel patrons, will extend past the footprint of the hotel building onto the wharf surface.
- The construction and ongoing use of a vehicular access tunnel from the TSB Bank Arena basement car park to the Outer-T of Queens Wharf.

Consents sought

The applicant required four consents from Greater Wellington Regional Council (GWRC) under the Regional Coastal Plan (RCP) for a number of activities including the disturbance and occupation of the seabed, construction of structures, and the potential discharge of contaminants to the coastal marine area (CMA). These activities were considered together as a discretionary activity.

The proposal falls wholly within the CMA; therefore it falls under the jurisdiction of GWRC as the sole consent authority. However, WCC has an overall responsibility for the development of the Wellington Waterfront area. This, along with some statutory linkages between the RCP, the Wellington District Plan and the Wellington Waterfront Framework (a non-statutory document); collectively provide justification for input by WCC officers. This is a distinguishing aspect of this application because it raised a number of land use related effects to be considered in what is essentially a group of coastal permit applications.

Context

The issue at the centre of this decision making exercise relates to the sustainable management of resources. It is clear to the Commissioners that there will be positive effects resulting from the economic benefits accruing from the construction and operation of the hotel and, to a lesser extent, positive outcomes associated with the upgrade to the Outer-T of Queens Wharf, the arrangements for traffic using the wharf, and the improvements to the general amenity of the Outer-T.

Notwithstanding these benefits and positive outcomes, the issue for the Commissioners is whether the proposed Hilton Hotel is environmentally appropriate in resource management terms having regard to both the effects of the proposal and the policy framework that it needs to be considered against. After consideration of the potential

negative effects of the proposal and the extent to which these are capable of being avoided, remedied or mitigated, and the positive effects associated with the development, the Commissioners made an overall evaluation of the proposal.

The key issues considered by the Commissioners are summarised below.

Adverse effects

Short term effects - construction period

The Commissioners have determined that the short term effects are confined primarily to the construction period and relate to effects on the marine environment, construction traffic accessing the site and noise resulting from the works.

The Commissioners accept that these issues can satisfactorily be addressed by way of consent conditions, in particular the requirement for a Construction Management Plan to be submitted to GWRC for approval prior to any works commencing. On this basis the Commissioners concluded that the short term effects are limited in nature and are acceptable in this waterfront context.

Long term effects – operation of the Hotel

For the Commissioners, the long-term effects are associated with the operation of the hotel and are potentially more numerous and have the potential to be significant due to the scale and nature of the proposal.

The Commissioners determined that the adverse effects associated with helicopter operations, natural hazards, public access and open space design, Maori cultural issues, visual amenity, sunlight/shading and lighting will all be no more than minor.

The potential adverse effects resulting from other aspects of the proposal were not so straightforward to assess. These effects related to the following areas:

- Port activities & maritime character
- Archaeological heritage
- Urban form/design/heritage context
- Wind
- Traffic
- Noise

The Commissioners considered the degree to which these effects could be adequately avoided, remedied or mitigated, and concluded that all effects can be appropriately managed, and have imposed conditions of consent to ensure that this occurs. The key conditions include the requirement for the production, approval, implementation and ongoing review of Management Plans for, amongst other matters, the operational traffic using the tunnel and central spine of Queens Wharf.

Overall, and after considering all the evidence presented at the hearing, the Commissioners were of the view that adherence to the conditions of consent will adequately avoid, remedy or mitigate the adverse effects associated with the

construction of the hotel and its ongoing operation to the extent that these effects are no more than minor.

Positive effects

The Commissioners agree that there are four potential positive effects that result from the proposal. However, the Commissioners consider that only one of these four– the economic benefits to Wellington city resulting from the construction and operation of the hotel - is likely to be of any direct significance.

In this respect the Commissioners accepted that there is a point of difference associated with the location of the proposed hotel due to the combination of its position on the waterfront as well as its proximity to the Wellington CBD. As such, the Commissioners concluded that there are some additional benefits resulting from the use of this location by a hotel, which will increase its attractiveness as a tourist destination.

The other potential benefits - improved traffic management, wharf enhancement and wharf upgrading - were largely discounted by the Commissioners given that these could all occur independently of the hotel development

Other matters

The Commissioners wish to record that during the course of the hearing there was much discussion and comment made about two issues; namely, whether the hotel is “iconic” and whether there should be a design competition for any structure/building on the Outer T of Queens Wharf. Whilst these are matters covered in the Wellington Waterfront Framework (Waterfront Framework), the majority of Commissioners concluded that they were not issues that had to be considered under the Resource Management Act 1991 (the Act) from a statutory perspective. More precisely the Commissioners note the following in relation to these matters:

Competition

The majority of the Commissioners find that it is not a statutory requirement that the design competition anticipated by the Waterfront Framework was followed. They note that the resource consent process provides a fall-back position by which public concerns can be addressed.

One of the Commissioners expressed the view that there was, and still remains, a firm and legitimate public expectation that development of the Outer-T site would be further explored through another phase of community consultation (i.e. the competition). In that Commissioner’s view, this intent was expressed by the Waterfront Framework and has not been fulfilled by the process followed by the applicant.

Iconic status of the proposal

Ultimately the Commissioners decided that the ability of the hotel development to achieve iconic status was not a statutory test that the proposal was required to meet. However, they note that a proposal resulting from more rigorous public engagement (for example, a competition) is likely to have produced a development concept that could be considered to be iconic.

Overall position

All Commissioners agree that there will be positive effects associated with the proposal and that of these the economic benefits resulting from the operation of a Hotel in this premium location is the most significant benefit likely to be realised.

Similarly the Commissioners all agree that there will be the potential for negative effects to accrue. In the main, and with the exception of traffic and maritime effects (berthing of cruise ships), the Commissioners were uniform in their findings on this. One Commissioner felt that the potential effects of traffic associated with the tunnel may not be completely mitigated despite the requirement for a traffic management plan, and also had misgivings about the degree to which the proposal would affect cruise ship berthing on the Outer-T. Moreover that Commissioner has expressed disappointment that the intent expressed by the Waterfront Framework for a design competition was not followed by WCC or WWL. The other Commissioners considered that these effects could be appropriately managed through consent conditions.

Notwithstanding these differences in opinion, the Commissioners wish to record that:

- The effects of the proposal can largely be classified as minor as a result of the changes to the proposal that occurred during the hearing (avoidance and remedy) and the mitigation achieved through the conditions to be imposed.
- The Commissioners find that overall, the proposal as modified during the hearing and subject to the proposed conditions, is not contrary to the relevant objectives and policies of the Regional Coastal Plan, the Wellington City District Plan and the Wellington Waterfront Framework.

Overall, the Commissioners consider that the proposal is consistent with the purpose and principles of the Resource Management Act 1991, which is to promote sustainable management of natural and physical resources.

On the above basis the Commissioners have resolved to grant consent to Waterfront Investments Limited, subject to conditions, to construct, use and maintain a hotel building on the Outer-T of Queens Wharf on the Wellington Waterfront, and to undertake associated activities solely within the coastal marine area.