

IN THE MATTER of the Resource Management Act 1991  
AND

IN THE MATTER of an appeal under clause 14 of the First  
Schedule to the Act

BETWEEN HERITAGE NEW ZEALAND  
POUHERE TAONGA (formerly New  
Zealand Historic Places Trust)  
(ENV-2014-WLG-000049)

Appellant

AND MANAWATU DISTRICT COUNCIL  
Respondent

BEFORE THE ENVIRONMENT COURT

Environment Judge BP Dwyer sitting alone pursuant to section 279 of the Act.

IN CHAMBERS

### CONSENT ORDER

#### *Introduction*

[1] The Court has read and considered the appeal and the parties' draft consent order received 28 November 2014.

[2] No person gave notice of an intention to become a party under s274.

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

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



*Order*

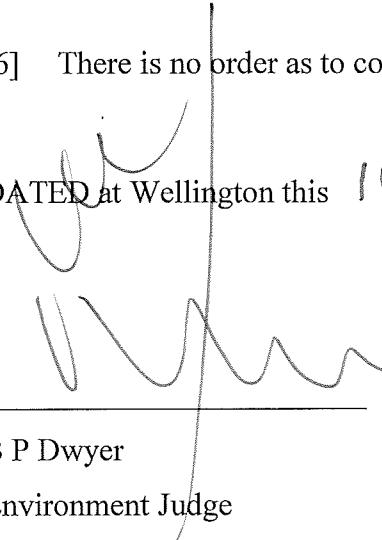
[4] The Court orders, by consent, that:

- Manawatu District Council is to amend Plan Change 46 to the Manawatu District Plan in the manner set out in Appendix A, which attaches to and forms part of this order;
- No changes are to be made to Plan Change 46 in respect of the provision for additions and alteration to Category A scheduled buildings as a non-complying activity, and this part of the appeal is withdrawn by Heritage NZ;

[5] The appeal is otherwise dismissed.

[6] There is no order as to costs.

DATED at Wellington this 10<sup>th</sup> day of December 2014

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



## Appendix “A”

### Agreed changes to the wording Plan Change 46

- Amend Policy 1.7 in Chapter 4 to read as follows:

To balance the protection of significant historic heritage values with other resource management issues and public safety concerns and in making an assessment under this policy to have regard to, without limitation:

- (a) Market conditions affecting the feasibility of adaptive reuse;
- (b) The economics of a range of reasonably practicable options;
- (c) The contribution that any replacement or modified building might make to the vitality and vibrancy of the Feilding town centre.

