

IN THE ENVIRONMENT COURT  
AT WELLINGTON

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

Decision No. [2022] NZEnvC 87

IN THE MATTER of an appeal under cl 14 of Schedule 1 to  
the Resource Management Act 1991

BETWEEN ARA POUTAMA AOTEAROA  
DEPARTMENT OF CORRECTIONS  
(ENV-2022-WLG-000006)

Appellant

AND WHANGANUI DISTRICT COUNCIL  
Respondent

Court: Environment Judge B P Dwyer sitting alone under s 279 of the  
Act  
Hearing: On the papers in Chambers  
Last case event: Joint memorandum received 24 May 2022  
Date of Decision: 26 May 2022  
Date of Issue: 26 May 2022

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CONSENT ORDER

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- A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that the changes set out in **Annexure A** be made to Plan Change 54 to the Whanganui District Plan.
- B: The appeal is otherwise dismissed.
- C: Under s 285 of the Resource Management Act 1991, there is no order as to costs.



ARA POUTAMA AOTEAROA DEPARTMENT OF CORRECTIONS v WHANGANUI  
DISTRICT COUNCIL

## REASONS

### Introduction

[1] The Court has read the notice of appeal and the memorandum of the parties dated 24 May 2022.

### Other relevant matters

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

[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.

  
B P Dwyer  
Environment Judge



## Annexure A

(Amendments underlined in yellow highlight)

GIZ-R1		Permitted (PER)
	<p>1. Industrial activity;</p> <p>2. Recreation facilities;</p> <p>3. Commercial activity which:</p> <p>a. Are ancillary to industrial activity; or</p> <p>b. Primarily provide food or fuel to people in the General Industrial Zone; or</p> <p>c. Primarily provide materials or components to activities in the General Industrial Zone;</p> <p>4. Reserves and open spaces;</p> <p>5. Network utilities as provided by (Link;12891,NU-Network Utilities)-contains some exemptions from the zone rules for network utilities;</p> <p>6. Relocated buildings and temporary relocatable buildings that comply with (Link;7302,TEMP-Temporary Activities) and</p> <p>7. Temporary military training activities that comply with (Link;7302,TEMP-Temporary Activities);</p> <p>The following activities, provided they achieve compliance with the standards in GIZ-S1 - GIZ-S10:</p> <p>1. Industrial activities;</p> <p>2. Recreation facilities;</p> <p>3. Commercial activities that i. Are ancillary to industrial activities on the site; or ii. Primarily supply food or fuel to people working in the zone;</p> <p>4. Reserves and open space;</p> <p>5. Relocated buildings and temporary relocatable buildings that comply with TEMP-Temporary Activities;</p> <p>6. Temporary military training activities that comply with TEMP-Temporary Activities;</p> <p>7. Community corrections activities;</p>	

