

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER of the Resource Management Act 1991  
AND of an appeal under cl 14 of the First  
Schedule to the Act  
BETWEEN ALAN DENNIS JEFFERIES  
(ENV-2018-WLG-000039)  
Appellant  
AND UPPER HUTT CITY COUNCIL  
Respondent

Environment Judge B P Dwyer sitting alone pursuant to s 279 of the Act

In Chambers at Wellington

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**CONSENT ORDER**

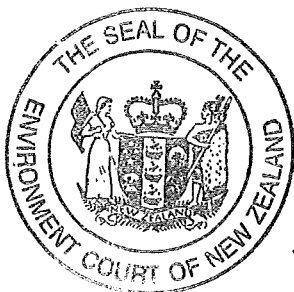
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[A] Under s 279(1)(b) of the Act, the Environment Court, by consent, orders that the Upper Hutt City District Plan be amended by:

- Adding an advice note to Chapters 18, 19, 20, 23, 30, 33 and 34, being those chapters that are affected by Plan Change 42.
- The advice note will record:  
Note: For any activity within the Stream/River Corridor, Overflow Path, Ponding Area or Erosion Hazard Area, applicants are advised to consult the Wellington Regional Council to determine if regional consent is also required.
- The advice note will follow the rules table in each Chapter listed above.

[B] The appeal is otherwise dismissed.

[C] Under s 285 of the Act, there is no order as to costs.



**REASONS****Introduction**

[1] The Court has read the notice of appeal and the memorandum of the parties dated 12 June 2019.

**Other relevant matters**

[2] The Wellington Regional Council gave notice of an intention to become a party to the appeal under s 274 and has signed the memorandum setting out the relief sought.

**Orders**

[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.

DATED at Wellington this 24<sup>th</sup> day of July 2019

  
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B P Dwyer  
Environment Judge

