

**In the Environment Court
Wellington Registry
I Mua I Te Kōti Taiao O Aotearoa
Te Whanganui-ā-Tara Rohe**

ENV-2019-WLG-000132

Under the Resource Management Act 1991
And in the matter of an application under Section 274 of the Act

Between

First Gas Limited

Appellant

and

Greater Wellington Regional Council

Respondent

**Notice of CentrePort Limited and CentrePort Properties
Limited's wish to be party to proceedings**

9 October 2019

BELL GULLY

BARRISTERS AND SOLICITORS
A J L BEATSON / L M LINCOLN
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To: The Registrar
Environment Court
Wellington

1. CentrePort Limited and CentrePort Properties Limited (**CentrePort**) wish to be a party to the following proceedings:
 - (a) *First Gas Limited v Greater Wellington Regional Council* – ENV-2019-WLG-000132.
2. CentrePort made a submission and a further submission about the subject matter of the proceedings and has an interest in the proceedings that is greater than the interest that the general public has as the owner and operator of the Wellington Port and lifeline facility.
3. CentrePort is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991 (the **RMA**).
4. CentrePort is interested in part of the proceedings.
5. CentrePort is interested in the following parts of the proceedings:
 - (a) Section 4.1 – Policy P4;
 - (b) Section 4.2 – Policy P12; and
 - (c) Section 4.10.2 – Policy P138.
6. CentrePort is interested in the following particular issues:
 - (a) The proposed reinstatement of Policy P4 with amendment;
 - (b) Proposed amendments to Policy P12 to include reference to the best practicable option and financial implications of activities and to delete reference to the coastal marine area and beds of lakes and rivers; and

- (c) Proposed amendments to Policy P138 to ensure regionally significant infrastructure within Scheduled Sites is able to be developed, operated, maintained and upgraded without undue constraint.
7. CentrePort opposes the relief sought in respect of issue (a) above, including for the following reason:
- (a) CentrePort supports the deletion of Policy P4 and the use of the 'avoid, remedy and mitigate' approach to managing effects directed by section 5 of the RMA. CentrePort considers that it is not appropriate for the Proposed Natural Resources Plan (**PNRP**) to require "minimisation". CentrePort also agrees with the Hearing Panel that all policies in the PNRP should stand on their own without reliance on other policies for interpretation purposes.
8. CentrePort supports the relief sought in respect of issues (b) and (c) above, including for the following reasons:
- (a) CentrePort has a strong interest in the primary enabling policies in the PNRP;
 - (b) The requested deletion of the words "in the coastal marine area and beds of lakes and rivers" in Policy P12 appropriately recognises that there are functional and operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure beyond the coastal marine area and the beds of lakes and rivers; and
 - (c) The proposed amendments to Policy P138 provide useful clarification and will better enable the development, operation, maintenance and upgrade of regionally significant infrastructure.

9. CentrePort agrees to participate in mediation or other alternative dispute resolution of the proceedings.



A J L Beatson / L M Lincoln

Counsel for CentrePort Limited and CentrePort Properties Limited

Dated 9 October 2019

Address for service:

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.