

**BEFORE THE ENVIRONMENT COURT
AT WELLINGTON**

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

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under cl 14 of Schedule 1
to the Act
BETWEEN CENTREPORT LIMITED and
CENTREPORT PROPERTIES LTD
(ENV-2019-WLG-000118)
Appellant
AND WELLINGTON REGIONAL COUNCIL
Respondent

**MINUTE OF THE ENVIRONMENT COURT
(30 NOVEMBER 2020)**

[1] The Court has considered CentrePort's response (dated 2 November 2020) to the Court's minute of 30 October 2020. In that minute, I asked the parties to identify the provisions of the appeal and submissions that give jurisdiction to amend Policy P47 in the manner proposed.

[2] The tenor of CentrePort's appeal and submissions appears to be that exceptions should be made to allow demolition/ partial demolition/ removal of the named Wharves if the relevant structure has "no on-going functional or economic use in its present state and/ or configuration" or was "derelict". The agreed amended wording uses the phrase "is necessary to provide for Port Related Activities" (and adds other conditions, such as considering all practicable alternative methods and locations).

[3] The issue for the Court is that it is not clear if the agreed wording suggests it is appropriate that historic heritage structures be demolished in circumstances where they are not derelict or if they have some on-going functional or economic use, and



therefore that the agreed wording might be beyond the “scope” of CentrePort’s appeal and submissions. CentrePort is directed to consider that matter and respond to the Court by 11 December 2020.

[4] I also note that the Council has not responded to the Court’s minute or to CentrePort’s reply. The Council is to respond (if it wishes to do so) by 11 December 2020.



B P Dwyer
Environment Judge

