

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

ENV-2019-WLG-000130

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

Between

**The Royal Forest and Bird Protection Society of New Zealand
Incorporated**

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
WELLINGTON LEVEL 21, ANZ CENTRE, 171 FEATHERSTON STREET
PO BOX 1291, WELLINGTON 6140, DX SX11164, NEW ZEALAND
TEL 64 4 915 6800 FAX 64 4 915 6810

To: The Registrar
Environment Court
Wellington

1. CentrePort Limited and CentrePort Properties Limited (**CentrePort**) wish to be a party to the following proceedings:
 - (a) *The Royal Forest and Protection Society of New Zealand Incorporated v Greater Wellington Regional Council – ENV-2019-WLG-000130.*
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 all of the proceedings.
5. Without limiting the above, CentrePort is interested in the particular issues outlined in the table attached as Appendix A to this notice. CentrePort supports or opposes the relief sought in respect of each issue for the reasons set out in the attached table.
6. 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:

CentrePort Limited and CentrePort Properties Limited
C/- Bell Gully
171 Featherston Street
PO Box 1291
Wellington 6140
Attention: Laura Lincoln

Telephone: (04) 915 6800
Facsimile: (04) 915 6810
Email: andrew.beatson@bellgully.com / laura.lincoln@bellgully.com

Advice

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

APPENDIX A

Issue / Provision	Summary of relief sought by the Appellant	Support / Oppose	General reasons for support / opposition
Objective O5	Reinstate notified Objective O5.	Oppose	CentrePort agrees with the Hearing Panel that all aspects of the notified version of Objective O5 are more clearly articulated by other objectives, for example Objectives O6 and O25.
Objective O12	Reinstate notified Objective O12.	Oppose	CentrePort supports other appeals seeking additional amendments to Objective O12 to appropriately provide for the benefits of regionally significant infrastructure.
Objective O18	Amend Objective O18 to remove subjective references in tables and replace with objective measures.	Oppose	In absence of specific relief sought, CentrePort opposes further amendments to this Objective and related tables.
Objective O19	Reinstate and amend Objective O19 such that it that provides "Natural processes are safeguarded from use and development".	Oppose	CentrePort sought amendment to the notified version of Objective O19, including to remove the word "minimised" and replace this with "avoided, remedied or mitigated". CentrePort supports the deletion of this Objective, and any reinstatement would need to include the amendments sought in CentrePort's submission on the PNRP.

Objective O22	Reinstate notified Objective O22.	Oppose	CentrePort sought amendment to the notified version of Objective O22 to provide an exception for hard engineering mitigation and protection methods where there is functional need or operational requirement. CentrePort supports the deletion of this Objective, and any reinstatement would need to include the amendments sought in CentrePort's submission on the PNRP.
Objectives O23, O24, O25, O31, O35 and Tables 3.1-3.7	Amend the objectives and tables so that they gives effect to the NPSFM.	Oppose	In absence of specific relief sought, CentrePort opposes further amendments to this Objective and related tables.
Objective O 44 - O48	Amend objectives and reinstate O45 to remove references to minimise, implement the concept of Te Mana o te Wai with reference to ensuring activities achieve the freshwater objectives in Table 3.4 -3.8 (as amended by appeal points above).	Oppose	In absence of specific relief sought, CentrePort opposes further amendments to Objective 48 and related tables.
Policy P13	Reinstate notified Policy P13 with the words "provided adverse effects are avoided remedied or mitigated".	Oppose	CentrePort is comfortable with the decisions version of Policy P13 and opposes the further amendments sought on the basis that they are not necessary.

Policy P31	<p>Amend Policy P31(b) so that it is consistent with Objective O25 (as amended)</p> <p>Add a new heading “wetlands” and a new sub policy “avoid the loss or degradation of any natural wetland”</p> <p>Replace “maintain” in Policy P31(f) with “avoid remedy or mitigate”.</p>	Support in Part	CentrePort supports the replacement of the word “maintain” with “avoid, remedy or mitigate”, consistent with the purpose set out in section 5 of the RMA.
Policy P32	Replace Policy P32 with a new policy.	Oppose	CentrePort opposes the more stringent policy sought by the Appellant on the basis that it is likely to impose undue constraints on the operation, maintenance, development and upgrade of regionally significant infrastructure.
Policy P41	Replace Policy P41 with a new policy.	Oppose	CentrePort opposes the more stringent policy sought by the Appellant on the basis that it is likely to impose undue constraints on the operation, maintenance, development and upgrade of regionally significant infrastructure.
Policy P49	Reinstate notified Policy P49.	Oppose	CentrePort sought amendment to the notified version of Policy P49 to avoid any policy conflict between the enabling policies on regionally significant infrastructure and protectionist

			<p>policies in the PNRP. CentrePort supports the deletion of this Policy, and any reinstatement would need to include the amendments sought in CentrePort's submission on the PNRP.</p>
<p>Policy P51</p>	<p>Reinstate notified Policy P51.</p>	<p>Conditionally oppose</p>	<p>CentrePort sought amendment to the notified version of Policy P51 to clarify the nature of potential adverse effects on surf breaks and measurement of these and how the policy would be applied in practice. CentrePort supports the deletion of this policy, and any reinstatement would need to include the amendments sought in CentrePort's submission on the PNRP.</p>
<p>Policy P78</p>	<p>Reinstate notified Policy P78(a).</p>	<p>Oppose</p>	<p>CentrePort sought amendment to the notified version of Policy P78(a) to recognise that the continual minimisation of adverse effects from stormwater discharges may not in all circumstances be practicable or appropriate. CentrePort supports the deletion of this part of the policy, and any reinstatement would need to include the amendments sought in CentrePort's submission on the PNRP.</p>

Policy P138	Add a new Policy P138(f) "effects are managed in accordance with P39A".	Oppose	The amendment sought will make Policy P138 more restrictive and is likely to impose undue constraints on the operation, maintenance, development and upgrade of regionally significant infrastructure.
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