**BEFORE THE ENVIRONMENT COURT**
**AT WELLINGTON**

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

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

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**MINUTE OF THE ENVIRONMENT COURT**
**(1 APRIL 2021)**

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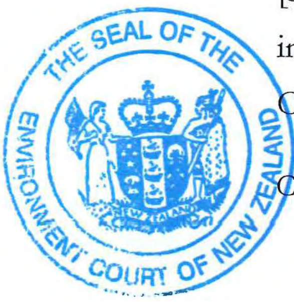
[1] The Court acknowledges receipt of the memorandum dated 24 March 2021.

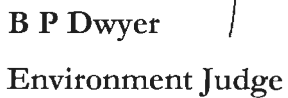
[2] The parties have responded to the Court's query about the meaning of "location". The parties say that the "location" of the activity will be determined by the area an applicant defines in an application for maintenance dredging. Should this aspect be left to an applicant to determine, or should the rule or Plan control the minimum or maximum dimensions, location, distance from other such dredging areas and other matters? I note that matter 1 in the list of matters of control is "location, design and method of dredging". Will that give the Council sufficient scope to control matters such as this?

[3] The parties have amended Rule 202A, matter for control 7, to move charting including notification of Land Information New Zealand, the Wellington Regional Council Harbourmaster and Maritime New Zealand to the notification matters. It



appears that the matter does not concern notification in the RMA sense, but is a requirement to provide updated charts to the listed people/ organisations. Is there a legislative basis for this requirement, outside RMA? If not, should this matter instead be a condition of Rule 202A?

[4] The parties are to respond, by joint memorandum if possible, by 16 April 2021.



**B P Dwyer**

**Environment Judge**

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