

PR 04 01

8 June 2009

Proposed Regional Policy Statement
Greater Wellington Regional Council
P O Box 11646
WELLINGTON 6142

Submission on Proposed Regional Policy Statement for the Wellington Region, 2009

CentrePort welcomes the opportunity to make this submission on the Proposed Regional Policy Statement for the Wellington Region, 2009.

CentrePort as a key provider of port infrastructure and services for the movement of passengers and freight by sea for both international and domestic trades and as a developer of commercial infrastructure has a focused interest in ensuring that the Proposed Regional Policy Statement for the Wellington Region provides through its objectives, policies and methods for the continued efficient and economic performance of its commercial business interests and in particular those relating to the Commercial Port activity.

CentrePort supports the general thrust of the Policy Statement in its acknowledgement of the Commercial Port (marine facilities and adjoining port activity land) as important regionally significant infrastructure which is to be protected in both the Regional and District Plan from inappropriate land uses or activities.

CentrePort acknowledges the inclusion of its sought changes arising from submissions on the Draft Regional Policy Statement. In particular the removal from Appendix 1 of the Coastal Marine Area including Wellington Harbour as an area with values requiring protection is applauded and satisfies CentrePort's major concern with regard to the Draft Regional Policy Statement.

The matters on which CentrePort wishes to further submit on include;

- Clarity around the definition of Regionally Significant Infrastructure - Commercial Port Areas
- Travel Demand Management impact on Regionally Significant Infrastructure activity
- Recognition of commercial activities in the Coastal Marine Area
- Coastal Marine References in Freshwater Policy
- Public Access to and along the Coastal Marine Area
- Regionally Significant Infrastructure
- Contaminated Land Activities

Submissions

The following are the provisions of the Proposed Regional Policy Statement which CentrePort wishes to see reconsidered and amended:

1. Clarity around the definition of Regionally Significant Infrastructure - Commercial Port Areas

The definition of Regionally Significant Infrastructure specifically refers to the Commercial Port Area as follows *“Commercial Port Areas within Wellington Harbour (including Miramar, Burnham, and Seaview Wharves) and adjoining land and storage tanks for bulk liquids”*.

For reasons of absolute clarity as to what is included it is suggested that this clause be revised to read *“Commercial Port Areas within Wellington Harbour and adjoining land used in association with the movement of cargo and passengers and including storage tanks for bulk liquids”*

This amendment ensures that it is only wharves and land that are used for the movement of goods and passengers that are deemed regionally significant.

It is also considered unnecessary to specifically identify some wharf areas and not others within the definition.

This definition is repeated throughout the Policy Statement and should be amended in all sections where it is used.

2. Travel Demand Management impact on Regional Significant Infrastructure activity

CentrePort is generally supportive of the promotion of Travel Demand Management mechanisms' which have as their primary aim sustainable outcomes. However, CentrePort would be concerned at the application of cordon charges or congestion pricing mechanisms, if freight operators were not exempted from these imposts.

Policy 9 in addition to addressing the environmental mechanisms should be balanced by making reference to essential commercial uses, such as the movement of freight. Policy 8 also is relevant to this submission and amendments are sought to both Policies by making reference to the need to not detrimentally impact on the activities of Regionally Significant Infrastructure.

3. Recognition of Commercial Activities in the Coastal Marine Area

The predominance of reference to discouragement of development within the Coastal Marine Area lacks foresight. The primary areas of concern are those Policies providing for the preservation of “Natural Character” and the impact of the landward extent of “Coastal Environment”.

In respect to natural character there is no definition provided although there is Case Law, as referred to in the Policy Statement, which indicates that Natural Character is not necessarily restricted to pristine character but can include highly modified character.

Although acknowledging the requirements under the RMA and the current New Zealand Coastal Policy Statement, CentrePort would like to see some direction in the policy statement that provides some recognition for commercial developments (not being operational port development or activities) in highly modified character areas where the public interest can be satisfied.

4. Coastal Marine References in Freshwater Policy

The Fresh Water section of the Policy Statement has a reference to public access to and along the Coastal Marine Area. CentrePort considers that this reference is not appropriate in this section of the Policy Statement and should be deleted.

5. Public Access to and along the Coastal Marine Area

Under the Coastal Environment Section of the Policy there is a need for more balance with reference to commercial infrastructure and activity needs in the coastal marine area as well as an emphasis on the need in special circumstances for public access to and along the coastal marine area to be restricted for health, safety or security reasons.

There is a need, in order to provide for the Regions economic wellbeing, for infrastructure and activities

Ports of there very nature are unable to facilitate access by the public with the operational port areas due to health and safety factors and security reasons associated with customs and the International Ship and Port Security Code (ISPS Code).

Under the Coastal Environmental Section the following changes are sought;

- i. A recognition in issue 4. *Public access to and along the coastal marine area* with the addition of the following sentence;
 - There are circumstances where the taking of access strips and esplanade reserves is not appropriate for health, safety or security reasons. Port operational areas are such an example.
- ii. A new issue under the listed regionally significant resource management issues for the coastal environment should be included as follows;
 - **5. Some Infrastructure and Activities Require Coastal Locations** There are certain commercial functions, which of their very nature, require the development of infrastructure and the conducting of activities in the coastal marine area. Such activities should be able to justify a location in the coastal marine area through demonstrating that either it is Regionally Significant Infrastructure or is otherwise in the public interest.
- iii. Supporting Objectives, Policies and methods in relation to i and ii above should be included in Table 2
- iv. Objective 8 should be reworded as follows “Public Access to and along the coastal marine area, lakes and rivers is enhanced except where for reasons of health, safety and security this can not be practically achieved”

6. Regionally Significant Infrastructure

The appropriateness of Policy 38(a) ceasing to have effect once policy 6 is given effect in a relevant District or Regional Plan is questioned.

It is considered that this policy, at the Regional Policy Statement level, should continue to have effect in case new Regionally Significant Infrastructure consents or plan provisions are needed. In that case it will be desirable (and in line with the requirements of section 30) to continue to have a Regional Policy Statement directive which is more generic and forward-looking than that which may be included in a District or Regional Plan. Its retention would also recognise the overarching importance of the Regional Policy Statement in terms of Plans and their contents.

CentrePort also seeks that Policy 6(a) refers to “goods” as well as “people”.

7. Contaminated Land Activities Policy 33 at present includes the inflexible words “do not allow” when addressing activities that could be affected by site contamination. However, new activities often provide the means of mitigating effects of contamination not only in relation to the activity, but also in terms of the wider environment (eg site remediation or sealing off of contaminant leakage). It is suggested that the words “do not allow” be replaced by the words “require the management of”, and that the whole policy reads “ District Plans shall include policy and rules that require the management of new activities on contaminated land in a way that avoids, remedies or mitigates adverse effects of the contamination on the activity”.

Conclusion

CentrePort wishes to have the opportunity to present its submission to any hearing set up to consider submissions on the Proposed Regional Policy Statement.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Neville Hyde', with a stylized flourish at the end.

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