

Proposed Natural Resources Plan:

Submitter:

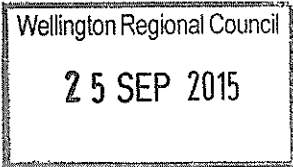
CentrePort Limited (CentrePort)

Submitter Number:

S121

By email

25 September 2015



Natural Resources Plan

Freepost 3156

Greater Wellington Regional Council

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Wellington 6142

By e-mail: regionalplan@gw.govt.nz

Dear Sir/Madam

Proposed Natural Resources Plan for the Wellington Region – Submission Pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

CentrePort Wellington Limited (CPL) welcomes the opportunity to provide a formal submission on the Proposed Natural Resources Plan (PNRP). A separate submission will be made by CentrePort Properties Limited (a subsidiary of CentrePort that manages its commercial property assets).

CPL operates as a port company under the Port Companies Act 1988. That Act establishes CPL's principal objective being to 'operate as a successful business'.

CPL is the third largest port in New Zealand in terms of cargo throughput and one of the Wellington region's largest economic generators, supporting \$2 billion of GDP impact.

CPL is critical to serving the long term freight transport needs of central New Zealand. With central New Zealand freight volumes projected to grow by 49% over the next 30 years, CPL is working to ensure central New Zealand maintains direct access to international markets. It is doing this by ensuring efficient and effective port operations and infrastructure, cost effective freight transport options to and from the port (e.g. CentreRail) and by ensuring shipping channels in Wellington Harbour are sufficiently deep to accommodate larger ships in the future.

CPL owns and manages port infrastructure assets located within Wellington Harbour at Thorndon, Seaview and Miramar. By their nature, these assets are located on the coast (including within the Coastal Marine Area), and provide a unique coastal setting within these urban areas and within the wider region. It is critical that the port can continue to maintain and develop its assets and services in order to provide safe, efficient and effective services to its customers.

It is also important that the port can meet a broad range of legislative and other regulatory requirements, in particular as a workplace and as an 'international gateway'. In this regard, the requirements of the Health and Safety in Employment Act 1992, the Maritime Security Act (and Regulations) 2004, the Health Act 1956 (public health) and the Biosecurity Act 1993 are key examples.

As a provider of significant regional transport infrastructure, CPL also has an important role in the city and region's civil defence preparedness and response management. Ensuring port assets are

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resilient and functional at times of emergency is an important consideration when developing and managing those assets.

CPL acknowledges the value of natural resources in the region, in particular Wellington Harbour. CPL is committed to ensuring any adverse effects of port activities on those resources and associated communities, including mana whenua iwi, are minimised.

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Electronic Communication

CentrePort prefers to receive information about the Proposed Natural Resource Plan via email. Can all communication please be emailed to William.woods@centreport.co.nz and cc'd to lindsay@incite.co.nz

Trade Competition

CentrePort could not gain an advantage in trade competition through this submission.

Submission on the Proposed Plan Provisions

CentrePorts' submissions on the Proposed Natural Resources Plan are set out in the attached table.

In relation to the matters raised, CentrePort seeks further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought.

Attendance and Wish to be heard at Hearings

CentrePort wishes to speak to our submission at relevant hearings and would be willing to discuss these further with Greater Wellington Regional Council staff prior to the hearings themselves.

Thank you again for the opportunity to submit on the PNRP.

If there are any issues of clarification required please contact the undersigned.

Yours sincerely

William Woods
Planning and Environmental Manager
CentrePort

25 September 2015

By email

The specific provisions of the Proposed Natural Resources Plan that this submission relates to are:

Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
Section 1 Introduction:			
1. 1.1 Overview of the Wellington Region	Support	CentrePort supports the recognition given to Wellington Harbour as the location of an important New Zealand port.	Retain provision in its current form.
2. 1.6 Values of water in the Plan	Support	CentrePort supports the inclusion of 'transportation and navigation' under <i>Use values – direct</i> in <i>Table 1.1</i> .	Retain provision in its current form.
Section 2.2 Definitions			
3. Commercial Port Area	Support with Clarification	This is defined as " <i>The areas shown on Map 32, Map 33 and Map 34 (unless otherwise specified)</i> "; It is unclear what " <i>unless otherwise specified</i> " means but it could create ambiguity.	Amend to provide clarification as to what other Maps define or link to the Commercial Port Area.
4. Common Marine and Coastal Area	Support with Clarification	CentrePort notes that the PNRP promotes the integrated management of a coastal marine area and related parts of the coastal environment, as per section 64(2) RMA. While noting the proposed definition is taken from the Marine and Coastal Area (Takutai Moana) Act 2011, the proposed definition for the purposes of the PNRP is unhelpful in that it only excludes specific areas without any certainty for where the PNRP provisions apply. This will cause significant confusion and interpretation issues for both plan users and the regulator. It is noted the illustration in Figure 1.3 illustrates the Regional Coastal Plan as on the mean high water mark (not the wider environment). CentrePort operates in and adjacent to the coastal environment and therefore certainty is paramount when determining consent requirements.	Provide clarification as to the extent of application of the Coastal Plan provisions, specifically in relation to whether the wider environment is included, to enable certainty.
5. Earthworks	Support	CentrePort supports the definition of Earthworks and notes that it specifically excludes cable or pipe laying and maintenance.	Retain this definition in its current form.
6. Functional Need	Support	As a port operator it is important to CentrePort that the term functional need is defined as Port activities require a location within and adjoining the Coastal Marine Area.	Retain this definition in its current form.
7. Hard Engineering	Support	CentrePort supports this definition but notes that the use of hard engineering methods in a Port environment is appropriate. Hard engineering is often the only method available to maintain, repair, operate and upgrade regionally significant port infrastructure in relation to where it adjoins the Coastal Marine Area.	Retain this definition in its current form.

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8.	High Hazard Area	Support with Clarification	CentrePort considers that identifying the whole of the Coastal Marine Area including the Commercial Port Area as a high hazard area is uncertain.	Provide clarification as to why the Coastal Marine Area is defined as a High Hazard Area and its implications for effects based decision making. Alternatively exclude the Commercial Port Area from the definition.
9.	Māori Customary Use	Oppose in part	CentrePort considers that the term Māori Customary Use is too broadly defined. As CentrePort's activities are partly located in the Coastal Marine Area, clarity is needed as to the activities that constitute Māori Customary use.	The definition of Māori Customary Use to be further refined to provide clarity as to the activities that fall within the term.
10.	Mobile sources	Support	CentrePort supports the definition with the inclusion of 'port mobile plant' as a mobile source that discharges contaminants.	Retain definition in its current form.
11.	Operational Requirement	Support	It is appropriate that operational requirements are defined as Port activities and infrastructure have operational requirements in order for the activity to function safely and efficiently.	Retain this definition in its current form.
12.	Port Noise Control Line	Support	CentrePort supports the definition of the Port Noise Control Line as it relates to both where the emission of port related activities applies and where port noise is monitored.	Retain this definition in its current form.
13.	Port Related Activities	Support with amendment	CentrePort generally supports the definition of Port related activities in the Proposed Natural Resources Plan because it is appropriate to separately identify port related activities in the policy and rule frameworks. Definition would be improved by the addition of the words "other structures" after the word "buildings" as some port activities are not within buildings such as the berthing structures and wharves which are not buildings, equipment or machinery.	Amend definition as follows. <i>Activities within the Commercial Port Area, the Lambton Harbour Area and on the adjacent land within the district including, but not limited to, the berthing, departure and movement of ships, storage and cargo handling, handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and any activities (including construction, maintenance and repair) associated with buildings, other structures, machinery and equipment used in connection with the port or its administration.</i>
14.	Reclamation	Support	CentrePort supports the definition of Reclamation in the Proposed Natural Resources Plan so it is clear to all users of the Plan that it means the creation of dry land.	Retain this definition in its current form.
15.	Regionally Significant Infrastructure	Support	CentrePort supports the definition of Regionally Significant Infrastructure in the Proposed Natural Resources Plan because it is appropriate to include reference to the Commercial Port Area.	Retain this definition in its current form.
16.	Reverse	Support	CentrePort supports the definition of Reverse Sensitivity	Retain this definition in its current form.

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	Sensitivity		in the Proposed Natural Resources Plan because it is appropriate to recognise the potential vulnerability of existing lawfully-established port activities to other activities in the vicinity which may be sensitive to adverse environmental effects.	
17.	Sensitive activity*	Support	CentrePort supports the definition of Sensitive activity in the Proposed Natural Resources Plan because it is an inclusive definition capturing all activities which suffer should they experience adverse effects typically associated with some lawful activities.	Retain this definition in its current form.
18.	Temporary structure	Support with amendment	CentrePort considers that there should be an exclusion relating to the temporary structures in the Commercial Port area within the definition as there may be potential impacts upon port operations and maintenance of port assets.	Amend the definition as follows: A structure in the coastal marine area <u>outside of the Commercial Port Area</u> which is not in place for a period exceeding a total of 31 days or part days during a 12 month period, inclusive of the placement and removal
Chapter 3. Objectives				
19.	Ki uta ki tai: Mountains to the sea Objective O5	Support with amendment and clarification	The definition of Māori customary use appears to include all cultural and spiritual considerations. There is uncertainty about what impact this will have on future development in the coastal marine area. CentrePort is also unsure in relation to the objective as to what "safeguarding aquatic ecosystem health and Mahinga Kai" means in this context. A literal definition of safeguard could mean absolute protection. In addition clause b) is an issue for CentrePort where contact recreation and Māori Customary use is prohibited or at least actively discouraged within the Commercial Port Area.	1. CentrePort seeks clarification on what the required consideration of safeguarding aquatic ecosystem health and Mahinga kai are. 2. The objective could be clarified as follows: Add 'where appropriate' at the start of O5 (b). Fresh water bodies and the coastal marine area, as-a-minimum, <u>where appropriate</u> , are managed to: (a) safeguard aquatic ecosystem health and mahinga kai, and (b) provide for contact recreation and Māori customary use, and
20.	Beneficial use and development Objective O9	Support with amendment	CentrePort considers that the recreational values of the coastal marine area should be maintained and enhanced "where appropriate" as this will not be everywhere in the coastal marine area specifically the Commercial Port Area.	Amend Objective 9 as follows; The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced <u>where appropriate</u> .

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21.	Beneficial use and development Objective O10	Support with amendment	CentrePort, for reasons of safety, security and biosecurity, does not support "maintaining and enhancing" public access in the Commercial Port Area.	Amend Objective 10 as follows: Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced <u>where appropriate</u> .
22.	Beneficial use and development Objective O11	Amend	The definition of Māori customary use appears to include all cultural and spiritual considerations. There is uncertainty about what impact this will have on future development in the coastal marine area and opportunities for Māori customary use of the coastal marine area for cultural purposes should only occur where appropriate. For example, not in the Commercial Port Area. CentrePort therefore seeks amendment of the objective so opportunities for Māori customary use of the coastal marine area for cultural purposes are recognised, maintained and improved where this is appropriate.	Amend Objective 11 as follows; Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced <u>where appropriate</u> .
23.	Beneficial use and development Objective O12	Support	CentrePort supports the objective that the social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.	Retain this objective in its current form.
24.	Beneficial use and development Objective O13	Support	CentrePort supports the objective that the use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area are protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.	Retain this objective in its current form.
25.	Natural Character Form and Function: Objective O19	Support with amendment	CentrePort considers that the use of the word interference within the objective is not appropriate. Interference, such as appropriate dredging, reclamations or protecting regionally significant infrastructure, may interfere with natural processes, but there could be a functional and operation need and it could be acceptable from an effects perspective.	Amend Objective O19 as follows: The interference <u>adverse effects</u> from use and development on natural processes is <u>minimised avoided, remedied or mitigated</u> .
26.	Natural Character	Support with	It is noted that high hazard areas are defined as	Provide clarification as to why the Coastal Marine Area is defined

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	Form and Function: Objective O21	clarification	including the whole Coastal Marine Area. While understanding the objective, particularly the use of the term "inappropriate use and development, the blanket inclusion of all of the CMA as a high hazard area is questioned.	as a High Hazard Area and its implications for effects based decision making. Alternatively exclude the Commercial Port Area from the definition.
27.	Natural character, form and function Objective O22	Oppose	CentrePort opposes this objective as there is no recognition made of the importance of being able to maintain, repair or upgrade Regionally Significant Infrastructure from Natural Hazards where hard engineering mitigation and protection methods solutions can be the only practicable and feasible option particularly in a coastal environment.	Amend Objective 22 as follows: Hard engineering mitigation and protection methods are only used as a last practicable option <u>unless there is a functional need or operational requirement.</u>
28.	Water Quality Objective O24	Support with amendment	Coastal water within the Commercial Port Area is not an appropriate location for primary contact recreation and Maori customary use for safety and security reasons. An exclusion of the Commercial Port area is considered appropriate from the Objective.	Amend Objective 24 as follows: Rivers, lakes, natural wetlands and coastal water (excluding the Commercial Port Area) are suitable for contact recreation and Maori customary use, by:
29.	Biodiversity, aquatic ecosystem health and mahinga kai Objective O29	Support with amendments	CentrePort supports the intent of the objective but the wording could be improved to provide greater clarity. As currently drafted it could be read that fish passage in all existing situations does not exist. In addition there could be circumstances where restoration cannot be achieved and that should be recognised.	Amend Objective 29 as follows: Use and development provides for the passage of fish and keura; and the passage of indigenous fish and keura is restored. <u>Use and development provides for the passage of fish and koura, and if appropriate restored if passage of fish and koura is not currently provided.</u>
30.	Sites with significant values Objective O33	Support with amendment	The intent of the policy is supported however CentrePort considers it important that such sites are protected from inappropriate use and development and restored only where such values have been compromised.	Amend Objective 33 Sites with significant mana whenua values are protected <u>from inappropriate use and development</u> and restored <u>where values have been compromised.</u>
31.	Sites with significant values Objective O35	Support with amendment	The intent of the policy is supported however CentrePort considers it important that such sites are protected from inappropriate use and development and restored only where such values have been compromised.	Ecosystems and habitats with significant indigenous biodiversity values are protected <u>from inappropriate use and development</u> and restored <u>where values have been compromised.</u>

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32.	Sites with significant values Objective O37	Support with clarification	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be.	Further clarity as to the nature of potential adverse effects and measurement of these and how the policy would be applied in practice.
33.	Discharges Objective O48	Support	CentrePort supports the management of adverse quality and quantity effects of discharges from the networks to be improved over time.	Retain Objective O48 in its current form.
34.	Coastal Management Objective O53	Support	CentrePort considers that use and development in the coastal marine area is appropriately focused on whether there is a functional need and operational requirement to be locate there.	Retain Objective O53 in its current form.
35.	Coastal Management Objective O55	Support with amendment	CentrePort supports the objective as worded with the requirement to 'recognise' the need for public open space however as stated previously there are operational safety, security and biosecurity reasons for excluding public access and public open space from much of the Commercial Port Area. The Objective should be amended to reflect the inappropriateness of public access to the Port.	Amend Objective O55 as follows. The need for <u>appropriately located</u> public open space in the coastal marine area is recognised
36.	Coastal Management Objective O56	Support with amendment	CentrePort considers that this Objective could be enhanced by recognising that it is not just compatibility with the location but also the function of new development.	Amend Objective O56 New development in the coastal marine area is of a scale, density and design that is compatible <u>with its function and</u> its location in the coastal environment.
37.	Coastal Management Objective O58	Support	CentrePort considers that managing noise including underwater noise through this Objective is appropriate.	Retain Objective O58 in its current form.
38.	Coastal Management Objective O59	Support	The efficient and safe passage of vessels that support the movement of people, goods and services is supported.	Retain Objective O58 in its current form.
Chapter 4. Policies				
39.	Ki uta ki tai and integrated catchment management Policy P3	Support with Amendment	Reference to the precautionary approach needs to be limited to the situation where there is both an absence of information and the potential for significant adverse effects- i.e. the way that the NZ Coastal Policy Statement Policy 3 uses that concept. It should not be framed as a blanket requirement for caution wherever	Amend Policy P3 to read: Use and development shall be managed with a precautionary approach where there is limited information regarding the receiving environment and the adverse effects the activity may have on this environment.

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			<p>the nature and scale of effects cannot be predicted with complete certainty (which in the natural environment, is on virtually every occasion) and should allow for measured development matching the scale of risk in the circumstances.</p>	<p>A precautionary approach to the management of the nature, scale and speed of use and development shall be used where there is limited information available and the potential for significant adverse effects.</p>
40.	Ki uta ki tai and integrated catchment management Policy P4	Support with amendment	<p>CentrePort considers that the policy could be improved by making it clear that "the smallest amount practicable" is related to the nature and objectives of the activity. Otherwise it could be read as requiring reduction to close to nil.</p> <p>In addition clause (b) would be improved by adding the words "if practicable" noting that for functional requirements and operational need it may not be always possible to locate an activity away from identified areas.</p>	<p>Amend Policy P4 as follows:</p> <p>Where minimisation of adverse effects is required by policies in the Plan minimisation means reducing adverse effects of the activity to the smallest amount practicable having regard to the nature and objectives of the activity and shall include:...."</p> <p>(b) if practicable considering the nature and objectives of the activity locating the activity away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and ...</p>
41.	Beneficial use and development Policy P7	Support	<p>CentrePort supports the inclusion of this policy as worded with specific reference to recognising the benefits of using land and water for transport along, and access, to water bodies.</p>	<p>Retain Policy P7 in its current form.</p>
42.	Beneficial use and development Policy P8	Support with amendment	<p>CentrePort considers that the Policy should be amended to add "upgrade" to recognise that it is not only maintenance and use but also upgrading structures.</p>	<p>Amend Policy P8 as follows:</p> <p>h) maintenance, use and upgrading of existing structures in the coastal marine area, natural wetlands and the beds of rivers and lakes, and</p>
43.	Beneficial use and development Policy P9	Support with amendment	<p>CentrePort supports the intent of the policy but:</p> <ul style="list-style-type: none"> There should be recognition of the need for safety, security, and biosecurity requirements of regionally significant infrastructure, particularly around port requirements. In relation to the end sentence of the policy mitigation or offset outside of land owned, (by in this case CentrePort), is difficult to enforce and may not be practicable. Therefore if CentrePort was to develop, and public access was to be restricted, there would potentially be no actual 	<p>Amend Policy 9 as follows</p> <p>Reduction in the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers shall be avoided except where it is necessary to:</p> <p>(a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous</p>

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		means of achieving that mitigation/offset based on public safety and limited land holdings.	<p>biodiversity), or</p> <p>(b) protect public health, and safety, <u>security and biosecurity</u>, or</p> <p>(c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and</p> <p>with respect to (a), (b) and (c), where it is necessary to permanently restrict or remove existing public access, and where practicable and achievable and considering the nature of the activity, the loss of public access shall be mitigated oroffset by providing enhanced public access at a similar or nearby location or offset.</p>
44. Beneficial use and development Policy P10	Support with Amendment	CentrePort supports the intent of the Policy but considers specific reference to "safe" contact and passive recreation should be included.	<p>Amend Policy P10 as follows:</p> <p>(b) managing activities to maintain or enhance safe contact recreation values in the beds of lakes and rivers, including by retaining existing swimming holes and maintaining access to existing contact recreation locations, and</p> <p>(d) providing for the safe passive recreation and amenity values of fresh water bodies and the coastal marine area.</p>
45. Beneficial use and	Support with	CentrePort supports the intent of the policy in	Amend Policy P12 as follows:

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	development Policy P12	Amendment	recognising the benefits of regionally significant infrastructure but considers specific reference to both port activities and infrastructure should be given.	(d) the functional need for port activities and infrastructure to be located within the coastal marine area, and
46.	Beneficial use and development P13	Support	CentrePort supports the policy as worded in providing recognition of the use, operation, maintenance, and upgrade of existing regionally significant infrastructure and renewable energy generation activities as beneficial and generally appropriate.	Retain Policy P13 in its current form.
47.	Beneficial use and development Policy P14	Support	CentrePort supports the policy as it recognises the reverse sensitivity effects of new incompatible use and development upon regionally significant infrastructure.	Retain Policy P14 in its current form.
48.	Estuaries and harbours Policy P22	Support with Amendment	CentrePort supports the intent of the Policy but it considers that the wording is too restrictive in relation to appropriate use and development. As has been stated the Kaiwharawhara Stream estuary is scheduled in F4 as a Coastal Site and it is also located in the Commercial Port Area. The policy would be improved by removal of the word 'significant' and the inclusion of 'remedied or mitigated' to make the policy less avoidance focused.	Amend Policy P22 as follows: Significant Adverse effects on the ecosystem values of estuaries, including their importance as habitat for indigenous plants, birds and fish including diadromous species, and as a nursery for important fish stocks, shall be avoided, remedied or mitigated .
49.	Estuaries and harbours Policy P23		CentrePorts' assets are located within Wellington Harbour (Port Nicholson). Protection of those assets from coastal erosion is the key function and planting is not feasible or necessary. As such the words where appropriate should be added to clause (c).	Amend Policy P9 as follows: The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Lake Wairarapa will be restored overtime by: (a) managing activities to reduce sedimentation rates and pollutant inputs, and (b) managing erosion-prone land and riparian margins in their catchments, and (c) where appropriate undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.

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50.	Natural Character Policy P24	Support with amendment	CentrePort is concerned with this Policy as no outstanding natural landscapes have been identified and the use of the word avoiding in the policy could amount to a prohibition on appropriate use and development in the coastal marine area.	<p>Amend Policy 24</p> <p>Areas of outstanding natural character in the coastal marine area will be preserved by:</p> <ul style="list-style-type: none"> (a) Protecting, avoiding adverse effects of activities on natural character in areas of the coastal marine area with outstanding natural character by avoiding inappropriate use and development, and (b) requiring use and development to be of a type, scale and intensity that will maintain the natural character values of the area, and (c) requiring built elements to be subservient to the dominance of the characteristics and qualities that make up the natural character values of the area, and (d) maintaining the high levels of naturalness of these areas, and (e) avoiding the adverse effects of activities, including those located outside the area, that individually or cumulatively detract from the natural character values of the outstanding natural character area.
51.	Natural Hazards Policy P27 High Hazard Areas	Support with clarification	While the intent of the Policy is supported CentrePort considers that identifying the whole of the Coastal Marine Area including the Commercial Port Area as a high hazard area is uncertain. Hazard identification and management is a key part of the functional operations for CentrePort in light of its coastal location and the functional need for the Port to be located where it is.	<p>Provide clarification as to why all of the Coastal Marine Area is defined as a High Hazard Area and its implications for effects based decision making. Alternatively exclude the Commercial Port Area from the definition.</p>
52.	Natural Hazards Policy P28	Oppose	Hard engineering solutions are often the only practicable method of hazard mitigation for existing and potentially new Port facilities. A presumption to avoid hard engineering solutions is entirely inappropriate where there is a functional need and an operational requirement.	<p>Amend policy 28 as follows:</p> <p>Hard engineering mitigation and protection methods shall be avoided except where</p> <ul style="list-style-type: none"> (a) there is a functional and operational need; or (b) it is necessary to protect existing and planned future development from unacceptable risk, assessed using the risk-based approach, and the works either form part of a hazard management strategy or the environmental effects are considered to be no more than minor
53.	Biodiversity,	Support with	CentrePort is concerned about some of the terminology	<p>Amend Policy P31(e) as follows</p>

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	aquatic ecosystem health and mahinga kai Policy P31	amendment	<p>in the Policy as it may not always be possible to minimise or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure.</p> <p>Policy 32 which is supported with one exception sets in place a process of avoid first but if you can't then you use a cascade of remedy, then mitigate, then offset. This should be used here.</p>	<p>(e) <u>minimise manage in accordance with the process outlined in Policy 32</u> creating barriers to the migration or movement of indigenous aquatic species, and restore the connections between fragmented aquatic habitats where appropriate, and</p>
54.	Biodiversity, aquatic ecosystem health and mahinga kai Policy P32	Support with Amendment	CentrePort supports this policy but offsetting should not be restricted to biodiversity.	<p>Amend Policy P32 (d) as follows:</p> <p>(d) where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets.</p>
55.	Biodiversity, aquatic ecosystem health and mahinga kai Policy P33	Support with Amendment	CentrePort supports the intent of the policy however the use of the term avoid is an absolute. There could be a situation where there may be more than minor effects that could be remedied, mitigated or offset but not completely avoided.	<p>Amend Policy P33 as follows</p> <p>The more than minor adverse effects of activities on the species known to be present in any water body identified in Schedule F1 (rivers/lakes) as habitat for indigenous fish species, and Schedule F1b (inanga spawning habitats), particularly at the relevant spawning and migration times identified in Schedule F1a (fish spawning/migration) for those species, shall be avoided, remedied, mitigated or offset.</p>
56.	Biodiversity, aquatic ecosystem health and mahinga kai Policy P34	Support with amendment	CentrePort is concerned about some of the terminology in the Policy as it may not always be possible to minimise or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure	<p>Amend Policy P34 as follows:</p> <p>Manage in accordance with the process outlined in Policy 32 the construction or creation of new barriers to the passage of fish and koura species shall be avoided.</p>
57.	Sites with significant indigenous biodiversity values Policy P40	Support with Amendment	CentrePort supports the intent of the Policy but considers that there is a conflict between the Kaiwharawhara Stream estuary being listed in Schedule F4 and the legitimate expectations of use and development of port infrastructure within the Commercial Port Area.	<p>Amend Policy P40 as follows:</p> <p>Protect—and—restore Manage the values of the following ecosystems and habitats with significant indigenous biodiversity values:</p>
58.	Sites with significant indigenous biodiversity values Policy P41	Support with Amendment	CentrePort supports this policy but offsetting should not be restricted to biodiversity.	<p>Amend Policy P41 (d) as follows:</p> <p>(d) where residual adverse effects remain, it is appropriate to consider the use of biodiversity offsets.</p>

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59.	Protection and restoration of sites with significant mana whenua values: Policy 44	Support with amendment	CentrePort supports this policy but has concerns in that it does not consider circumstances where use and development may be appropriate and / or necessary.	Amend Policy 44 Sites with significant mana whenua values identified in Schedule C (<u>mana whenua</u>) shall be protected <u>from inappropriate use and development</u> and/or restored.
60.	Sites with significant historic heritage value Policy P46	Support with amendment	CentrePort considers that this provision to manage adverse effects in sites with significant historic heritage values is generally appropriate, given that more than minor adverse effects on 'significant' historic heritage values are to be avoided, remedied or mitigated. However, the listed outcomes may unduly constrain opportunities for otherwise appropriate redevelopment of historic heritage sites three of which are part of the Ports current facilities.	Amend Policy P46 so that the listed outcomes do not unduly constrain opportunities for otherwise appropriate redevelopment of historic heritage sites.
61.	Sites with significant historic heritage value Policy P47	Support with amendment	CentrePort considers that an amendment to Policy P47 is required so that it does not preclude appropriate redevelopment where the structures are derelict and redundant.	Amend Policy P47 as follows Demolition or removal of a structure with significant historic heritage value identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds), Schedule E3 (navigation aids), or Schedule E5 (freshwater heritage) is inappropriate except where the structure: <ul style="list-style-type: none"> a. is substantially damaged by fire or natural hazard, and/or b. poses a significant risk to human safety, and c. it is not reasonably practicable to repair it, or d. <u>is derelict and has no on-going functional or economic use in its present state and/or configuration.</u>
62.	Natural Features and Landscapes and amenity landscapes Policy P48:	Support with amendment	Outstanding natural features and landscapes are not identified in the Plan. Given this Policy seeks avoidance and protection care should be taken. In addition the policy uses the term 'avoid' as a bottom line, and incorporates both coastal and non-coastal areas. It is important that existing and future Regionally Significant Infrastructure are recognised and provided for.	Amend Policy P48 as follows: The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by: <ul style="list-style-type: none"> (a) <u>seeking to</u> avoiding adverse effects of activities on identified outstanding natural features and landscapes, and (b) <u>avoiding</u> significant adverse effects—and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes

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63.	Natural Features and landscapes and special amenity landscapes Policy P49	Support with amendment	CentrePort supports the intent of the policy however is concerned that it may not always be possible to entirely protect or avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure.	Amend Policy P49 as follows: <i>Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by seeking to:</i> <i>(a) protecting visual and biophysical linkages between the site and the outstanding natural feature or landscape, and</i> <i>(b) avoiding adverse cumulative effects from inappropriate use and development on the values of an outstanding natural feature or landscape.</i>
64.	Natural Features and landscapes and special amenity landscapes Policy P50	Support with amendment	CentrePort supports the intent of the policy however is concerned that it may not always be possible to avoid effects, especially where there are functional needs and operational requirements as is often the case with regionally significant infrastructure.	Amend Policy P50 as follows: The significant adverse effects of use and development on the significant geological features identified in Schedule J (geological features) shall be avoided, <u>remedied or mitigated</u> .
65.	Natural Features and landscapes and special amenity landscapes Policy P51	Support with amendment	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be. CentrePort further considers it appropriate to amend the policy to avoid, remedy or mitigate adverse effects rather than to minimise.	1. Further clarity as to the nature of potential adverse effects and measurement of these and how the policy would be applied in practice; and 2. Amend Policy 51 as follows: Use and development in and adjacent to the significant surf breaks identified in Schedule K (surf breaks) shall be managed by <u>minimising avoiding, remedying or mitigating</u> the adverse effects on: (a) natural processes, currents, seabed morphology and swell corridors that contribute to significant surf breaks, and (b) access to significant surf breaks within the coastal marine area, on a permanent or ongoing basis.
66.	Air quality Policy P60	Support	CentrePort supports the policy of managing adverse effects from fumigants beyond the boundary of the property through good management practices.	Retain Policy P60 in its current form.
67.	Stormwater Policy	Support with	While CentrePort supports the concept of progressive	Amend Policy P73 as follows:

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	73	amendment	improvements to stormwater quality the policy requires continual minimisation of adverse effects which may not in all circumstances be practicable to implement.	(d) <u>where practicable</u> progressively improving existing stormwater, wastewater, road and other public infrastructure, including during routine maintenance and upgrade.
68.	Managing stormwater from large sites: Policy 78	Support with amendment	CentrePort supports the principle of the policy as it is in the process of formulating a process of minimising effects from Port associated stormwater discharges. The policy requires continual minimisation of adverse effects which may not in all circumstances be practicable to implement.	Amend Policy 78: The adverse effects of the discharge of stormwater from a port, airport or state highway, where the discharge will enter water shall be minimised by: (a) managing the discharge in order to minimise the adverse effects of stormwater discharges on aquatic ecosystem health and mahinga kai, contact recreation and Māori customary use where practicable and appropriate , and (b) identifying priorities for improvement, including methods and timeframes for improvement, in accordance with any relevant objectives identified in the Plan, and (c) progressively implementing methods identified in (b), and (d) having particular regard to protecting sites with identified significant or outstanding values, and (e) implementing good management practice, including in accordance with Policy P73, and progressive improvement of discharge quality over time.
69.	Wastewater from vessels offshore installations and biofoul cleaning Policy P86	Support	CentrePort supports the Policy as worded, with specific reference to the discharge of wastewater containing human effluent from vessels.	Retain Policy P86 in its current form.
70.	Minimising adverse effects of wastewater discharges from vessels offshore installations Policy P87	Support	CentrePort supports the Policy as worded, with specific reference to the discharge of wastewater containing human effluent from vessels and offshore installations.	Retain Policy P87 in its current form.
71.	Wastewater from vessels and	Support	CentrePort supports the policy in principle but notes that in relation to biofouling there are practical implications of	Retain Policy P88 in its current form.

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	offshore installations and biofoul cleaning Policy P88		the associated rule.	
72.	Primary coastal policies Policy P132 Functional need and efficient use	Support	<p>CentrePort supports the policy from an operational perspective as it recognises regionally significant infrastructure as having a functional and operational need to be located in the coastal marine area.</p> <p>CentrePort also notes that clause (e) includes the words "where appropriate" in relation to public or multiple use. As has been stated in related parts of this submission public use of the Commercial Port area is not supported for safety, security and biosecurity reasons.</p>	Retain Policy 132 in its current form.
73.	Primary coastal policies Policy P133 Recreational values	Support with amendment	CentrePort supports this policy but considers it could be improved with the words "where practicable" noting the circumstances in the Commercial Port Area where there are many limitations on providing for recreational opportunities.	<p>Amend Policy P133 as follows:</p> <p>The adverse effects of use and development in the coastal marine area on recreational values shall be managed, where practicable, by providing for a diverse range of recreational opportunities while avoiding conflicts and safety issues.</p>
74.	Primary Coastal Policy P135 Safe Passage	Support	Efficient and safe passage of vessels is supported by avoiding inappropriate use and development in navigation protection areas.	Retain Policy P135 in its current form.
75.	Primary Coastal Policy P136 Hutt Valley Aquifer zone in Wellington Harbour (Port Nicholson)	Support with amendment	CentrePort supports the intent of the Policy but considers the entire Harbour being within the Aquifer zone as outlined on Map 30 is excessive. This has unintended consequences for the operation of the Commercial Port Area even to the extent where maintenance dredging or repiling of wharf structures below 0.5 metre in depth of the seabed requires resource consent under the associated rule.	<p>Retain Policy P136 but amend Map 30 to exclude the Commercial Port Area; and</p> <p>Provide greater clarity after scientific investigation as to the areas of Wellington Harbour where the confined aquifer currently exists.</p>
76.	Primary coastal policies Policy P137 Airport height restrictions	Support with clarification sought	CentrePort has no objection in principle to the policy but has concerns with the lack of clarity in Map 50 and the related GIS information on http://mapping.gw.govt.nz . There are no useful heights provided as to the approach fans which is important in respect of Miramar and Burnham Wharves which are close to the airport and	Provide greater clarity on height restrictions in Map 50 and the related GIS information on http://mapping.gw.govt.nz

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77.	Structures Policy P138 Structures in sites with significant values.	Support with amendment	potentially affected by the height restrictions. CentrePort supports the policy as worded with specific exclusion for new or additions to regionally significant infrastructure. However clause (e) would be improved by adding the word 'location' as well as "no practicable alternative method of providing for the activity".	<p>Amend Policy P138 as follows:</p> <p>New structures, replacement of a structure or any addition or alteration to a structure in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where:</p> <p>(a) the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or</p> <p>(b) the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or</p> <p>(c) the structure will provide for navigational safety, or</p> <p>(d) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure,</p> <p>and in respect of (a) to (d):</p> <p>(e) there are no practicable alternative locations <u>or</u> methods of providing for the activity.</p>
78.	Structures Policy P139 Seawalls	Support with Amendment	CentrePort supports the policy but it could be improved and clarified by minor amendments to the wording of clauses (c) and (d).	<p>Amend Policy P139 as follows:</p> <p>The construction of a new seawall is inappropriate except where</p>

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				<p>the seawall is required to protect:</p> <p>(a) existing, or upgrades to, infrastructure, or</p> <p>(b) new regionally significant infrastructure,</p> <p>and in respect of (a) and (b):</p> <p>(c) there <u>is</u> are no reasonable or practicable alternative <u>means</u> methods and locations,</p> <p>and</p> <p>(d) suitably located, designed and certified by a qualified, professional engineer, and</p> <p>(e) designed to incorporate the use of soft engineering options where appropriate and practicable.</p>
79.	Other activities in the coastal marine area Policy P143		CentrePort supports the policy as worded with specific exclusion to enable the efficient development, operation, maintenance and upgrade of regionally significant infrastructure. As with previous policies this policy could be improved by including the word "location" in clause (g).	<p>Amend Policy P143 as follows:</p> <p>Deposition of sand, shingle or shell in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:</p> <p>.....</p> <p>and in respect of (a) to (f):</p> <p>(g) there are no practicable alternative locations <u>or</u> methods of providing for the activity.</p>
80.	Other activities in the coastal marine area Policy P145 Reclamation, and drainage, and	Support	CentrePort supports the policy as worded with an exception to reclamation, drainage or destruction associated with the development, operation, maintenance and upgrade of regionally significant infrastructure.	Retain Policy P145 in its current form.

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	destruction			
81.	Policy 149 Noise and lighting	Support	CentrePort supports the Policy as it relates to effects of noise and lighting.	Retain Policy 150 in its current form.
82.	Other activities in the coastal marine area Policy P151	Support	CentrePort supports Policy P151 with specific reference to minimising the adverse effects of underwater noise on the health and well-being of marine fauna and the health and amenity values of users of the coastal marine area.	Retain Policy P151 in its current form.
Chapter 5 Rules				
83.	Large scale combustion activities Rule R12	Support	CentrePort supports the rule as worded with provision for the discharge of contaminants into air from combustion equipment not exceeding a maximum generating capacity of 300kW, but up to 2MW in the event of the electricity network being disrupted through weather, accidents, or any unforeseen circumstances.	Retain Rule R12 in its current form.
84.	Chemical and metallurgical processes Rule R15	Support	Maintenance of port equipment (e.g. cranes) using spray coating techniques is essential to Port operations.	Retain Rule R15 in its current form.
85.	Dust generating activities Rule R26	Support	Maintenance of port equipment (e.g. cranes) using abrasive blasting techniques is essential to Port operations.	Retain Rule R26 in its current form.
86.	Dust generating activities New Rule	Support with amendment	CentrePort considers that there should be a new rule in addition to handling of aggregate (Rule R27) or cement storage (Rule 28) to provide for handling and storage of other dry or bulk products, including at the Port (similar to Rule 10 of current Air Quality Plan).	Provide for new rule as follows: The sorting and storage of powdered or bulk products The discharge of contaminants into air in connection with: (1) sorting, storage and conveying (including loading and unloading) of fertiliser, grains, berries, coal, coke, wood chips, sawdust, wood shavings, timber and logs, bark, sand, soda ash, aggregates, live animals and other bulk products (whether in solid or liquid form, other than hydrocarbons); the size reduction and screening of wood products and minerals; is a Permitted Activity, provided it complies with the conditions below, and excluding discharges of contaminants to air arising from processes involving: (a) the pneumatic conveying of bulk materials. Conditions

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				<p>Permitted Activities shall comply with the following conditions:</p> <p>(i) For the area shown as the Operational Port Area, included within the Wellington City District Plan, any discharge shall not result in odour, dust, gas or vapour which is noxious, dangerous, offensive or objectionable to such an extent that it has, or is likely to have, an adverse effect on the environment outside the Operational Port Area; and</p> <p>(ii) For all other areas, any discharge shall not result in dust, odour, gas or vapour, which is noxious, dangerous, offensive or objectionable at or beyond the boundary of the property.</p>
87.	Dust generating activities Rule R28	Support	CentrePort supports the rule in providing for the discharge of contaminants into air from the storage, handling, redistribution or packing of cement in fully enclosed silos and conveyance systems as a permitted activity.	Retain Rule R28 in its current form.
88.	Petroleum storage or transfer facilities Rule R32	Support	CentrePort supports the rule in providing for the discharge of contaminants into air from the storage, or transfer of petroleum and related products as a permitted activity.	Retain Rule R32 in its current form.
89.	Mobile Sources Rule 33	Support	CentrePort supports that the discharge of contaminants into air from a mobile source is a permitted activity.	Retain Rule 33 in its current form.
90.	Fumigation Rules R39 and R40	Support	CentrePort supports rules R39 and R40 in providing for the use of fumigants as permitted or controlled activities noting the use of fumigants as being sometimes essential for biosecurity operations at the port.	Retain Rules R39 and R40 in their current form.
91.	Stormwater Rule R52	Support	CentrePort supports Rule R52 in providing for stormwater discharge from large sites as a restricted discretionary activity and in providing for the minimisation of the adverse effects of stormwater discharges through progressive improvement over time.	Retain Rule R52 in its current form.
92.	Contaminated Land and Hazardous substances Rules R54, R55, R56 and R57	Support	<p>CentrePort supports Rules R54, R55, R56 and R57 in providing for a framework for discharge from contaminated sites as a permitted activity provided the following conditions met:</p> <p>a) a site investigation has been completed with a copy of the report provided to GWRC within two years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p>	Retain Rules R54, R55, R56 and R57 in their current form.

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93.	Wastewater from ships and offshore installations Rules 63 and 64	Support	<p>b) the concentration of contaminants meets relevant standards</p> <p>CentrePort considers that it is appropriate to include rules controlling the discharge of wastewater from ships.</p>	Retain Rules R63 and R64 in their current form.
94.	Biofoul cleaning Rule R65 and R66	Support with Amendments	<p>CentrePort notes that vessels periodically need to have organic and inorganic material removed from the hull.</p> <p>The proposed rule would mean that domestic operators including port vessels and the Cook Strait Ferries could not continue to clean the vessels in water as they currently do.</p> <p>CentrePort has had discussions with KiwiRail who in turn have had discussions with NZ Dive and Salvage who carry out biofoul cleaning on behalf of Interislander and others. NZ Dive and Salvage advised that in terms of current cleaning there needs to be more of a distinction between the types and vessels and the extent of biofouling that can occur.</p>	<p>Amend Rule 65 as follows</p> <p>The discharge of contaminants and biological material into coastal water from in-water cleaning of biofouling from a vessel, moveable structure or navigation aid, three years after the date of public notification of the Proposed Natural Resources Plan (31.07.2015) in the coastal marine area, is a permitted activity provided the following conditions are met:</p> <p>(h) the anti-foul coating on the vessel, moveable structure or navigation aid shall not have exceeded its planned service life as specified by the manufacturer, and</p> <p>(i) the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations, and</p> <p>(j) the cleaning of microfouling and goose barnacles of international origin shall be removed using a gentle, non-abrasive cleaning technique, and</p> <p>(k) where the vessel is of international origin the cleaning or treatment method shall capture any biological material released into the water column greater than 50µm in diameter, with any captured cleaning debris disposed on land, and</p> <p>(l) any captured cleaning debris is appropriately disposed of, and</p>

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				<p>(m) if suspected harmful or unusual aquatic species are found, the vessel owner or operator shall take the following steps:</p> <ul style="list-style-type: none"> (i) any cleaning activities shall cease immediately, and (ii) the Wellington Regional Council Harbourmaster shall be notified within five working days, and (iii) the cleaning may not recommence until notified by the Wellington Regional Council to do so. <p>Note For the purposes of Rule R65 guidance is provided in the <i>Anti-Fouling and In-Water Cleaning Guidelines (June 2013)</i>.</p>
95.	All Discharges Rule R67 Other Rule	Oppose	<p>The Kaiwharawhara Stream estuary is located in Schedule F4. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port and the values of the Stream. This is accentuated by all other discharges being a non-complying activity.</p> <p>As all other discharges are treated as a non-complying activity it would have to be assessed under s104D of the Act, and for consent to be granted the adverse effects of the activity on the environment will be minor or the matter will not be contrary to the objectives and policies of a plan or proposed plan. Non-complying activity status is unduly onerous for potential discharge activities within the Commercial Port Area and an exception relating to sites within the Commercial Port Area is sought to enable these to be considered as a restricted</p>	<p>Amend Rule R67</p> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water:</p> <ul style="list-style-type: none"> (a) inside a site or habitat identified in Schedule A (outstanding water bodies), Schedule F1 (rivers/lakes), Schedule F3 (significant wetland), or Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area, and</u> (b) that is not permitted by Rules R42, R43, R44 or R45 <p>is a non-complying activity.</p>

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96.	Coastal Management Rules General Structure	Amend	discretionary activity pursuant to Rule R52. CentrePort considers that the rules relating to activities and development within the Commercial Port Area require restructuring as currently they are difficult to navigate and it is sometimes unclear what rules apply to the Commercial Port Area and those that do not.	Consider restructuring the Coastal Management Rules to make it clear what rules apply to the Commercial Port Area and those that do not.
97.	Coastal management general conditions (c)	Oppose	CentrePort opposes general condition Disturbance (c) as the increase in the area of the harbour covered by aquifer restriction will have implications for legitimate port work that is otherwise permitted, and needs to be understood. Source reference material therefore needs to be made available. CentrePort's own investigations and many years of experience of seabed disturbance such as wharf piling have concluded that the area of the confined aquifer is of a much lesser extent.	Relief is sought by either: <ul style="list-style-type: none"> • deleting general condition (c) or • refine Map 30 to more accurately reflect the extent of the Aquifer or • Excluding the Commercial Port Area in the rule.
98.	Coastal management general conditions (q) to (u) Noise from port-related activities	Support	CentrePort supports the general conditions relating to Port Noise. These provisions have been essentially rolled over from the existing Regional Coastal Plan. However the date reference in clause (u) should be deleted as it is a requirement that the Port Noise Management Plan for CentrePort Ltd will be periodically updated.	Amend Coastal Management general condition (u) as follows. (u) Port Noise Management Plan CentrePort shall at all times operate in accordance with the current Port Noise Management Plan for CentrePort Ltd.
99.	Maintenance, repair, additions and alterations to existing structures Rule R149	Support	CentrePort supports the retention of this rule as it is appropriate to provide for some maintenance and repair as a permitted activity.	Retain Rule R149 in its current form.
100.	Removal or demolition of structures Rule R152	Oppose	While supporting most clauses in the permitted activity rule CentrePort considers the permitted activity rules for removal or demolition of structures are onerous (e.g. limited to only 10m ³ of disturbance; and no provision for partial removal). More flexible consideration is needed in the Commercial Port Area (where the work relates regionally significant infrastructure).	Amend Rule R152 as follows: The removal or demolition of a structure or part of a structure, including any associated: <ul style="list-style-type: none"> (a) disturbance of the foreshore or seabed, and (b) deposition in, on or under the foreshore or seabed, and (c) discharge of contaminants, and

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			<p>(d) diversion of open coastal water</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the structure is not identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigation aids), and</p> <p>(f) the structure is not inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>except for structures within the Commercial Port Area</u> or Schedule F5 (coastal habitats), and</p> <p>(g) the removal or demolition shall not disturb more than 10m³ of the foreshore or seabed <u>except for structures within the Commercial Port Area</u>, and</p> <p>(h) the structure or part of the structure is completely removed from the coastal marine area <u>except for structures within the Commercial Port Area</u>, and</p> <p>(i) no explosives shall be used in the removal or demolition, and</p> <p>(i) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to:</p> <p>(i) the Wellington Regional Council Harbourmaster, and</p> <p>(ii) Maritime New Zealand, and</p>

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101. New temporary structures outside sites of significance Rule R154	Support with amendment	CentrePort supports the intent of permitted activity status for various temporary structures but consider that it should apply to all of the Commercial Port Area including sites in Schedule F4.	(k) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2. (l) Amend Rule 154 (f) as follows: the structure is outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) unless located in the Commercial Port Area , Schedule F5 (coastal habitats) or Schedule J (geological features), and
102. New temporary structures Rule R155	Support with amendment	CentrePort supports the rule but considers that the Chief Pilot at CentrePort Ltd should be consulted on navigation safety as well as the Harbourmaster and Maritime New Zealand.	Amend Rule 155 Matters for discretion as follows: (10). Navigational safety including the notification of the Wellington Regional Council Harbourmaster, the Chief Pilot of CentrePort Ltd and Maritime New Zealand
103. New replacement navigation aids Rule R156 or	Support with amendment	CentrePort supports the rule but considers that the Chief Pilot at CentrePort Ltd should be consulted on navigation safety as well as the Harbourmaster and Maritime New Zealand.	Amend Rule 156 (g) as follows: (g) written notice detailing the scale and location of the structure and the timing of construction and removal shall be given five working days before work commences to: (i) the Wellington Regional Council Harbourmaster, and (ii) Maritime New Zealand, and (iii) Land Information New Zealand, and (iv) <u>The Chief Pilot of CentrePort Ltd, and</u>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
104.	New and replacement structures (including temporary structures) Rule R158	Support with amendment	CentrePort supports the rule but considers that the Chief Pilot at CentrePort Ltd should be required to provide written approval as well as the Harbourmaster. This will provide the shipping channels with further protection that may affect navigation safety. In addition the navigation protection area as shown on Map 49 should be amended to include the Commercial Port Area as the existing map does not provide for safe navigation into the berths.	Amend Rule 158 as follows: (i) in respect of condition (b), written approval is given by the Wellington Regional Council Harbourmaster and the <u>Chief Pilot of CentrePort Ltd</u> (j) <u>amend Map 49 to include the Commercial Port Area as Navigation Protection Areas,</u>
105.	New and replacement structures (including temporary structures) Rule R161	Oppose	CentrePort considers that there is a conflict between the Kaiwharawhara Stream estuary in Schedule F4 and the legitimate expectations of use and development of port infrastructure within the Commercial Port Area. CentrePort further considers the proposed rule lacks clarity in differing between minor additions or alterations to structures (R150) and new structures or alterations to structures outside sites of significance. CentrePort considers Rule R161 should relate solely to new structures.	Amend Rule R161 as follows: A new structure, addition or alteration to a structure and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u> , Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated...
106.	New and replacement structures (including temporary structures) Rule R162	Oppose	CentrePort considers that there is a conflict between the Kaiwharawhara Stream estuary in Schedule F4 and the legitimate expectations of use and development of port infrastructure within the Commercial Port Area.	Amend Rule R161 as follows: A new structure, addition or alteration to a structure and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u> , Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated...
107.	Seawalls R165	Support with amendment	CentrePort generally supports the addition or alteration to existing seawalls being a controlled activity. However the limitation of 5 metres in horizontal projection is considered too small particularly as CentrePort has existing seawalls protecting much of the existing Commercial Port Area.	Amend rule 165 (f) as follows: The addition or alteration to an existing seawall and the associated use of the addition in the coastal marine area, including any associated:

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		CentrePort considers that this should be increased to 10 metres as a controlled activity.	<p>.....</p> <p>Is a controlled activity, provided the following conditions are met:</p> <p>(k) any addition shall add no more than 10m 5m in horizontal projection and 1m in vertical projection to the structure as it existed on the date of public notification of the Proposed Natural Resources Plan (31.07.2015), and</p> <p>.....</p>
108. Seawalls outside of Significance Rule R166	Support with amendment	CentrePort supports discretionary activity status for larger seawalls outside sites of significance but considers that this should also apply to the whole of the Commercial Port Area.	<p>Amend Rule R166 as follows:</p> <p>A new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <p>.....</p>
109. Seawalls inside of Significance Rule R167	Oppose	<p>The Kaiwharawhara Stream estuary is located in Schedule F4 as a coastal site. It runs between the Kaiwharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port including the ferry and the values of the Estuary.</p> <p>As seawalls inside sites of significance are treated as a non-complying activity it would have to be assessed under s104D of the Act and for consent to be granted the adverse effects of the activity on the environment will be minor or the matter will not be contrary to the objectives and policies of a plan or proposed plan. CentrePort considers that non-complying activity status is unduly onerous for potential additions or alterations to</p>	<p>Amend Rule R167 as follows:</p> <p>A new seawall, or the addition to or alteration or replacement of an existing seawall, and the associated use of the structure inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites) <u>unless located in the Commercial Port Area</u>, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area including any associated:</p> <p>.....</p>

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
			existing seawalls or potential new seawalls within the Commercial Port Area and an exception relating to sites within the Commercial Port Area is sought to enable these to be considered as either a controlled or discretionary activity.	
110.	Alteration of structures identified in Schedule E2 or Schedule E3 Rules R168, R169 R170 and R171	Support	CentrePort supports the retention of this rule as it is appropriate to provide for some alteration to heritage structures as a permitted or restricted discretionary activity. However there is concern with the listing of three operational wharves and the restrictions that could potentially apply to reasonable future use and development.	Retain Rules R168, R169, R170 and R171 in their current form.
111.	Removal, demolition or replacement of structures identified in Schedule E1, Schedule E2 or Schedule E3 Rule R172	Support	While CentrePort supports the rule it should be noted that Waterloo Quay Wharf and Interisland Wharf are, operationally redundant, and in the case of Waterloo Quay Wharf dilapidated. These wharves have minimal economic utility for Commercial Port Activity, and are likely to deteriorate and pose a health and safety risk. In addition Miramar Wharf also has limited utility.	Retain Rule R172 in its current form.
112.	Structures in the Commercial Port Area Rule R173	Support in part	CentrePort supports the intent of the rule in providing for additions or alterations to structures inside the Commercial Port Area as a permitted activity but opposes (f) in relation to the Kaiwharawhara Stream estuary.	Amend Rule R173 to remove reference to Kaiwharawhara Stream Estuary through its inclusion in Schedule F4 and subject to the change proposed to general condition (c).
113.	Structures in the Commercial Port Area Rule R174	Support	CentrePort supports the rule as worded in providing for additions or alterations to structures inside the Commercial Port Area.	Retain Rule R174 in its current form and subject to the change proposed to general condition (c).
114.	Structures in the Commercial Port Area Rule R175	Support	CentrePort supports the provision of a new structure associated with passenger handling (for the transfer of passengers, crews and other persons) or cargo handling and the associated use of the structure inside a Commercial Port Area as a permitted activity.	Retain Rule R175 in its current form and subject to the change proposed to general condition (c).
115.	Occupation Rules R182, R183 and R184	Support	CentrePort supports rules concerning occupation of structures owned by a network utility operator and other structures.	Retain Rules R182, R183, and R184 in their current form.
116.	Surface water and foreshore activities	Support with amendment	CentrePort supports the intent of the rule but considers the rule could be improved by adding a note that it	Amend Rules R185 and R186 to add a note excluding activity in the Commercial Port Area.

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
	Rules R185 and R186		excludes activity in the Commercial Port Area.	
117.	General disturbance activities Rule R189	Support	CentrePort supports the disturbance of the foreshore or seabed from the clearance of a stormwater pipe in the coastal marine area as a permitted activity, noting specific inclusion of disturbance as required for port maintenance.	Retain Rule R189 in its current form.
118.	New rule	Amend	Rule R202 allows Maintenance dredging outside a Commercial Port Area or navigation protection area as a controlled activity. There is no rule allowing maintenance Dredging within a Commercial Port Area or navigation protection area.	Insert a new rule providing for maintenance dredging within a Commercial Port Area or navigation protection area as a permitted activity.
119.	Dredging Rules R202 and R203	Support	CentrePort supports other dredging rules as worded.	Retain Rules R202 and R203 in their current form.
120.	Dumping of waste or other matter Rule R212	Amend	CentrePort considers Rule R212 should be amended to enable consideration of dredging related dumping within a scheduled site as a discretionary activity. Non complying activity status is not appropriate for legitimate port related dredging within the Commercial Port Area or a navigation protection area.	Amend Rule R212 to provide for dredging related deposition or dumping within a scheduled site as a discretionary activity.
121.	Reclamation and drainage Rule R214	Support with amendment	CentrePort supports Rule R214 in providing for reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity. The Kaiharawhara Stream estuary is located in Schedule F4 as a coastal site. It runs between the Kaiharawhara reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port including the ferry and the values of the Estuary.	Amend Rule R214 as follows. Reclamation and drainage for regionally significant infrastructure activities outside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites) unless located in the Commercial Port Area, Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:
122.	Reclamation and drainage Rule R215	Support	Subject to the relief sought in relation to Rule 214 this rule is considered appropriate Non complying activity status is not appropriate for legitimate port related works within the Commercial Port Area.	Retain Rule R215 in its current form subject to the relief sought in relation to Rule R214.

Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
123. Destruction Rule R216	Amend	There is no definition or explanatory text around what the PNRP means by "destruction" as opposed to damage or disturbance.	Either delete rule or Define "destruction" within the definitions section or within the context of the rule itself.
12 Schedules			
124. Schedule E2	Oppose in Part	CentrePort opposes the listing of three wharves being, Miramar Wharf, Railway Wharf (also known as Interislander Wharf) and Waterloo Wharf. Each should be subject to rules applying to non heritage structures and be available for Port or other related uses.	Remove Miramar Wharf, Railway Wharf and Waterloo Quay Wharf from Schedule E2: Historic heritage (wharves and boatsheds).
125. Schedule F4: Ecosystems and habitats with significant indigenous ecosystems (Map 19)	Oppose in Part	Kaiwharawhara Stream is in Schedule 4. It runs between the reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port and the values of the Stream.	Either delete Kaiwharawhara Stream estuary from Schedule F4; or make provision in relevant rules for discretionary activity for Port related purposes.
126. Schedule K Significant surf breaks Map 24	Clarify	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be.	Clarification sought as to how the relevant policy will be applied.
13 Maps			
127. Map 9 Historic Heritage wharves and boatsheds	Amend	CentrePort opposes the listing of three wharves shown on Map 9 being, Miramar Wharf, Railway Wharf (also known as Interislander Wharf) and Waterloo Wharf. Each should be subject to rules applying to non heritage structures and be available for Port or other related uses.	Remove Miramar Wharf, Railway Wharf and Waterloo Quay Wharf from Map 9: Historic heritage (wharves and boatsheds).
128. Map 19 Ecosystems and habitats with significant indigenous ecosystems	Amend	Kaiwharawhara Stream is in Schedule 4. It runs between the reclamation and the Interislander vehicle and train manoeuvring areas. It is considered that there should be recognition of the potential conflict between the operation and maintenance of regionally significant infrastructure of the operational Port and the values of the Stream.	Either delete Kaiwharawhara Stream estuary from Schedule F4; or make provision in relevant rules for discretionary activity for Port related purposes.
129. Map 24 Significant surf breaks	Clarify	CentrePort is concerned about the level of uncertainty associated with the surfbreaks as listed in Schedule K and what potential adverse effects there may be.	Clarification sought as to how the relevant policy will be applied.
130. Map 30 Hutt Valley aquifer zone in Wellington	Oppose	CentrePort opposes general condition Disturbance (c) as the increase in the area of the harbour covered by aquifer restriction will have implications for legitimate	Relief is sought by either: <ul style="list-style-type: none"> deleting general condition (c) or

By email

	Plan Provision	Support/ Oppose/ Amend	Reasons for Submission	Decision Sought
	Harbour Nicholson (Port)		port work that is otherwise permitted, and needs to be understood. Source reference material therefore needs to be made available. CentrePort's own investigations and many years of experience of seabed disturbance such as wharf piling have concluded that the area of the confined aquifer is of a much lesser extent.	<ul style="list-style-type: none"> refine Map 30 to more accurately reflect the extent of the Aquifer or Excluding the Commercial Port Area in the rule.
131.	Map Commercial Port, Lambton Harbour Area and noise control lines – Lambton Harbour	Amend	The Lambton Harbour Area (Northern Zone) shown on Map 32 should also have the overlay of Commercial Port Area. Both wharves are currently utilised for Commercial Port Activities.	Amend Map 32 so that the Lambton Harbour Area (Northern Zone) shown on Map 32 is also overlain with the Commercial Port Area notation.
132.	Map 49	Amend	Amend the Navigation Protection Areas shown on Map 49 to include berth approaches including at the finger wharves (Kings and Glasgow etc). This is shown in the attachment at the end of these submissions.	Amend Map 49 as shown in attached Plan and include the Commercial Port Area as being a Navigation Protection Area.
133.	Map 50	Amend	CentrePort has no objection in principle but has concerns with the lack of clarity in Map 50 and the related GIS information on http://mapping.gw.govt.nz . There are no useful heights provided as to the approach fans which is important in respect of Miramar and Burnham Wharves which are close to the airport and underneath the height restrictions.	Provide greater clarity on height restrictions in Map 50 and the related GIS information on http://mapping.gw.govt.nz

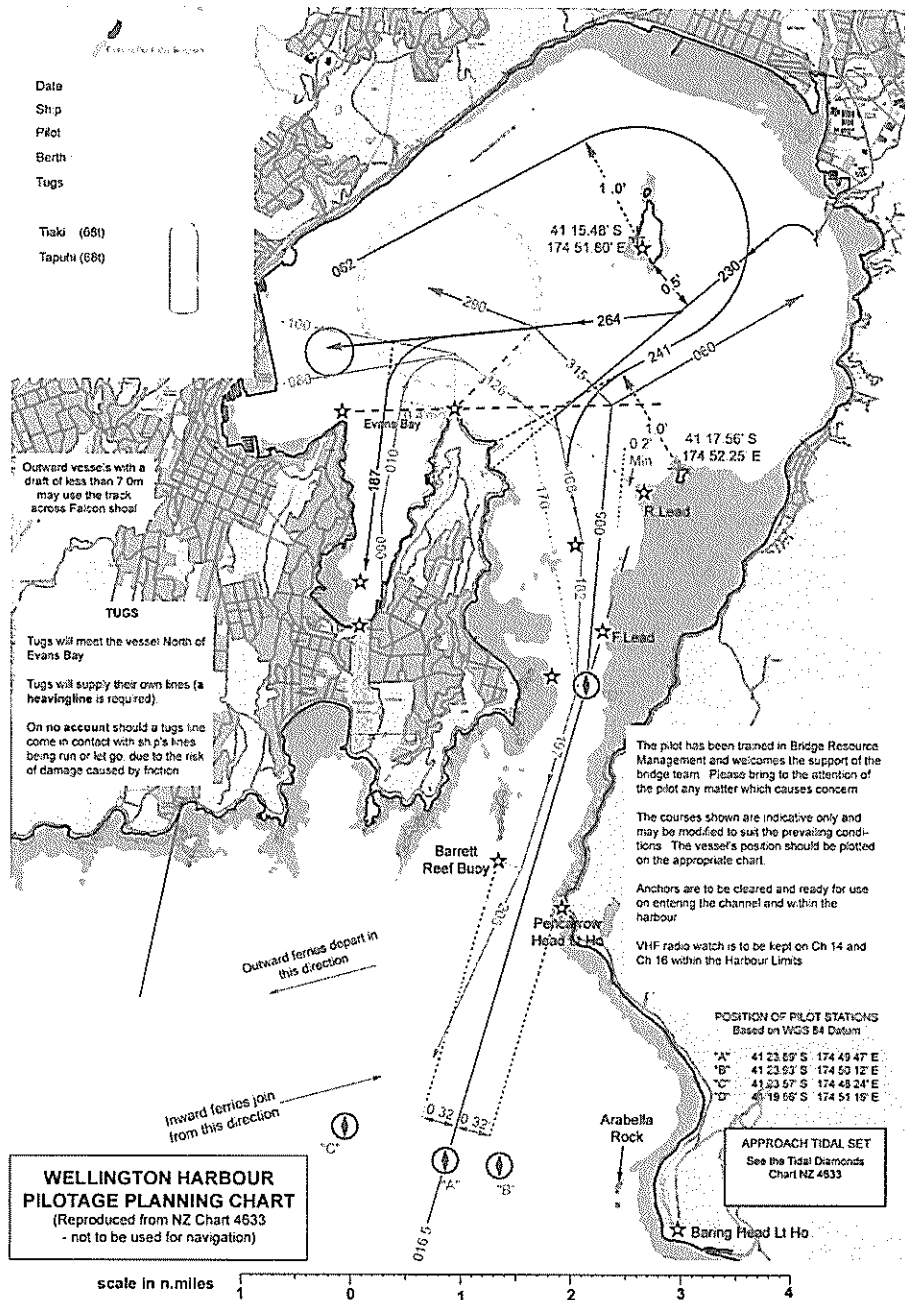
By email

Navigational lanes within Port and Pilot Limits – Wellington Harbour

From the termination of any track lines on the attached Pilotage Planning Chartlet, which show indicative harbour tracks, vessels will take final tracks to the nominated berth. These approach tracks will vary according to draft, wind direction and the side to the vessel will be berthed.

The Harbour Tracks are recommended tracks only (Bylaws Schedule 6) and may be deviated from as required by the circumstances prevailing at the time. Their purpose is to put rigour into anti collision avoidance and ship passage management.

The approach to the berth from the termination point of any track is to be considered a navigation zone in which ships will manoeuvre as required.



Amendment to CentrePort Limited Submission on the Wellington Region Proposed Natural Resources Plan

Plan Provision	Support/Oppose/Amend	Reason for Submission	Decision Sought
Section 5.7 Coastal Management (Rules)			
134	Amend	<p>The Proposed Plan makes no apparent provision for activities in or on an existing structure or part of a structure (inside or outside the Commercial Port Area) or use of that structure, unless development of that structure is proposed (i.e. through Rules providing for additions and alterations to existing structures). As a consequence, it is unclear how a proposed new activity on or use of an existing structure would be considered.</p>	<p>Provision for activities in or on an existing structure or use of that structure, similar to that provided under Rules 10 and 25 of the Operative Regional Coastal Plan.</p>