

Submission information

Form: [Draft Lyttelton Port Recovery Plan - written comments form](#)

Submitted by Anonymous

Tuesday, 25 August 2015 - 9:04pm

103.11.126.185

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions.:

Location and condition of the ferry terminal.

There is no plan for this.

Why do you/don't you support that provision?:

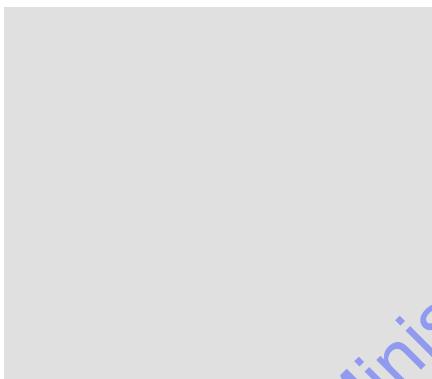
The issue of the ferry terminal is long-standing key issue for the town of Lyttelton and the southern bays communities. The issue was well aired at the public submissions, yet the plan has failed to decide anything concrete on this issue.

The condition of the ferry terminal facilities remains unacceptable.

What outcome do you want?:

I want to see a plan that commits to the location of the ferry jetty, and ensures a purpose built high quality terminal facility is built there within 5 years.

Name:



Released by the Minister for Canterbury Earthquake Recovery

Submission information

Form: [Draft Lyttelton Port Recovery Plan - written comments form](#)

Submitted by Anonymous

Tuesday, 25 August 2015 - 9:26pm

103.11.126.185

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions.:

The issue of port traffic continuing to use Norwich Quay, and in so doing, cut the town off from the waterfront, and stifle commercial development returning to Norwich Quay is a long standing issue that has a significant affect on Lyttelton and the surrounding communities. This issue was well aired at the public submissions, but the plan has failed to include any concrete solution, and has excluded Norwich Quay from its scope.

Why do you/don't you support that provision?:

I don't support the plan's stance, because the use of Norwich Quay by heavy traffic has a major impact on the ability of Lyttelton to recover. The ministerial gazeete notice required the plan to address:

The social, economic, cultural, and environmental well-being of surrounding communities;

The resilience and well-being of people and communities including the facilitation of a focused timely and expedited recovery;

The needs of users of Lyttelton port and its environs including recreational users and public enjoyment of the harbour and well-being of communities;

The plan has not addressed these issues, instead it has determined that use of Norwich Quay is in the hands of the Land Transport agency. I suggest that the purpose of a Recovery Plan is to be able to develop a coherant plan that is not stymied by the short-comings of existing "ownership rules", and that the plan is not complete without properly addressing this issue, and putting into place a plan to solve the issue.

What outcome do you want?:

A plan which re-connects Lyttelton to its waterfront and allows people easy and direct access to the water's edge, including getting heavy port traffic off Norwich Quay.

A plan which supports rebuilding on commercial properties in the town centre especially all those vacant lots along Norwich Quay.

A plan that ensures the trucks go down onto a new freight-only road beside the railway line so that the public have a safe pleasant pedestrian-friendly street environment to encourage new businesses. Owners of commercial properties need certainty about this so they can make informed investment decisions. Deferring decisions about this only delays Lyttelton's recovery.

A plan which makes the most of what heritage remains and build on it. Not a plan which permits the demolition of the three pre-1900 wharves 4, 5, and 6. These are part of our maritime heritage. They are not used much for port operations these days. With a bit of investment public access to the waterfront could be provided here right now without having to wait for an unknown length of time for port operations to move east.

Name:





Released by the Minister for Canterbury Earthquake Recovery

Submission information

Form: [Draft Lyttelton Port Recovery Plan - written comments form](#)

Submitted by Anonymous

Tuesday, 25 August 2015 - 9:39pm

103.11.126.185

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions.:

There is nothing in the draft plan that addresses the sub-standard facilities at the ferry jetty.

Why do you/don't you support that provision?:

Given that the plan has sat on its hands and not made any commitment regarding the future location of the ferry jetty, there needs to be a commitment in the plan to make the existing facilities fit for purpose in the very near future. This would not cost very much in the scheme of the overall plan.

The existing facilities are totally unsuitable, and stifle the recovery of the Lyttelton harbour community and its businesses.

What outcome do you want?:

I want to see a significant upgrade to the ferry terminal facilities in the next 6-12 months. This needs to include the re-instatement of the staircase providing direct access to the Oxford St overbridge, which will save collectively thousands of hours each year of unnecessary travel for the majority of ferry users.

A lift for mobility impaired people should be investigated as well.

Name:



Released by the Minister for Canterbury Earthquake Recovery

Submission information

Form: [Draft Lyttelton Port Recovery Plan - written comments form](#)

Submitted by Anonymous

Tuesday, 25 August 2015 - 9:47pm

103.11.126.185

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions.:

There are no provisions for compensation for the environment or the community, given that there will be more than minor impacts in a number of areas, including:

Degradation of visual amenity;

Increased congestion, noise and pollution from heavy traffic on Norwich Quay, affecting Lyttelton businesses and residents;

Increased turbidity (from sediment plumes from more and bigger ships, and larger scale dredging);

Increased sedimentation (from sediment plumes from more and bigger ships, and larger scale dredging);

Increased water and air pollution from loading/unloading, smoke from more and bigger ships¹, etc;

Increased noise pollution both during and after a lengthy construction period, affecting residents in Diamond Harbour and Purau especially.

Why do you/don't you support that provision?:

The draft Plan provides means to enable the LPC's proposed expansion plans, but fails to adequately address

The social, economic, cultural, and environmental well-being of surrounding communities;

The resilience and well-being of people and communities including the facilitation of a focused timely and expedited recovery;

The needs of users of Lyttelton port and its environs including recreational users and public enjoyment of the harbour and well-being of communities;

[as required in the ministerial gazette notice]

What outcome do you want?:

Compensatory measures including:

Immediate upgrade to bulk unloading equipment to eliminate nuisance dust, and bunding and wash-water treatment to stop run-off pollution into the harbour

Tighter management plans that ensure consent conditions are adhere to.

Controls on air pollution from ships in the harbour.

Subsidising noise insulation for home-owners in the southern bays.

Upgrading all LPC lighting towers to 70 degree light cut-off angle and <1 lux light-spill outside its operational areas.

Funding to assist upgrading the Diamond Harbour jetty to provide mobility-impaired access.

Name:





Released by the Minister for Canterbury Earthquake Recovery

28 August 2015

Draft Lyttelton Port Recovery Plan
Freepost CERA
Canterbury Earthquake Recovery Authority
Private Bag 4999
Christchurch 8140

Comment to the Minister of Earthquake Recovery on the Draft Lyttelton Port Recovery Plan

Thank you for the opportunity to provide comment on the Draft Lyttelton Port Recovery Plan.

To date, the NZ Transport Agency has provided input to the development of the draft Recovery Plan to Environment Canterbury through the Partners Working Group and through the formal submission and hearing process. I wish to thank you for this further opportunity to comment.

The NZ Transport Agency considers that the draft Recovery Plan provides adequate recognition of the key role of transport network and infrastructure links to the Port and the importance these links to the national, regional and local economy.

Specifically the NZ Transport Agency supports the inclusion of transport provisions within the amendments to the Replacement Christchurch District Plan and of "Action 8: Transport Network – Memorandum of Understanding" in Section 5.2.2 of the Recovery Plan. This Action reflects the agreed approach that has been sought by the NZ Transport Agency and the other partners through the submission and hearing process. As stated in NZ Transport Agency's submission, it is our view that the Memorandum of Understanding approach is the most appropriate method of ensuring a holistic and coordinated approach for partners to provide for transport network outcomes in Lyttelton to support the recovery whilst also ensuring that the enabling approach sought in the Recovery Plan is supported.

The NZ Transport Agency would like to acknowledge and support the partnership approach to developing this Recovery Plan. This collaborative process has ensured that issues were raised early and thereby provided partners the ability to discuss and address issues efficiently throughout the development of the revised Plan.

If you have any questions regarding the contents of these comments please do not hesitate to contact Natasha Sitarz on (03) 9642808 or natasha.sitarz@nzta.govt.nz

Yours sincerely



Jim Harland
Regional Director Southern

28 August 2015

Draft Lyttelton Port Recovery Plan
Canterbury Earthquake Recovery Activity
Private Bag 4999
Christchurch 8140

Via email: info@cera.govt.nz

Dear Sir/Madam

Draft Lyttelton Port Recovery Plan - written comments

Thank you for the opportunity to comment on the Draft Lyttelton Port Recovery Plan (LPRP). The Christchurch City Council (Council) has been a partner in the development of the Draft LPRP and has provided feedback in the various stages of its development.

The process undertaken by Environment Canterbury to develop the Draft LPRP has been collaborative, robust and thorough. The result is a Draft LPRP that the Council is pleased with, addresses most of the concerns raised during the process and provides a balanced recovery framework for Lyttelton Port. Therefore our comments are limited to relevant actions and minor timing matters as outlined in Attachment A.

The Council supports the vision, goals, the Plan and the overall recovery framework of the Draft LPRP as notified by the Minister. The Council is committed to all relevant actions it has responsibility for and participation in to achieve the vision and goals of the Draft LPRP.

The key Council comment relates to the timing for Action 13: Quantitative Risk Assessment of bulk liquids storage facilities. The Council supports Action 13 and is committed to progressing this in a timely manner. However the Council is concerned that a six month time frame does not sufficiently take into account the full process that will be needed to complete a Quantitative Risk Assessment involving a number of parties. It is suggested that the time frame is amended to nine months to provide sufficient time to fully account for the process.

The Council is disappointed that the draft LPRP does not provide the certainty that the community sought in relation to long-standing issues related to Norwich Quay and the location of the ferry terminal. However the conclusion reached by the Hearings Panel and Environment Canterbury in the Draft LPRP is acknowledged.

The Council would like to congratulate Environment Canterbury and other partners for the positive way in which the process has been undertaken in developing the preliminary draft, hearing and the final draft delivered to the Minister. Overall the Draft LPRP is a positive document that achieves the purpose of the Ministers Direction and provides a framework to facilitate recovery of Lyttelton Port.

Yours faithfully



Michael Theelen
Chief Planning Officer

cc the Lyttelton Port Recovery Plan Working Party

Attachment A: Christchurch City Council written comments on the Draft Lyttelton Port Recovery Plan

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions	Why do you/ don't you support that provision?	What outcome do you want?
Vision and Goals	The LPRP vision and goals are balanced and include all the key elements of the recovery framework. They will provide a useful basis for all actions and recovery projects to be measured against.	Retain the vision and goals as notified
Action 3: Recovery framework - Proposed Christchurch Replacement District Plan and Appendix 3 - Amendments to the Proposed Christchurch Replacement District Plan	The provisions of the Specific Purpose (Lyttelton Port) Zone (in Appendix 3) provide an enabling framework for the recovery and growth of the Lyttelton Port in a timely manner. This will be achieved through a range of port and non-port related activities whilst managing potential effects of commercial development at Dampier Bay on Lyttelton township. In particular, the Council strongly supports the retention of Rule 21.8.2.2.1 P5 & P6 specifying floor area limits for retail and office activity as notified in the Draft LPRP.	Retain Action 3 and all provisions of Appendix 3 as notified
Action 4: Recovery framework - Banks Peninsula District Plan and Appendix 4	Makes relevant consequential amendments to the Banks Peninsula District Plan.	Retain Action 4 and Appendix 4 as notified

Released by the Ministry of Civil Defence and Emergency Management
 Prepared by the Ministry of Earthquake Recovery

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions	Why do you/don't you support that provision?	What outcome do you want?
Action 7: Whakaraupo/Lyttelton Harbour Catchment Management Plan	<p>Support</p> <p>Provides a framework to undertake work on development of a whole of harbour management plan.</p> <p>The Council supports the action as currently worded as it provides the flexibility to establish the most appropriate process and governance structure to achieve the development of a catchment management plan, including the ability for the community to set the outcomes.</p>	Retain Action 7 as notified
Action 8: Transport Network - Memorandum of understanding Action 9: Transport Network - Pedestrian access across Norwich Quay	<p>Support</p> <p>Both actions will facilitate a collaborative approach to addressing matters in relation to transport network issues for Lyttelton related to the recovery plan. The Council has been involved in discussions with other partners to progress the drafting of the Memorandum of Understanding under Action 8.</p> <p>Both actions are essential elements in the Recovery Plan framework to achieve the goals.</p> <p>The Council does wish to express disappointment that the long standing issues</p>	Retain Actions 8 and 9 as notified

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions	Why do you/don't you support that provision?	What outcome do you want?
	<p>in relation to Norwich Quay and its impact on the ability to connect to the waterfront have not been able to be resolved through the recovery plan process. These issues were well traversed at the hearing and the Hearing Panel report clearly outlines the issues, concerns and recovery matters. The Council accepts the conclusion reached by the Hearing Panel which is reflected in the Draft LPRP, however wishes to acknowledge that this will be an on-going area of concern and uncertainty for the community.</p>	Retain Action 10 as notified
Action 10: Dampier Bay Public Access	Support	Retain Action 11 as notified
Action 11: Dampier Bay Urban Design Guide	Support	Retain Action 12 as notified

Released by the Minister of Canterbury Earthquake Recovery

<p>What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions</p>	<p>Why do you/don't you support that provision?</p>	<p>What outcome do you want?</p>
<p>Action 13: Quantitative risk assessment of bulk liquids storage facilities</p>	<p>cruise ships to Lyttelton to ensure a fit for purpose berth and landside facilities are provided. The return of a cruise ship berth to Lyttelton is essential and has significant wider economic benefits for recovery of Christchurch and Canterbury, and benefits to the wider South Island.</p> <p>The Council also supports the Action's inclusion of consideration of options for a short term berth which will facilitate the return of cruise ships to Lyttelton in the short term.</p> <p>The Council accepts the need for a QRA to be undertaken and the urgency expressed in the Hearing Panel report. The Council accepts the lead role for Action 8 and has commenced discussions on the process and project set up.</p> <p>The only concern relates to timing for the action. This concern revolves around ensuring there is sufficient time to take account of the various processes that will go into completing Action 13. The timeframe needs to account for project set up,</p>	<p>Retain Action 13 with an amended timeframe as follows:</p> <p>Quantitative Risk Assessment to be completed within <u>nine</u> six months of Gazettal of this Recovery Plan</p>

<p>What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions</p>	<p>Why do you/don't you support that provision?</p>	<p>What outcome do you want?</p>
	<p>development of a project brief, tendering and contract processes, funding agreements, reviewing of drafts and reporting to relevant Council committees or working parties (where necessary).</p> <p>It is suggested that the timing be extended to nine months which still provides the certainty that the QRA will be completed promptly but allows flexibility to account for the full process of getting a QRA completed.</p>	

Released by the Minister of Canterbury Earthquake Recovery

Submission information

Form: [Draft Lyttelton Port Recovery Plan - written comments form](#)

Submitted by Anonymous

Sunday, 30 August 2015 - 5:34pm

103.11.126.185

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions.:

2.2 SCOPE OF THE LYTTELTON PORT RECOVERY PLAN

Specifically the paragraph that says:

"The needs of users of Lyttelton Port and its environs, including, but not limited to, iwi, importers and exporters, cruise ship passengers and crew, tourism operators and customers, commercial fishers, recreational users and public enjoyment of the harbour and well-being of communities."

We support this part of the plan, but with a caveat.

Why do you/don't you support that provision?:

The problem with the provision from our perspective, and the plan as a whole, is that it omits any discussion of seafarers who visit the port.

Over 1000 ships visit the port yearly.

With crews between 15-25 people per-ship, that is over 10,000 seafarers visiting the port of Lyttelton each year. The recover plan does mention this significant group.

Due to the destruction of the previous Lyttelton Seafarers Centre on Norwich Quay, in the Canterbury quakes, seafarers have been sitting outside the local library trying to get internet access.

It is common to see seafarers in the winter cold, in the evenings, freezing outside while talking to their families back home.

This situation has been improved by the recent opening, in August, of the new Lyttelton Seafarers Centre on Norwich Quay.

The Centre's prefabricated building is on a temporary site.

A permanent site for this building within the port's boundary, has been raised in conversation between the LPC and Lyttelton Seafarers Centre Charitable Trust.

What outcome do you want?:

Firstly, we would like to see the paragraph quoted above to include the word "seafarers", as they are a significant group that uses the port. And a group that the port's economic viability is partially dependant on. The term "not limited to" and "cruise ship passengers and crew" do not adequately cover "seafarers."

Secondly, we would like the maps of the recovery plan to included the future possible position of the "Lyttelton Seafarers Centre".

Naturally, this would only be a "possible" location and one dependant on where the LPC thinks would be the best location for the Lyttelton Seafarers Centre.

Overall, we are happy with the draft recover plan, and are supportive of any actions that will facilitate the port's recovery; and the welfare of seafarers visiting Lyttelton.

Name:

John McLister: Chairperson

Organisation (if applicable):

Lyttelton Seafarers Centre Charitable Trust. Lyttelton Seafarers Centre



Released by the Minister for Canterbury Earthquake Recovery

Submission information

Form: [Draft Lyttelton Port Recovery Plan - written comments form](#)

Submitted by Anonymous

Monday, 31 August 2015 - 1:58pm

103.11.126.185

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions.:

4.9 BULK LIQUIDS STORAGE

The bulk liquids storage facilities at Naval Point present a potential hazard risk to the surrounding area. Development in proximity to these facilities which increases the duration or level of people orientated activity has the potential to increase this risk. This risk includes development related to the location of any cruise ship berth facility.

Why do you/don't you support that provision?:

I do not support or oppose any provisions, but would wish the Plan to have proper regard to the knowledge that some of the Bulk Liquid Storage facilities and other facilities storing specified hazardous substances in the port area, will be affected by the proposed major hazard facilities (MHF) regulations that will come into effect in 2016 under the new health and safety regulatory reform.

What outcome do you want?:

I do not believe it is appropriate that WorkSafe make a submission of support or opposition of any provisions in the draft Lyttelton Port Recovery Plan (the Plan). Notwithstanding this, I do note that section 4.9 of the plan states that: "The Bulk Liquids Storage facilities at Naval Point present a potential hazard risk to the surrounding area." Some of these Bulk Liquid Storage facilities and other nearby facilities storing specified hazardous substances will be affected by the proposed major hazard facilities (MHF) regulations that will come into effect in 2016 under the new health and safety regulatory reform.

The proposed MHF Regulations will apply to certain workplaces that store and/or process certain quantities of specified hazardous substances that have potential for multiple fatalities at the facility and/or in the surrounding area. The details of the MHF Regulations have yet to be finalised, but will place obligations on operators of these facilities to address the potential for such major incidents. They also include requirements to consult with and provide information to the emergency services, local authorities, and the community.

MHFs will be divided into two tiers (upper and lower) based on the quantities of specified hazardous substances present at a facility. Upper tier MHFs will be required to prepare a safety case setting out how the hazards and risks at the site have been identified and describing the controls that are in place to prevent a major incident or minimise its consequences. Lower tier MHFs are not required to prepare a safety case, but will have new safety management and risk control duties relating to eliminating or minimising the potential for a major incident at the facility so far as is reasonably practicable. Exposure of large numbers of people to a potential major incident is a relevant matter in deciding what is, or is not reasonably practicable.

The proposed New Zealand MHF regulations do not specifically include land use planning requirements, as implemented by equivalent European legislation that must adopt all of the Seveso directive principles, <http://ec.europa.eu/environment/seveso/>. However, the

information that must be provided to local authorities, planning and other relevant authorities by the facility may assist the relevant authorities in regard to planning decisions that might expose sensitive land uses to unlikely, but credible potential major incidents.

I note that the Plan states that; "The Recovery Plan includes a non-statutory action under which Christchurch City Council, LPC and the lessees of the bulk liquids storage facilities will work together to complete a Quantitative Risk Assessment within six months of Gazettal of this Recovery Plan".

I can advise that from my experience in the both the UK and Australia that a Quantified Risk Assessment (QRA), must have regard to all potential major incidents, both theoretical and historical, and be supported by appropriate risk criteria or guidelines in deciding what level of risk or potential consequences is tolerable. I would therefore advise that prior to completing a QRA, guidelines and tolerability criteria for both potential risk and consequences of credible potential major hazards be developed. It may be that such tolerability guidelines might oppose the introduction of sensitive land uses close to MHFs irrespective of the theoretical calculation of low probability of such consequences eventuating.

Name:

Geoff Cooke

Organisation (if applicable):

Deputy Chief Inspector, Major Hazard Facilities, WorkSafe NZ

Address:

Level 9, 280 Queen Street, P O Box 105 146, Auckland 1143

Email:

[REDACTED]

Released by the Minister for Canterbury Earthquake Recovery

COMMENTS ON THE DRAFT LYTTLETON PORT RECOVERY PLAN

TO: Minister for Canterbury Earthquake Recovery ("**Minister**")

FROM: Z Energy Limited, BP Oil NZ Limited, Mobil Oil NZ Limited ("**Oil Companies**")

1. INTRODUCTION TO THE OIL COMPANIES

- 1.1 The Oil Companies receive, store and distribute refined petroleum products. The Oil Companies have commercial, shore and marine based aviation and bulk storage facilities and are owners of retail outlets and suppliers of petroleum products to individually owned retail outlets through the Canterbury Region and the South Island.
- 1.2 In regard to the Port of Lyttleton, the Oil Companies have terminal facilities located in the Naval Point area of the Port ("**Lyttleton Terminal Facilities**"). The economy of the Region is reliant on the efficient and effective operation of those facilities. With the recovery and the need for such substantial redevelopment in Christchurch, it is necessary that the Lyttelton Port Recovery Plan ("**LPRP**") and the Christchurch Replacement District Plan ("**Replacement Plan**") adequately future proof and protect the resilience of the fuel supply chain to the Canterbury Region so that ongoing fuel demands can be met appropriately and safely for all.
- 1.3 The Lyttleton Terminal Facilities, because of their very nature, pose a potential risk to surrounding land uses, primarily because of the nature and volumes of fuels stored, particularly from a low probability high potential impact event. A key concern for the Oil Companies is the presence, or potential presence, of sensitive activities and potentially high numbers of people in the area in close proximity to bulk fuel facilities. If allowed to develop without appropriate safeguards, these have the potential to increase the risk profile considerably, and result in a situation where the risks are such that the operation and development of the Lyttleton Terminal Facilities may be compromised, which will in turn affect resilience and efficiency in region wide fuel supplies.

2. SCOPE OF COMMENTS

- 2.1 Environment Canterbury, through consultation with other bodies including the Christchurch City Council and the Lyttleton Port Company, developed the draft Lyttleton Port Recovery Plan ("**Draft LPRP**"), which was approved by the Minister on 13 August 2015. The Minister has publicly notified the Draft LPRP and has invited the public to provide written comments on the Draft LPRP to assist the Minister in making his decision on the LPRP.
- 2.2 The Oil Companies are generally supportive of the Draft LPRP. The Oil Companies' comments on the Draft LPRP are limited to its concerns surrounding the risk of development occurring, and sensitive activities locating, within the vicinity of the Lyttleton Terminal Facilities. In particular, the Oil Companies are concerned to ensure that adequate consideration is given to the inclusion of its proposed Emergency Management and Building Design overlays ("**proposed Overlays**"), as sought in its submission on Stage Two of the Replacement Plan (attached as **Appendix 1**).

3. SUMMARY OF SUBMISSIONS

Replacement Plan

3.1 In its submission on Stage Two of the Replacement Plan, the Oil Companies sought to include the proposed Overlays at their facilities in Woolston and Lyttleton, which require the following:

- (a) *Emergency Management Overlay* - any new building or alteration or change of use within a building within the Overlay must prepare a Site Emergency Management Plan which identifies the risk of, and management procedures relating to, an emergency event arising from the bulk fuel terminals.
- (b) *Building Design Overlay* - where any new buildings are to be built, that the building designer demonstrates that the design of the building, in relation to an emergency flammable event at the bulk fuel terminals, has been considered and addressed in building design. This may include, for example, consideration of the orientation of openings and extent of glazing.

Preliminary Draft LPRP

3.2 The Oil Companies lodged a submission on the preliminary draft LPRP (attached as **Appendix 2**) seeking, among other things, to include separation distance between sensitive land uses and the Terminal Facilities from locating within 250 metres of the perimeter of the Lyttleton Terminal Facilities.

3.3 The Oil Companies prepared evidence and attended the hearing on the preliminary draft LPRP in June 2015. In order to assist the Independent Hearings Panel on the Draft LPRP ("**LPRP Panel**") in relation to matters raised in evidence, the Oil Companies also provided a statement of clarification of their position on 15 June 2015 (attached as **Appendix 3**).

3.4 In that statement, the Oil Companies brought to the LPRP Panel's attention the relief being sought through its submission on the Replacement Plan in relation to the proposed Overlays, noting that the proposed Overlays are a more pragmatic and effective way to achieve the outcome of what was sought through the inclusion of separation distances.

Decision on the preliminary draft LPRP

3.5 In its decision on the preliminary draft LPRP, the LPRP Panel directed that, as a matter of urgency, a quantitative risk assessment be prepared to assess the risk of development occurring within proximity to the Lyttleton Terminal Facilities and that the outcomes of the assessments should be incorporated by way of a plan change under the Resource Management Act 1991.

3.6 The direction to undertake a risk assessment has been incorporated into the Draft LPRP and the Oil Companies are supportive of this.

3.7 However, the LPRP Panel did not consider the merits of the proposed Overlays nor did it provide direction as to how the proposed Overlays should be addressed, and therefore, this has not been addressed in the Draft LPRP.

4. RELIEF SOUGHT

4.1 The Oil Companies seek that the LPRP include a direction for the Independent Hearings Panel on the Replacement Plan ("**Replacement Plan Panel**") to consider the

application of the proposed Overlays to the Woolston and Lyttelton Terminal Facilities. The Oil Companies consider that it is appropriate for the LPRP to make such a direction for the following reasons:

- (a) The Replacement Plan Panel has jurisdiction to consider the planning framework as it applies to both the Woolston and Lyttelton Terminal Facilities.
- (b) It is appropriate for the application of the proposed Overlays to be considered simultaneously by one body.
- (c) There is a risk that without any express direction in the LPRP, the Replacement Plan Panel may (erroneously) consider that this matter has already been addressed through the LPRP and, if that is the case, substantively or procedurally consider there to be some sort of jurisdictional bar or hurdle preventing proper examination of the issues by the Panel.

4.2 In this regard, the Oil Companies seek that the following text be inserted in section 5.2.6 of the LPRP:

BULK LIQUIDS STORAGE FACILITIES

The bulk liquids storage facilities at Naval Point present a potential hazard risk to the surrounding area. Development in proximity to these facilities which increases the duration or level of activity may increase this risk. It is important that activities within the immediate areas of bulk liquids storage facilities are aware of the risks of establishing at this location and are suitably prepared in the event of any emergency. This may include the development of emergency management plans and ensuring that new buildings are designed to mitigate, as far as practicable, the impact of any emergency event.

To assess the measures required to inform, and adequately prepare, activities establishing within the immediate vicinity of bulk liquids storage facilities of the risk, Action 13 requires the Independent Hearings Panel on the Christchurch Replacement District Plan to consider the merits of including an Emergency Planning Overlay and a Building design Overlay.

The planning framework ~~therefore~~ needs to balance the ability to undertake activities and development at Naval Point, particularly Christchurch City Council's recreation and boating areas, with the safe operation and reasonably future development of the bulk liquids storage facilities.

To inform any changes that might be required to planning framework provisions, a Quantitative Risk Assessment must be undertaken. Action 13 requires Christchurch City Council, LPC and Lessees of the bulk liquids storage facilities to undertake a Quantitative Risk Assessment, to be completed within six months of the Recovery Plan's Gazettal.

4.3 As a result, the Oil Companies seek that Action 3 of the LPRP be amended as follows:

ACTION 13: ~~QUANTITATIVE RISK ASSESSMENT~~ OF BULK LIQUIDS STORAGE FACILITIES

<p>The Christchurch City Council, Lyttelton Port Company and the lessees of the bulk liquids storage facilities will work together to define the scope of, and commission, a Quantitative Risk Assessment of the bulk liquids storage facilities at Naval Point.</p> <p>Lead agency: Christchurch City Council</p>	<p>Quantitative Risk Assessment to be completed within six months of Gazettal of this Recovery Plan</p>
<p>Goals: 1, 3a, 3b, 4, 5</p>	

<p><u>The Independent Hearings Panel for the Christchurch Replacement District Plan, is directed to consider the merits of an Emergency Planning Overlay and Building Design Overlay having regard to:</u></p> <p>(a) <u>the need for bulk liquids storage facilities to meet future demands;</u></p> <p>(b) <u>the need to ensure that sensitive activities are established at suitable locations to minimise reverse sensitivity effects on established bulk liquids storage facilities; and</u></p> <p>(c) <u>the risk of bulk liquid storage facilities to surrounding land uses from a low probability, high potential impact event.</u></p> <p><u>Lead agency: Independent Hearings Panel for the Christchurch Replacement District Plan</u></p>	<p><u>To be considered by the Independent Christchurch Replacement District Plan during the hearings on the Hazardous Substances provisions.</u></p> <p><u>The Independent Hearings Panel may recommend further amendments to the Lyttleton Port Recovery Plan for consideration by the Minister.</u></p>
<p><u>Goals: 1, 3a, 4, 5, 8</u></p>	

THE OIL COMPANIES

Signature: The Oil Companies by its solicitors and authorised agents
Russell McVeagh.

James Gardner-Hopkins - Partner

Date: 31 August 2015

Address for service: The Oil Companies
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WRITTEN COMMENT ON THE DRAFT LYTTELTON PORT RECOVERY PLAN

Name of submitter: New Zealand Fire Service Commission ('the NZFS Commission')

Address: C/- Beca Ltd
PO Box 3942
WELLINGTON 6140

Attention:

Phone:

Email:

The NZFS Commission is the governing body that controls the New Zealand Fire Service (NZFS) and the National Rural Fire Authority (NRFA). The Fire Service Act 1975 and the Forest and Rural Fires Act 1977 establish the governance, management and operational arrangements for these organisations. It is a matter of prime importance for the NZFS Commission to take an active and co-ordinating role in the promotion of fire safety in New Zealand, through reducing the incidence of fire and the attendant risk to life and property; and through seeking unity and completeness of fire safety law and practice (as set out in section 20 of the Fire Service Act 1975).

The Specific Purpose (Lyttelton Port) Zone (to be inserted into the Christchurch Replacement District Plan) aspect of the Draft Lyttelton Port Recovery Plan provides an opportunity, in relation to fire hazards and other emergencies, to better facilitate the health, safety and wellbeing of people and communities by appropriately providing for fire safety, fire prevention and fire extinction that enables the NZFS to meet its responsibility of providing an efficient and effective emergency service.

The specific submission points of the NZFS Commission are set out in the table below. The NZFS Commission also submitted on the Preliminary Draft Lyttelton Port Recovery Plan with requests similar to the ones made here. The Officer's report prepared for the hearing on the Preliminary Draft recommended the inclusion of the requested amendments. However, it is noted that the Hearing Panel's recommendation report has stated that the requested amendments are not necessary. The reason given is that a similar rule proposed for inclusion within Chapter 6 (General Rules) of the Christchurch Replacement District Plan would address the matter of firefighting water supply provision within all zones. With regards to this matter as it relates to the wider Replacement District Plan, the NZFS Commission has taken the position that, until a hearing is held on the proposed Chapter 6 rules, individual rules requiring provision of firefighting water supply should continue to be proposed within each zone. This approach has been accepted by

Christchurch City Council, as indicated in the Mediation minutes for the Residential (Stage 2) chapter of the Replacement Plan. To promote a consistent approach with the Specific Purpose (Lyttelton Port) Zone, the NZFS Commission therefore continues to make the requests as set out in the table below:

The specific provisions of the draft Lyttelton Port Recovery Plan that the NZFS Commission's written comments relate to are:	Position	Reasons	Outcomes sought						
<ul style="list-style-type: none"> Appendix 3 – 21.8 Specific Purpose (Lyttelton Port) Zone – 21.8.2 Rules – Specific Purpose (Lyttelton Port) Zone – 21.8.2.3 – Built Form Standards 	<p>Oppose</p>	<p>The NZFS Commission opposes the Built form standards in 21.8.2.3 insofar as they fail to recognise and provide for fire appliance access and fire fighting water supply via reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008, as is the approach being taken throughout other chapters of the Christchurch Replacement District Plan. Access to a fire fighting water supply is critical to the mitigation of potential adverse effects as a result of fire hazards. It is also consistent with section 5 of the RMA through providing for the safety of people and communities, and with the decision on Objective 3.3.13 in the Strategic Directions chapter of the Replacement Plan (“<i>Emergency services and public safety: Recovery of, and provision for, comprehensive emergency services throughout the city, including for their necessary access to properties and the water required for firefighting</i>”). The NZFS Commission therefore seeks the addition of a further standard to align with the above provisions, in the interests of ensuring that all buildings located within the Specific Purpose (Lyttelton Port) Zone have access to an adequate firefighting water supply.</p>	<p>Amend the Built form standards in 21.8.2.3 to include the following additional standard:</p> <p>“21.8.2.3.X - Water supply for fire fighting <i>“Sufficient water supply and access to water supplies for fire fighting shall be made available to all buildings via Council’s urban fully reticulated water supply system and in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS:4509:2008)”</i></p> <p>As a consequence, an amendment is also required to Rule 21.8.2.2.3 RD1 to include a further matter of discretion that is also added to 21.8.2.2.3 as follows:</p> <table border="1" data-bbox="1429 943 2013 1380"> <thead> <tr> <th data-bbox="1429 943 1529 1070"></th> <th data-bbox="1529 943 1727 1070">Activity</th> <th data-bbox="1727 943 2013 1070">The Council’s discretion shall be limited to the following matters:</th> </tr> </thead> <tbody> <tr> <td data-bbox="1429 1070 1529 1380">RD1</td> <td data-bbox="1529 1070 1727 1380"> <p><i>Non-compliance with Built Form Standards in Rule 21.8.2.3.</i></p> <p><i>Any application arising from this rule will not require written approvals and shall not be</i></p> </td> <td data-bbox="1727 1070 2013 1380"> <p><i>g. Water supply and access for fire fighting – 21.8.3.2.X</i></p> </td> </tr> </tbody> </table>		Activity	The Council’s discretion shall be limited to the following matters:	RD1	<p><i>Non-compliance with Built Form Standards in Rule 21.8.2.3.</i></p> <p><i>Any application arising from this rule will not require written approvals and shall not be</i></p>	<p><i>g. Water supply and access for fire fighting – 21.8.3.2.X</i></p>
	Activity	The Council’s discretion shall be limited to the following matters:							
RD1	<p><i>Non-compliance with Built Form Standards in Rule 21.8.2.3.</i></p> <p><i>Any application arising from this rule will not require written approvals and shall not be</i></p>	<p><i>g. Water supply and access for fire fighting – 21.8.3.2.X</i></p>							

The specific provisions of the draft Lyttelton Port Recovery Plan that the NZFS Commission's written comments relate to are:	Position	Reasons	Outcomes sought
			<p style="text-align: center;"><i>publically notified.</i></p> <p><u>"21.8.3.2 X Water supply for fire fighting</u> <u>Whether sufficient fire fighting water supply provision is available to ensure the health and safety of the community, including neighbouring properties, is provided"</u></p>
<ul style="list-style-type: none"> ■ Appendix 3 – 21.8 Specific Purpose (Lyttelton Port) Zone – 21.8.3 Matters of Discretion and Control – 21.8.3.3 – Activity Specific Standards – 21.8.3.3.4 Subdivision: b) Servicing – ... v) whether all new allotments are provided with: ... b) sufficient water supply and access to water supplies for firefighting consistent with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008); ... 	Support	<p>The NZFS Commission strongly supports Matter for Discretion and Control 21.8.3.3.4 in its recognition of the need for both fire appliance access and fire fighting water supply via reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 where subdivision occurs within the Specific Purpose (Lyttelton Port) Zone, for the reasons stated above.</p>	<p>Retain Matter for Discretion and Control 21.8.3.3.4(b)(v)(b) as notified.</p>

31 August 2015

Draft Lyttelton Port Recovery Plan
Canterbury Earthquake Recovery Authority
Private Bag 4999
Christchurch 8140

By email: info@cera.govt.nz

RE: Lyttelton Port Company comments on the Draft Lyttelton Port Recovery Plan

Lyttelton Port Company (LPC) would like to take this opportunity to reiterate their support for the Lyttelton Port Recovery Plan (LPRP) process. We feel it has been a very robust process with effective consultation and engagement with the community, in both LPC and ECan's phases. As a result the Draft LPRP provides a good recognition of the recovery needs of the Port as well as the needs and desired outcomes of the various stakeholders.

As a package the current provisions within the Draft LPRP provide a sufficiently enabling regulatory framework which will allow LPC to rebuild, repair, reconfigure and enhance the Port in a timely and expeditious manner. Given the complicated and interdependent nature of both the Port's recovery and the required regulatory provision, development of a coherent and practical set of provisions was no simple matter. The outcome reflects the hard work and commitment of all the parties involved, both the statutory stakeholders and those who participated by way of submission.

Main LPRP Document

The Draft LPRP is well written, provides a good summary of the background, key issues and recovery needs of LPC. LPC generally supports the content and layout of the Draft.

In particular LPC would like to express its support for Action 7. Whilst LPC were supportive of a more directive Action 7, the current action does provide an effective means of bringing relevant stakeholders together to address the pre-existing and ongoing concerns around the health of Lyttelton Harbour. LPC also supports the related funding commitments as set out in Table 2, Section 6.

There are a small number of minor specific alterations that LPC request to the Draft LPRP. The specific changes are included in **Attachment 1**.

Regional Coastal Environment Plan (RCEP)

As discussed above, overall LPC considers the RCEP provisions in the Draft LPRP are comprehensive, representative of the issues and provide for the complex and interrelated recovery needs of the Port. Consequently LPC request that the overall structure and content of the RCEP provisions remain as they are in the draft LPRP.

However there are a few minor changes that LPC seek. These requests for alterations either relate to those requested during the hearing, or matters that have become apparent as we progress consent applications for the major projects.

Attachment 2 sets out the requested changes with reasoning's.

For clarity, where a provision is not included in **Attachment 2**, LPC supports the provision as written in the Draft LPRP

Proposed Christchurch Replacement District Plan (PCRD)

LPC is generally supportive of the proposed amendments to the PCRD, and considers that the package of provisions will provide for the recovery and ongoing operation of the Port. LPC does have a number of requested changes, relating to matters raised at the hearing and wording changes for reasons of clarity. The amendments, and associated reasons, are detailed in **Attachment 3**.

For clarity, where a provision is not included in **Attachment 3**, LPC supports the provision as written in the Draft LPRP.

Yours sincerely



PETER DAVIE
Chief Executive

Attachment 1 - Main body of the Draft LPRP

Note additions are underlined, deletions are strikethrough.

General Comments

Some consequential changes to the Executive Summary, Section 4 and Section 5 may be required if our suggested minor amendments to the provisions are accepted. Note we have not identified these specific changes but can do so if that would be of assistance.

Section 5.1 - LPC supports Actions 1-6

Section 5.2 other actions

- Action 7: LPC supports
- Action 8 and 9: Transport - LPC supports
- Action 10 and 11: General support with minor amendments for clarity to Action 10 as set out below.
- Action 12 and preamble: Minor change to include the sentence about the financial and technical viability of a cruise ship berth within the action, rather than in the preamble.
- Action 13: Quantitative risk assessment - LPC supports.

Specific wording changes to Actions 10 and 12

Action 10: Dampier Bay Public Access

<p>Lyttelton Port Company will enter into a legally binding agreement with Christchurch City Council and Environment Canterbury to: (1) provide safe, convenient, high-amenity public access in perpetuity to and along the waterfront at Dampier Bay; and (2) ensure access along the waterfront at Dampier Bay will connect to Norwich Quay at the northeastern end and Godley Quay at the southwestern end.</p> <p>This arrangement shall ensure provision of a legally-binding instrument such as an esplanade strip, access strip or equivalent, with an easement, right-of-way or equivalent linking the waterfront to public roads. This arrangement shall include the likely staging of implementation of the public promenade, access to Norwich Quay from Dampier Bay and the indicative location and dimensions of public access, including the promenade.</p> <p>This arrangement shall also include provision for community input into the design process for the promenade, <u>which may be achieved via the Dampier Bay Design Guide Process</u></p> <p>Lead agency: Environment Canterbury</p>	<p>Access agreement to be signed by all parties within three months of Gazettal of the Lyttelton Port Recovery Plan. The legally binding instrument shall be implemented by July 2021, unless a variation is agreed between the parties</p>
<p>Goals: 3a, 3b, 3c, 7b</p>	

5.2.5 Cruise Ship Berth

Earthquake damage to the Port's infrastructure has meant cruise ships have been unable to berth in Lyttelton. Action 12 records the agreement between Christchurch City Council and LPC to look at options for short-term and long-term solutions to providing for a dedicated cruise ship berth facility at Lyttelton Port. ~~What cruise berth facilities are provided at Lyttelton will ultimately depend upon their financial and technical viability.~~

Action 12: Cruise Ship Berth

<p>Christchurch City Council and Lyttelton Port Company will agree on a collaborative approach to progress a fit for purpose cruise ship berth facility in Lyttelton to achieve a timely return as a cruise destination. The parties may agree to involve other interested parties. The parties will consider the preferred location of the cruise berth facility taking into account the landside and waterside requirements of the cruise industry and the needs of other users, and transport and servicing needs. This will include assessment of risk in relation to hazardous facilities in the vicinity and their ability to meet future demands, including the results of the quantitative risk assessment to be undertaken under Action 13.</p> <p>The parties will consider options for berths in the short term as well as permanent solutions, and funding for these.</p> <p>What cruise berth facilities are provided at Lyttelton will ultimately depend upon their financial and technical viability</p> <p>Lead agency: Christchurch City Council</p>	<p>Access agreement to be signed by all parties within three months of Gazettal of the Lyttelton Port Recovery Plan. The legally binding instrument shall be implemented by July 2021, unless a variation is agreed between the parties</p>
<p>Goals: 3a, 3b, 3c, 7b</p>	

Released by the Minister for Canterbury Earthquake Recovery

Attachment 2 Amendments to Regional Coastal Plan provision

Released by the Minister for Canterbury Earthquake Recovery

Regional Coastal Environment Plan

Note additions are underlined, deletions are strikethrough.

Provisions	Requested changes	Reasoning
Policy 10.1.8 – Dredging	Enable maintenance dredging for the continued operation of Lyttelton Port, and dredging to create, or deepen and widen, the Main Navigational Channel, ship turning basins and berth pockets, provided that dredging is undertaken in accordance with <u>available</u> best practice methods that minimise adverse effects on the environment.	LPC requests that the word “available” be inserted before the words “best practice methods.” This is because only a limited number of vessels carry out maintenance dredging in New Zealand and LPC would be concerned if new developments in dredging techniques overseas were promulgated but could not be introduced in New Zealand because of the vessel fleet currently available.
Policy 10.1.9 Deposition of dredge spoil	Subject to Policy 10.1.10, manage effects of the deposition of dredge spoil at the Spoil Dumping Grounds shown on Planning Map 10.5 by: <u>Subject to Policy 10.1.10, enable the deposition of dredge spoil at the Spoil Dumping Grounds shown on Planning Map 10.5 and require monitoring of the deposition area so that any adverse effects on the environment, including mahinga kai, are avoided, remedied or mitigated.</u>	<p>The Independent Panel hearing and deciding on the Preliminary Draft Lyttelton Port Recovery Plan confirmed Policy 10.1.10 as worded. The words “<i>including mahinga kai</i>” were inserted in response to the submission to the Preliminary Draft from Te Rūnanga o Ngāi Tahu.</p> <p>Environment Canterbury however decided to further change the policy in response to a post-hearing comment from Te Rūnanga o Ngāi Tahu. The Te Rūnanga considered that the word “enable” in the policy was incorrect because Rule 10.33 classifies the discharge of dredge spoil at the grounds as a discretionary activity.¹</p> <p>LPC does not consider the policy confirmed by the Panel is invalidated because of the discretionary rule. While the policy anticipates the deposition of spoil at the spoil dumping grounds in principle any decision-maker to a resource consent will also be considering:</p> <ul style="list-style-type: none"> • The actual or potential effects on the environment; • The other policies in the Coastal Plan and the policies in the other statutory plans; and • Any other matters. <p>¹ The reason for this outcome is because the discharge of sediment associated with the dumping of dredged material is regulated by section 15A of the RMA and section 4 of the Resource Management (Marine Pollution) Regulations 1998. The Marine Pollution Regulations require regional plans to classify the dumping of dredge material as a full discretionary activity, and the Recovery Plan cannot change this regulatory requirement.</p>
Policy 10.1.13 – Specific effects of stormwater discharges	5) Any earthworks carried out during the construction and repair works are appropriately managed to avoid <u>minimise as far as practicable</u> the discharge of sediment into the Coastal Main Area.	<p>The proposed change was contained in LPC expert evidence in response to issues raised by the Oil Companies.</p> <p>The Oil Companies were concerned that the policy is setting a zero threshold tolerance for discharges of sediment, especially from the likes of temporary (and generally short term and irregular) construction activities such as dewatering and stormwater runoff.</p> <p>The LPC expert agreed that while best practice methodologies can be employed to minimise sediment laden discharges, there will still be a level of detectable sediment in such discharges.</p>
Rule 10.1 Permitted activities Wharf Structures within the Operational Area of Lyttelton Port	e) The reconstruction, maintenance, <u>alteration</u> , removal or demolition of any Wharf Structure, or part of any Wharf Structure, in Area A or B that was constructed after 4 September 2010; or	The word “alteration” needs to be inserted into Rule 10.1 (e) and the word “alteration” needs to be deleted from Rule 10.3 (a). Without the change it is arguable that any maintenance or repair that involves an alteration to a post-2010 wharf structure would require resource consent as a restricted discretionary activity under Rule 10.3 (a). The purpose of Rule 10.3 (a) is to capture any extensions rather than alterations.

¹ The reason for this outcome is because the discharge of sediment associated with the dumping of dredged material is regulated by section 15A of the RMA and section 4 of the Resource Management (Marine Pollution) Regulations 1998. The Marine Pollution Regulations require regional plans to classify the dumping of dredge material as a full discretionary activity, and the Recovery Plan cannot change this regulatory requirement.

<p>Rule 10.2 Controlled Activities - Wharf Structures within the Operational Area of Lyttelton Port -</p>	<p><u>Notification</u> Pursuant to section 95A of the Resource Management Act, an application for resource consent under this rule will be publicly notified. Sought to be silent on notification (i.e. up to discretion of Council).</p>	<p>LPC experts were concerned about the number of activities 'ancillary' to the construction of the reclamation which are to be captured by controlled activity rules that must be publicly notified. It was considered this has the potential to frustrate Port Recovery.</p> <p>The key issue is that some of the rules capture activities that could occur after construction has commenced or indeed after reclamation has been completed. As a result LPC could be going through multiple resource consent hearings for minor matters. Examples of these activities, all of which would need to be publicly notified under the current provisions are as follows:</p> <ul style="list-style-type: none"> • The construction of a temporary wharf structure under this rule. The need for or the exact location of such a temporary wharf may not be known when the initial package of consents is lodged; • The subsequent maintenance or repair of the reclamation under Rule 10.11; • The subsequent repair of the reclamation in Rule 10.17; <p>It is considered that the rules pertaining to these particular activities should remain silent in terms of notification and Environment Canterbury Officers can make a determination on notification at the time. Alternatively some can be restructured (10.11) or minor wording added (10.17) to correct this situation. Note that none of these changes would preclude council of publically notifying the main reclamation consents as was intended by ECan (and agreed to by LPC).</p>
<p>Rule 10.3 Restricted Discretionary Activities - Wharf Structures within the Operational Area of Lyttelton Port -</p>	<p>Pre-condition a) The alteration or extension of any Wharf Structure, or part of any Wharf Structure in Area A or B that was constructed after 4 September 2010; or</p>	<p>The word "alteration" needs to be inserted into Rule 10.1 (e) and the word "alteration" needs to be deleted from Rule 10.3 (a) as discussed above.</p>
<p>Rule 10.11 Controlled Activities – Disturbance associated with activities adjacent to and including the Te Awaparahi Bay Reclamation</p>	<p><u>Notification</u> Pursuant to section 95A of the Resource Management Act, an application for resource consent under this rule, will be publicly notified. Sought rule to be silent on notification (i.e. up to discretion of Council)</p> <p>Alternatively, the following amendments could be made to achieve notification of the matters related to reclamation construction but remain silent on the repair or maintenance matters:</p> <p>The disturbance of the foreshore or seabed (including by excavating, drilling or tunnelling), where the disturbance is directly associated with the following activities:</p> <ol style="list-style-type: none"> a) The construction, maintenance or repair of the reclamation in Area A shown on Planning Map 10.10; or b) The maintenance or repair of the reclamation in Area A shown on Planning Map 10.10; or c) b) The erection or placement of Wharf Structures within Area A shown on Planning Map 10.10 for which resource consent is obtained under Rule 10.2; or d) e) Dredging to create and deepen the berth pocket(s) within Area C shown on Planning Map 10.7 <p>..... <u>Notification</u> Pursuant to section 95A of the Resource Management Act, an application for resource consent under clause a) and c) of this rule, will be publicly notified.</p>	<p>There may be cases where maintenance of the reclamation is needed post construction. As drafted even consents for minor repair works must be publically notified. For this reason LPC request that the decision to notify is left to Council, or the rule is restricted to ensure only the reclamation construction elements are notified, not the repair and maintenance elements.</p>

Released by the Minister for Canterbury Earthquake Recovery

Rule 10.17 Controlled Activities – Deposition of seabed material at the Spoil Dumping Grounds generated from construction activities	<p><u>Notification</u></p> <p>Pursuant to section 95A of the Resource Management Act, an application for resource consent under this rule that relates to <u>establishment of</u> the Te Awaparahi Bay Reclamation <u>and associated wharf</u> located in Area A on Planning Map 10.10, will be publicly notified.</p>	<p>Accept public notification for matters relating to establishment of the reclamation. However the rule also relates to reconstruction, alteration, extension, removal and demolition of a structure and repair of reclamation. Therefore consents for small repair works will require public notification. For this reason LPC request that 'establishment of' is added to the notification wording, which effectively leaves decision making on notification of other matters to Council. Also request 'and associated wharf' for clarity.</p>
Rule 10.27 Permitted Activities – Discharge of stormwater within Operational Area of the Port	<p>b) After reasonable mixing, the discharge shall not give rise to any change in colour of the receiving water by greater than ten points, as measured using the Munsell Scale, or a reduction in the visual clarity of the receiving water by greater than 50 percent measured at all <u>whichever is the greater of</u> the following locations,:</p>	<p>The rule should set a nominal compliance point of 100 metres from the point of discharge unless the internal diameter of the pipe is greater than 1 metre in which case the mixing zone is incrementally greater depending on the size of the pipe. This is to take into account of the possibility of the mixing zone extending beyond 100 metres for larger discharges.</p> <p>The current wording sets three separate compliance point for no apparent reason. The word 'all' need to be deleted and replaced with "<i>whichever is the greater</i>".</p> <p>It is noted this amended wording mirrors the existing clause contained in the existing rule in Chapter 7 of the RCEP.</p>
Rule 10.28 Permitted Activities – Discharge of stormwater from Lyttelton Port Company Quarry in Gollans Bay	<p>d) After reasonable mixing, the discharge shall not give rise to any change in colour of the receiving water by greater than ten points, as measured using the Munsell Scale, or a reduction in the visual clarity of the receiving water by greater than 50 percent measured at all <u>whichever is the greater of</u> the following locations:</p>	<p>Same reasoning as set out above for the Rule 10.27</p>

Released by the Minister for Canterbury Earthquake Recovery

Attachment 3 Amendments to the Replacement District Plan

Released by the Minister for Canterbury Earthquake Recovery

Christchurch Replacement Plan amendments

Note additions are underlined, deletions are strikethrough.

Provisions	Requested changes	Reasoning
P5 - Retail activity	a. other than retailing of maritime or port related goods and services, be limited to: i. a maximum tenancy size for an individual tenancy of 450m ² GLFA; and ii. a maximum of 3 food and beverage outlets; and iii. a total aggregated maximum GLFA of 1,000 <u>3,000m²</u> to 1 January 2026.	Whilst LPC had differing opinion from its own experts on the potential impacts on the Lyttelton Town centre, the feedback from the Developer Community showed that additional GLFA is needed to give the Dampier Bay development the greatest chance of commercial success. The delivery of the non-commercial community aspects of Dampier Bay (i.e. the promenade) rely on a commercially successful development at Dampier Bay.
P6 - Office activity	Any Office Activity, other than as provided for as Port Activities, shall be limited to: a. a total aggregated maximum GLFA for all Office Activity of 2,000 <u>5,000m²</u> up to 1 January 2026; and b. no more than 500-2000m² GLFA of the 2,000 <u>5,000m²</u> for general office activities that are not maritime or port-related; and c. the Dampier Bay Area as shown in Appendix 21.8.4.1 or on a site with direct frontage to Norwich Quay.	As above.
New Controlled activity rule <u>C8 - New Ferry Terminal and associated public transport facilities located in the existing location as at June 2015, or located in accordance with the Dampier Bay Outline Development Plan in Appendix 21.8.4.2.</u> <u>Any application arising from this rule shall be publically notified.</u> <u>Note also 21.8.2.2.5 (NC2).</u>	<u>Site layout and building design – 21.8.3.1.1</u> <u>Public transport facilities – 21.8.3.1.3</u>	It has been clearly communicated that the Ferry will be moved and the effects have been assessed. The movement of the Ferry Terminal is an important part of the Port's reconfiguration. LPC require more certainty on the ability to move the ferry than the current restricted discretionary rule provides. In addition, there are clear and well defined matters of control to address any of the detailed effects. Due to the public interest in the Ferry Terminal, if the activity status is controlled, LPC consider it appropriate to publically notify the consent. Note that a publically notified Restricted Discretionary consent introduces significant uncertainty into LPC's reconfiguration plans. If there was a desire to keep the restricted discretionary activity status, LPC requests that the consent be non-notified.
Delete rule RD2 in its entirety RD2 New Public Transport Facilities located within the Port Operational Area or Dampier Bay Area, except as stated in Rule 21.8.2.2.5. Any application for a passenger ferry terminal arising from this rule will be publically notified.		Replaced with C8 above
RD5 Provision of public vehicle access to and from the area covered by the Dampier Bay Outline Development Plan in Appendix 21.8.4.2 <u>via Sutton Quay</u> or from a Public	Addition of 'Via Sutton Quay' to the first part of the clause (after Appendix 21.8.4.2)	Intention of this rule was to require an ITA prior to access commencing from Sutton Quay. As written the rule is ambiguous and consent may be required for the existing access onto Godley Quay.

Transport Facility associated with a passenger ferry terminal, via Sutton Quay.																											
Table 21.8.1 Noise Limits	<p><i>Table 21.8.1 Noise limits</i></p> <table border="1"> <thead> <tr> <th data-bbox="566 317 869 428"></th> <th colspan="2" data-bbox="869 317 1139 428">Daytime (0700–2200)</th> <th colspan="2" data-bbox="1139 317 1504 428">Night-time (All other times)</th> </tr> <tr> <th data-bbox="566 428 869 617">When measured at or within the boundary of any site zoned:</th> <th data-bbox="869 428 1003 617">L_{Aeq}</th> <th data-bbox="1003 428 1139 617">L_{Amax}</th> <th data-bbox="1139 428 1288 617">L_{Aeq}</th> <th data-bbox="1288 428 1504 617">L_{Amax}</th> </tr> </thead> <tbody> <tr> <td data-bbox="566 617 869 674">Residential Zones</td> <td data-bbox="869 617 1003 674">50 dB</td> <td data-bbox="1003 617 1139 674">75 dB</td> <td data-bbox="1139 617 1288 674">40 dB</td> <td data-bbox="1288 617 1504 674">65 dB</td> </tr> <tr> <td data-bbox="566 674 869 764">Commercial Banks Peninsula Zone</td> <td data-bbox="869 674 1003 764">55 dB</td> <td data-bbox="1003 674 1139 764">80 dB</td> <td data-bbox="1139 674 1288 764">45 dB</td> <td data-bbox="1288 674 1504 764">70 dB</td> </tr> <tr> <td data-bbox="566 764 869 821">Industrial General Zone</td> <td data-bbox="869 764 1003 821">60 70 dB</td> <td data-bbox="1003 764 1139 821">80 dB</td> <td data-bbox="1139 764 1288 821">50 70dB</td> <td data-bbox="1288 764 1504 821">70 dB</td> </tr> </tbody> </table>		Daytime (0700–2200)		Night-time (All other times)		When measured at or within the boundary of any site zoned:	L _{Aeq}	L _{Amax}	L _{Aeq}	L _{Amax}	Residential Zones	50 dB	75 dB	40 dB	65 dB	Commercial Banks Peninsula Zone	55 dB	80 dB	45 dB	70 dB	Industrial General Zone	60 70 dB	80 dB	50 70dB	70 dB	LPC's noise expert provided evidence on the changes to this table. Current table is populated with limits to be consistent with those notified for the Christchurch City Replacement Plan, which are still subject to hearings. LPC considers the better approach is to use appropriate limits based on expert evidence, rather than numbers chosen purely for reasons of consistency.
	Daytime (0700–2200)		Night-time (All other times)																								
When measured at or within the boundary of any site zoned:	L _{Aeq}	L _{Amax}	L _{Aeq}	L _{Amax}																							
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Commercial Banks Peninsula Zone	55 dB	80 dB	45 dB	70 dB																							
Industrial General Zone	60 70 dB	80 dB	50 70dB	70 dB																							
21.8.3.2.1 Maximum building height	<p>ii _____ D. the extent to which the proposed building is located well within the Port boundaries and is substantially separated from more sensitive residential, commercial, or recreational activities; the extent to which there is separation provided between buildings to allow for view shafts from adjacent residential properties;</p> <p><u>E. the extent to which there is separation provided between buildings to allow for view shafts from adjacent residential properties;</u></p>	Typo error in the conditions, it appears that currently worded conditions ii) D) combines two parts.																									
Appendix 21.8.4.4 Dampier Bay Area and Norwich Quay maximum building height	Amend Map to reduce the gap between the two 'Area C' blocks.	The gap between these blocks provides for the view shaft down Canterbury Street, and hence should be the width of Canterbury Street road reserve (approximately 20m). Current gap is wider, and not symmetrical about the centreline of Canterbury Street. LPC Urban Design expert (Jane Rennie) provided evidence to this effect in the hearing.																									

Released by the Minister for Canterbury Earthquake Recovery



Comments to the Minister of Earthquake Recovery on the Lyttelton Port Recovery Plan – 31 August 2015

Comments by:
Naval Point Club Lyttelton Inc.
Naval Point
Lyttelton

Contact details:
Commodore: David Anderson
commodore@navalpoint.co.nz



About Naval Point Club Lyttelton

Naval Point Club Lyttelton (the Club) is an active and diverse sports club promoting recreational boating, sailing and a wide range of aquatic activities. With around 1,000 members it is by far the largest club in Canterbury marine based recreation and sport and one of the largest clubs of its type in New Zealand.

The Club caters for a wide range of marine recreation activities. Sailing of a variety of craft including dinghies, windsurfers, trailer yachts and keelboats, yacht racing, learn to sail and coaching are important activities at the club. But a large portion of Club membership is associated with other activities including power boating, paddle boarding, ocean swimming, sea kayaking and waka ama.

The Naval Point area is a vital recreational asset in part because it provides the only convenient all tide launching facilities in the greater Christchurch area and the associated flat land necessary to support recreational marine activities.

The Club has a key role in the hosting of numerous regional, national and international sailing and other contests on a regular basis.

Boating education courses run from the Club provide some of the highest participation of anywhere in New Zealand.

In addition the Club's facilities are used by a wide range of other organisations within the local community.

The Naval Point Club clubhouse building was badly damaged in the earthquakes and part will need to be demolished and rebuilt. Due to the new rock fall hazard this will not be able to occur on the current site. Rebuilding will present significant challenges for the Club but also the opportunity to plan the redevelopment of this area for the betterment of the boating community and the wider public. The Club and Coastguard are working together on planning for a new joint building that will enhance the facilities for both organisations and provide a facility for the benefit of recreational boating and the wider community. The proposed new building will be owned by a Charitable Trust and will be available to a wide range of community organisations.

There are also significant opportunities for the comprehensive redevelopment of the area to provide much needed improvements to facilities for recreational boating in Canterbury. In particular this includes safe, all-weather launching facilities for trailer boats, dinghies and small water craft, maintenance and storage facilities and space for large events. The Club is working with a range of other stakeholders and the Christchurch City Council on the development of a strategic plan for the Naval Point / Magazine Bay area.

Key aspects of the Lyttelton Port Recovery Plan affect the planning of the Naval Point area and the recovery and rebuilding aspirations of the Club.

Comments

Our Comments on the Draft Lyttelton Port Recovery Plan are as follows:

A. Reclamation and Expansion of Port Activities to the East - Support

The Club supports the proposal to reclaim land to the east of Cashin Quay to enable expansion of commercial port operations outside the inner harbour for the following reasons:

Although this will mean a loss of recreational water space the proposal will enable areas in the inner harbour, including Dampier Bay, to be freed up for recreational activities including a marina. This is important for the recovery of Naval Point Club Lyttelton and recreational boating in the region.

The expansion can also be expected to alleviate the current and anticipated future shortage of flat land in the port area in support of recreational boating activities. Such activities are currently accommodated within the constrained area of Boat Harbour Zoned (Banks Peninsula District Plan) land owned by Christchurch City Council and Lyttelton Port Company at Naval Point. This area is under considerable pressure to meet the current and anticipated future demand from recreational harbour uses

The Club supports the additional environmental protection measures proposed by the Panel to safeguard the health of the harbour to the extent that any such measures do not unreasonably hinder recovery.

B. Dampier Bay Marina Proposal – Support

The Club supports the proposal that will enable development of a pontoon marina of a minimum of approximately 180-200 berths for the reasons outlined in our submission. These reasons are varied and compelling and establish that a safe and convenient marina is desperately needed in Lyttelton.

The Club provided evidence in its submission to support the view that the initial 180-200 marina berths will be insufficient to meet anticipated demand. Comparisons with other regions suggest that provision for around 1,000 berths should be made in the LPRP.

The Club supports proposed amendments that would enable additional marina berths to be developed in the inner harbour between wharf 7 and wharf 3.

C. Dampier Bay Public Access – Support

The Club supports the proposal that will provide public access to and enhancement of areas in Dampier Bay. Naval Point Club Lyttelton believes that popular and attractive publicly accessible areas can be created in Dampier Bay in conjunction with a marina and associated retail and commercial activities.

D. Dampier Bay Commercial Activities – Support with Amendment

The Club supports the proposal that will enable development of some commercial and retail facilities in the area adjoining the new marina in Dampier Bay. We support this with proposed amendments requiring additional car parking to be accommodated to meet the demand for marina users.

We believe it is essential that sufficient car parking is provided to meet the needs of any new retail/commercial activity and the marina in accordance with industry standards. We believe this is important to ensure the success of the marina, retail & commercial development and public access. It will also be important to ensure that any adverse impact that an increase in activity and visitors may cause on nearby residents is mitigated.

We do not agree with the evidence of Mr Metherell for Ecan suggesting that .25 - .35 parks per berth is appropriate or that of Mr Calvert for CCC suggesting .35 parks per berth. A survey of Waikawa Marina shows provision of approximately .47 parks per berth (excluding parking associated with retail/commercial activities and the launching ramp). Even at this ratio parking issues arise at busy times.

The outcome we seek is for the Built Form Standard 21.8.2.3.9 Transport Standards (Permitted) to be amended to .45 car parks per marina berth.

E. Proposed Cruise Ship Berth (Inner Harbour) - Support

The Club supports the proposed cruise ship berth location at Gladstone Pier inside the inner harbour for the following reasons:

Locating the cruise ship berth in the proposed position inside the inner harbour would have minimal impact on Naval Point Club Lyttelton.

F. Proposed Cruise Ship Berth (Naval Point) – Oppose

The Club supports the Panel's recommendation to exclude the proposed Naval Point Cruise ship berth from the Lyttelton Port Recovery Plan. The Club asks the Minister to go further and exclude Naval Point as a potential site for consideration for a Cruise Ship Berth for the following reasons:

Although the main reason for excluding the proposal appears to relate to the oil company's safety concerns it is clear that the Panel understands the significant adverse impact this proposal would have on the Club and recreational activities. These issues are well documented in the Club's submission and Naval Point Club Lyttelton remains very concerned about the possibility that this proposal will continue to be advanced through the Resource Management Act process once the oil company's Quantitative Risk Assessment has been completed.

The Club is of the view that it would be significantly better for the future planning of the Naval Point area and the recovery of recreational marine activities and the Club for this proposal to be abandoned now. This uncertainty creates significant challenges for the Club and its rebuild and recovery plans. Removing Naval Point completely as a potential cruise ship berth site would expedite planning for the future development of the Naval Point area in support of recreational marine activities.

G. LPC Owned Boat Harbour Zone to Port Activities – Support with Amendment

The current Boat Harbour Zone land at Naval Point, in which the Club has a significant interest, is mostly owned by Christchurch City Council but a portion (1.4 ha approx.) is owned by Lyttelton Port Company (Lot1 DP 80599).

The Lyttelton Port Recovery Plan proposes to rezone the Lyttelton Port Company owned land from Boat Harbour Zone to Port Activities.

The Boat Harbour Zone provides for a range of activities that must, in general, be in support of recreational boating. In its submission the Club proposed that this land be retained as Boat Harbour Zone. The reasons for this are well described in our submission and appear to have been understood and supported by the Panel. However the Panel felt they did not have the ability to retain the existing zone within the prescribed planning framework.

While we accept the practicalities of this situation we do not agree that there is any valid reason to lessen the controls on activities in this area. The result of the Panel's recommended amendments will allow 'marine-related industrial activities' (i.e. not related to recreational boating) to establish in the area. This would mean the potential loss of space available to support recreational boating. This is particularly relevant at this time when space for recreational marine activities is under considerable pressure due to the new rock fall hazard and potential fuel storage setback controls.

The main reason for the Panel's proposal to allow 'marine-related industrial activities' (otherwise excluded in the Boat Harbour Zone) appears to be that such activities have established to some degree in the area already.

It is the Club's view that any potential non-compliance of existing activities should not be the justification for lessening of controls and that existing use rights (where applicable) should be relied upon.

The Club seeks the following amendment to the Rule 21.8.2.2.1 in the area shown in Appendix 21.8.4.1 (permitted activities):

'iii Marine-related industrial activities, including ship and boat building' should be amended to:

'iii Recreational marine related industrial activities, including boat building'

H. Draft Christchurch Replacement District Plan

There are considerable overlaps between the Lyttelton Port Recovery Plan and the Draft Christchurch Replacement District Plan (Stage II - Chapter 18) particularly in respect of the impacts on marine recreational activities at Naval Point.

In this regard we ask the Minister to consider the implications of this on the community and stakeholders in the area.

Like the Lyttelton Port Recovery Plan the Draft Christchurch Replacement District Plan process has been significantly impacted by the late raising of safety concerns by the oil companies. The delays these concerns are causing have a significant detrimental impact on the Club and its proposal to rebuild facilities in conjunction with Canterbury Coastguard. Significantly the further delay means the potential loss of important and significant funding support for Coastguard in this venture.

Until these matters are resolved the Christchurch City Council is not able to complete its planning for the use and development of the Naval Point site in conjunction with the stakeholders. This has significant impact on the proposed new community building with regard to selection of a site, design, feasibility, tenure and funding. This means further delay to the Club and Coastguard's rebuild and recovery plans.

We ask the Minister to consider this and seek to avoid any unnecessary delay where this can be avoided.

Released by the Minister for Canterbury Earthquake Recovery

TO: Draft Lyttelton Port Recovery Plan
Canterbury Earthquake Recovery Authority
Private Bag 4999
Christchurch 8140

email: info@cera.govt.nz

SUBMISSION ON: Draft Lyttelton Port Recovery Plan

SUBMISSION BY: Lyttelton/Mt Herbert Community Board

SUBMITTER
ADDRESS: Lyttelton Service Centre
PO Box 73027
CHRISTCHURCH 8154



DATE: 31 August 2015

Dear Sir/Madam

TE HAPORI O ŌHINEHOU RAUA KO AHU PĀTIKI/LYTTTELTON/MT HERBERT COMMUNITY BOARD
SUBMISSION ON THE DRAFT LYTTTELTON PORT RECOVERY PLAN (LPRP)

Thank you for the opportunity to provide written comments on the Draft Lyttelton Port Recovery Plan (LPRP).

Elected members of Te Hapori o Ohinehou Raua Ko Ahu Patiki/Lyttelton Mt Herbert Community Board represent all the communities around Lyttelton Harbour and Port Levy. The Board's statutory role is "to represent, and act as an advocate for, the interests of its community" (Section 52, Local Government Act 2002). The Board has tried to do this throughout the process of developing the draft Lyttelton Port Recovery Plan, and we are pleased the Hearing Panel and Environment Canterbury have included some of the changes we asked for. There is much in the Plan we can support.

However, it is the Board's view that the Draft Lyttelton Port Recovery Plan represents a lost opportunity. We had hoped for recovery-based re-development which closely integrates the town with its immediate inner harbour waterfront by providing a number of pedestrian links or places where people can get close to the water. When trying to articulate their shared vision for Lyttelton, local people often refer to ports at Freemantle, Auckland or Wellington as examples of what could happen. Lyttelton residents saw the earthquakes as a one-off opportunity to achieve the kind of integrated development which meets a range of business and community needs.

The Minister's Direction to develop a Lyttelton Port Recovery Plan required that it address a wide range of matters (refer Section 5.1 of the Direction) and included Norwich Quay within its scope, which made the Board optimistic that the Minister shared the community's vision. It seems our expectations were too high.

For us there are three outstanding matters:

- **Severance.** It now seems certain our community is going to have to put up with ever-increasing numbers of freight trucks on Norwich Quay in the short, medium and long term, with little chance that it will ever be resolved.
- **Ferry Berth Location.** People using public transport in our community will have to put up with existing sub-standard facilities for the Diamond Harbour Ferry for at least the next seven years, and probably longer.
- **Cruise.** Uncertainty about the location of a purpose-built cruise berth could take years to resolve. Interim or transitional arrangements are urgently needed.

We ask the Minister to consider how these matters could be addressed as the draft is reviewed.

Yours sincerely



Paula Smith
Community Board Chairperson
Te Hapori o Ōhinehou raua ko Ahu Pātiki/Lyttelton Mt Herbert Community Board

<p>What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to?</p> <p>Please state if you support or oppose each of these provisions.</p>	<p>Why do you/don't you support that provision?</p>	<p>What outcome do you want?</p>	
<p>Action 3: Recovery framework - Proposed Christchurch Replacement District Plan</p> <p>Action 4: Recovery framework - Banks Peninsula District Plan</p>	<p>Support in Part</p>	<p>Lyttelton and its port evolved together, and many features which contribute to a 19th century heritage landscape still remain.</p> <p>The Board is concerned that while assessments of cultural significance have been done for individual heritage items, no assessment of the port area as a significant maritime heritage landscape has been made to inform the draft Plan. The Board supports an integrated approach to management of heritage in Lyttelton.</p> <p>Pre-1900 finger wharves adjacent to Lyttelton have been authorised for demolition. The Board supports retaining these wharves, as they would add great value to a maritime heritage precinct.</p>	<p>Amend Action 3 to direct that the Specific Purpose (Lyttelton Port) Zone Chapter of the Proposed Christchurch Replacement District Plan identify, schedule and protect the port and lower town's 19th century maritime heritage sites, including pre-1900 finger wharves adjacent to Lyttelton, to enable integrated management of our maritime heritage landscape.</p>
<p>Action 1 - Dampier Bay Urban Design Guide Support</p>	<p>Support in Part</p>	<p>The Board supports Action 1, but wishes that the Dampier Bay Urban Design Guide be informed by an assessment of the port area as a significant maritime heritage landscape.</p>	<p>Amend Action 1 to direct that an assessment of the port area as a significant maritime heritage landscape be completed prior to finalisation of the Dampier Bay Urban Design Guide.</p>
<p>Action 7: Whakaraupo/Lyttelton Harbour Catchment Management Plan</p>	<p>Support in Part</p>	<p>The Board supports Action 7 as it provides a framework to undertake work on development of a whole of harbour catchment management plan. However, the Board is concerned that the Catchment Plan restore and maintain ecological health of the harbour overall, and not focus too narrowly on improved mahinga kai outcomes.</p> <p>To achieve development of an appropriate Catchment Plan, the Board wishes that the Plan's process and governance structure include interested people from all our harbourside communities and from groups which use the harbour for recreation.</p>	<p>Amend Action 7 to clarify that the focus of the Catchment Plan is to restore and maintain ecological health of the harbour overall.</p> <p>Amend Action 7 to direct broad community participation in the process and governance structure of the Catchment Plan, including the ability of the community to set outcomes and seek representation on the governing body.</p>
<p>Action 8 - Transport Network - Memorandum of understanding</p> <p>Action 9: Transport Network - Network - Pedestrian access across Norwich Quay</p>	<p>Oppose in Part</p>	<p>The Board wishes to express disappointment that the Plan does not address the long held aspiration of the community to reconnect with its waterfront by getting port freight off Norwich Quay. This will be an on-going area of concern and uncertainty for the community.</p> <p>The Board wishes to note that building one additional non-signalised pedestrian crossing on Norwich Quay, as the draft Plan directs, will not make much difference to safety as pedestrians typically cross Norwich Quay at a number of locations.</p> <p>The Board wishes to note that development of a Memorandum of Understanding (MoU) as directed under Action 8 may not resolve pedestrian safety or severance issues, as parties entered into an initial MoU many years ago and significant progress has not been made.</p>	<p>Amend Action 9 to direct that all parties work together to significantly reduce freight traffic on Norwich Quay by building a new freight-only tunnel direct to the container terminal at Te Awaparahi Bay. Amend to direct the new freight-only tunnel be completed within a set timeframe.</p> <p>Amend Action 9 to direct that in the interim all parties work together to build a pedestrian crossing at the intersection of Canterbury Street and Norwich Quay that provides a safe, pleasant, pedestrian-friendly street environment.</p>

Released by the Minister for Canterbury Earthquake Recovery

What are the provisions of the draft Lyttelton Port Recovery Plan that your written comments relate to? Please state if you support or oppose each of these provisions.		Why do you/don't you support that provision?	What outcome do you want?
Item 3.8.4 - Ferry Terminal Figure 9 - Indicative Outline Development Plan - Dampier Bay	Oppose in Part	<p>The Board does not support relocation of the ferry berth to Dampier Bay.</p> <p>As stated in its submission on the preliminary draft LPRP, the Board supports the ferry berth located where best for community wellbeing, which is either at or near the current location with improved facilities (Attachment 1) or even closer to the town centre (Attachment 2). This preference is strongly supported by the community as demonstrated through a succession of consultation processes.</p>	<p>Amend Figure 9 to remove reference to a proposed ferry berth at Dampier Bay from the Outline Development Plan.</p> <p>Amend Item 3.8.4 to direct that Lyttelton Port Company permanently locate the ferry berth where best for community wellbeing, which is either at or near the current location (Attachment 1) or even closer to the town centre (Attachment 2).</p> <p>Amend Item 3.8.4 to direct that Lyttelton Port Company, Black Cat and Christchurch City Council work together to improve interchange facilities at the community's preferred location for the ferry berth.</p>
Action 12: Cruise Ship Berth	Support in Part	<p>The Board is pleased to see this action in the draft Plan. The Board notes that cruise ships were using Lyttelton Port before the earthquakes without customised facilities.</p> <p>The return of a cruise ship berth to Lyttelton is essential and has significant wider economic benefits for recovery of Christchurch and Canterbury, and benefits to the wider South Island.</p>	<p>Action 12 directs that Lyttelton Port Company consider options for a short term cruise ship berth.</p> <p>Amend Action 12 to direct that Lyttelton Port Company provide an interim cruise ship berth before a dedicated facility is operational in order to facilitate return of cruise ships to Lyttelton in the short term.</p>
Item 4.1.1 - New Container Terminal - Te Awaparahi Bay Reclamation	Support in Part	<p>In its recommendation on the preliminary draft LPRP, the Hearing Panel acknowledged the impact of the reclamation on southern bays communities, particularly Diamond Harbour, will be significant, especially when combined with major landscape changes resulting from the Sumner Road Reopening Project. These changes will also detract from experience of people recreating on the water, beaches and hills around the harbour, and for visitors arriving by cruise ship.</p> <p>The draft Plan notes, "Expert assessments show that the effects of this additional reclamation, particularly on tidal flows and sedimentation, will be minor or manageable" (page 12). However anecdotal evidence shows that port activities have contributed to adverse changes in the past.</p>	<p>The Board does not wish to completely oppose the reclamation.</p> <p>Amend Item 4.1.1 to direct that every possible effort be made to mitigate adverse landscape effects from the reclamation.</p> <p>Amend Item 4.1.1 to direct that the reclamation improve the harbour environment, and does not contribute to further modification of harbour circulation patterns and sedimentation problems.</p>

Released by the Minister for Canterbury Earthquake Recovery

The Public's Preferred Waterfront & Public Transport Access

1 of 2 Options

Oxford Street to Wharf 1

for Ferry, Tug & Charter Boat Operations & Inner Harbour Pedestrian Access

- 400m walking distance from central London Street to the waterfront
- uses predominantly existing infrastructure
- respects historic sites & keeps them accessible to the public
 - * landing place of the Canterbury Pilgrims *First Four Ships*, 1850
 - * the departure point of epic Antarctic Expeditions 1901-1910

Both Options:

- promote Lyttelton Town Centre Earthquake Recovery
- allow LPC operations to continue
- connect the town centre with the waterfront where a rich history may be told, and recreational opportunities may be had
- provide direct & unrestricted pedestrian access (< 400m) walking distance between ferry terminal & central London Street, a measure of good urban design
- offer berthing for Tug Lyttelton
- allow pedestrian access to Dampier Bay marina development (via Norwich Quay)

see over for alternative option



Released by the Minister for Canterbury Earthquake Recovery



Te Rūnanga o NGĀI TAHU

31 August 2015

Draft Lyttelton Port Recovery Plan
Freepost CERA
Canterbury Earthquake Recovery Authority
Private Bag 4999
Christchurch 8140


Tēnā koe

RE: Draft Lyttelton Port Recovery Plan

Please find attached written comments on the draft Lyttelton Port Recovery Plan, submitted on behalf of Te Hapū o Ngāti Wheke, supported by Te Rūnanga o Ngāi Tahu and Te Rūnanga o Koukourārata.

We would be happy to meet with Canterbury Earthquake Recovery Authority to discuss these comments further.

Naku noa, nā


James Caygill
General Manager, Tribal Interests
Te Rūnanga o Ngāi Tahu

Te Rūnanga o Ngāi Tahu
15 Show Place, Christchurch
PO Box 13-046, Christchurch, New Zealand
Phone + 64 3 366 4344, 0800 KAI TAHU
Email: info@ngaitahu.iwi.nz
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Introduction

1. This feedback is provided on behalf of Te Hapū o Ngāti Wheke, who is the representative body of the tangata whenua who hold mana whenua and mana moana over the traditional takiwā of Whakaraupō. Te Hapū o Ngāti Wheke is supported by Te Rūnanga o Ngāi Tahu and Te Rūnanga o Koukourārata. References to 'Ngāi Tahu' in this letter refers to all three parties.
2. The Ngāi Tahu parties support the need for 'recovery' of Lyttelton Port in recognition of its significance to Canterbury's economy. Ngāi Tahu acknowledge that Lyttelton Port Company (LPC) require some certainty to enable the recovery of the port. In equal measure, Ngāi Tahu requires certainty that the recovery of the port will not result in unacceptable or irreversible environmental impacts to Whakaraupō.
3. The original Ngāi Tahu submission supported the preliminary draft Lyttelton Port Recovery Plan, subject to a number of requested amendments intended to ensure protection of cultural and environmental values.
4. The Ngāi Tahu views and position expressed in the Cultural Impact Assessment¹, the Ngāi Tahu submission and hearing presentation remain unchanged. However rather than re-stating those views, this letter focuses on elements of the draft Lyttelton Port Recovery Plan (dLPRP) that Ngāi Tahu either:
 - a) Supports; or
 - b) Where further amendment is sought to better reflect the Hearing Panel's recommendations.
5. Te Hapū o Ngāti Wheke values the positive and longstanding relationship they have with LPC. It is important that this relationship is maintained to support the implementation phase of the LPRP.

Whole of Harbour Integrated Catchment Management Plan

6. Ngāi Tahu supports Action 7 in the dLPRP.
7. Te Hapū o Ngāti Wheke is committed to restoring and managing Whakaraupō as a mahinga kai, and has been advocating for integrated catchment management for many years. An integrated catchment management plan for Whakaraupō provides a pathway for improving the health of the harbour for the benefit of current and future generations.
8. Ngāi Tahu is appreciative of Environment Canterbury's efforts to date in facilitating the establishment of an organisational structure and process for developing a whole of harbour integrated catchment management plan for Whakaraupō.

Reclamation at Te Awaparahi Bay

9. Throughout the preparation of the dLPRP, Ngāi Tahu sought a discretionary activity status for the reclamation. However it was the view of the Panel that effects on environmental and cultural values could be appropriately managed through conditions of consent imposed under a controlled activity status for the reclamation.
10. The Hearing Panel stated that the reclamation must still satisfy the purpose of the Resource Management Act, being sustainable management (para 5.16). It is therefore

¹ Included in the LPC information package

critical that the matters over which control is reserved by the Regional Council under the controlled activity status are wide enough to impose adequately robust conditions.

11. Ngāi Tahu requests further amendment to the matters over which control is reserved in Rule 10.20 of the Regional Coastal Environment Plan in order to ensure the Regional Council does in fact retain the control required to impose appropriate conditions of consent.
12. The amendments proposed above in (h) clarify that the purpose of preparing a Kaimoana Management and Enhancement Plan is not only to manage effects on kaimoana from the reclamation activities, but also to find ways to enhance mahinga kai habitat.
13. The amendments sought are as follows:

Rule 10.20 Controlled Activity – Reclamation in Te Awaparahi Bay

The reclamation or drainage of the foreshore or seabed within Area A shown on Planning Map 10.10 is a controlled activity, provided that the following condition is met:

- a) *A Ngāi Tahu Cultural Impact Assessment is prepared and submitted with the application; and*
- b) *The reclamation or batter slope do not extend within the Battery Point Exclusion Zone shown on Map 10.11.*

Control is reserved over the following matters:

- a) *Design of the finished seaward faces, including visual treatment of the reclamation edge;*
- b) *Methods of reclamation construction including the material used in the reclamation;*
- c) *Preparation and content of a Construction and Environmental Management Plan that includes, but is not limited to the effects of the reclamation on mahinga kai, water quality and marine ecology;*
- d) *The management of any marine biosecurity risks;*
- e) *Methods to control the propagation of sediment plumes during construction;*
- f) *Stormwater management;*
- g) *Methods to manage and offset visual changes;*
- h) *Methods to address cultural matters, including those raised in the Cultural Impact Assessment submitted with the application and ~~including~~ the preparation of a Kaimoana Management and Enhancement Plan, in consultation with Te Hapū o Ngāti Wheke and Te Rūnanga o Ngāi Tahu, that includes but is not limited to:*
 - i. *Details of methods to monitor the health of kaimoana in the vicinity of the reclamation, including surveys using Mātauranga Māori-based techniques, such as the Marine Cultural Health Index (MCHI);*
 - ii. *Assessment of whether the reclamation seawalls can be designed in a manner that creates new habitat space for desired kaimoana species;*
 - iii. *Methods to mitigate and offset the loss of kaimoana as a result of the reclamation such as the establishment of kaimoana gardens or reseedling of chosen kaimoana species to achieve a net gain in mahinga kai; and*
- i) *Methods to implement any offset mitigation or environmental compensation package which has been offered by the applicant; and*
- j) *The matters set out in Rule 10.35.*

Construction and Environmental Management Plan

14. Ngāi Tahu notes the discrepancies in references to a 'Construction Environmental Management Plan' and a 'Construction and Environmental Management Plan' through the draft LPRP and appendices. Ngāi Tahu considers that the inclusion of the word and is important, and requests that it be included. This is consistent with our understanding of what was recommended by the Hearing Panel, and LPC in their information package.
15. For consistency and clarity, Ngāi Tahu therefore requests that all references in the draft LPRP and its appendices refer to a Construction and Environmental Management Plan.

Dredging

16. Ngāi Tahu remains concerned about the ecological impacts arising from sedimentation associated with dredging.
17. Ngāi Tahu supports Policy 10.1.8 where it requires maintenance and capital dredging to be undertaken into accordance with best practice methods.

Spoil deposition

18. Ngāi Tahu continues to be concerned about the volume of spoil to be deposited at the existing spoil dumping grounds by way of the existing resource consent (CRC 135318) and the enabling dLPRP provisions, particularly the potential impact on mahinga kai habitat.
19. The Hearing Panel clearly shared Ngāi Tahu concerns about the lack of detail on likely deposition volumes from various sources intended to be placed at the existing spoil dumping grounds, and the lack of technical information regarding the effects on the spoil dumping grounds from additional dredge material being disposed of.
20. We note that the Hearing Panel's Action 13 *Determination of Volume Limit for the Lyttelton Harbour/ Whakaraupō Spoil Dumping Ground* (page 21 of the Panel's report) has not been inserted into the revised dLPRP. Instead, the dLPRP provides for deposition of seabed material from repair of structures, maintenance dredging and dredging to deepen berth pockets as a controlled activity (Rule 10.17), with volume of spoil being a matter over which control is reserved.
21. Ngāi Tahu is concerned at the practical and legal ability for Canterbury Regional Council to limit the volume of spoil as a condition of consent under a controlled activity status.
22. As outlined in the Ngāi Tahu submission and presentation at the hearing, the existing baseline monitoring data does not provide sufficient information to assess the effects of the deposition authorised by CRC 135318 and deposition anticipated by the controlled activity status.
23. Ngāi Tahu suggests two possible options to address these concerns:
 - a) Defer the operative status of Rule 10.17 of the Regional Coastal Environment Plan until a volume cap is agreed as per Hearing Panel's Action 13; or
 - b) Reconsider the controlled activity status.
24. The options above would be better aligned with Policy 10.1.9 (Deposition of Dredge Spoil) which seeks to ensure that deposition of dredge spoil at the existing spoil dumping ground only occurs if adverse effects are appropriately avoided or mitigated. Ngāi Tahu

supports the intent of this policy, however to avoid any misinterpretation, Ngāi Tahu requests an amendment to Policy 10.1.9 as follows:

Subject to Policy 10.1.10, manage effects of the deposition of dredge spoil at the Spoil Dumping Grounds shown on Planning Map 10.5 by:

- 1) Enabling the deposition of dredge spoil removed during construction activities and the creation of berth pockets where ~~Ensuring that~~ any adverse effects of the deposition of dredge spoil ~~removed during maintenance or capital dredging~~ are avoided, remedied or mitigated; and*
- 2) Requiring monitoring of the deposition area so that any adverse effects on the environment, including māhinga kai, can be identified and managed appropriately.*

25. Movement of contaminated sediment through dredging and deposition is also an important issue for Ngāi Tahu. Ngāi Tahu supports Policy 10.1.10 which seeks to ensure that known or potentially contaminated spoil is assessed for suitability prior to sea disposal.

Redevelopment of Dampier Bay

26. Ngāi Tahu supports the requirements of Action 11 and related policies for subdivision and development of Dampier Bay² that require recognition of historical and contemporary Ngāi Tahu cultural values.

² Primarily Proposed Christchurch Replacement District Plan Policy 21.8.1.3.1

COMMENTS TO THE MINISTER OF EARTHQUAKE RECOVERY ON LYTTELTON PORT RECOVERY PLAN



Comments by:
Coastguard Canterbury
Inc.
Naval Point
Lyttelton

Contact details:
Godley Quay
Lyttelton
03 328 8103
P O Box 522
Christchurch Mail Centre
Christchurch 8140

Coastguard Canterbury has been assisting people in the marine environment around Lyttelton Harbour and Banks Peninsula since 1977. It currently has 27 volunteers who make up its completely voluntary unpaid professional workforce. The Lyttelton based rescue vessel and land based facility is manned with volunteers on weekends and during weekly training evenings. In the event of a search and rescue incident at other times, volunteers assemble at their Naval Point Lyttelton headquarters to launch the rescue vessel in response to a pager call out.

Coastguard rescues group of seven from
Lyttelton Harbour



GKR-3

Gary Lapsley and Alshia Maley relax at home with their children Ozaya Maley, 6, Axel Lapsley, 4, and Kiano Maley, 4, and dog Bessie, after being rescued from Little Port Cooper by the Coastguard late Sunday night.





Figure 1 Present location of Coastguard Canterbury Headquarters

The Canterbury Coastguard headquarters suffered significant earthquake damage. Compromised drainage has left the volunteer unit headquarters prone to flooding.



Coastguard Canterbury has now conducted their volunteer rescue operations in these challenging conditions for five years. Coastguard Canterbury now seeks a planning process that does not impede the recovery of infrastructure in the area in order to advance the best interests of the recreational boating public. Coastguard Canterbury and the Naval Point Club seek to replace their damaged buildings with a shared facility in the area outside the proposed 100m exclusion zone adjacent to the port fuel storage facilities. This will enable Coastguard Canterbury to maintain a rescue service and boating safety education facility in Lyttelton.

Summary of Comments

Coastguard Canterbury supports the proposal to reclaim land to the east of Cashin Quay to enable expansion of commercial port activities.

Coastguard Canterbury supports the proposal that will enable Lyttelton Port Company to maintain a marina facility of a minimum of approximately 180-200 berths.

Coastguard Canterbury supports the inclusion of the Naval Point Boat Harbour zone in the scope of the Lyttelton Port Recovery Plan in order to:

- a) Safeguard the perpetual interests of the recreational boating public in Canterbury
- b) Progress the development of a multi user, multi-use Naval Point Marine and Rescue Centre as an anchor project and recreational boating focal point for the area

Coastguard Canterbury supports the proposed cruise ship berth location at Gladstone Pier inside the inner harbour.

Coastguard Canterbury supports the Panel's recommendation to exclude the proposed Naval Point Cruise ship berth from the LPRP. We ask the Minister to go further and exclude Naval Point as a potential site for consideration for a Cruise Ship Berth.

The LPRP proposes to rezone the Lyttelton Port Company owned land from Boat Harbour Zone to Port Activities. The Boat Harbour Zone provides for a range of activities that must in general be in support of recreational boating. In its submission Coastguard Canterbury proposed that this land be retained as Boat Harbour Zone.

In light of the considerable overlaps between the Lyttelton Port Recovery Plan and the Draft Christchurch Replacement District Plan (Stage II - Chapter 18) we ask the Minister to consider the implications of this on the community and stakeholders in the area. We ask that the impacts on marine recreational activities at Naval Point be given particular consideration. We seek to avoid unnecessary delay, where this can be avoided, to the redevelopment and improvement of the area, and the provision of facilities, that support the interests and safety of the recreational boating public.

Comments

Our Comments on the Draft Lyttelton Port Recovery Plan are as follows:

A. Reclamation and Expansion of Port Activities to the East - Support

Coastguard Canterbury supports the proposal to reclaim land to the east of Cashin Quay to enable expansion of commercial port operations outside the inner harbour for the following reasons:

1. Although this will mean a loss of recreational water space the proposal will enable areas in the inner harbour, including Dampier Bay, to be freed up for recreational activities including a marina. This is important for the recovery of recreational boating in the region.
2. The expansion can also be expected to alleviate the current and anticipated future shortage of flat land in the port area in support of recreational boating activities. Such activities are currently accommodated within the constrained area of Boat Harbour Zoned (Banks Peninsula District Plan) land owned by Christchurch City Council and Lyttelton Port Company at Naval Point. This area is under considerable pressure to meet the current and anticipated future demand from recreational harbour uses
3. Coastguard Canterbury supports the additional environmental protection measures proposed by the Panel to safeguard the health of the harbour to the extent that any such measures do not unreasonably hinder recovery.

B. Dampier Bay Marina Proposal – Support

Coastguard Canterbury supports the proposal that will enable development of a pontoon marina of a minimum of approximately 180-200 berths for the reasons outlined in our submission. These reasons relate in the main to the enhanced safety offered by walk on marina berths and the need to develop such a facility in the Canterbury area.

C. Dampier Bay Public Access – Support

Coastguard Canterbury supports the proposal that will provide public access to and enhancement of areas in Dampier Bay.

D. Dampier Bay Commercial Activities – Support

Coastguard Canterbury supports the proposal that will enable the development of some commercial and retail facilities in the area adjoining the new marina in Dampier Bay.

We believe it is essential that sufficient car parking is provided to meet the needs of any new retail/commercial activity and the marina in accordance with industry standards. We believe this is important to ensure the success of the marina, retail & commercial development and public access. It will also be important to ensure that any adverse impact that an increase in activity and visitors may cause on nearby residents is mitigated.

E. Proposed Cruise Ship Berth (Inner Harbour) - Support

Coastguard Canterbury supports the proposed cruise ship berth location at Gladstone Pier inside the inner harbour for the following reasons:

1. Locating the cruise ship berth in the proposed position inside the inner harbour would have minimal impact on recreational marine operators.

F. Proposed Cruise Ship Berth (Naval Point) – Oppose

Coastguard Canterbury supports the Panel's recommendation to exclude the proposed Naval Point Cruise ship berth from the LPRP. for the following reasons:

1. Although the main reason for excluding the proposal appears to relate to the oil company's safety concerns, it is clear that the Panel understands the significant adverse impact this proposal would have on recreational marine activities. These issues are well documented in our submission and we remain very concerned that this proposal will continue to be advanced through the Resource Management Act process once the oil companies' Quantitative Risk Assessment has been completed.
2. We believe that it would be significantly better for the future planning of the Naval Point area and the recovery of recreational marine activities for this proposal to be abandoned now. This uncertainty creates significant challenges for our Unit and its rebuild and recovery plans. Removing Naval Point completely as a potential cruise ship berth site would expedite planning for the future development of the Naval Point area in support of recreational marine activities.

G. LPC Owned Boat Harbour Zone to Port Activities – Support with Amendment

The current Boat Harbour Zone land at Naval Point, in which the Coastguard Canterbury headquarters is currently located, is mostly owned by CCC but a portion (1.4 ha approx.) is owned by Lyttelton Port Company (Lot 1 DP 80599).

The LPRP proposes to rezone the Lyttelton Port Company owned land from Boat Harbour Zone to Port Activities.

The Boat Harbour Zone provides for a range of activities that must in general be in support of recreational boating. In its submission Coastguard Canterbury proposed that this land be retained as Boat Harbour Zone. The reasons for this are well described in our submission and appear to have been understood and supported by the Panel. However the Panel felt they did not have the ability to retain the existing zone within the prescribed planning framework.

While we accept the practicalities of this situation we do not agree that there is any valid reason to lessen the controls on activities in this area. The result of the Panel's recommended amendments will allow 'marine-related industrial activities' (i.e. not related to recreational boating) to establish in the area. This would mean the potential loss of space available to support recreational boating. This is particularly relevant at this time when space for recreational marine activities is under considerable pressure due to the new rock fall hazard and potential fuel storage setback controls.



The main reason for the Panel's proposal to allow 'marine-related industrial activities' (otherwise excluded in the Boat Harbour Zone) appears to be that such activities have established to some degree in the area already.

We do not accept that this provides justification for lessening of controls and submits that existing use rights (where applicable) should be relied upon.

Coastguard Canterbury seeks the following amendment to Rule 21.8.2.2.1 in the area shown in Appendix 21.8.4.1 (permitted activities):

'iii Marine-related industrial activities, including ship and boat building' should be amended to:

'iii Recreational marine related industrial activities, including boat building'

H. Draft Christchurch Replacement District Plan

There are considerable overlaps between the Lyttelton Port Recovery Plan and the Draft Christchurch Replacement District Plan (Stage II - Chapter 18) particularly in respect of the impacts on marine recreational activities at Naval Point.

In this regard we ask the Minister to consider the implications of this on the community and stakeholders in the area.

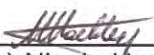
Like the Lyttelton Port Recovery Plan, the Draft Christchurch Recovery Plan process has been significantly impacted by the late raising of safety concerns by the oil companies. The delays these concerns are causing have a significant detrimental impact on Canterbury Coastguard and its proposal to rebuild facilities in conjunction with Naval Point Club. Significantly the further delay means the potential loss of important and significant funding support for Coastguard in this venture.

Until these matters are resolved the Christchurch City Council is not able to complete its planning for the use and development of the Naval Point site in conjunction with the stakeholders. This has significant impact on the proposed new community building with regard to selection of a site, design, feasibility, tenure and funding. This means further delay to Coastguard's and the Naval Point Club rebuild and recovery plans.

We ask the Minister to consider this and seek to avoid any unnecessary delay where this can be avoided.

Thank you for the opportunity to provide further comment.

Dated this 31st day of August 2015.



(Ms) Nicola Hockley
(Acting) President
Coastguard Canterbury Inc



"To improve the harbour environment and habitat and achieve a fair balance between all interests"

Chair: Claire Findlay, ph 3288930
Support: Kris Herbert, ph: 32989384

30 August 2015

Canterbury Earthquake Recovery Authority
Private Bag 4999
Christchurch 8140

Comments on Draft Lyttelton Port Recovery Plan (August 2015)

The following comments relate to the Draft's proposed Whakaraupo/Lyttelton Harbour Catchment Management Plan (WCMP). Background on the Lyttelton Harbour/Whakaraupo Issues Group is appended.

The proposed WCMP is supported however we have serious concerns with the existing policy framework for undertaking this important piece of work and that community and public involvement is not and needs to be an integral part of the plan's development and implementation, the more so in the absence of a robust policy framework. We note the recent considerable history related to the harbour's catchment environment.

With major concerns for the harbour environment and its catchment's management, the community was calling for an integrated approach to its management since at least the late 1990's. The Lyttelton Harbour/Whakaraupo Issues Group was set up in January 1999 by the then Banks Peninsula District Council (now CCC) and ECan with nominated representatives from LPC, DOC, and Te Hapu o Ngati Wheke to address harbour environment issues - see appendix and web sub-site. In 2006, an Integrated Catchment Management Plan for Whakaraupo was programmed under a joint Agreement between CCC and ECan in 2006 (which also programmed ICMP's for CCC's other main catchments) - but this programme was abandoned several years later.

In late 2010 and unrelated to the September 4 earthquake, we were informed that with ECan's focus on freshwater and the Canterbury Water Management Strategy, the 10 year review of the Canterbury Regional Environment Plan which was also to give effect to the NZ Coastal Policy Statement 2010 was put on hold. We understand this work is now programmed to commence 2017 with completion of the planning phase 2019 – 2020. As a result there is no current effective policy framework, no capacity or coastal planning unit, and, significantly also, an associated loss of corporate knowledge and memory on coastal matters.

Lyttelton Harbour/Whakaraupo Issues Group, P.O. Box 127, Lyttelton 8082
www.ecan.govt.nz/lhwig

The current WCMP proposal has a different governance structure and a shift in focus (from the 2006 proposal). We fully support the need to better understand and incorporate mahinga kai. However, we are concerned that, in the absence of even the standard coastal policy planning process and a robust finalised plan, no decisions and agreements are reached in the absence of adequate public and community involvement. We are particularly concerned that no decisions are made that could impact or otherwise pre-empt effective methods related to the recovery of the wider ecological health of the harbour (including harbour hydrodynamics, sedimentation, biodiversity, bio-security etc).

We see WCMP having very important benefits for and therefore support:

- better understanding the needs, customs and improvements in mahinga kai
- stock-take, integration and identification of gaps in traditional and existing scientific knowledge (which will also assist the information gathering phase for the Review of the Canterbury Regional Coastal Environment Plan)
- bringing forward the time frame (as part of its commitment) for undertaking and finalising the CCC's Storm-water Management Plan for Whakaraupo - and associated outcomes.

Otherwise, we seek that all other agreements arising through or as a result of the WCMP are informed by robust and transparent community and public involvement processes. Additionally, we consider the "stock-take" could well benefit from other local community and public knowledge inputs, including for example our Anecdotal Evidence work.

Yours sincerely

Claire Findlay
Chairperson

Released by the Minister for Canterbury Earthquake Recovery

Appendix:

Background on Lyttelton Harbour/Whakaroup Issues Group (the Group or LHWIG)

The Group was formed in January 1999 by ECan and the then Banks Peninsula District Council (now Christchurch City Council) as a result of concerns relating to harbour environment issues¹.

The Group is community lead and includes members of the (10) different harbour basin communities², and is supported by nominated staff from ECan, CCC and LPC, nominated representative from local Runanga, and a CCC Community Board representative. (It originally included a representative from DOC and C&PH but staff cuts have precluded regular participation).

The Group addresses the harbour basin as a whole, irrespective of any agency boundaries or demarcations. Representation from each of the harbour basin communities ensures a holistic approach to addressing harbour basin issues.

For the Group, the “harbour environment” is taken to extend from the “mountains to the sea”; the harbour’s crater rim to its sea floor. The harbour’s coastal environment is seen as integral and the marine environment is recognised as being affected by both land and sea activities and its health reflects this. The Group therefore finds it necessary to address many land and sea related issues in order to seek improvements to the harbour’s marine environment and its many habitats.

More information on the LHWIG, its projects and activities is located on the Group’s web sub-site (a sub-site of Environment Canterbury’s web site) However, it should be noted that, other than the addition of meeting agenda and minutes, the sub-site has not been updated since 2012 (due to reduced capacity since the earthquakes). Consequently, some additional research findings have not yet been included.

¹ and a need for improvement in the following identified areas:

- Better public education on harbour environmental issues
- Wider distribution of information relating to both councils’ activities
- Greater level of local input toward development of Council and regional Council policies relating to activities affecting the harbour.
- Creation of a forum to encourage cooperation between communities and authorities to find solutions to common problems

² Lyttelton, Corsair Bay, Cass Bay, Rapaki, Governors Bay, Sandy Bay, Charteris Bay, Church Bay, Diamond Harbour, Purau