



Proposed Plan [Version 2.0]
PORTS and HARBOURS

Information Sheet 2

Introduction

This information sheet outlines Version 2.0 of the Proposed Hawke's Bay Regional Coastal Environment Plan's content in relation to port and harbour areas in the region.

It is one of a series of information sheets outlining various aspects of the Proposed Plan that has been amended by Council's decisions on submissions previously lodged by people interested in future management of the Hawke's Bay coast.

Why plan for ports and harbours?

The Port of Napier is a major infrastructural asset for the region. The Port and other smaller harbours cannot exist or function without a coastal location. Therefore, plans need to be put in place to ensure ports and harbours can continue to operate without adversely affecting their surroundings.

Who does what?

Most responsibilities for resource management planning of the region's port and harbours lie with regional, city and district councils.

Hawke's Bay Regional Council's responsibilities include managing:

- all activities in the coastal marine area (ie, coastal areas below mean high water springs as far as 22.2 km offshore);
- discharges of contaminants into or onto land, air or water and discharges of water into water;
- the taking, use, damming and diversion of water; and
- land uses for the purposes of water quality, natural hazards and hazardous substances.

Responsibilities of city and district councils include managing:

- land use activities above mean high water springs;
- the emission of noise from land uses;
- historic sites and buildings; and
- subdivision of land.

What issues does the Proposed Plan cover?

The Plan is basically split into two parts. One part includes provisions that apply within the coastal marine area (ie: areas below mean high water springs). The other includes provisions for the rest of the coastal environment.

Port and harbour-related issues covered by the Plan include:

- reclamations and drainage of the foreshore and seabed (*Chs 19 & 27.7*);
- structures erected/placed in the coastal marine area (*Chapters 18 & 27.8*);
- deposition and removal of sediment from the foreshore and seabed (*Chapters 17 and 27.9*);
- noise created by activities in the coastal marine area, but not noise from land-based port and harbour activities (*Chapters 25 and 27.15*);
- access to, and use of, space in the coastal marine area (*Chapters 5, 18 and 27.16*); and
- discharge of contaminants (*Chapters 16 and 27.12*).

Rules in the Proposed Plan

Rules in the plan are written to allow, restrict or prohibit activities, including those identified above. The Proposed Plan uses a zoning technique called 'management areas' as a tool for controlling these activities. The Proposed Plan includes a 'Port Management Area' covering the Port of Napier, and a 'Harbour Management Area' for Napier's Inner Harbour.

The boundaries of these management areas were amended by the Regional Council's decisions issued on 19 July 2008.

Most reclamations in ports and harbours will require a resource consent from the Regional Council. Larger-scale reclamations will require approval from the Minister of Conservation. Rules in the Proposed Plan will also prohibit the use of toxic and waste materials in reclamations.

Resource consents will generally be required for large-scale structures in the Port and Harbour management areas. Like large-scale reclamations, some structures may require the Minister of Conservation's approval. Smaller-scale structures (such as navigation aids and utility services) with less likelihood of having an adverse effect on the coastal environment are not heavily regulated by rules in the Proposed Plan (*refer to Chapter 27.8 for more information*).

Dredging of the seabed in ports and harbours is often necessary to maintain water depths for safe ship manoeuvring and berthing alongside wharves. Rules in the Proposed Plan generally permit the removal of seabed sediment in ports and harbours. Likewise, the deposition of dredged material in specified disposal sites is allowed, subject to certain conditions.

Other disturbances of the foreshore and seabed (such as drilling, excavations or use of explosives) in the Port and Harbour management areas typically require resource consent (*refer to Chapter 27.9 of the Proposed Plan for more information*).

To maintain public safety and security of port facilities, restrictions apply to public access along parts of the coast occupied by the Port of Napier. Any new proposals to fully exclude the public from access or use of the coastal marine area by port operations will require resource consent to be granted by the Minister of Conservation (*refer to Chapter 27.16 of the Proposed Plan for more information*).

The Regional Council is responsible for controlling the emission of noise only from within the coastal marine area. The Proposed Plan's rules identify specific decibel limits on noise from port operations in coastal waters and on wharves over coastal water. These rules are based on a New Zealand Standard for

managing port noise and nearby land use activities and recognise the 24-hour, 7 days a week, operational needs of the port.

Rules in the Proposed Plan cannot control noise created by land-based facilities at the Port of Napier or harbours along the region's coast. Noise emissions from land-based activities are controlled by rules in district plans.

The Regional Council has previously transferred its functions for administering controls on noise emissions within the coastal marine area to the relevant city or district councils. This transfer of functions simplifies which council is to deal with day-to-day noise control issues in the coastal environment.

Decisions Issued

The period for making submissions has closed. The Regional Council has issued its decisions on the 200+ submissions received. Those decisions were issued on 19 July 2008. The Proposed Plan is deemed to be amended by those decisions from that date.

All submitters have the right to lodge an appeal with the Environment Court if they are not satisfied with Council's decision on their submission(s).

Once the Proposed Plan is beyond challenge (ie: no appeals remain unresolved), the Council may then make the Proposed Plan 'operative' with approval from the Minister of Conservation.

Further details on what appeals have been lodged and what provisions those appeals relate to, can be found at www.hbrc.govt.nz

Further Information

For further information on the Proposed HB Regional Coastal Environment Plan, contact:-

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