

Theme Infrastructure

Total number of submission points on the theme

197 individual submission points.

Number of submission points supporting or agreeing with the provisions in the Proposed NZCPS

35 submissions.

Number of submission points opposing the provisions in the Proposed NZCPS

14 submissions.

Note: some submissions comment on but do not support or oppose the provisions.

Key messages within the submissions

1. Ensure current protection and monitoring tools are integrated into Policies 12 and 36.
2. NZCPS restricts maintenance and development of nationally significant transport infrastructure in the coastal environment (i.e. use of rock rip rap to protect highways adjacent to the coast requires consent from the Minister of Conservation). Explicit reference is made to the role of nationally significant infrastructure but no policy provisions apply to the wider coastal environment. This is a significant omission that needs to be rectified.
3. The NZCPS lacks sufficient provision for infrastructure that can only functionally be located in the coastal marine area or which derives benefits from doing so. Topographical constraints and the location of settlements and recreational activities means infrastructure remains a practical necessity in the coastal environment. The NZCPS does not reflect that ports, airports, road and rail bridges, and navigational aids need to span the water/land interface.
4. Significant infrastructure can not be simply relocated and it should be left to the owner to develop creative solutions for dealing with hazard risks. "Where practicable" should be used in this instance.
5. NZCPS doesn't provide a reasonable framework to assess the use of hard protection structures, especially for protecting infrastructure. The NZCPS should recognise the use of hard structures may be appropriate in some areas.
6. Schedule 3 criteria are unbalanced and don't recognise the public benefits that flow from reclamations. Criteria should be expanded to recognise activities which provide other public benefits when determining whether to impose charges.
7. Need to take into account man-made structures (i.e. reclamations) as one of the minimum requirements for assessing the coastal environment.
8. Need to allow for a balance between cultural and amenity values of open space and significant infrastructure that is near the coastal environment. Priority between national infrastructure and natural character is needed in the NZCPS to give certainty to communities.

9. Reality is any infrastructure will alter natural character of the coastal environment, so policies in the NZCPS become unreasonable and fail to enable social and economic wellbeing.
10. Term “infrastructure of national importance” needs a clear definition.
11. Term “natural defence” needs defining. Also at what point does a defence structure become a natural defence?
12. Provisions for nationally significant infrastructure are supported.
13. Ownership of and other Crown interests should not influence decision making under the Resource Management Act.
14. Infrastructure, e.g. Auckland Airport, is just as important as the listed surf breaks.
15. Policy 22 is inappropriate as changes to address uncertainty should be through statutory amendment to the principal Act and not through the NZCPS.
16. Charging for infrastructure of national or regional significance should be excluded in the NZCPS. Reclamation for essential infrastructure that is in the public interest should not have to pay a rental.
17. Need to recognise the appropriateness of restricted public access in certain circumstances i.e. security of facilities and infrastructure.
18. Clarify that where existing marinas, ports and other marine facilities provide adequate sewage and waste collection that the NZCPS won't impose further obligations.
19. Clarification is required on at what point a structure becomes a vessel, e.g. a semi-submersible oil-rig.
20. The proposed NZCPS lacks sufficient recognition of the value of the coastal environment for many beneficial forms of use and development and fails to provide properly for such activities. The proposed NZCPS is unbalanced in the number of provisions that control most forms of use and development. There is not sufficient distinction provided between use and development that achieves a high level of community and social and economic wellbeing and which are of regional and national significance (i.e. ports and railway). The NZCPS does not make sufficient provision for the country's ports, which are vital infrastructure in New Zealand and must functionally have a significant component of their activities located in the CMA.

Additional Provisions Sought

21. Submission 378.2 states that the proposed NZCPS does not make sufficient provision for infrastructure which can only functionally be located in the coastal marine area or which derives benefits from doing so. A new objective is requested as follows:

Use and development that enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, which functionally can only be located in the coastal environment and in the coastal marine area in particular, or that derives particular benefits from such a location, is recognised and provided for.

22. Submission 491.39 requests that Policies 17 and 18 are merged to read:

Policy 17: Crown interest in particular activities in the coastal marine area.

Policy statements and regional coastal plans shall have regard to the Crown's interest in making the coastal marine area available for:

- (a) infrastructure of national importance;
- (b) renewable energy generation; and
- (c) aquaculture activities;

where such use and development would meet the purpose of the Act.

23. Submissions 380.32 and 404.34 states that it is notable that this NZCPS has this policy specifically recognising the Crown's interest in making opportunities available for aquaculture but not for ports and port facilities which are the most important activity occurring in the coastal marine area, being responsible for the vast majority of New Zealand's trade. A new policy 18A should be inserted as follows:

Policy 18A: Crown interest in port activities.

Policy statements and regional coastal plans shall have regard to the Crown's interest in making opportunities available for port activities in the coastal marine area, where such use and development would meet the purpose of the Act.

24. Submission 380.33 states that in addition to recognising the Crown's interest in making opportunities available for port activities, it is also appropriate that the Crown also acknowledge that the country's current ports are of national significance, just as the six named surf breaks in Policy 20. Insert a new policy as follows:

Policy 18B: Ports of national significance

Northport at Whangarei, the Ports of Auckland, the Ports of Tauranga, Eastland Port at Gisborne, the Port of Napier, CentrePort at Wellington, Port Taranaki, Port Nelson, Port Marlborough, the Port of Lyttleton, PrimePort at Timaru, Port Otago at Dunedin, South Port in Invercargill, the Port of Greymouth and Buller Port at Westport, are of national significance for port activities and shall be protected from inappropriate subdivision, use and development, including by:

- (a) ensuring that activities in the coastal environment do not adversely affect these ports; and
- (b) avoiding, remedying, or mitigating adverse effects of other activities on access to, and use of the ports.

25. Submission 378.40 states that although it is inappropriate for Policy 20 and for Policy 18 to be included in the NZCPS, in the absence of similar policy recognising the importance of Auckland International Airport is of national significance, just as the six named surf breaks. A new Policy 20B should be added as follows:

Policy 20B: Airport of national significance

Auckland international Airport is of national significance for airport activities and shall be protected from inappropriate subdivision, use and development including by:

- (a) ensuring that activities in the coastal environment do not adversely affect the Auckland International Airport and airport activities; and
- (b) avoiding, remedying or mitigating adverse effects or other activities on access to, and use of Auckland International Airport.

26. Submission 371.1 states that Telecom has operations and maintenance responsibilities for all four international submarine cables which come ashore in the greater Auckland area. These cables supply international communications and are the gateway to the “online world” for both New Zealand and Australia. It is imperative that any new legislative framework recognizes the following principles:
- (a) New Zealand is a signatory to the United Nations Convention on the Law of the Sea (UNCLOS) and as such has obligations pertaining to submarine communications cables.
 - (b) Submarine communications cables are a legitimate user of the seabed.
 - (c) Submarine communications cables are benign structures.
 - (d) The international submarine cables, in particular, are key components in New Zealand’s infrastructure.
 - (e) The international submarine cables will continue to play a primary role in the future economic growth of New Zealand.
 - (f) Damage to the international submarine cables will have severe social and economic consequences for New Zealand.

There should be harmonisation of policy and associated consent processes for infrastructure initiatives such as submarine communication cables that straddle EEZ, coastal marine areas and land. Submarine cables are critical assets in New Zealand’s infrastructure and as such must be adequately protected.