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**REPORT 2**  
*(1215/11/IM)*

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**SUBMISSIONS TO THE MINISTRY OF TRANSPORT ON  
THREE MARITIME DISCUSSION DOCUMENTS**

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**1. Purpose of Report**

This report seeks the Council's agreement to the submissions (attached as Appendices 2 – 4) to the following Ministry of Transport discussion papers for public consultation:

- Sea Change Strategy – Transforming Coastal Shipping in New Zealand
- Port and Harbour and Navigation Safety Management
- Four International Maritime Environmental Conventions / Protocols.

**2. Executive Summary**

The Ministry of Transport has requested comment on the above discussion documents relating to maritime transport. While the Port of Wellington falls under the auspices of Greater Wellington Regional Council, other areas of the harbour will also be affected and the potential impacts of activities at the Port, and of transport between port destinations, create relevance for Wellington City Council.

The Council seeks to operate in an environmentally sustainable manner. It is working to realise a vision of carbon neutrality for Council operations and the city as a whole, while at the same time optimising the city's economic performance, working to protect and enhance Wellington City's harbour, foreshore environments and ecosystems, as well as balancing the recreational needs of residents.

Therefore the Council upholds the importance of both optimising freight transport efficiency and of mitigating energy emissions. The Council supports moves that will improve Wellington's international connectedness and competitiveness while minimising greenhouse gas emissions. Any proposed changes to the management of port and harbour operations should:

- reflect engagement with all those impacted
- ensure personal safety
- mitigate risk to property
- optimise preparedness for responding to an incident.

Submissions for each document are attached for agreement by the Council.

### **3. Recommendations**

It is recommended that Council:

1. *Receive the information.*
2. *Agree to the submission, attached as Appendix 2, to the discussion document: Sea Change Strategy – Transforming Coastal Shipping in New Zealand.*
3. *Agree to the submission, attached as Appendix 3, to the discussion document: Port and Harbour and Navigation Safety Management.*
4. *Agree to the submission, attached as Appendix 4, to the discussion document: Four International Maritime Environmental Conventions / Protocols.*
5. *Delegate to the Mayor, the Transport Portfolio Leader and the Chief Executive the authority to approve minor changes.*

### **4. Background**

The Ministry of Transport has requested comment on three discussion documents relating to maritime transport.

A summary of the key points from each document is attached as Appendix 1.

Input for the Council's draft submissions has been sought from Greater Wellington Regional Council, Positively Wellington Business (The Regional Economic Development Agency) and Positively Wellington Tourism.

The closing date for submissions for each document is 19 December 2007.

### **5. Discussion and Submissions**

#### **5.1 Strategic fit**

As an island nation surrounded by the world's largest ocean and with a heavy reliance on shipping for our international trade, New Zealand has a strong interest in the effective regulation and peaceful management of international shipping which passes through New Zealand waters.

While the Port of Wellington falls under the auspices of Greater Wellington Regional Council, other areas of the harbour will also be affected and the potential impacts of activities at the Port and between port destinations create relevance for the Council. The Council's Wellington Emergency Management Office works closely with Greater Wellington Regional Council in preparing for emergency responses.

The Council's interests relate to its strategies for Urban Development, Transport, Economic Development, Environment, and Social and Recreation, as expressed in its LTCCP. In particular, the documents consider operational aspects of shipping which can potentially impact Wellington's economic activity and environment.

## **5.2 Summary of documents and proposed recommendations**

### **5.2.1 Draft Sea Change Strategy – Transforming Coastal Shipping in New Zealand**

This draft national strategy outlines proposals from government on how and why an increased proportion of the growth in inter-regional domestic sea freight can be carried by sea in the future.

Local Government New Zealand is making a submission on the draft Sea Change Strategy.

#### **Key features of the draft Strategy:**

- Projected growth in inter-regional freight creates risks (e.g. of increased emissions) and opportunities (e.g. the development of an integrated 'co-modal' transport approach).
- Reliance on road transport can constrain economic growth, create congestion and lower the resilience of the transport system.
- Government seeks to increase the proportion of inter-regional domestic sea freight carried by sea in the future by at least 30% by 2040 - twice the current level.
- Potential benefits include fewer emissions, reduced road congestion and more efficient freight transport.

#### **The Strategy proposes:**

- promoting sustainable transport choices
- improved understanding of modal options to optimise timeliness and cost
- use of non-fossil fuels and fuel-efficient technologies
- a four step action plan including a Maritime Liaison Unit, improved access to funding, information gathering and workforce capability initiatives.

#### **Proposed recommendations from the Council:**

The Council supports:

- connectedness, for both passengers and freight
- regional servicing with Wellington being a sea transport hub and a gateway to the South Island
- measures that reduce risk of economic disruption, such as flexibility for meeting local needs, and security of supply
- freight transport mode options that:
  - reduce emissions and road congestion
  - respond to new learning and emerging technologies
- maintenance of recreational access to fishing in the harbour.

The Council recommends that measures be included to protect the harbour, foreshore environments and biodiversity.

## **5.2.2 Port and Harbour and Navigation Safety Management**

Current port and harbour control measures rely heavily on local authorities acting individually. Local authorities possess varying levels of capability and face many competing demands on their resources. This situation has implications for consistency of standards and safety outcomes. Safety is managed largely through a voluntary code that has no legal force.

A lack of jurisdictional clarity affects the relationship between local and central government navigation control responsibilities. Existing arrangements involve a patchwork of local and national controls under separate statutes, which is complex, confusing, and creates compliance problems and inconsistency in standards.

The discussion document looks at the implications of this situation for safety outcomes and also whether there is scope to improve arrangements for dealing with navigation safety in areas outside ports and harbours.

### **Key features:**

The document considers whether the voluntary code for harbour safety management, should be made mandatory. It considers four possible approaches:

1. Status Quo– retain an entirely voluntary approach - minimises compliance cost but has no mechanism for enforcement and no guarantee of future commitment from local authorities.
2. Provide for formal recognition of the Code – provides increased status but is still not binding.
3. Introduce statutory provisions to supplement the existing Code or a formal code of practice. A balanced mix of the following is the Ministry of Transport’s preferred option:
  - local harbour safety control becoming a statutory function of regional councils
  - imposing safety duties on port facility operators and other marine service providers
  - requiring port marine service providers to hold a maritime document
  - providing explicit powers for the Director of Maritime New Zealand in respect of port and harbour safety
  - extending maritime rule making powers to include port and harbour marine safety.
4. Make the Code mandatory - offers apparent simplicity, but reduces flexibility and the financial and legal ramifications could be considerable.

### **Proposed recommendations from the Council:**

- The Council supports measures which:
  - ensure personal safety and economic security, mitigate risk to property and provide for appropriate response to incidents
  - enhance the Port’s reputation as a well-managed destination
  - reduce risks to the harbour, foreshore environments and biodiversity
  - ensure safe access for recreational fishing.

- The Council supports a user-pays approach and does not support rating as an appropriate approach to cover recreational navigation safety costs.
- The Council supports Options Two and Three, strengthening the code of practice, at a regional level where possible. This will provide a better approach to ensure the range of needs and opportunities at each harbour can be appropriately considered, while minimising compliance costs.

### **5.2.3 Four International Maritime Environmental Conventions / Protocols**

This document considers effective regulation and peaceful management of all international shipping which passes through New Zealand waters.

#### **Key features:**

It examines the background, risks, legislative implications, and potential costs and benefits of New Zealand becoming party to each of four additional international maritime environmental conventions/protocols. These provide global mechanisms for addressing the pollution risks that exist from the transport of substances by sea. The measures include:

- intervention powers and preparedness
- response measures for hazardous and noxious substance spills
- liability and compensation regimes for damage caused by marine incidents.

#### **Proposed recommendations from the Council:**

- The Council supports:
  - minimising risks while optimising preparedness for responding to an incident at sea
  - a user-pays approach to any incidents
  - the Government becoming party to the conventions / protocols to:
    - reduce risk to Wellington City's environments and ecosystems
    - reduce risk to the city's waterfronts, reputation and economy
    - promote timely and effective recovery from an incident, including through the role of the Wellington Emergency Management Office.

Further detail can be found in the submissions.

## **6. Conclusion**

Consideration has been given to the implications for Council of the maritime transport discussion documents, and submissions on these to the Ministry of Transport have been prepared for consideration.

Contact Officer: *Ken Bowater, Senior Policy Advisor*

## **Supporting Information**

### **1) Strategic Fit / Strategic Outcome**

*The submission supports the following Council outcomes across the Strategies for Urban Development, Transport, Economic Development, Environment, and Social and Recreation:*

*1.1.b, 2.3, 4.5 More sustainable - reduced environmental impact by making efficient use of energy, water, land and other resources, conserving resources and minimising waste; shifting towards renewable energy resources.*

*1.2, 2.2, 3.5 More prosperous – strong and growing economy; offer a wide range of sustainable employment and business opportunities*

*3.6 More competitive – attract and retain a diversity; of people, investment, businesses and industry*

*1.4, 2.5, 4.6, 6.6 Safer – access to safe and reliable energy and water supplies*

*4.7 Healthier – protect and restore land- and water-based ecosystems*

*2.4.a, 3.4, 4.4 Better connected – connected locally, nationally and globally, offering world class accessibility and linkages*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*Not applicable, as there is no funding requirement.*

### **3) Treaty of Waitangi considerations**

*No significant Treaty implications.*

### **4) Decision-Making**

*This is not a significant decision.*

### **5) Consultation**

*Not required as Council is not making a decision or commencing an initiative that relates to Part 6 of the Local Government Act 2002.*

### **6) Legal Implications**

*Not applicable.*

### **7) Consistency with existing policy**

*This report makes recommendations which are consistent with existing WCC policy, such as those for coastal management and economic development.*

### Summaries of the maritime discussion documents

#### 1 Sea Change Strategy – Transforming Coastal Shipping in New Zealand

[Full document: [www.transport.govt.nz/seachange](http://www.transport.govt.nz/seachange)]

The draft *Sea Change Strategy - Coastal Shipping in New Zealand* outlines proposals from government on how and why an increased proportion of the growth in inter-regional domestic sea freight can be carried by sea in the future. Projected growth in inter-regional freight creates risks (e.g. of increased emissions) and opportunities (e.g. the development of an integrated ‘co-modal’ transport approach).

Key features of the discussion document:

- The perceived benefits of an increased emphasis on sea freight include:
  - contribution to Government’s climate change goals as sea freight is relatively more energy efficient
  - mitigating the economic impacts of road congestion
  - responsiveness to international shipping trends towards bulk sea freight - a hub-and-spoke approach, supported by a strong coastal shipping network, is seen as providing an efficient approach to managing the flow of freight.
- Continuing dependence on road transport is seen to constrain economic growth, create congestion, impact personal safety, create noise and lower the resilience of the transport system. The Strategy offers the following solutions to these issues:
  - promoting transport choices that mitigate emissions and congestion through provision of information on option impacts or requiring that users pay the full cost of their choices
  - improved understanding of modal options and combinations of these (co-modality) in order to optimise timeliness and cost
  - use of fuel-efficient technologies
  - use of non-fossil fuels.
- While the Strategy is seen as being consistent with the New Zealand Energy Strategy and the New Zealand Energy Efficiency and Conservation Strategy, the continuing contribution to emissions (through sea freight use of non-renewable energy) is acknowledged as an area for ongoing work.
- A goal is set for coastal shipping to be carrying at least 30% of all inter-regional domestic freight in New Zealand by 2040. This is twice the current contribution.
- A four step action plan is initially proposed:
  - establishment of a Maritime Liaison Unit as a visible focal point for the revival of coastal shipping in New Zealand
  - improved access to funding through the National Land Transport Fund
  - information gathering to inform decisions about coastal shipping
  - workforce initiatives to ensure the industry has the necessary competencies.
- Consequent matters that may be considered include:
  - the relationship of international shipping companies to coastal operators
  - the strategic importance of domestic sea freight capability
  - clarification of the Maritime Transport Act 1994.

## 2 Port and Harbour and Navigation Safety Management

[Full document: [www.transport.govt.nz/portandharbour](http://www.transport.govt.nz/portandharbour)]

This document discusses issues raised by the development of the New Zealand Port and Harbour Marine Safety Code 2004 (the Code). The Code establishes best practice guidelines to address harbour safety management shortcomings identified following a series of shipping incidents in 2002-2003, most notably the grounding of the Jody F Millennium in Gisborne.

The Code is voluntary because the relevant legislation does not provide for formal implementation of such measures, raising questions over the implications of continued reliance on an entirely voluntary arrangement. It looks at the implications of this situation for safety outcomes and also whether there is scope to improve arrangements for dealing with navigation safety in areas outside ports and harbours.

The document explores four possible approaches to the matter, as well as a suggestion that the concept of a centralised model for harbour safety delivery should be considered.

The document also invites comments on suggested measures to improve the workability and coherence of the legislative framework for navigation safety management.

### 2.1 Port and Harbour Safety Options

The following table outlines the four options under consideration.

Option One	Status Quo– retain an entirely voluntary approach
<p><b>Key Points</b></p>	<p>The National Advisory Committee on port and harbour safety is well placed to identify and resolve problems with Code implementation and support its members’ continuing commitment to the Code.</p> <p>A voluntary approach provides flexibility to change arrangements quickly. Expenses associated with participation in the Code are incurred voluntarily, avoiding compliance cost issues involved with regulatory measures.</p> <p>However, a safety system built entirely on voluntary compliance is reliant on the continuing goodwill and commitment of its participants. While support for the Code is consistent at present, there is no guarantee of future commitment, nor any formal means to address subsequent problems.</p>

<b>Option Two</b>	<b>Provide for formal recognition of the Code</b>
<b>Key Points</b>	<p>Measures in the Code would become the subject of a Ministerially-approved code of practice, which though not binding, would give them the status of an approved, published statutory document.</p> <p>This arrangement would allow flexibility to include practices and standards contained in a document prepared or issued by any organisation or authority, and to amend measures in the Code (following consultation).</p> <p>However, the introduction of formal consultative and approval procedures would involve costs and additional consultation may lead to delays.</p>
<b>Option Three</b>	<b>Introduce statutory provisions to supplement the existing Code or a formal code of practice</b>
<b>Key Points</b>	<p>Several possible options are explored in this context including:</p> <ul style="list-style-type: none"> <li>• local harbour safety control becoming a statutory function of regional councils</li> <li>• imposing safety duties on port facility operators and other marine service providers</li> <li>• requiring port marine service providers to hold a maritime document</li> <li>• providing explicit powers for the Director of Maritime New Zealand in respect of port and harbour safety</li> <li>• extending maritime rule making powers to include port and harbour marine safety.</li> </ul> <p>In the Ministry's view, a suitably balanced mix of these functions, duties and powers, allied to a voluntary Code, could offer the best long term approach to port and harbour safety management.</p>
<b>Option Four</b>	<b>Make the Code mandatory</b>
<b>Key Points</b>	<p>While making the Code mandatory has the benefit of apparent simplicity, the financial and legal ramifications could be considerable.</p> <p>Matters that can readily be included such as recommended practice and guidance in a voluntary instrument would take on a new meaning if they became mandatory.</p> <p>Converting the Code into a mandatory instrument through the rules process would limit the flexibility to modify and update its requirements.</p>

### **2.2 Centralised Harbour Control**

Current port and harbour control measures rely heavily on local authorities acting individually. Local authorities possess varying levels of capability and face many competing demands on their resources. Safety is managed largely through a voluntary code that has no legal force and it has been suggested to government that centralised delivery of the harbour-control function could produce improved consistency of standards and better safety outcomes.

The document looks at how such an arrangement might work, with the caveat that a convincing case would need to be made in order to justify such a far-reaching step.

### **2.3 Navigation Safety**

A lack of jurisdictional clarity affects the relationship between local and central government navigation control responsibilities. Existing arrangements involve a patchwork of local and national controls under separate statutes, which is complex, confusing and creates compliance problems and inconsistency in standards. A consolidated regime could allow better harmonisation of roles and responsibilities, regulatory process and compliance and enforcement mechanisms.

The document discusses whether legislation should clarify regional councils' responsibility for navigation safety within their regions, together with measures to improve the enforceability of safety controls. It also canvasses the merits of consolidating all navigation safety controls, including port and harbour safety, in one statute (preferably the Maritime Transport Act).

## **3 Four International Maritime Environmental Conventions / Protocols**

[Full document: [www.transport.govt.nz/4conventions](http://www.transport.govt.nz/4conventions)]

As an island nation, surrounded by the world's largest ocean and with a heavy reliance on shipping for our international trade, New Zealand has a strong interest in the effective regulation and peaceful management of international shipping which passes through New Zealand waters. New Zealand has shown its commitment to being a good international citizen by becoming party to a number of international maritime conventions/protocols which promote safety and good environmental practice.

The discussion document outlines the general process for government consideration of international conventions/protocols. The document examines the background, risks, legislative implications, and potential costs and benefits of New Zealand becoming party to each of four additional international maritime environmental conventions/protocols.

The four conventions/protocols have been promulgated by the International Maritime Organisation, and provide global mechanisms for addressing the pollution risks that exist from the transport of substances by sea. The discussion document considers conventions/protocols concerned with:

- intervention powers and preparedness
- response measures for hazardous and noxious substance spills
- liability and compensation regimes for damage caused by marine incidents including from bunker fuel oil.

The following table identifies the four conventions/protocols under consideration, a brief description, and some key points raised in the body of the paper.

**The Four Conventions/Protocols**

<b>International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunkers Convention)</b>	
<b>Description</b>	The Bunkers Convention establishes a liability regime for damage from bunker oil spills. The regime consists of strict but limited liability for ship owners and requirements for compulsory insurance to cover that liability.
<b>Key Points</b>	<p>Strict liability would speed the process for obtaining compensation payments for bunker oil spills, and encourage greater compliance and care for environmental protection amongst potential polluters.</p> <p>The potential costs imposed by the Bunkers Convention are limited, as many of the requirements of the Convention are already met by New Zealand domestic law.</p>

<b>Protocol of 1996 to amend the International Convention on the Limitation of Liability for Maritime Claims 1976 (LLMC Protocol)</b>	
<b>Description</b>	The LLMC Convention 1976 sets out the shipowners' right to limit their liability in respect of various types of maritime claims. The LLMC Convention also identifies conduct that will bar a limitation claim, the formula for calculating the limits of liability and the unit of account to be used. The 1996 LLMC Protocol significantly increases the liability limits for compensation established by the LLMC Convention, whose values have been eroded by inflation.
<b>Key Points</b>	<p>Claimants would receive more appropriate levels of compensation. Most affected ships will already be insured at the higher amounts specified by the Protocol.</p> <p>Therefore the costs of compliance with the Protocol are not significant.</p>

<b>Protocol Relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil 1973, as amended (Intervention Protocol)</b>	
<b>Description</b>	The Intervention Protocol affirms the rights of coastal states to take measures on the high seas to protect their coastlines and other interests from pollution by substances other than oil.
<b>Key Points</b>	<p>The benefits of early intervention for New Zealand include the possible minimisation of health and injury risks to those on board a stricken vessel and the potential to prevent serious harm to wider public health and the environment.</p> <p>The potential costs imposed by the Intervention Protocol are limited as many of the requirements of the Protocol are already met by New Zealand domestic law.</p> <p>There is a small potential risk of increasing the liability of the government if intervention measures taken were found to be in contravention of the Protocol. This risk could be minimised by conducting appropriate consultations with the affected parties.</p>

<b>Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances 2000 (OPRC-HNS Protocol)</b>	
<b>Description</b>	The OPRC-HNS Protocol establishes national and regional measures for preparing and responding to maritime pollution spills from hazardous and noxious substances (HNS) other than oil.
<b>Key Points</b>	<p>Becoming party to the OPRC-HNS Protocol would help ensure that New Zealand is adequately prepared for, and capable of, responding to major spills of HNS in New Zealand waters.</p> <p>The ability to provide an effective response to an HNS incident has a number of benefits to New Zealand which include reducing or avoiding risks to public health and the environment, providing greater safety and security for those on a stricken vessel, other maritime traffic and those ashore. A rapid and effective early response could result in reducing or preventing a major catastrophic incident.</p> <p>Preliminary estimates of the costs of implementing the Protocol are in the order of \$2 million in one-off capital and \$2.5 million in annual ongoing costs. These costs could be met in a number of ways, including general or more targeted levies on vessels.</p>

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The closing date for submissions is 19 December 2007.

### **Submission: Sea Change – Transforming Coastal Shipping in New Zealand – Draft Strategy**

This submission is from the Wellington City Council. The Council's submission will also be forwarded to Local Government New Zealand for consideration with their submission.

Enquiries can be made to Ken Bowater, Senior Policy Advisor, DDI 801 3705, [ken.bowater@wcc.govt.nz](mailto:ken.bowater@wcc.govt.nz).

### **Background into Council interest in maritime management**

The Council upholds the importance of both optimising freight transport efficiency and of mitigating energy emissions. The Council seeks to operate in an environmentally sustainable manner. It is working to realise a vision of carbon neutrality for Wellington City Council operations and the city as a whole, while at the same time optimising the city's economic performance and balancing the recreational needs of residents.

### **General view**

The Council supports moves that will improve Wellington's international connectedness and competitiveness while minimising greenhouse gas emissions. Any proposed changes should reflect engagement with all those impacted including local authorities, road transport operators and transport users.

### **Specific comments**

While the Strategy targets domestic sea freight, it must be considered within the broader context of international sea transport and of passenger transport.

As stated in its Long Term Council Community Plan, Wellington City Council aims for Wellington to be better connected, locally, nationally and globally, offering world class accessibility and linkages. The Council sees the Strategy as providing opportunity for enhanced:

- connectedness, for both passengers and freight
- regional servicing with the Port of Wellington being a sea transport hub as described in the Strategy
- inter-Island connectedness, strengthening Wellington's position as a gateway to the South Island.

Council supports measures that reduce any risk of economic disruption. For instance, in the event of a natural or other disaster causing significant disruption to the roading network into Wellington, the city would be heavily reliant on

shipping during any recovery period. A robust transport network is crucial to Wellington City's continuing economic success. Such a system must offer:

- a range of modal options to suit particular user needs and flexibility to accommodate seasonality and other changes in demand over time
- security of supply to maintain the confidence of users.

The Council supports the proposed increased emphasis on sea freight as a way of reducing emissions. This aligns well with the Council's vision of carbon neutrality.

However, the Strategy appears to further entrench reliance on non-renewable energy use for transportation. Technological developments need to continue to be monitored so that transport options can consider future trends in relative efficiencies and emissions of transport modes.

Congestion mitigation and improved health outcomes for residents and visitors through reduced road pollution are also supported by the Council as likely outcomes of the Strategy.

The Council is concerned that increased sea transport creates increased risk of consequent impacts of pollution (air, noise, water, debris). The proposed Strategy must be developed in parallel with measures to manage these risks and the accompanying maritime management discussion documents will contribute to this work.

It is critical that the harbour, foreshore environments and biodiversity are protected. The Council would welcome the opportunity to participate in work achieve this.

One of the risks from increased congestion of Port Nicholson is reduced access for recreational fishers. Provision for maintaining recreational access to fishing in the harbour should be included for consideration in the Strategy.

Yours sincerely,

**Kerry Prendergast**  
**Mayor, Wellington City Council**

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The closing date for submissions is 19 December 2007.

### **Submission: Port and Harbour and Navigation Safety Management Discussion Document**

This submission is from the Wellington City Council. The Council's submission will also be forwarded to Local Government New Zealand.

Enquiries can be made to Ken Bowater, Senior Policy Advisor, DDI 801 3705, [ken.bowater@wcc.govt.nz](mailto:ken.bowater@wcc.govt.nz).

### **Background into Council interest in maritime management**

The Council upholds the importance of both optimising freight transport efficiency and of mitigating energy emissions. The Council seeks to operate in an environmentally sustainable manner. It is working to realise a vision of carbon neutrality for Wellington City Council operations and the city as a whole, while at the same time optimising the city's economic performance and balancing the recreational needs of residents.

### **General view**

The Council upholds the importance of managing port and harbour operations in a manner which ensures personal safety, mitigates risk to property and provides for appropriate response to incidents. The Council seeks to minimise risk to its residents and to economic activity in Wellington.

### **Specific comments**

Shipping movements through Port Nicholson, of both freight and passengers, make significant contributions to Wellington's economy. The Council supports measures that enhance the Port's reputation as a well-managed destination. Effective harbour management can contribute to this.

The Council also sees effective port and harbour management as reducing risks to the harbour, foreshore environments and biodiversity. Hazardous waste, wake intensity, flotsam and general silting can have significant impacts.

Harbour pollution risk is likely to be reduced through effective maritime management. Of particular importance in Wellington is ensuring that flotsam and waste (such as bark blown from the timber loading area) does not end up on the foreshores, including Oriental Beach.

Another important aspect of port and harbour management to the Council is the opportunity to provide for secure, safe access for recreational fishing.

While the Council would seek to minimise compliance costs, it supports a user-pays approach. The Council does not support rating as an appropriate approach to cover recreational navigation safety costs.

The Council supports Options Two and Three, strengthening the code of practice, at a regional level where possible, as providing a better approach to ensure the range of needs and opportunities at each harbour can be appropriately considered, while minimising compliance costs.

Yours sincerely,

**Kerry Prendergast**  
**Mayor, Wellington City Council**

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The closing date for submissions is 19 December 2007.

### **Submission: Four International Maritime Environmental Conventions/Protocols – Discussion Document**

This submission is from the Wellington City Council. The Council's submission will also be forwarded to Local Government New Zealand.

Enquiries can be made to Ken Bowater, Senior Policy Advisor, DDI 801 3705, [ken.bowater@wcc.govt.nz](mailto:ken.bowater@wcc.govt.nz).

### **Background into Council interest in maritime management**

The Council upholds the importance of both optimising freight transport efficiency and of mitigating energy emissions. The Council seeks to operate in an environmentally sustainable manner and is working to protect and enhance Wellington City's harbour, foreshore environments and ecosystems. The Council's Wellington Emergency Management Office works closely with Greater Wellington Regional Council in preparing for emergency responses.

### **General view**

The Council upholds the importance of minimising risk to people and environments that can arise from transportation by sea, and of optimising preparedness for responding to an incident.

### **Specific comments**

The Council supports, as part of a whole-of life stewardship approach to products and services, the concept of user-pays in regard to any incidents. This is aligned with the Council's commitment to climate change leadership.

The Council supports the Government taking a leadership position internationally by becoming party to mechanisms that promote responsible actions to reduce the risk of incidents and to ensure preparedness for responding. Clarity around responsibilities and liabilities for preventing and responding to incidents will:

- reduce risk to Wellington City's environments and ecosystems
- reduce risk to Wellington City's waterfront environment, reputation and economy (from an incident at Oriental Beach, for instance)
- promote timely and effective recovery from an incident, including through the role of the Wellington Emergency Management Office.

Yours sincerely,

**Kerry Prendergast**  
**Mayor, Wellington City Council**