

**BEFORE INDEPENDANT HEARING COMMISSIONERS
APPOINTED BY TE AWA KAIRANGI HUTT CITY COUNCIL**

IN THE MATTER **of the Resource Management Act 1991**

AND

IN THE MATTER **of hearing submissions on the Proposed
Hutt City Council District Plan**

HEARING TOPIC **Hearing Stream 2: Business**

**SUMMARY STATEMENT OF ALICE JANE BLACKWELL ON
BEHALF SEAVIEW MARINA LIMITED (SUBMITTER 343)**

PLANNING

28 MAY 2026

INTRODUCTION

- 1.1 My name is Alice Jane Blackwell. I provided a primary statement of evidence in support of the submission from Seaview Marina Limited for Hearing Stream 2 – Business, dated 8 May 2026 and rebuttal evidence dated 20 May 2026. My qualifications, experience, and commitment to complying with the Expert Witness Code of Conduct 2023, are set out in my primary statement of evidence.
- 1.2 Since the submission of my primary statement of evidence (8 May 2026) and rebuttal evidence (20 May 2026) I have read relevant sections of the following:
- Hearing 2 – Commercial and Industrial S42A Reporting Officer Rebuttal Evidence
 - Hearing 2 – Hazardous Substances Contaminated Land – s42A Reporting Officer Rebuttal Evidence
 - Jenny Polich (on behalf of the Fuel Companies) Rebuttal Evidence
 - Rob Enright (Counsel for Fuel Companies) Legal submission.

IS THE SEAVIEW MARINA INFRASTRUCTURE?

- 1.3 I remain of the view that Seaview Marina is “infrastructure” as defined under Section 2 of the Resource Management Act and therefore the enabling provisions of the National Policy Statement for Infrastructure are relevant to Seaview Marina.

- 1.4 In respect of the definition of infrastructure, I agree that a “fine grained analysis¹” of the Seaview Marina facilities may be warranted to identify the specific aspects of the marina that directly relate to the “*facilities for the loading or unloading of cargo or passengers carried by sea²*”.
- 1.5 There is agreement across experts that the bulk fuel storage terminals in Seaview and fuel transmission pipeline are “infrastructure³” and “regionally significant infrastructure⁴”.

DEFINITION OF ACTIVITY SENSITIVE TO HAZARDOUS SUBSTANCE RISK

- 1.6 In my opinion, the definition of “activity sensitive to hazardous substance risk” should not include:
- “office activity, other than ancillary to an activity that is not an activity sensitive to hazardous substance risk”.*
- 1.7 Informed by the evidence of Mr Van de Munckhof⁵, “office:” under the HIPAP 4 would be subject to a less stringent risk criterion (being the five in a million risk criterion). As outlined in my primary evidence, I understand that the five in a million risk criterion for office sits almost entirely within the fuel terminal site and therefore, I consider that “office” should be excluded from the definition of activity sensitive to hazardous substance risk.

REVERSE SENSITIVITY AND HAZARDOUS SUBSTANCE RISK

- 1.8 Hazardous substance risk is a health and safety issue. Provided the three criteria (reproduced below) from Mr Van de Munckhof’s evidence are satisfied, it is appropriate for the plan to direct that hazardous substance risk is “avoided”.

“13. In my opinion, the overall approach proposed in the PLHDP is an appropriate mechanism to manage the potential risks from significant hazardous facilities, subject to:

- a. the appropriate risk criteria being applied;*
- b. the risk criteria being applied to the correct land use activities; and*
- c. where a mapped overlay is included, it is an accurate reflection of the extent of risks.”*

¹ As described in the legal opinion from Kerry Anderson at DLA Piper attached to the S42A rebuttal statement by Steven Davis for the Commercial and Mixed Use Zones.

² From the definition of infrastructure in Section 2 of the RMA.

³ As defined in Section 2 of the RMA

⁴ As defined in the Regional Policy Statement for the Wellington Region

⁵ See paragraph 38-39, 51 and 68 of Mr Van de Munckhof’s primary evidence.

1.9 Reverse sensitivity is a relevant planning issue, but in my view is different to hazardous substance risk. Reverse sensitivity is also broader than hazardous substances. I agree with the hazardous substances S42A Officer's rebuttal evidence (paragraph 3.24) relating to reverse sensitivity and consider this reasoning is equally applicable in the Seaview Marina Zone chapter.

"3.24 Reverse sensitivity is context-specific and can often be effectively managed through design, layout, operational controls, and consent conditions. An "avoid" directive would introduce an absolute policy threshold, potentially constraining otherwise compatible development and limiting the ability to address effects through site-specific mitigation."

1.10 In my view, an "avoid" district plan provision, with no qualifier is overly restrictive on future activities within the SMZ.

FUEL TRANSMISSION PIPELINE CORRIDOR

1.11 I consider that construction activities, including in relation to the construction of underground services, that are in close proximity to the Pipeline Corridor should be managed by the PDP, but I consider this to be an issue of hazardous substance risk, rather than an issue of reverse sensitivity. I do not consider a HSRMO should apply to the Fuel Transmission Pipeline.

SEAVIEW MARINA ZONE PROVISIONS

1.12 Key aspects of my evidence with respect to the SMZ provisions are seeking:

- A broader definition of "marina activities" as outlined in Appendix A of my primary statement of evidence.
- An overall simplification of SMZ provisions that appropriately reflect the unique location and context of the zone.

1.13 I welcome questions from the Panel.

Alice Blackwell