

Summary of Submissions

**- Proposed Plan Change 1 to the Regional Coastal Plan -
Port Noise Provisions**

**- Proposed District Plan Change 49 -
Port Noise & Building Insulation Provisions**

**- Proposed District Plan Variation 3 -
Additions to Proposed District Plan Change 48 (Central Area Review) – Port
Noise Provisions**

Proposed Regional Coastal Plan Change 1 Port Noise Provisions

Proposed District Plan Change 49 Port Noise and Building Insulation Provisions

Proposed District Plan Variation 3 Additions to Proposed District Plan Change 48 (Central Area Review) – Port Noise Provisions

Summary of Submissions

Submitter Number	Name	Address for Service	Wishes to be heard
1	Department of Conservation	of Alan McKenzie Conservator , Wellington Conservancy Department of Conservation P O Box 5086 Wellington	No
Submission on			
Proposed Regional Coastal Plan Change 1			
<p>The Conservator, Wellington Conservancy, supports the proposed plan change because:</p> <ul style="list-style-type: none"> • The provisions will promote the sustainable and integrated management of the Coastal Marine Area. • The provisions are consistent with the New Zealand Coastal Policy Statement (in particular policies 3.1.1 and 3.2.2). • The provisions give effect to New Zealand Standard 6809:1990 Port Noise and Land Use Planning and are therefore sound planning practice. <p>Decision Requested: That the proposed plan change be adopted.</p>			

Submitter Number	Name	Address for Service	Wishes to be heard
2	The Committee of the Waterloo On Quay Body Corporate No 309984 (Apartments at Shed 21, 28 Waterloo Quay)	Waterloo On Quay Body Corporate 309984 Committee C/- Alan Ritchie 2.07 / 28 Waterloo Quay Wellington 6011	Yes
Submission on			
Proposed District Plan Variation 3			
Partially opposes the proposed variation. The specific provisions to which the submission relate are: <ul style="list-style-type: none"> The Port Noise Control Line should run along the east (seaward) side of Shed 21 rather than the west side. Questions whether the amended noise emission levels will be reasonable or whether they will expose the apartments to even more noise. Decision Requested: That the Port Noise Control Line run along the east (seaward) side of Shed 21. That the procedures for monitoring port noise emissions levels be improved. That the unique circumstances of Shed 21 being situated on port land be acknowledged and taken into account in relation to all decisions on port operations.			

Submitter Number	Name	Address for Service	Wishes to be heard
3	Golden Bay Cement and Firth Industries	Rachel Pinson Hill Young Cooper Ltd P O Box 8092 Wellington	Yes
Submission on			
Proposed Regional Coastal Plan Change 1 Proposed District Plan Change 49 Proposed District Plan Variation 3			
Partially opposes the proposed plan changes and variation. <ul style="list-style-type: none"> It does not have adequate controls to avoid, remedy or mitigate adverse noise effects from existing lawfully established activities within the Operational Port Area. It also seeks to impose unnecessary control on noise generated from those existing lawfully established businesses. Decision Requested: The definition of Port Related Activities is amended, so that industrial activities which have an operational or locational synergy with the port are clearly included in the definition. Amend standard 13.6.1.1 (<i>introduced in Proposed District Plan Change 48</i>) so that it specifically excludes noise from fixed plant associated with port related activities. Approve the proposed acoustic insulation requirements for noise-sensitive activities.			

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Submitter Number	Name	Address for Service	Wishes to be heard
4	Wellington International Airport Limited (WIAL)	Chris Dillon Wellington Airport Limited P O Box 14175 Wellington	Yes

Submission on

Proposed Regional Coastal Plan Change 1
Proposed District Plan Change 49
Proposed District Plan Variation 3

Opposes the proposed plan changes and variation.

- The proposed changes are inconsistent with the noise management regime already in place within the Wellington Airport Air Noise Boundary (ANB).
- It is not possible to sufficiently differentiate airport and port noise. The noise generated by these two large transporting operations is generally very similar in nature.
- The proposed changes are pre-emptive to the Land Use Management and Insulation for Airport Noise Study (LUMINS) that is currently being worked on.
- The proposed changes are contrary to the New Zealand Standard on Port Noise Management and Land Use Planning (NZS 6809:1999).

Decision Requested:

That WIAL's submission be accepted and the proposed plan changes and variation be accordingly amended by deleting all of the proposed changes identified.

Or in the alternative:

That WIAL's submission be accepted in part, and the plan changes and variation be accordingly amended to the extent that new noise sensitive activities be made a discretionary (unrestricted) activity in those parts of the Central Area, Suburban Centres, Residential Area and Coastal Marine Area inside the Port Noise Control Line.

Submitter Number	Name	Address for Service	Wishes to be heard
5	New Zealand Shipping Federation (NZSF)	Paul Nicholas New Zealand Shipping Federation P O Box 10739 Wellington 6143	Yes

Submission on

Proposed Regional Coastal Plan Change 1
Proposed District Plan Change 49
Proposed District Plan Variation 3

Opposes the proposed plan changes and variation.

- The proposed changes are inconsistent with the noise management regime already in place

within the Wellington Airport Air Noise Boundary (ANB).

- It is not possible to sufficiently differentiate airport and port noise. The noise generated by these two large transporting operations is generally very similar in nature.
- The proposed changes are contrary to the New Zealand Standard on Port Noise Management and Land Use Planning (NZS 6809:1999).
- The proposed changes will increase the likelihood that existing shipping operations at CentrePort will be subject to noise complaints.
- The NZSF firmly believe that CentrePort is first and foremost an operational port, and the priority should be therefore be given to maintaining and enhancing the viability of core port operations.

Decision Requested:

That NZSF's submission be accepted and the proposed plan changes and variation be accordingly amended by deleting all of the proposed changes identified.

Submitter Number	Name	Address for Service	Wishes to be heard
6	Board of Representatives Zealand (BARNZ) Airline New	C/- J Gardner-Hopkins / D Minhinnick Russell McVeagh P O Box 8/DX CX10085 Auckland 1	Yes

Submission on

Proposed Regional Coastal Plan Change 1
Proposed District Plan Change 49
Proposed District Plan Variation 3

Partially supports the proposed plan changes and variation.

- The acoustic standards proposed in the plan change, seek to require buildings within the Port Noise Affected Area to reduce external noise from Port activities to 40 dBA Ldn. Given the cost benefit considerations, this may not be "most appropriate". Further technical work may be necessary.
- The plan change may affect the outcome of LUMINS. If a consistent approach to noise management is to be taken in the District Plan, then if inappropriate conditions are adopted in respect of the Port, it may be more difficult for the Council to adopt different but more appropriate controls in respect of the Airport.
- LUMINS is a comprehensive study which, once complete, may inform what is "most appropriate" for Port provisions as well as the Airport.
- The proposed changes do not appear to be consistent with the New Zealand Standard on Port Noise Management and Land Use Planning (NZS 6809:1999).

Decision Requested:

The plan change be declined.

The plan change be deferred until the completion of LUMINS.

In the alternative, modification be made to the plan change to address the above concerns, or additional evidence be provided to demonstrate that the plan change is "most appropriate". However, BARNZ seeks dialogue with the Council and its experts to discuss these concerns.

Submitter Number	Name	Address for Service	Wishes to be heard
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7	ONTRACK (New Zealand Railways Corporation)	Aaron Hudson ONTRACK P O Box 539 Wellington	Yes
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Submission on

Proposed Regional Coastal Plan Change 1
Proposed District Plan Change 49
Proposed District Plan Variation 3

Supports the proposed plan changes and variation:

- ONTRACK is concerned that the definition of Port Related Activities in the *Regional Coastal Plan* and *Wellington City District Plan* and the provisions in the plans to regulate noise from the port company, may impose restrictions on rail activities, particularly within the Thorndon ferry terminal premises.
- ONTRACK supports the proposed individual policy and rule changes to the *Regional Coastal Plan* and the *Wellington City District Plan*.

Decision Requested:

ONTRACK seeks clarification that Port Related Activities (*Regional Coastal Plan* and *Wellington City District Plan*) excludes railway activities within the Thorndon ferry terminal premises.

To retain the proposed Policy 4.2.45 (*Regional Coastal Plan*) as a method of recognising and protecting against potential impacts of reverse sensitivity.

To include Policy 6.2.17 (*Regional Coastal Plan*) within the Plan (which addresses the issues of reverse sensitivity from noise sensitive activities).

To retain Policy 4.2.2.3 (*Wellington City District Plan*) in recognition of the potential impacts of reverse sensitivity.

To retain Rules 5.1.3.8a and 5.1.3.8a.1 (*Wellington City District Plan*) as discussed (they are necessary to clarify what activities are allowed as of right within a Port Noise Affected Area and clearly define areas sensitive to noise and provide for such environments to mitigate noise impacts arising from external environments).

To include Rules 5.2.1.3a and 5.2.1.7 (*Wellington City District Plan*) within the Plan. Consider that collectively these provisions prescribe measures to protect the port area against potential reverse sensitivity effects.

To include Rules 5.3.14, 5.3.14.4 and 5.3.14.5 (*Wellington City District Plan*) within the Plan (as the requirement encourages consent applicants to consider and adopt the noise insulation prescriptions with the Plan).

To include Rules 7.3.1.15.3 and 7.3.1.15.4 (*Wellington City District Plan*) within the Plan (as a means of protecting surrounding land uses against the potential reverse sensitivity impacts often associated with noise sensitive environments. Also consider it important that Council recognises the importance of listed heritage structures and it may not always be appropriate to require excessive noise insulation within listed historic structures).

To include the proposed additions and amendments to 7.1.1.10 and 7.1.2 (*Wellington City District Plan*) (as the amendments will encourage proposed developments to recognise the significance of the Operational Port Area. The provisions will provide greater protection against reverse sensitivity within the Port Noise Affected Area and the approach to noise insulation will create greater certainty amongst existing operators with the port noise areas).

To include the amendment to Rule 13.6.1.2.1 (*Wellington City District Plan*) – Central Area Rules (*Variation 3 to Proposed District Plan Change 48*) for the reasons identified in the submission (The rules will protect the highlighted areas shown on Planning Maps 1b as Map 55 of the Plan against reverse sensitivity impacts from noise sensitive activities within the vicinity).

Submitter Number	Name	Address for Service	Wishes to be heard
8	CentrePort Ltd	Neville Hyde CentrePort Wellington P O Box 794 Wellington	Yes
Submission on			
Proposed Regional Coastal Plan Change 1 Proposed District Plan Change 49 Proposed District Plan Variation 3			
<p>Generally supports the intent and content of the proposed plan changes and variation, but proposes the following changes:</p> <ul style="list-style-type: none"> The new definition of Port Related Activities (<i>Regional Coastal Plan and Wellington District Plan</i>) is generally appropriate. However, the modelling undertaken to identify the areas affected combines noise emitted from both land and the coastal marine area rather than just the land, as required by the Port Noise Standard. This needs to be explicit in the definition. Both the Regional Coastal Plan and Wellington City District Plan require ongoing compliance monitoring of port noise. CentrePort considers that it should be provided for in the context of Port Noise Management Plan, rather than as a rule in the <i>Regional Coastal Plan</i> and <i>Wellington District Plan</i>. The point that the Port Noise Control Line meets the coastal marine area (<i>Regional Coastal Plan and Wellington District Plan</i>) is an active and busy wharf area, used by a range of small vessels and their associated activities. It is not practical to measure compliance at this point: rather the point at which compliance is measured should be set at a distance. CentrePort is also concerned with the definition of key terms, the detail of planning maps and the wording and numbering of individual policies and rules. 			
Decision Requested:			
Implement the changes proposed, except where identified in specific submissions which follow:			
<u>Definitions</u>			
Add to the definition of Port Related Activities (<i>Regional Coastal Plan</i>) in the first sentence after the word "Area" the words "and on adjacent land within the district", or similar.			
Add in the first sentence after the word "Precinct" (<i>Wellington City District Plan</i>) the words "... and adjacent coastal marine area, ...".			
Add a new definition of Port Noise Affected Area (<i>Wellington City District Plan</i>) as follows: "Port Noise Affected Area: means the Inner Port Noise Affected Area or the Outer Port Noise Affected Area".			
Add a new definition of Port Noise Control Line (<i>Regional Coastal Plan</i>) as follows: "Port Noise Control Line: means the line at or beyond which the rule controlling the emission of noise from Port Related Activities applies and is measured."			
Add a new definition of Port Noise Control Line (<i>Wellington City District Plan</i>) as follows: "Port Noise Control Line: means the line at or beyond which the rules controlling the emission of noise from Port Related Activities apply and are measured".			
<u>Policies</u>			
Change the reference to Policy 6.2.19 to 6.2.18 in the explanation (<i>Regional Coastal Plan</i>).			
Introduction to Chapter 6 (<i>Wellington City District Plan</i>): Change the reference from Outer Residential Area to the Suburban Centres Area.			
Additional paragraph of explanation to Policy 12.2.2.4 (<i>Wellington City District Plan</i>) – delete the first two			

words “Noise from”, as the sentence is repetitive as currently worded.

Additional paragraph of explanation to Policy 12.2.2.4 (*Wellington City District Plan*) – change “Ferry Wharf” to “InterIslander Terminal Wharves at Kaiwharawhara”; change “port company wharves” to “port company city wharves”; change “Taranaki Wharf” to “Taranaki Street Wharf” and change “Chaffers Wharf” to “Overseas Passenger Terminal Wharf”.

Additional paragraph of explanation to Policy 12.2.2.4 (*Wellington City District Plan*) – delete the last sentence of the additional paragraphs.

Maps

Show the Port Noise Control Line as stopped at Johnston Street on Customhouse Quay, rather than turning it east to meet the coastal marine area on Planning Maps 4A and 4E (*Regional Coastal Plan*).

Include the whole of the outer – T of Queens Wharf within the yellow area on Map 4E (*Regional Coastal Plan*).

Stop the Port Noise Control Line at Johnston Street on Customhouse Quay, rather than turning it east to meet with the coastal marine area (*Wellington City District Plan*).

Rules

Change the wording in Rule 14.1.4(A) (3) (*Regional Coastal Plan*), for compliance at the Port Noise Control Line to “at or beyond”.

Delete Rule 14.1.4(A) (4) (*Regional Coastal Plan*) and modify (5) by removal of the reference to (4), (concerning compliance monitoring provisions. CentrePort considers they should be included only within the Port Noise Management Plan).

Delete Rules 7.1.1.1.6 and 13.6.2.1 4b (*Wellington City District Plan*) concerning compliance monitoring provisions. They should be included only within the Port Noise Management Plan.

Non-notification statement under Rules 5.3.14, 5.3.2.5a and 7.3.1.7a (*Wellington City District Plan*): Add the following sentence at the end of the non-notification statement: “However, the port company will always be considered to be an affected person in terms of such applications”.

The new explanatory paragraph at the end of Rule 5.1.3 (*Wellington City District Plan*): Add in the second sentence after “... buildings within the”, the words “... port noise affected area which are also within ...”

Delete Rules 7.1.1.1.6 and 13.6.2.1 4b (*Wellington City District Plan*) concerning compliance monitoring provisions. They should be included only within the Port Noise Management Plan.

Explanation to 7.1.1.1 (*Wellington City District Plan*): In the first sentence, add after the words “Area”, the words “and the adjacent Coastal Marine Area”. Delete the words “will also be measured and assessed” and replace them with the words “is included in the measurement and assessment of port noise”.

Explanation under 7.1.1.10.1 (*Wellington City District Plan*): In the second sentence, change “restricted” to “full”.

Add the following criterion: “7.4.4.6 Whether the development is likely to lead to potential conflict with and cause adverse effects on port activities, where the site is within the Port Noise Affected Area”.

Appendix Y (*Wellington City District Plan*): Correct the reference from Rule 13.6.2.14a to 7.1.1.1.5, if the appendix is to appear in both Suburban Centres and Central Area sections of the Plan.