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Committee Policy, Finance and Strategy Committee
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Proposed Plan Change 1 to the Regional Coastal
Plan (Port Noise Provisions)

Decisions on Proposed Plan Change 1 to the Regional Coastal Plan (port noise provisions)

1. Purpose

To seek the Council's approval of the decisions recommended by the Hearing Committee on Proposed Plan Change 1 to the Regional Coastal Plan ("the plan change").

2. Significance of the decision

The matters for decision in this report **do not** trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

3. Background

The Regional Coastal Plan is Greater Wellington's statutory plan prepared under the Resource Management Act for managing the coastal marine area. It was made operative in June 2000. Following work on port noise by CentrePort, Wellington City Council and Greater Wellington agreed to initiate plan changes to implement the New Zealand Standard 6809:1999 *Acoustics – Port Noise Management and Land Use Planning*. The intention is for a consistent approach to be used to manage the effects of noise from port activities in both the Wellington City Council District Plan and Greater Wellington's Regional Coastal Plan.

The plan change sets out:

- maximum permitted levels for noise from port related activities
- acoustic insulation standards for noise sensitive activities in areas identified as being subject to noise from port related activities
- an outline for a port noise management plan to be developed by CentrePort.

The plan change was notified in December 2006 and was heard together with District Plan Change 49 and Variation 3 to the Wellington City District Plan, as they all deal with issues relating to noise from port related activities. Seven people made submissions and there were two further submissions.

Reports on submissions, including recommendations, were circulated to submitters in June 2007. A hearing committee comprising myself, Cr Sally Baber (Greater Wellington) and Cr Leonie Gill (Wellington City Council) was appointed and the hearing was held on 2 July 2007, attended by representatives of four submitters.

4. Port noise provisions

The recommendations of the Hearing Committee for decision by the Council are attached. They were made after consideration of the submissions, the staff reports, and other relevant matters such as the Resource Management Act 1991.

This plan change amends the permitted noise levels from port related activities in the Commercial Port Area in line with those recommended in *New Zealand Standard 6809:1999 Acoustics - Port Noise Management and Land Use Planning*. The plan change includes the requirement for noise sensitive activities within port noise affected areas to acoustically insulate all new habitable rooms.

5. Where to from here

The process for preparing and changing regional plans is set out in the First Schedule of the Resource Management Act. After making its decisions the Council must send a copy to each submitter. The Council must also publicly notify the fact that it has made the decisions.

Any person who wishes to appeal a decision on their submission to the Environment Court must do so within 30 working days of receiving the decision. If no person appeals a decision to the Environment Court, the plan change is adopted by Greater Wellington, sent to the Minister of Conservation for his or her approval, and subsequently made operative at a date to be notified by the Council.

6. Communication

The Council must take the formal step of publicly notifying the fact that it has made the decisions. Other communication, such as a press release, is not appropriate at this time because the statutory process for the plan change is not yet complete.

7. Recommendations

That the Committee recommends that Council:

- 1. Approves the Report of the Hearing Committee on Proposed Plan Change 1 to the Regional Coastal Plan; and*
- 2. Notes the fact of the decisions will be publicly notified.*

Report prepared by:

Ian Hutchings

Chairperson, Hearing Committee, Plan Change 1 to the Regional Coastal Plan

Attachment 1: Report of the Hearing Committee: Proposed Plan Change 1 to the Regional Coastal Plan