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Committee Policy, Finance and Strategy Committee
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Draft Regional Coastal Plan Changes

1. Purpose

To obtain approval from the Council to proceed with consultation on possible changes to the Regional Coastal Plan.

2. Background

Greater Wellington Regional Council made a commitment in the Regional Coastal Plan to align its noise provisions with provisions in the Wellington City Council and Hutt City Council operative district plans. This approach recognises that the adverse effects of port noise originating in the coastal marine area are generally felt on land. The joint approach also promotes integrated management of activities across land and coastal boundaries.

CentrePort has port facilities at three locations in Wellington Harbour. These are the main port area near Wellington City, Burnham and Mirimar Wharves at Mirimar, and Seaview Wharf at Point Howard. Operations at these facilities are on land and in the coastal marine area. The effects of noise from CentrePort's operations are controlled through statutory plans under the Resource Management Act 1991. Land based operations are controlled by the Wellington City Council and Hutt City Council district plans, whereas Greater Wellington controls operations that occur in the coastal marine area through the Regional Coastal Plan.

Since our Regional Coastal Plan became operative, the New Zealand Standard for port noise *NZS 6809:1999 Acoustics – Port Noise Management and Landuse Planning* has been prepared. Investigations of port noise at areas where CentrePort operates are now complete and the New Zealand Standard can be implemented through the Regional Coastal Plan and district plans.

Greater Wellington has been working with the Wellington City Council on jointly changing the Regional Coastal Plan and the District Plan. Hutt City Council does not yet have an operative District Plan. Its preference at this time is not to proceed with changes to noise provisions affecting CentrePort's facilities at Seaview Wharf.

The Resource Management Act 1991 requires regional councils to consider whether or not a coastal occupation charging regime should be included in the a regional coastal plan. Where a regional council considers that there should not be a coastal occupation charging regime, a statement to that effect must be included.

Port noise issues and coastal occupation charging were topics that Councillors considered at a workshop on 26 March 2003.

3. Port Noise Changes

In practice, the implications in the coastal marine area of changes to the Regional Coastal Plan are likely to be in the Lambton Harbour Development Area. The draft changes include the following provisions that are consistent with the New Zealand Standard for port noise.

- Definitions of the new terms “noise sensitive activity”, “residential activity”, “habitable room”, and “external sound insulation level”.
- A new policy to apply and implement the New Zealand Standard for port noise produced from commercial port areas at Wellington City and Burnham and Mirimar Wharves.
- A new policy that promotes adequate acoustic insulation for buildings that are used for “noise sensitive activities”.
- A new clause in Rule 10 (which permits activities in or on structures) for “noise sensitive activities” in the Lambton Harbour Development Area and the Commercial Port areas at Wellington City and at Burnham and Mirimar Wharves.
- A new general standard for port noise emissions that comply with permitted or controlled activities.
- A new general standard for the insulation of “habitable rooms” used for “noise sensitive activities” that comply with permitted or controlled activities.
- New criteria for the evaluation of resource consent applications for activities that do not meet the general standard for insulation of “habitable rooms” used for “noise sensitive activities”.
- A new appendix that provides construction specifications for acoustic insulation.
- New planning maps that identify “port noise control boundaries” and “port noise affected areas”.

The draft changes to the Regional Coastal Plan are available in the Councillors’ lounge. They will be tabled at the Policy, Finance and Strategy Committee meeting.

4. Coastal Occupation Charging

Coastal occupation charges can be made for the occupation of Crown land in the coastal marine area. When considering whether or not to apply a coastal occupation charging regime regional councils must have regard to:

- The extent to which public benefits from the coastal marine areas are lost or gained; and
- The extent to which private benefit is obtained from the occupation of the coastal marine area.

There will be a statement in the draft changes to the Regional Coastal Plan that there is no coastal occupation charging regime at this time. The background report *Information on Coastal Occupation Charging in the Wellington Region 2003* is available in the Councillors' lounge. It will be tabled at the Policy, Finance and Strategy Committee meeting.

5. Communication

The statutory minimum for consultation is set out in the First Schedule of the Resource Management Act 1991. It requires us to consult with the Minister for the Environment, other central government departments, territorial authorities, adjacent regional councils and Iwi. We will consult with these groups and others such as CentrePort and Lambton Harbour Development Ltd. before coming back to the Council to seek approval to notify plan changes.

We have been working with the Wellington City Council on draft changes to the Regional Coastal Plan and District Plan in relation to the port noise provisions. At the same time that we are consulting over draft changes to the Regional Coastal Plan, the City Council will be consulting with its stakeholders on similar draft changes to port noise provisions in its District Plan.

The Minister of Conservation will have final approval of any changes to the Regional Coastal Plan. It is therefore imperative for us to consult with the Minister at an early stage in the process.

6. Recommendations

It is recommended that the Council;

1. **proceed** with public consultation on changing the Regional Coastal Plan, including consultation according to the First Schedule of the Resource Management Act 1991.

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