

Proposed Plan Change 1 to the Regional Coastal Plan for the Wellington region December 2006

Port noise provisions

Prepared for public notification under the First Schedule of
the Resource Management Act 1991

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Proposed Regional Coastal Plan Change 1

1. Interpretation

Section 3 of the Plan is amended by inserting the following definitions:

“External Sound Insulation Level ($D_{nT,w} + C_{tr}$): means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate) described using $D_{nT,w} + C_{tr}$ as defined in the following Standards:

- ISO717-1:1996¹ Acoustics – Rating of Sound Insulation in Buildings & Building Elements using spectrum No.2 (A-weighted traffic noise spectrum).
- ISO 140-5:1998 Acoustics - Measurement of Sound Insulation in Buildings and of Building Elements Part 5: Field Measurements of Airborne Sound Insulation of Facade Elements and Facades.

The term “external sound insulation level” is used in this Plan primarily as a calculated value to demonstrate compliance with the stated minimum standard of acoustic isolation against sounds arising from outside the building. If field testing of built structures is employed to verify predictions these tests shall be carried out using ISO 140-5:1998 Acoustics – Measurement Of Sound Insulation In Buildings Of Building Elements. Part 5: Field Measurements Of Airborne Sound Insulation Of Façade Elements And Facades.”

“Habitable Room: in any of the categories of activity referred to in the definition of ‘noise sensitive activity’, means a space within a building that is commonly associated with domestic living, but excludes any bathroom, laundry, water-closet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, any room in an early childhood centre not used for sleeping or other space of a specialised nature occupied neither frequently nor for extended periods of time.”

“Hotel, Motel or Other Accommodation Activity: includes hotels, motels, or the use of premises where residential accommodation for five or more persons is offered at a daily tariff or other specified time.”

“ L_{dn} means the A-frequency-weighted day-night average sound level in decibels measured in accordance with the requirements of NZS 6801:1999 Measurement of Sound and NZS 6809:1999 Port Noise Management and Land Use Planning”.

¹ This Standard is also known as AS/NZS1276.1:1999 Acoustics-Rating of sound insulation in buildings and of building elements Part 1: Airborne sound insulation

“**L_{eq}** means the A-frequency-weighted time-average sound level in decibels measured in accordance with the requirements of NZS 6801:1999 *Measurement of Sound* and NZS 6809:1999 *Port Noise Management and Land Use Planning*.”

“**L_{max}** means the A-frequency-weighted maximum sound level in decibels measured in accordance with the requirements of NZS 6801:1999 *Measurement of Sound* and NZS 6809:1999 *Acoustics – Port Noise Management and Land Use Planning*.”

“**Noise Sensitive Activity:** means

- any residential activity;
- any early childhood education centre;
- any hotel, motel or other accommodation activity.”

“**Port Related Activities** (For the purpose of rules and standards relating to port noise): means activities within the Commercial Port Area and the Lambton Harbour Development Area including the berthing, departure and movement of ships, storage and cargo handling, handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and any activities (including construction, maintenance and repair) associated with buildings, machinery and equipment used in connection with the port or its administration. Activities not directly connected to the operation of the port such as office activities, retail activities, and other non-port uses within the Commercial Port Area and the Lambton Harbour Development Area are excluded.”

“**Residential Activity:** means the use of a premises for any domestic or related purpose by persons living in the premises alone or in family and/or non-family groups (whether any person is subject to care, supervision or not).”

2. Amend General Objectives And Policies

Add the following after the last bullet point of Policy 4.2.45

- “ensure structures containing noise sensitive activities are adequately acoustically insulated “

Add the following after the explanation to Policy 4.2.45

“Bullet point 8 recognises that the noise environment in the Lambton Harbour Development Area is similar to the noise environment in the Central Area of the Wellington City Council District Plan and that any adverse effects of noise on noise sensitive activities should be mitigated”

Add the following new Policy 4.2.48:

“4.2.48 To ensure that the principles of NZS 6809:1999 *Port Noise Management and Land Use Planning* are applied to the management of noise from port related activities within the Lambton Harbour Development Area and Commercial Port Areas shown on Planning Maps 4A and 4B.

Explanation. Port related activities can take place at any time of day and night and can have adverse effects in nearby residential and other areas. The NZS 6809:1999 ‘Port Noise Management and Land Use Planning’ provides a means of managing such noise through setting specific standards to be met at specified locations, and by requiring a Port Noise Management Plan to manage noise emissions.”

3. New Policies On Structures

Add the following new Policy 6.2.17:

“6.2.17 To ensure that noise sensitive activities that may be established in or on structures in the Commercial Port Areas and Lambton Harbour Development Area shown on Planning Maps 4A and 4B are adequately acoustically insulated from noise from port related activities.”

Explanation. Port related activities can take place at any time of the day or night. There is a need to recognise the potential effects of noise from port related activities on developments involving noise sensitive activities within the port noise affected areas. If structures in the coastal marine area are to be used for noise sensitive activities such as residential uses, it is appropriate that the indoor sound environment meet a specified level of acoustic performance.”

Add the following new Policy 6.2.18:

“6.2.18 To apply the general standards and terms in Section 14.1 to resource consents for structures in the Commercial Port Areas and the Lambton Harbour Development Area shown on Planning Maps 4A and 4B that are to be used for noise sensitive activities, subject to consideration of the likely adverse effects of port noise on the future users and occupiers of buildings.”

Explanation. Policy 6.2.19 is self explanatory.

4. Changes To Rules

Add to Rule 6:

Add the word “and” at the end of clause (4);

new clause (5);

“(5) if the structure is within a Commercial Port Area or the Lambton Harbour Development Area, shown on Planning Maps 4A and 4B, and the replacement, extension, addition or alteration is for a use that includes a noise sensitive activity;”

Add to Rule 10:

the underlined words in clause (3);

“(3) is occurring on or in a new structure for which a coastal permit has been granted and is complying with the terms and conditions of that coastal permit; or”

new clause (4);

“(4) is a noise sensitive activity and is within a Commercial Port Area or the Lambton Harbour Development Area shown on Planning Maps 4A and 4B;”

Add to Rule 13:

the word “and” at the end of clause (3);

a new clause (4);

“(4) if the structure is within a Commercial Port Area or the Lambton Harbour Development Area, shown on Planning Maps 4A and 4B, and the replacement, extension, addition or alteration is for a use that includes a noise sensitive activity;”

5. Changes To General Standards And Terms (Section 14.1)

Delete the heading for subsection 14.1.3 “Noise (from activities outside the Commercial Port Area)” and replace with the following”

“Noise from activities located outside the Commercial Port Areas and the part of Lambton Harbour Development Area shown on Planning Map 4E”

In subsection 14.1.3, replace “NZ 6802:1991” with “NZ 6802:1999”.

Delete subsection 14.1.4 and Replace with the following:

“14.1.4 Noise from activities located within the Commercial Port Areas and the part of Lambton Harbour Development Area shown on Planning Map 4E

(A) Commercial Port Areas shown in Planning Maps 4A and 4B and part of Lambton Harbour Development Area shown in Planning Map 4E

The following noise standards shall only apply to noise from port related activities in the Commercial Port Area shown on Planning Maps 4A and 4B and the Lambton Harbour Development Area shown on Planning Map 4E that

- are controlled by a rule in this Plan, and
- are located within the coastal marine area, and
- specifically reference section 14.1 within the rule:

(1) The activity will not cause excessive noise (defined in section 326 of the Act) outside the coastal marine area.

(2) Noise shall be measured in accordance with the requirements of NZS 6801:1999 - *Measurement of Environmental Sound* and NZS 6809: 1999 - *Port Noise Management and Land Use Planning*.

(3) Noise from port related activities in a Commercial Port Area and the part of the Lambton Harbour Development Area shown on Planning Map 4E shall not exceed the following at or on the Port Noise Control Line as shown on planning maps 4A and 4B.

<u>Time (any day)</u>	<u>Limits (dBA)</u>		
	<u>L_{dn}</u>	<u>L_{max}</u>	<u>L_{eq}</u>
<u>Any 5 consecutive 24 hour periods</u>	<u>65</u>	<u>-</u>	<u>-</u>
<u>Any 24 hour period</u>	<u>68</u>	<u>-</u>	<u>-</u>
<u>10pm - 7am</u>	<u>-</u>	<u>85</u>	<u>60 (9 hr) 65 (15 min)</u>

- (4) CentrePort shall undertake a noise monitoring programme to ensure that noise from port related activities comply with condition 14.1.4(A)(3) at the Port Noise Control Line. This monitoring will be undertaken at least 2 times per year at 4 points in accordance with the CentrePort Noise Management Plan and the information shall be supplied in a twice yearly report to Greater Wellington Regional Council.
- (5) Conditions (1), (3) and (4) shall not apply to the following:
- (a) noise generated by navigational aids, safety signals, warning devices or emergency pressure relief valves;
 - (b) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to property or minimise or prevent environmental damage;
 - (c) noise generated by construction activities which shall meet the standards specified in Table 1 of NZS 6803:1999;
 - (d) noise generated by helicopter landing areas which shall meet the standards specified for Commercial areas in Table 1 of NZS 6807:1994.

(B) Commercial Port Area Shown in Planning Map 4C

The following noise standards shall only apply to activities in the Commercial Port Area shown in Planning Map 4C (Seaview Wharf) that:

- are controlled by a rule in this Plan, and
- are located within the coastal marine area, and
- specifically reference section 14.1 within the rule:

- (1) The activity will not cause excessive noise (defined in section 326 of the Act) outside the coastal marine area at the nearest Residential Area boundary;
- (2) The noise level measured at any point on the nearest Residential Area boundary shall not exceed

<u>Time (Any day)</u>	<u>Limits</u>	
	<u>L10</u>	<u>Lmax</u>
<u>7.00am and 11.00pm</u>	<u>60 dBA</u>	<u>=</u>
<u>11.00pm and 7.00am</u>	<u>45 dBA</u>	<u>75 dBA</u>

- (3) Noise shall be measured in accordance with NZS 6801:1999. Corrected levels shall be determined in accordance with NZS 6802:1999;

- (4) Conditions (1) and (2) shall not apply to the following:
- (a) noise generated by navigational aids, safety signals, warning devices, or emergency pressure relief valves;
 - (b) noise generated by emergency work arising from the need to protect life or limb or prevent loss or serious damage to property or minimise or prevent environmental damage;
 - (c) noise generated by construction activities which shall meet the standards specified in Table 1 of NZS 6803:1999;
 - (d) noise generated by helicopter landing areas which shall meet the standards specified for Commercial areas in Table 1 of NZS 6807:1994.”

Add the following new subsection after 14.1.4:

“14.1.4A External sound insulation level within Commercial Port Areas or Lambton Harbour Development Area

The following external sound insulation level applies to noise sensitive activities in the Commercial Port Areas shown in Planning Maps 4A and 4B and in the Lambton Harbour Development Area shown in Planning Map 4A and 4E that are controlled by a rule in this Plan and specifically reference section 14.1 within the Rule.

- (1) any habitable room in a building used by a noise sensitive activity shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standards:

<u>Area</u>	<u>Planning Map</u>	<u>Performance standard</u>
<u>Commercial Port Area</u>	<u>4A and 4B</u>	<u>$D_{nT,w} + C_{tr} > 35 \text{ dB}$</u>
<u>Lambton Harbour Development Area</u>	<u>4E</u>	<u>$D_{nT,w} + C_{tr} > 35 \text{ dB}$</u>
<u>Lambton Harbour Development Area</u>	<u>4A excluding area shown on 4E</u>	<u>$D_{nT,w} + C_{tr} > 30 \text{ dB}$</u>

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that accord with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

- (2) Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person. The required airflow level is based on the minimum standard for habitable spaces set out in NZS 4303:1990 – *Ventilation for Acceptable Indoor Air Quality*.”

Add the following new subsection after 14.1.4A:

“14.1.4B Port Noise Management Plan

The port company shall produce and at all times operate in accordance with a **Port Noise Management Plan**, which shall include but is not limited to the matters set out in Appendix 6A. The Port Noise Management Plan shall be developed to the satisfaction of Wellington City Council and Greater Wellington Regional Council.”

6. Changes to Appendices

Add the following new Appendix 6A:

Appendix 6A

Port Noise Management Plan

The Port Noise Management Plan, required under general standard 14.1.4B, shall:

1. State the objectives of the Management Plan.
2. Identify all significant noise sources from port related activities within the Commercial Port Areas and Lambton Harbour Development Area.
3. Identify the best practical options to ensure the emission of noise does not exceed the noise levels specified in 14.1.4(A)(3).
4. Identify techniques that will be considered to reduce the emission of noise over time and indicate which of these techniques will be adopted to achieve the objectives of the Noise Management Plan.
5. Explain how the port company will take noise effects into account in the design and location of new or extended port activities.
6. Identify how the port company will work with independent companies to ensure that transport noise and noise from other activities within the port area will be kept to a minimum practical level.
7. Identify procedures for noise reduction through the port company's staff and contractor training.
8. Provide for the establishment and maintenance of a Port Noise Liaison Committee (the port company may provide for this function within the operation of its Environmental Consultative Committee).
9. List the Port Noise Liaison Committee functions; and the procedures for the recommendations of the Committee to be considered and determined by the port company.
10. Detail procedures for receiving and deciding on complaints.
11. Detail procedures for noise monitoring, auditing and reporting.
12. Include procedures for the review and alteration of the Port Noise Management Plan."

7. Changes to Planning Maps

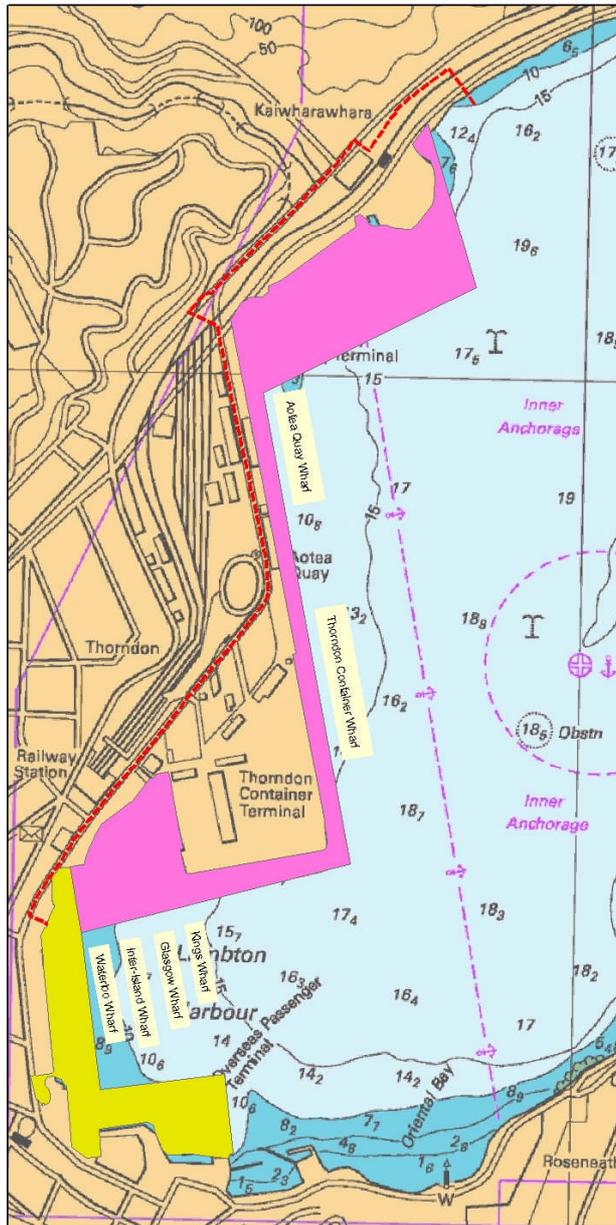
Replace Planning Maps 4A and 4B with the following:

Amendments are shown on the planning maps and include:

- *Addition of the port noise control line*
- *Alteration of the depicted line of mean high water springs in the Lambton Harbour Development Area and the Commercial Port Area to better reflect the real situation and the line shown in the relevant planning maps in the Wellington City District Plan.*

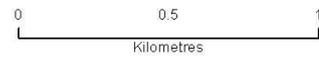
Lambton Harbour Development and Commercial Port Areas

Lambton Harbour



Legend

- - - Port noise control line
- Commercial port area (within the CMA)
- Lambton Harbour development area (within the CMA)



Note :

Shoreline details may not be accurate at this scale. All distances in metres.

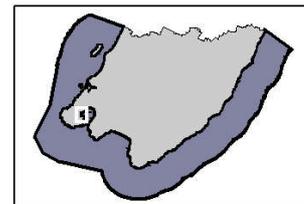
The landward boundary of the coastal marine area is the line of mean high water springs.

CAUTION

NOT TO BE USED FOR NAVIGATION

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Locality Map



Planning Map 4E

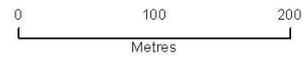
Lambton Harbour Development
and Commercial Port Areas

Main Port - Southern Area



Legend

- Port noise control line
- Commercial port area (within the CMA)
- Lambton Harbour Development Area north of Johnston St (within the CMA)



Note :

Shoreline details may not be accurate at this scale. All distances in metres.

The landward boundary of the coastal marine area is the line of mean high water springs.

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Locality Map

