



WDC Plan Change 144 : Port Noise Standards

- On 8th May 2019, the WDC publicly notified its Proposed Urban and Services District Plan Changes. This suite of plan changes replaced the old urban zones, including residential, commercial, and industrial zones, the open space zones, and the Port Zone. The Port Zone plan change is known as Plan Change 144. Public submissions closed on 3rd July 2019.
- Northport made a submission on the notified version of PC144 covering a range of matters. One of the matters was a request that the WDC adopt the 'Port Noise Standard' – New Zealand standard 6809:1999 Acoustics – Port noise management and land use planning, consistent with the approach taken elsewhere in New Zealand.
- Included in its submission, Northport provided a plan to the District Council demonstrating the 'Proposed Extent of Noise Management Area'. The Northport submission (amongst others) was publicly notified on 31st July 2019 with a closing date of 28th August 2019.
- A Hearing was held on 6th December 2019. While the Commissioners acknowledged that the proposed port noise rules are accepted best practice in New Zealand, they were concerned about the level of information provided in the original Northport submission, and declined the relief sought by Northport on that basis.
- Northport lodged an appeal to the Commissioner's decision on 10th July 2020. The appeal noted that there is a new requirement under the recently introduced 'National Planning Standards (3rd May 2019) that District Plans refer to the noise metrics in NZS 6809:1999 Acoustics – Port noise management and land use planning.
- As part of resolving the appeal, the WDC and Northport sought approval from the Court to re-notify the proposed port noise rules to ensure that the community had an opportunity to comment and potentially become involved in the process. The Court agreed with that approach and (at a hearing on 4th February 2021) approved the proposed re-notification under Section 293 of the Resource Management Act, 1991.
- Regarding the information provided with the notification package, there are two types of maps produced being:
 - (1) Firstly, the noise contours are produced by an acoustic engineer. These use topographic information and detailed noise propagation modelling software to determine the extent of noise emitting from a source, in this case the proposed expanded port.

- (2) From the first plan, a second plan is produced to identify 'properties' that are affected by the noise contours. Should the design noise contour cross the boundary of a property at any point, the whole of that property is then identified as being affected, thus providing the landowner with the appropriate notice that their land may be affected. In this case, the 'inner control boundary' does not cross any land boundaries (i.e., it is out in the harbour) and so it is therefore shown to follow the coastline – the outer extent of the Coastal Marine Area (CMA).
- Further information on the noise modelling and the associated mapping can be found on the Northport Information Sheet – Northport Noise Management. The second plan is the one currently notified and titled 'Figure 3: Port Noise Control Boundaries'.
 - It is important to note that PC144 is a Whangarei District Council led plan change, with Northport being a party to the process. Northport believe that the council made an error by not including the provisions for Port Noise Management, as adopted by most other districts that also have ports, and as now required in the new National Planning Standards.
 - Information has then been prepared by Northport and the council, with notification commencing on 3rd March 2021. While Northport appreciates that there was no advance warning beyond the original public notification process, this is because re-notification was reliant on an Environment Court decision that was only issued on 18th February 2021, and (together with the WDC) we then had to prepare the information for notification in the tight timeframes directed by the Court.

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