

PROPOSED DISTRICT PLAN CHANGE 23 – CENTRAL AREA NOISE INSULATION RULES

SUMMARY OF SUBMISSIONS

Table of Key Issues/Topics by Submission

Issue/Topic	Submission
Plan change should address noise source as well as noise insulation	1: Gavin Keith Forrest 2: Kevin Morris 3: Anthony John Miles 4: Liut H Bieringa 9: Dr K J Kirkpatrick
Acoustic Standard & Noise Insulation Construction Schedule	5: Guy Marriage 6: Property Council of NZ 7: Regional Public Health 11: CentrePort Ltd 12: Hospitality Association of NZ
Ventilation	3: Anthony John Hiles 5: Guy Marriage 6: Property Council of NZ 7: Regional Public Health
Definitions & Scope	10: Ministry of Education 11: CentrePort Ltd 13: Wellington Waterfront Ltd
Costs	5: Guy Marriage 8: Cape Horn Properties

Submissions

<i>Submission 1</i>	<i>Gavin Keith Forrest</i>	<i>85A Hoon Hay Rd Hoon Hay Christchurch</i>	<i>Wishes to be heard</i>
<p>Supports intention of the Proposed Plan Change subject to amendments to ensure adequate protection to existing residential owners and occupiers from noise generated by new uses in the Central Area.</p> <p>Submits that Proposed Plan Change 23 is deficient in that it only seeks to address noise sensitivity problems from one perspective. Proposed Plan Change 23 fails to recognise and provide for the protection of existing noise sensitive activities against new uses.</p> <p>Submits that the Section 32 report is deficient in that it fails to evaluate and utilise the full range of measures necessary to meet the objectives of Proposed Plan Change 23.</p> <p>Seek that provisions in the District Plan be amended so existing owners and occupiers of</p>			

noise sensitive activities are protected from the adverse effects of new uses (by ensuring new uses are managed and buildings constructed or converted so that noise emulating from their properties does not cause intrusion to occupiers of buildings used for *noise sensitive activities*).

Suggested amendments comprise:

- € Providing an additional explanation clause to policy 12.2.2.3 referring to the need to protect existing noise sensitive activities from the adverse effects of new uses
- € Providing a new rule (and explanation) requiring new uses of existing buildings and new buildings to ensure that noise levels are controlled at the same level proposed for Rule 13.1.2.12 (including but not limited to noise insulation to keep noise in).

Submission 2	Kevin Morris	1f Kelvin House 16 The Terrace Wellington	Does not wish to be heard
<p>Generally supports subject to better control of the noise source.</p> <p>The idea of imposing new regulations for up coming developments is fine, however we already have close to 4.500 apartments and other tourist facilities such as backpackers etc.</p> <p>No amount of insulation rules will reduce unwanted city noises that could be reduced with consideration of others – for instance:</p> <ul style="list-style-type: none"> € rubbish collection (trucks and dumpbins) € ambulances and fire engines <p>Need for more courtesy about noise between 12.30 and 5.30am.</p>			

Submission 3	Anthony John Hiles	PO Box 10610 Wellington	Wishes to be heard
<p>Seeks amendment of the plan change to improve the balance of responsibility and improve noise control.</p> <p>Double glazing will not prevent the transmission of low-frequency noise thus <i>noise at source</i> must be addressed. Deal with the problem not the result.</p> <p>Electric fans or air circulators generate their own noise.</p> <p>Maximum healthy sound levels should be established for the patrons and staff of dance venues, music venues and bars. If these were maintained, noise at source would cause fewer disturbances to adjacent occupants.</p> <p>Noise at source also applies to the inconsiderate use of external speakers (Hummingbird, Burger King and Amba) which are frequently used at a high level. They should be kept just loud enough for a potential customer to get a sense of the type of music in the establishment.</p> <p>We are all entitled to share the common ground and have unpolluted air (including noise). If WCC is serious about residential noise control, then it must begin managing the source of the noise.</p>			

I accept that energy generates noise but do not accept indiscriminate and careless sound pollution and cumbersome ideas to try and keep it out.

Submission 4	Liut H Bieringa	PO Box 6150 Te Aro Wellington	Wishes to be heard
<p>Opposes on the basis that the plan change does not deal with the <i>noise at source</i> issue.</p> <p>Proposed double glazing suggestion does not deal with the basic problem and is unlikely to resolve the noise at source issue.</p> <p>Need to consider the extreme health problems associated with the noise levels at specific dance venues and the surrounding environments. Inconsiderate users should be made aware of their transgressions. A number of businesses which insist on blasting passers-by and neighbours with their outdoor speakers seem to us to fall into the same category as noise polluters, particularly after hours.</p> <p>Submits that the specific provisions be withdrawn and that a more lateral approach be taken to the underlying issues of a changing city environment.</p>			

Submission 5	Guy Marriage	204/33 Frederick St Te Aro Wellington	Does not wish to be heard
<p>Supports the plan change but believe it needs to go further to improve acoustic performance.</p> <p>It should be compulsory to have two layers of gib (instead of one) and double glazing (instead of laminated glazing) for all habitable rooms as this will improve acoustic and thermal performance</p> <p>Costs for higher standard are minimal when compared to overall construction cost.</p> <p>Submit that it is not necessary to insist on mechanical ventilation in bedrooms as have yet to meet any inner city resident who would prefer a mechanical hum while sleeping to an occasional passing car noise. Good design renders this unnecessary.</p>			

Submission 6	Property Council of NZ Inc (Wellington branch)	PO Box 10505 Wellington	Wishes to be heard
<p>Supports the plan change subject to technical improvements to the standard.</p> <p>Supports the level of insulation proposed as practicable and appropriate for Wellington City.</p> <p>Supports removing educational activities and hospitals from the definition of noise sensitive activity</p> <p>Seeks amendment to the explanation of Policy 12.2.2.3 to better describe the need for inner city dwellers to expect a lesser level of amenity than able to be provided in the suburbs.</p> <p>Supports the requirement in the rule to require alternative ventilation to bedrooms that have openable windows</p>			

Supports the approach using technical specification with approved construction details as this allows architects and designers to comply with the Plan in straightforward situations without the cost of obtaining specialist advice.

Seeks improvements to the formatting and content of the construction schedule as follows:

- € divide requirements for separate sections into standardised categories to improve understanding
- € provide for a wider range of common building materials and circumstances.
- € use more generic terms and avoid using proprietary products (such as Gib)
- € rectify discrepancies with regards to superficial densities that are specified for combined mass of linings
- € widen definition for window frames (other than just aluminium)
- € review section titled “windows between 10% and 35 %”
- € move notes for exterior cladding into the schedule.

Submits that there is some discrepancy between the various materials in each section of the schedule (eg 150mm concrete will outperform 20mm timber with gib partition) & 9mm compressed cements outperforms 20mm timber to as the outer lining to a stud wall) and care should be taken to not over specify elements in the table as they will become a de facto standard for the Central Area. Seeks review of the various elements of the table in Appendix 9 and where the specification could be reduced this should be done.

Submission 7	Chris Edmonds Regional Public Health	Hutt Valley Health Private Bag 31-907 Lower Hutt	Wishes to be heard
<p>Supports the plan change subject to technical improvements to the standard and rule.</p> <p>Effect of the change is to protect the internal living environment to the same degree for both daytime living areas and bedrooms. Bedrooms require a better standard of acoustic insulation than living rooms and this has not been recognised in the proposed change.</p> <p>It is important that the provision for ventilation under the Building Code is mandatory under this proposed change. The change only includes mandatory ventilation for bedrooms and does not cover other living areas. From a Public Health point of view the option of keeping windows closed to keep out the noise and have no ventilation is not acceptable.</p> <p>The effect of not including the ventilation provision for other rooms apart from bedrooms is to force people to open windows for ventilation and thus let in external noise, particularly in the living rooms. This will result in a lesser standard than the minimum 30dB for the external envelope.</p> <p>The construction schedule has requirements for a minimum of 25 kg/m² for the external walls etc and also includes compositions for the envelope elements. These two requirements need to be separated to clarify the overall requirement, which is for a minimum of 25 kg/m².</p> <p>There is now a provision for floors in Appendix 9 but the requirement is poorly worded and ambiguous.</p> <p>Requirements for windows are based on percentage of the <i>floor</i> area. Percentage of the external <i>wall</i> area is more important since it determines the volume of the room. The amount of sound that leaks into the room will depend on the proportion of window area to</p>			

the total *wall* area.

The philosophy of change 23 should be extended to other Zones in the city (such as Suburban Centres) that have similar problems to the Central Area.

It would be appropriate to have a meeting with technical people prior to the hearing on Plan Change 23 to finalise wording of rules and minimise any technical difficulties.

Submission 8	Cape Horn Properties Ltd	PM McDermott 34 Gloucester Rd Kew, Richmond Surrey, TW9 3BU United Kingdom	Did not specify if wishes to be heard
---------------------	---------------------------------	---	--

Opposes the plan change and seek its withdrawal.

Seeks that residential activities be exempt from this change as it would result in significant costs to new developments, is contrary to the objectives of the District Plan and is a matter better dealt with at building consent stage.

Even if noise levels were introduced they should be at lower levels and ventilation should not be required.

The rules discriminate against certain uses and should not apply immediately so as to allow existing designs to comply and obviate re-design which is expensive and time-consuming.

Submission 9	Dr K J Kirkpatrick	c/- R W Perry Johnston Lawrence 6th Floor, Wool House Brandon St Wellington	Wishes to be heard
---------------------	---------------------------	---	---------------------------

Supports the plan change but does not address the noise creation side of the peaceful co-existence equation.

There are many sources of noise in the city that constitute avoidable nuisances including; collection of bins of recycled glass, dumping of bottles from bars and restaurants, verandah loud speakers, deep base notes travelling unimpeded through open bar doors and street sweeping vehicles. Elimination and/or better management will enhance the long term attractiveness of the inner city for residents without the detriment to the viability of business and other users.

There is an opportunity for Council to be proactive in promoting a more peaceful as well as vibrant inner city to the clear economic benefit and improved well-being of all citizens

Proposed regulation is equivalent to saying “we neither can nor will do anything to curb exhaust emissions from cars” and “all persons living in the city must purchase gas masks and may need oxygen cylinders as well”.

Seeks acknowledgement that sustainable co-existence requires balanced action on both nuisance noise generation and sound insulation. Seeks initiation of a programme to achieve balance over a reasonable period of time.

Submission 10	Ministry of Education	65 Waterloo Road Lower Hutt Attn: Judy Anderson	Wishes to be heard
<p>Supports requirements for insulation and ventilation of <i>sleeping areas</i> within early childcare facilities but opposes application to other areas within early childcare facilities.</p> <p>The Ministry is concerned that under the definition of <i>habitable room</i> the requirements for acoustic insulation could apply to other areas within early childcare facilities. It is considered (with the exception of any room used for sleeping) it is neither practical nor necessary to acoustically insulate early childhood centres, particularly for indoor play areas where the Early Childhood Education regulations promote an indoor-outdoor flow of play. As a consequence, any noise insulation works would be negated and compliance with the standard might be brought into question. There are also financial implications with unknown compliance costs being of concern to the Ministry.</p> <p>The removal of educational facilities from the definition of <i>noise sensitive activities</i> suggests that the Council's intention is that the permitted activity conditions for noise insulation only apply to sleeping areas within early childcare facilities however this is not clearly reflected in the Proposed Plan Change.</p> <p>Seeks amending the definition of <i>habitable room</i> to specifically exclude any room in an early childhood centre not used for sleeping.</p>			

Submission 11	CentrePort Limited	C/- MWH NZ Ltd PO Box 9624 Wellington Attn: Sylvia Allan	Wishes to be heard
<p>Supports the Proposed District Plan Change</p> <p>Supports certainty provided by definitions of 'External Sound Insulation Level', 'Habitable Room' and 'Noise Sensitive Activity'. Seeks adoption of definitions in their entirety.</p> <p>Supports the requirement that buildings are to be acoustically designed to limit the effects on the occupants from inner city noise and supports the evaluation criteria should the permitted standard not be met. Seeks wording of rules to be adopted as unchanged and that the Noise Insulation Construction Schedule be adopted in its entirety.</p> <p>Seeks the adoption of the proposed changes to the wording of the Te Ara Haukawakawa Precinct objectives, policies, rules and appendices.</p>			

Submission 12	Hospitality Association of NZ	Raewyn Bleakley Regional Manager HANZ PO Box 503 Wellington	Does not wish to be heard
<p>Strongly supports the Proposed Plan Change.</p> <p>Noise issues frequently arise between licensed premises and residential dwellings in the inner city. The Association believes requiring acoustic insulation of new habitable rooms in the central area is a sensible step towards reducing such conflict.</p> <p>The Proposed Plan Change recognises the City's need for a vibrant hospitality sector and inner city living in a pragmatic and fair way.</p>			

Licensed premises already have noise restrictions to comply with and are liable to enforcement action should they flout these. Operators in the hospitality sector cumulatively spend large amounts of money and time ensuring noise is controlled in their premises. The Proposed Plan Change reflects a proactive and equitable approach to noise issues within the Central Area.

<i>Submission 13</i>	<i>Wellington Waterfront Ltd</i>	<i>PO Box 395 Wellington</i>	<i>Wishes to be heard</i>
<p>Supports the plan change subject to extending requirements to all of the Lambton Harbour Development Area.</p> <p>Would like the entire Lambton Harbour Development Area to be covered by these provisions, including parts of the Coastal Marine Area that can be built on such as Queens Wharf and the Overseas Passenger Terminal.</p>			