

## DISTRICT PLAN TEXT AMENDMENTS

KEY:

### 1. Text Amendments as Notified by Council and included in Proposed Plan Change 14

Text in **bold red underlined** is that from Schedule 3A of the Resource Management Act and must be included.

For the purposes of this plan change any unchanged text is shown as normal text or in bold, any text proposed to be added by the plan change as notified is shown as **bold underlined** and text to be deleted as ~~bold strikethrough~~.

Text in green font identifies existing terms defined in *Chapter 2 – Definitions*.

Where the proposed plan change contains a term defined in *Chapter 2 – Definitions*, the term is shown as **bold underlined text in green** and the wording to be deleted is shown as ~~bold strikethrough in green~~. New definitions in Chapter 2 and within a provision (including a rule) is shown as **bold green text underlined in black**.

Text in blue font indicates existing links to other provisions in the District Plan and/or external documents. These will have pop-ups and links, respectively, in the on-line Christchurch District Plan. Where the proposed plan change contains a new link, it is shown as **bold underlined text in blue**. Where a link is proposed to be deleted, it is shown as ~~bold strikethrough in blue~~.

### 2. Changes recommended by the Independent Hearings Panel

The changes recommended by the Independent Hearings Panel are based on Council's 'Reply Provisions' version, which include:

- Text recommended to be added/deleted by proposed PC14
- Text recommended to be added/deleted within s42A reports.
- Text recommended to be added/deleted from expert conferencing/joint witness statements.
- Text recommended to be added/deleted within s42A reports in response to matters raised during Hearings.

Where the Independent Hearings Panel recommends that the proposed PC14 provision be accepted the text is changed to **bold underlined** for the added text, and changes to ~~bold strikethrough~~ for text to be deleted.

Where the Independent Hearings Panel recommends that green definitions or the blue links to other provisions and/or external documents are accepted they *remain* unchanged.

Changes recommended by the Independent Hearings Panel (including to proposed PC14 provisions, definitions and links) are shown as **bold underlined** for text in the Council's 'Reply Provisions' that are recommended to be accepted or for additional new text, and ~~bold deleted~~ for text to be deleted (ie the purple and orange colours in the Council's 'Reply Provisions' have been removed).

### 3. Further Instructions and Explanations for Council

- a. There are no further instructions as all recommended changes have been shown in the chapter.

## 13.8 Specific Purpose (Lyttelton Port) Zone

### 13.8.1 Introduction

### 13.8.2 Objectives and Policies

#### 13.8.2.1 Objective - Recovery and growth of Lyttelton Port

- a. The recovery of the Lyttelton Port is enabled in a timely manner:
  - i. to restore its efficient and effective operation, and enable growth and development to support its role as strategic infrastructure in the recovery of greater Christchurch; and
  - ii. to recognise its significance in the recovery of greater Christchurch, including economic growth within the township of Lyttelton, Christchurch District and the wider region.

##### 13.8.2.1.1 Policy - Elements of recovery

- a. Recognise that the repair, rebuild and reconfiguration of Lyttelton Port entails the progressive phased movement east of port operations resulting in:
  - i. operational port activities being established on reclaimed land in Te Awaparahi Bay;
  - ii. the shifting of some general cargo from the Inner Harbour to Cashin Quay; and
  - iii. redevelopment of land in Dampier Bay in a staged manner to provide for a commercial marina and associated land-side activities, including limited commercial activity, with enhanced public access and connectivity between the Lyttelton township, surrounding residential area and other parts of Naval Point.

##### 13.8.2.1.2 Policy - Management areas and activities

- a. Identify functional areas within the Specific Purpose (Lyttelton Port) Zone that recognise the elements of recovery consisting of:
  - i. the port operational area to provide for a range of port and ancillary activities, including the tank farm area at Naval Point;
  - ii. the port quarry area at Otokitoki/Gollans Bay to enable continuation of port quarrying activities and maintenance of haul roads to support and facilitate Port maintenance and development, including reclamation; and
  - iii. the Dampier Bay area to provide for redevelopment of the area with activities that support a public waterfront area, marina and associated facilities.

##### 13.8.2.1.3 Policy - Port operation, use and development

- a. Enable the efficient operation, use and development of Lyttelton Port by:
  - i. ensuring non--port related activities or development do not compromise Port operations or development of port and maritime facilities;
  - ii. avoiding public access in the port operational and quarry areas, to ensure public safety and the security of cargo and Port operations;
  - iii. avoiding the creation of esplanade reserves or esplanade strips within the Specific Purpose (Lyttelton Port) Zone;
  - iv. providing for expansion of the Port operational area onto reclaimed land in Te Awaparahi Bay; and
  - v. providing flexibility to maintain and manage operations that increase the Port's resilience to natural hazards during and after natural hazard events and that appropriately manage hazard risk.

#### 13.8.2.1.4 Policy - Access and movement network

- a. Ensure access and movement networks provide for:
  - i. efficient, safe and effective access along Norwich Quay to the Lyttelton Port, to meet the needs of the Port as a strategic transport and freight hub; and
  - ii. safe, direct and accessible provision for all transport modes between the Lyttelton ~~Town~~ Local Centre and surrounds to the ferry, cruise ships, marina and publicly accessible areas of Naval Point and the Dampier Bay/Inner Harbour waterfront.

#### 13.8.2.1.5 Policy - Cruise berth at Naval Point

- a. Ensure that the development of a cruise ship berth:
  - i. occurs at a location where cruise ship passengers and crew are not exposed to unacceptable risk from Port Activities, including the hazardous facilities located within the Bulk Liquids Storage Area; and
  - ii. does not hinder the efficient and safe operation of Port Activities, including the hazardous facilities located within the Bulk Liquids Storage Area.

#### 13.8.2.2 Objective - Effects of Lyttelton Port recovery and operation

- a. The recovery of Lyttelton Port, including its operation, is managed to:
  - i. reduce the potential for adverse effects on the amenity of the wider Lyttelton township during recovery and repair, while recognising the inherent nature of adverse effects associated with large scale construction projects;

- ii. mitigate adverse effects on the wider Lyttelton township and environment generated from on-going port operations;
- iii. minimise adverse effects of development on mana whenua cultural values; and
- iv. avoid significant adverse effects of commercial activities in the Specific Purpose (Lyttelton Port) Zone on the recovery and function of the Lyttelton [Town Local](#) Centre and on the operational efficiency and safety of port activities.

#### 13.8.2.2.1 Policy - Recovery opportunities to reduce adverse effects

- a. Ensure activities undertaken within the Specific Purpose (Lyttelton Port) Zone, including to enhance and reconfigure Lyttelton Port infrastructure and operations, are designed to reduce existing and minimise new adverse effects generated within the Port operational areas.

#### 13.8.2.2.2 Policy - Commercial activities

- a. Avoid retail and office activities in the Specific Purpose (Lyttelton Port) Zone except where they are:
  - i. ancillary to port activities; or
  - ii. located in the Dampier Bay Area, with limits on the range and scale of activities that may establish prior to 2026; or
  - iii. located in buildings that have direct pedestrian access and frontage onto Norwich Quay.

#### 13.8.2.2.3 Policy - Port quarrying activities

- a. Ensure that:
  - i. port quarrying activities are carried out in a way that mitigates significant adverse effects arising from noise, vibration, or the risk of natural hazards caused by rockfall; and
  - ii. rehabilitation of quarried areas is undertaken progressively where practicable or otherwise once quarry operations cease.

#### 13.8.2.2.4 Policy - Built form of development

- a. Provide for the development of Dampier Bay in a way that ensures the form, scale and height of the built form of development in the Dampier Bay Area and adjoining Norwich Quay:
  - i. are limited in height to reflect the relationship to the existing built form and to retain visual connections between the township and residential areas to the harbour and views of operational port activities; and
  - ii. enhance the amenity of the interface of the Port with the Lyttelton [Town Local](#) Centre, adjacent activities and public areas through good urban design, landscape and boundary treatment.

### 13.8.2.3 Objective - Dampier Bay

- a. The redevelopment of Dampier Bay with public facilities and a limited range and scale of commercial activities, to create a safe, pleasant and accessible waterfront for the public, that engages with and connects to the surrounding environment.

#### 13.8.2.3.1 Policy - Dampier Bay development

- a. Provide for the subdivision, use and development of the Dampier Bay Area to achieve:
  - i. continuous permanent waterfront access for pedestrians and cyclists;
  - ii. enhanced recreational, open space, visual and amenity benefits to the public;
  - iii. land-side public facilities including car parking, public toilets, a high-quality pedestrian route along the waterfront and landscaping;
  - iv. integration with public transport, including a safe and efficient connection between the Lyttelton [Town Local](#) Centre and any passenger ferry terminals and facilities for commuters and visitors;
  - v. a built form of development that reflects the context and character of its industrial maritime surroundings;
  - vi. activated frontages adjoining the waterfront and, where practical, publicly accessible spaces;
  - vii. recognition of Ngāi Tahu/manua whenua cultural values through design of public spaces, use of low impact design and plantings and other opportunities identified through assessment of Ngāi Tahu cultural landscape values; and
  - viii. protection of identified public view shafts between Lyttelton township to the Port and the Inner Harbour, aligning with Voelas Road and Simeon Quay viewing areas.

#### 13.8.2.3.2 Policy - Access and connectivity

- a. Ensure public safety and Port security are maintained through limiting public access to Port operational areas; whilst
- b. Ensuring the provision of high-quality public open spaces and safe public access and public connections between Norwich Quay, Dampier Bay and the adjoining coastal marine area, Lyttelton [Town Local](#) Centre and Naval Point.

### 13.8.3 How to use interpret and apply the rules

- a. The rules that apply to activities in the Specific Purpose (Lyttelton Port) Zone are contained in the:
  - i. Activity Status Tables (including Activity Specific Standards) in [Rule 13.8.4.1](#); and

- ii. Built Form Standards in [13.8.4.2](#).
- b. The Activity Status Tables and standards in the following Chapters also apply to activities in all areas of the Specific Purpose (Lyttelton Port) Zone (where relevant):
  - 5 Natural Hazards;
  - 6 General Rules and Procedures except [6.1 Noise](#) and [6.3 Outdoor Lighting and Glare](#); and
  - 9 Natural and Cultural Heritage.
- c. Any activity in the Specific Purpose (Lyttelton Port) Zone is exempt from the provisions in the following chapters:
  - 4 Hazardous Substances and Contaminated Land;
  - 6 General Rules and Provisions relating to [6.1 Noise](#) and [6.3 Outdoor Lighting and Glare](#);
  - 7 Transport; and
  - 8 Subdivision, Development and Earthworks.

## 13.8.4 Rules - Specific Purpose (Lyttelton Port) Zone

### 13.8.4.1 Activity status tables

#### 13.8.4.1.1 Permitted activities

- a. In the Specific Purpose (Lyttelton Port) Zone, the activities listed below shall meet with any Activity Specific Standards set out in this table and the Built Form Standards in [Rule 13.8.4.2](#). Activities may also be controlled, restricted discretionary, discretionary, non-complying or prohibited as specified in [Rules 13.8.4.1.2](#), [13.8.4.1.3](#), [13.8.4.1.4](#), [13.8.4.1.5](#) and [13.8.4.1.6](#) below.

	ACTIVITY	ACTIVITY SPECIFIC STANDARDS
P1	Port Activities, except as stated in <a href="#">Rule 13.8.4.1.2 C4</a> and C5, <a href="#">Rule 13.8.4.1.3 RD3</a> and <a href="#">Rule 13.8.4.1.4 D6</a> .	<ul style="list-style-type: none"> <li>a. No Port Activities, except navigational aids, and earthworks permitted under <a href="#">13.8.4.1.1 P4</a>, shall be undertaken within the Quarry Area as shown in <a href="#">Appendix 13.8.6.3</a>.</li> <li>b. Port Activities within Area A in <a href="#">Appendix 13.8.6.6</a> shall be limited to:               <ul style="list-style-type: none"> <li>i. maintenance, storage and repair of recreational boating vessels and storage of materials associated with the repair of those vessels;</li> <li>ii. facilities for recreational boating and ancillary parking areas; and</li> <li>iii. marine-related industrial activities, including ship and boat building.</li> </ul> </li> </ul>

P2	Ecological restoration and livestock grazing	a. Any ecological restoration and livestock grazing shall only be undertaken in the Quarry Area as shown in <a href="#">Appendix 13.8.6.1</a> .
P3	Helicopter facilities, including the landing and taking off of helicopters and associated fuelling and service facilities	<p>a. Any landing and taking off shall only be undertaken between the hours of 07:00 and 22:00 hours.</p> <p>b. Any landing area shall be located more than 450m from any Residential Banks Peninsula, or Commercial Banks Peninsula Zone.</p> <p>c. The above standards do not apply to emergency flights that are responding to an incident within the Specific Purpose (Lyttelton Port) Zone.</p>
P4	Earthworks	Any earthworks within the Quarry Area as shown in <a href="#">Appendix 13.8.6.1</a> shall not exceed an area of 500m <sup>2</sup> per annum.
P5	Retail Activity	<p>Any Retail Activity (other than as provided for as <a href="#">Port Activities</a>) shall:</p> <p>a. only be located within the Dampier Bay Area as shown in <a href="#">Appendix 13.8.6.1</a> or within buildings with a direct frontage to Norwich Quay;</p> <p>b. other than retailing of maritime or port related goods and services, be limited to:</p> <p>i. a maximum tenancy size for an individual tenancy of 450m<sup>2</sup> <a href="#">GLFA</a>; and</p> <p>ii. a maximum of 3 food and beverage outlets; and</p> <p>iii. a total aggregated maximum <a href="#">GLFA</a> of 1,000m<sup>2</sup> to 1 January 2026.</p>
P6	Office Activity	<p>Any Office Activity, other than as provided for as <a href="#">Port Activities</a>, shall be limited to:</p> <p>a. a total aggregated maximum <a href="#">GLFA</a> for all Office Activity of 2,000m<sup>2</sup> up to 1 January 2026; and</p> <p>b. no more than 500m<sup>2</sup> <a href="#">GLFA</a> of the 2,000m<sup>2</sup> for general office activities that are not maritime or port--related; and</p>

		c. the Dampier Bay Area as shown in <a href="#">Appendix 13.8.6.1</a> or on a site with direct frontage to Norwich Quay.
P7	Emergency Service Facilities, including Coastguard	a. NIL
P8	Public Artwork	a. NIL
P9	Museum and visitor information activities	a. Any museum and visitor information activities shall be located within the Dampier Bay Area as shown in <a href="#">Appendix 13.8.6.4</a> .
P10	Hazardous Facilities and Hazardous Substances, except as specified under <a href="#">Rule 13.8.4.1.2 C3</a>	<p>a. Any Hazardous Facilities and Hazardous Substances shall be in quantities less than or equal to the permitted activity threshold values listed in Column A of <a href="#">Appendix 13.8.6.10</a>.</p> <p>b. Notwithstanding (a) above, the storage of Hazardous Substances in transit and/or in temporary storage as cargo (maximum 72 hours) is a permitted activity and <a href="#">Appendix 13.8.6.10</a> shall not apply.</p>

#### 13.8.4.1.2 Controlled activities

- a. The activities listed below are Controlled Activities.
- b. Controlled Activities C1-C5 and C7 shall also comply with the Built Form Standards set out in [13.8.4.2](#). Controlled Activity C6 shall also comply with Built Form Standard [13.8.4.2.10](#).
- c. The Council's control is reserved over the matters set out in [13.8.5](#) for each activity as set out in the following table.
- d. Any application arising from these rules will not require written approvals and shall not be publicly or limited notified.

Activity		The Council's control shall be limited to the following matters:
C1	Earthworks that do not meet the Activity Specific Standards in <a href="#">Rule 13.8.4.1.1 P4</a>	a. Slope stability and natural hazard mitigation - <a href="#">13.8.5.3.1</a>



		b. Management of terrestrial ecology and rehabilitation - <a href="#">13.8.5.3.2</a>
C2	Port Quarrying Activity within the quarry footprint of the Quarry Area as shown in <a href="#">Appendix 13.8.6.3</a> . This excludes earthworks undertaken as part of Port Quarry Activities and that meet the Activity Specific Standards in <a href="#">Rule 13.8.4.1.1</a> P4.	a. Slope stability and natural hazard mitigation - <a href="#">13.8.5.3.1</a> b. Management of terrestrial ecology and rehabilitation - <a href="#">13.8.5.3.2</a>
C3	Hazardous Facilities and Hazardous Substances involving the storage and handling of fuels and other bulk liquids within the boundary of the Bulk Liquids Storage Area identified in <a href="#">Appendix 13.8.6.5</a>	a. Hazardous substances - <a href="#">13.8.5.2.7</a>
C4	The erection of a new or relocated building in the Dampier Bay Area	a. Site layout and building design - <a href="#">13.8.5.1.1</a> b. Public transport facilities - <a href="#">13.8.5.1.3</a> (a) to (c)
C5	Any building located within Height Area C as shown in <a href="#">Appendix 13.8.6.4</a> , excluding containers, that is between 8m and 15m in height	a. Site layout and building design - <a href="#">13.8.5.1.1</a> (e)
C6	Subdivision Activity	a. Subdivision - <a href="#">13.8.5.3.4</a> b. Dampier Bay Area Outline Development Plan - <a href="#">13.8.5.3.3</a>
C7	Public Amenities including public walkways and publicly accessible space located within the Dampier Bay Area and Port Operational Area, including any connections with Norwich Quay	a. Site layout and building design - <a href="#">13.8.5.1.1</a> b. Dampier Bay Area public space/publicly accessible space - <a href="#">13.8.5.1.2</a>
C8	a. New Public Transport Facilities located within the Port Operational Area or Dampier Bay Area, except as stated in <a href="#">Rule 13.8.4.1.5</a> .	a. Site layout and building design - <a href="#">13.8.5.1.1</a> b. Public transport facilities - <a href="#">13.8.5.1.3</a>

	b. Any application for a passenger ferry terminal arising from this rule will be publicly notified.	
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#### 13.8.4.1.3 Restricted discretionary activities

- a. The activities listed below are Restricted Discretionary Activities.
- b. Restricted Discretionary Activities RD2 to RD5 shall also comply with the Built Form Standards set out in [13.8.4.2](#).
- c. The exercise of discretion is restricted to the matters of discretion set out in [13.8.5](#) for each activity, as set out in the following table.

Activity		The Council's discretion shall be limited to the following matters:
RD1	<ol style="list-style-type: none"> <li>a. Non-compliance with Built Form Standards in <a href="#">Rule 13.8.4.2</a>.</li> <li>b. Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</li> </ol>	<ol style="list-style-type: none"> <li>a. Maximum building height - <a href="#">13.8.5.2.1</a></li> <li>b. Daylight recession plane at boundary with a Residential Zone - <a href="#">13.8.5.2.2</a></li> <li>c. Landscaping in Dampier Bay Area - <a href="#">13.8.5.2.3</a></li> <li>d. Noise from Dampier Bay Activities (other than Port Activities) and from Port Quarrying Activities - <a href="#">13.8.5.2.4</a></li> <li>e. Light and Glare - <a href="#">13.8.5.2.5</a></li> <li>f. Access - <a href="#">13.8.5.2.6</a></li> </ol>
RD2	<ol style="list-style-type: none"> <li>a. Activities that are not in accordance with the Dampier Bay Outline Development Plan in <a href="#">Appendix 13.8.6.2</a>.</li> <li>b. Any application arising from this rule will not require written approvals and shall not be publicly or limited notified.</li> </ol>	<ol style="list-style-type: none"> <li>a. Dampier Bay Outline Development Plan - <a href="#">13.8.5.3.3</a></li> </ol>
RD3	Hazardous Facilities and Hazardous Substances that do not meet the Activity Specific Standards in <a href="#">Rule 13.8.4.1.1 P10</a>	<ol style="list-style-type: none"> <li>a. Hazardous Substances - <a href="#">13.8.5.2.7</a></li> </ol>

RD4	<p>a. Provision of public vehicle access to and from the area covered by the Dampier Bay Outline Development Plan in <a href="#">Appendix 13.8.6.2</a> via Sutton Quay or from a Public Transport Facility associated with a passenger ferry terminal, via Sutton Quay.</p> <p>b. Any application arising from this rule will require the written approval of the New Zealand Transport Agency only and shall not be publicly notified.</p>	<p>a. Access - <a href="#">13.8.5.2.6</a> (b)-(c)</p>
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#### 13.8.4.1.4 Discretionary activities

- a. The activities listed below are Discretionary Activities.

	Activity
D1	Any Retail Activity (other than Port Activities) that does not comply with Activity Specific Standards in <a href="#">Rule 13.8.4.1.1 P5</a>
D2	Any Office Activity (other than Port Activities) that does not comply with Activity Specific Standards in <a href="#">Rule 13.8.4.1.1 P6</a>
D3	Port Quarrying Activity within the Quarry Area but outside of the quarry footprint shown in <a href="#">Appendix 13.8.6.3</a>
D4	Port Activities that do not comply with Activity Specific Standards in <a href="#">Rule 13.8.4.1.1 P1</a>
D5	Any activity not provided for as a Permitted, Controlled, Restricted Discretionary, or Non-complying Activity.
D6	Any associated facilities or changes to facilities that serve a cruise ship berth at Naval Point.

#### 13.8.4.1.5 Non-complying activities

- a. The activities listed below are Non-complying Activities.

	Activity
NC1	Helicopter facilities that do not meet the Activity Specific Standards in <a href="#">Rule 13.8.4.1.1 P3</a>

NC2	New public transport facilities associated with a passenger ferry terminal located in a position west of Canterbury Street, Lyttelton, prior to the provision of pedestrian and public vehicle access to the terminal via Sutton Quay
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#### 13.8.4.1.6 Prohibited activities

There are no Prohibited Activities.

IHP RECOMMENDATIONS

## 13.8.4.2 Built form standards

### 13.8.4.2.1 Maximum building height

	Applicable to	Permitted	Restricted Discretionary	Matters of Discretion
a.	Quayside and container cranes, lighting towers and container storage (except containers located within Height Area C as shown in <a href="#">Appendix 13.8.6.4</a> )	No limit	NA	NA
b.	Bulk liquids storage structures within Area A as shown in <a href="#">Appendix 13.8.6.5</a>	20m	Greater than 20m	Maximum building height - <a href="#">13.8.5.2.1</a>
c.	Bulk liquids storage structures within Area B as shown in <a href="#">Appendix 13.8.6.5</a>	23m	Greater than 23m	
d.	Buildings, except where specified in (e) below	15m	Greater than 15m	
e.	Buildings within Height Area A of the Dampier Bay Area as shown in <a href="#">Appendix 13.8.6.4</a>	12m	Greater than 12m	
f.	Buildings within Height Area B of the Dampier Bay Area as shown in <a href="#">Appendix 13.8.6.4</a>	15m	Greater than 15m	
g.	Buildings not otherwise provided for under (a) with frontage to Norwich Quay and containers located within Height Area C as shown in <a href="#">Appendix 13.8.6.4</a> . This standard shall not apply to temporary structures erected for noise mitigation, construction activities or transiting containers	15m	Greater than 15m	

	that remain on site for less than 72 hours.			
h.	Telecommunications utility structures	25m	Greater than 25m	
i	Buildings not otherwise provided for under (a) that are located in the Canterbury Street view shaft as shown in <a href="#">Appendix 13.8.6.4</a>	Does not project above the level of Norwich Quay	Height above the level of Norwich Quay	Maximum building height <a href="#">13.8.5.2.1</a>

Advice note:

1. See the permitted height exceptions contained within the definition of height. See also [Rule 13.8.4.1.2 C5 Controlled Activities](#) for urban design considerations applying to buildings over 8m in height in Height Area C as shown in [Appendix 13.8.6.4](#).

#### 13.8.4.2.2 Daylight recession planes at boundary with a Residential Zone

	Applicable to	Permitted	Restricted Discretionary	Matters of discretion
a.	All buildings	Buildings shall not project beyond a building envelope constructed by a 45 degree recession plane measured at any point 2m above the nearest boundary abutting any site in a residential zone	Non-compliance with permitted standard	Daylight recession planes at boundary with a Residential Zone - <a href="#">13.8.5.2.2</a>

#### 13.8.4.2.3 Landscaping within the Dampier Bay Area

	Applicable to	Permitted	Restricted Discretionary	Matters of discretion
a.	Any buildings and/or car parking areas located in Area A of the Dampier Bay Area as shown in <a href="#">Appendix</a>	A Landscaping Strip shall be provided along the road frontage adjoining Godley Quay in accordance with the Outline Development Plan	Non-compliance with permitted standard	Landscaping in Dampier Bay Area - <a href="#">13.8.5.2.3</a>

	13.8.6.2 with road frontage to Godley Quay	in <a href="#">Appendix 13.8.6.2</a> and comply with the following standards:  a. minimum width - 3m (except over accessways); and  b. all landscaping shall consist of densely planted native species indigenous to Canterbury.		
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- b. Any application arising from non-compliance with this rule will not require written approvals and shall not be limited or publicly notified.

#### 13.8.4.2.4 Light spill

	Applicable to	Permitted	Restricted Discretionary	Matters of discretion
a.	All activities	No operation or activity shall be conducted so that direct illumination exceeds 10 lux (lumens per square metre) at the boundary of any site in a residential zone or Commercial Banks Peninsula Zone.  Light shall be measured on an instrument meeting the requirements of the New Zealand Standard C.P.22(1962) and Amendments.	Non-compliance with permitted standard	Light and glare - <a href="#">13.8.5.2.5</a>

#### 13.8.4.2.5 Vibration

	Applicable to	Permitted	Restricted Discretionary	Matters of discretion

a.	Port Quarrying Activity	Vibration and airblast overpressure from blasting associated with quarrying shall not exceed the following limits at any point within the notional boundary of any dwelling respectively:  i. 5mm/s ppv; and ii. 120 dB L <sub>Zpeak</sub>  The notional boundary of a dwelling is defined as a line 20 metres from the exterior wall of any dwelling or the legal boundary where this is closer than 20m to the dwelling.	Non-compliance with permitted standard	Noise from Dampier Bay Activities (other than Port Activities) and from Port Quarrying Activities  - 13.8.5.2.4
b.	Construction Activity	There are no vibration limits for Construction Activity.	NA	NA

#### 13.8.4.2.6 Noise limits

	Applicable to	Permitted	Restricted Discretionary	Matters of discretion
a.	Port Activities	No noise limits	NA	NA
b.	Construction Activities	No noise limits	NA	NA
c.	Port Quarrying Activities within the Quarry Area shown in <a href="#">Appendix 13.8.6.1</a>	Shall not exceed the following noise limits at any point within the notional boundary of any dwelling when measured in accordance with the requirements of <a href="#">NZS 6801:2008 Acoustics - Environmental Noise</a>  Monday to Saturday 07:00 - 22:00 hrs, 50 dB L <sub>Aeq</sub>  At all other times, 40 dB L <sub>Aeq</sub>	Non-compliance with the permitted standard	Noise from Dampier Bay Activities (other than Port Activities) and from Port Quarrying Activities  - 13.8.5.2.4



		On any day between 22:00 and the following 07:00, 70 L <sub>Amax</sub> .  The notional boundary of a dwelling is defined as a line 20 metres from the exterior wall of any dwelling or the legal boundary where this is closer than 20m to the dwelling.		
d.	Any activities not listed in a-c above	Noise limits as shown in <a href="#">13.8.4.2.6 Table 1</a>	Non-compliance with permitted standard	Noise from Dampier Bay Activities (other than Port Activities) and from Port Quarrying Activities - <a href="#">13.8.5.2.4</a>

- i. Noise levels shall be measured in accordance with [NZS 6801:2008 Acoustics – Measurement of Environmental Sound](#), and assessed in accordance with [NZS 6802:2008 Acoustics – Environmental Noise](#), except that provisions in NZS 6802 referring to Special Audible Characteristics shall not be applied.
- ii. Noise level standards shall apply at any point on or beyond the boundary of the site producing the noise, except that noise standards shall not apply when received in a Transport Zone. Where a site is divided by a zone boundary, then each part of the site divided by the zone boundary shall be treated as a separate site for the purpose of these rules, except that no noise rules shall apply at the zone boundary where it is within the site.

13.8.4.2.6 Table 1- Noise limits

	Daytime (0700-2200)		Night-time (All other times)	
	L <sub>Aeq</sub>	L <sub>Amax</sub>	L <sub>Aeq</sub>	L <sub>Amax</sub>
When measured at or within the boundary of any site zoned:				
Residential Zones	50dB	75dB	40dB	65dB
Commercial Banks Peninsula Zone	55dB	80dB	45dB	70dB

Industrial General Zone	60dB	80dB	50dB	70dB
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#### 13.8.4.2.7 Lyttelton Port Noise Management and Noise Mitigation

- a. The owners or operators of Lyttelton Port shall prepare and implement a Port Noise Management Plan including, but not limited to, the matters set out in [Appendix 13.8.6.7](#).
- b. The owners or operators of the Lyttelton Port shall establish, maintain and participate in a Port Liaison Committee with functions including, but not limited to, the matters set out in [Appendix 13.8.6.7](#).
- c. The owners or operators of the Lyttelton Port shall prepare and implement, in conjunction with the Port Liaison Committee, a Plan for Acoustic Treatment and Purchase of Dwellings, including, but not limited to, the matters listed in [Appendix 13.8.6.7](#).

#### 13.8.4.2.8 Lyttelton Port Construction Noise Management and Monitoring

- a. The owners or operators of the Lyttelton Port shall prepare and implement a Construction Noise Management Plan including, but not limited to, the matters set out in [Appendix 13.8.6.9](#).
- b. The owners or operators of the Lyttelton Port shall prepare and implement, in conjunction with the Port Liaison Committee, a Construction Noise Mitigation Plan including, but not limited to, the matters listed in [Appendix 13.8.6.9](#).

#### 13.8.4.2.9 Transport Standards

	Applicable to	Permitted	Restricted Discretionary	Matters of discretion
a.	High Trip Generators	<ol style="list-style-type: none"> <li>1. All traffic using the existing accesses as at June 2015 from the Specific Purpose (Lyttelton Port) Zone onto State Highway 74.</li> <li>2. Traffic using any new or existing accesses from the Specific Purpose (Lyttelton Port) Zone onto local roads.</li> </ol>	NA	NA

b.	Access Points	The formation of a new access point onto a road located within the Specific Purpose (Lyttelton Port) Zone.	The formation of a new access point from the Specific Purpose (Lyttelton Port) Zone onto State Highway 74 or local roads located outside of the Specific Purpose (Lyttelton Port) Zone	Access - <a href="#">13.8.5.2.6(a)</a>
c.	Car parking	0.35 car parks per marina berth.	Non-compliance with permitted standard	Marina parking - <a href="#">13.8.5.2.8</a>

Advice note:

1. Car parking is a matter for control or discretion for resource consents required under [Rule 13.8.4.1.2 C4](#) and [Rule 13.8.4.1.3 RD3](#).

#### 13.8.4.2.10 Subdivision Standards

Applicable to	Controlled	Matters of control
All subdivision activities	<ol style="list-style-type: none"> <li>i. All allotments shall have legal access that is able to accommodate a driveway to a formed road.</li> <li>ii. Any vehicle access shall be provided in accordance with <a href="#">Appendix 7.5.7</a>.</li> <li>iii. Where land to be subdivided with frontage to a state highway has practical legal access to an alternative road, there shall be no access to the state highway.</li> <li>iv. In the event of multiple site subdivision where parking is provided as a common facility, the parking area shall have legal access to a formed road.</li> <li>v. Subdivision within Dampier Bay Area A or B is in accordance with the Outline Development Plan as shown in <a href="#">Appendix 13.8.6.2</a>.</li> </ol>	<ol style="list-style-type: none"> <li>a. Subdivision - <a href="#">13.8.5.3.4</a></li> <li>b. Dampier Bay Area Outline Development Plan - <a href="#">13.8.5.3.3</a></li> </ol>

	<p>vi. An esplanade reserve or esplanade strip shall not be required, and section 230 of the Resource Management Act shall not apply.</p> <p>vii. No minimum allotment size shall apply.</p>	
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## 13.8.5 Rules - Matters of discretion and control

### 13.8.5.1 Urban design and transport

#### 13.8.5.1.1 Site layout and building design

- a. The extent to which the layout of the site and design of the buildings:
  - i. create an active edge and provide for passive surveillance of the publicly accessible space adjoining the coastal marine area and other areas available for public use;
  - ii. reflect the area's maritime character and any natural, heritage and Ngāi Tahu cultural values, including through building form and materials;
  - iii. ensure adequate car parking, loading areas and cycle parking are provided for visitors and staff either to the side or rear of the building or in a shared parking facility elsewhere within the Dampier Bay Area, to cater for anticipated demand from non-Port activities in the Dampier Bay Area;
  - iv. provide for any car parking to be predominantly located within Area A on the Outline Development Plan ([Appendix 13.8.6.2](#)), given the ability for car parking in this area to act as a buffer to the industrial marine activities to the south;
  - v. for buildings with frontage to Norwich Quay, achieve:
    - A. separation between buildings to provide view shafts to the harbour;
    - B. the matters set out in (i) and (ii);
  - vi. ensure areas to be used for waste management purposes are adequately screened;
  - vii. are laid out and designed in a manner that provides opportunities to minimise runoff of untreated stormwater to the coastal marine area;
  - viii. achieve a fine grained form and layout with high levels of articulation, glazing and architectural detailing;
  - ix. reflect the outcomes sought in the Lyttelton Port Design Guide;
  - x. provide for clusters of development in and around the activity nodes; and
  - xi. provide for building entrances and glazing facing the waterfront, to create an active edge and opportunities for passive surveillance of the publicly accessible space.

#### 13.8.5.1.2 Dampier Bay Area public space/publicly accessible space

- a. Whether the design of public space and access routes achieves high-quality publicly accessible open spaces, public access and public connections along the waterfront in and connecting to Dampier Bay, including from Norwich Quay, taking into account:
  - i. the need for the width of the pedestrian promenade along the waterfront to be sufficient to enable easy, universal access and use of pedestrians, cyclists, and passive recreation, while incorporating seating and opportunities for planting and public art;
  - ii. the ability for a continuous waterfront route to be achieved;
  - iii. the implementation of Crime Prevention Through Environmental Design principles;
  - iv. the ability to achieve an industrial maritime character through the use of materials;
  - v. incorporation of public artwork, and the provision of interpretation and references to the area's heritage and culture;
  - vi. establishment of safe and convenient pedestrian and cycle connections and a universally accessible pedestrian connection to Norwich Quay and to any public transport facility provided within the Inner Harbour; the primary pedestrian connection to any public transport facility should provide for universal access;
  - vii. where appropriate, the mechanisms to secure public access to and within publicly accessible spaces in perpetuity;
  - viii. the historical and contemporary relationship between Ngāi Tahu and the Lyttelton area, including an assessment of the Ngāi Tahu cultural landscape values; and
  - ix. the outcomes sought in the Lyttelton Port Design Guide.

#### 13.8.5.1.3 Public transport facilities

- a. The extent to which:
  - i. traffic generated will affect intersection form and safety on Godley Quay, Sutton Quay and Norwich Quay;
  - ii. Sutton Quay is upgraded to provide safe, direct, pleasant and convenient pedestrian linkages from Dampier Bay to Norwich Quay prior to the opening of Sutton Quay for public use;
  - iii. adequate vehicular and cycle parking is provided to meet anticipated demand from staff and visitors;
  - iv. provision is made for "park and ride" facilities;
  - v. a safe and efficient public transport interchange is provided for transfer between travel modes, where relevant; and
  - vi. for a passenger transport ferry terminal, safe and convenient pedestrian and cycle connections between the terminal and Norwich Quay and to any publicly accessible areas on the Inner Harbour waterfront are provided.

## 13.8.5.2 Built Form Standards

### 13.8.5.2.1 Maximum building height

- a. Whether the increased height would result in buildings that:
  - i. are compatible with the scale of other buildings anticipated in the area; or
  - ii. do not compromise the amenity of adjacent properties or public open spaces, taking into account:
    - A. the visual dominance of the proposed buildings on the outlook from other sites, roads and public open spaces in the surrounding area;
    - B. any loss of privacy through being overlooked by the proposed building;
    - C. overshadowing of adjoining sites, particularly onto public open spaces, resulting in reduced sunlight and daylight admission;
    - D. the extent to which the proposed building is located well within the Port boundaries and is substantially separated from more sensitive residential, commercial or recreational activities;
    - E. the extent to which there is separation provided between buildings to allow for view shafts from adjacent residential properties;
    - F. whether, and the extent to which, views to the harbour and the Port from public space remain intact;
    - G. in respect of Norwich Quay, the extent to which the building is compatible with the character of other commercial buildings on Norwich Quay;
    - H. whether the additional height would result in a built form that would improve the efficiency of Port Activities and is necessary for meeting the functional needs of Port Activities; and
    - I. the outcomes sought in the Lyttelton Port Design Guide.

### 13.8.5.2.2 Daylight recession planes at boundary with a Residential Zone

- a. The effect of the proximity or bulk of the proposed building on access to daylight or privacy on adjoining residential sites, taking into account the position of outdoor living spaces and main living areas within residential units.
- b. The provision of planting or screening within the setback to mitigate building dominance.
- c. Whether the proposed building location provides the ability to better utilise the site and improve the level of amenity elsewhere in the Specific Purpose (Lyttelton Port) Zone.

### 13.8.5.2.3 Landscaping in Dampier Bay Area

- a. The extent to which the proposed landscaping area and any non-compliance:

- i. achieve a high level of on-site amenity while minimising the adverse visual effects of buildings, taking account of their scale and appearance, outdoor storage areas, car parking or other activities;
- ii. are mitigated through the nature or scale of planting proposed, the location of parking, manoeuvring or storage areas and site layout;
- iii. ensure the terrace/level change between Godley Quay and Dampier Bay is visually apparent and is able to be recognised including through a reduced scale of planting and views from Godley Quay to the harbour are maintained;
- iv. enable increased public access and connection to the waterfront; and
- v. reflect the outcomes sought in the Lyttelton Port Design Guide.

#### 13.8.5.2.4 Noise from Dampier Bay activities (other than Port Activities) and from Port Quarrying Activities

- a. The location of any nearby residential units, and the degree to which the amenities of residents may be adversely affected.
- b. The extent to which the noise or blast generating activity is compatible with the anticipated character and amenity of the Specific Purpose (Lyttelton Port) Zone.
- c. The nature of any adjoining zone and the extent to which the noise or blast generating activity is compatible with the anticipated character and amenity of the receiving environment.
- d. The extent to which the length of time for which specified noise levels will be exceeded, particularly at night, and the likely disturbance that may be caused.
- e. The extent to which the proposals made by the applicant mitigate noise generation, including:
  - i. reduction of noise at source;
  - ii. alternative techniques or machinery that may be available;
  - iii. insulation of machinery or cladding used in the building;
  - iv. mounding or screen fencing/walls; and
  - v. hours of operation.
- f. The extent to which affected residents have been consulted and how their concerns have been addressed.

#### 13.8.5.2.5 Light and glare

- a. The extent to which the light affects any properties in adjoining zones.
- b. Whether a reduction in the level of glare is reasonably practicable.
- c. Whether the direction in which the light is aimed, and the duration and hours of operation of the activity requiring the lighting, can be changed to avoid, remedy or mitigate any adverse effects.

#### 13.8.5.2.6 Access

- a. The extent to which any new access to a state highway or local road provides for:
  - i. the safe and efficient functioning of the immediate road network;
  - ii. appropriate sight lines;
  - iii. appropriate separation distances from other intersections; and
  - iv. safe and convenient pedestrian connections across the access.
- b. Whether Sutton Quay and the surrounding road network (including the tunnel roundabout intersection with Norwich Quay and Simeon Quay) will function safely and efficiently.
- c. Whether the following integrated transport assessment matters have been adequately addressed, provided or considered:
  - i. description of existing land use and transport environment;
  - ii. an outline of access, parking, loading and cycle facility arrangements within the Dampier Bay Area;
  - iii. estimated trip generation of all modes of traffic anticipated from the Dampier Bay development and likely impacts on Godley Quay, Simeon Quay, Sutton Quay and Norwich Quay, including the Godley Quay/Simeon Quay intersection, Sutton Quay/Norwich Quay intersection and the tunnel roundabout;
  - iv. an explanation of how accessible Sutton Quay will be for each mode with regard to access to facilities and safety;
  - v. an indication of any upgrades to the transport network on or near Sutton Quay that may have relevance to the proposal;
  - vi. consideration of the effects the use of Sutton Quay for general public access will have on the transport network for all modes including freight, and the effects the proposed transport infrastructure will have on the environment. This could include transport modelling; and
  - vii. measures incorporated to mitigate adverse effects.

#### 13.8.5.2.7 Hazardous substances

- a. The extent to which the proposed site design, construction and operation of the hazardous facilities are appropriate to prevent the accidental release, or loss of control, of hazardous substances, and whether adequate emergency management equipment and plans are provided.
- b. The extent to which the proposed site design, construction and operation of the hazardous facilities are appropriate to prevent and mitigate any adverse effects on people, property and environmentally sensitive areas, including the coastal environment.
- c. The extent to which natural hazards pose a risk to the hazardous facility that could in turn pose risks to people, property and the environment, including the coastal environment.



- d. Whether, and the extent to which, a risk assessment has been formulated in such detail as corresponds to the scale of the hazardous facility, to include:
  - i. identification of potential hazards, failure modes and exposure pathways;
  - ii. assessment of the probability and potential consequences of an accident leading to a release of a hazardous substance or energy generated by hazardous substances, or other loss of control, including any cumulative or synergistic effects;
  - iii. acceptability of the assessed risks, including cumulative risks;
  - iv. residual risks after applying proposed risk control and mitigation measures; and
  - v. the risk management process.
- e. Whether there is an aggregation of facilities containing hazardous substances in the area and the cumulative risk that poses to the environment.
- f. Whether, and the extent to which, the proposal identifies risk control and mitigation measures, including sensitive land use activities and environments, including:
  - i. equipment, systems and engineered safety measures such as containment devices, fire safety apparatus and spill contingency/clean up equipment; and
  - ii. emergency management plans, monitoring and maintenance schedules as well as training programmes.

#### 13.8.5.2.8 Marina parking

- a. Whether sufficient car parking is provided to cater for anticipated demand from marina users/visitors, so as to avoid spillover parking on to the road network.

### 13.8.5.3 Activity Specific Standards

#### 13.8.5.3.1 Slope stability and natural hazard mitigation – Port Quarry Area

- a. The degree to which natural hazard risk to workers and infrastructure has been appropriately assessed and the adequacy of any proposed mitigation to manage hazard risk to an acceptable level.
- b. Whether the proposed quarrying will exacerbate natural hazard risk to land outside of the Specific Purpose (Lyttelton Port) Zone; and in particular the safe functioning of Sumner Road.

#### 13.8.5.3.2 Management of terrestrial ecology and rehabilitation – Port Quarry Area

- a. Methods to manage adverse effects on existing terrestrial ecology, and in particular native lizard species, prior to and during quarrying and haul road formation, and to enhance indigenous habitats as part of site rehabilitation.

- b. Methods to stabilise disturbed ground including the application of aggregate, geotextile, mulch, hydroseeding or other methods to establish vegetation.
- c. Methods to ensure the geotechnical stability of rock faces for mitigating long-term natural hazard risk to land outside of the Specific Purpose (Lyttelton Port) Zone and in particular whether site rehabilitation will be effective in ensuring that Sumner Road is not prone to slips or undermining.
- d. Whether the plant species selected for rehabilitation works are native species that would naturally occur on the Port Hills and will enhance ecological and biodiversity values.
- e. The extent to which the type of methods selected will reduce the adverse visual effects of haul road formation, including minimising side casting of material down slope of the road and the revegetation of cuts and side cast material.

#### 13.8.5.3.3 Dampier Bay Area Outline Development Plan

- a. The extent to which non-compliance with the Outline Development Plan provides:
  - i. mitigation for reduced or altered landscaping provision, including other opportunities for planting and low impact design initiatives;
  - ii. convenient and universally accessible pedestrian access between the public ferry terminal and Lyttelton [Town Local](#) Centre;
  - iii. safe and convenient public pedestrian access between:
    - A. Voelas Road/Godley Quay and the waterfront promenade;
    - B. the promenade and Simeon Quay; and
    - C. the promenade and Sutton Quay, as relevant;
  - iv. a primary internal access road that runs along the inland edge of the site and avoids creating a visual or physical barrier between activities and the waterfront; and
  - v. an unobstructed view through view shafts identified in [Appendix 13.8.6.2](#) to the waterfront and Inner Harbour, to enhance the visual connection between the Inner Harbour and Lyttelton township.

#### 13.8.5.3.4 Subdivision

- a. Access – the location and construction of any vehicle accessways, access lots or access strips.
- b. Servicing –
  - i. whether the requirements of the Infrastructure Design Standard and/or Construction Standard Specifications are met;
  - ii. whether the proposed servicing is adequate for the development, including the appropriate treatment of contaminants;
  - iii. the extent to which the proposed surface water management systems are consistent with the relevant Council Stormwater Management Plan or Integrated Management Plan;

- iv. any adverse effects of the proposal on erosion, flooding, surface water, mahinga kai, on drainage to, or from, adjoining land, or on groundwater quality; and
- v. whether all new allotments are provided with:
  - A. connections to safe potable water supply with an adequate capacity for the respective potential land uses;
  - B. sufficient water supply and access to water supplies for firefighting consistent with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS:4509:2008);
  - C. a means within their net site area for the effective management of collected surface water from all impervious surfaces;
  - D. a means of disposing of sanitary sewage within the net site area of the allotment;
  - E. the ability to connect to an electrical supply system, at the boundary of its net site area, except where the allotment is for a utility, road, reserve or for access purposes; and
  - F. the ability to connect to the telecommunications network at the boundary of its net site area, or by a duct installed from the boundary of the net site area of an allotment to an approved telecommunications system within 50m.
- c. Size, shape and orientation of sites:
  - i. the location of sites and boundaries in relation to natural hazards, existing buildings and public open space; and
  - ii. whether the allotments (including any balance allotment) are of sufficient size and dimension to provide for the existing or proposed purpose or land use.
- d. Publicly accessible space and connections – the location of walkways, including linkages between other areas, other walkways, and public open spaces.
- e. Whether any easements are needed to meet network utility operator requirements.

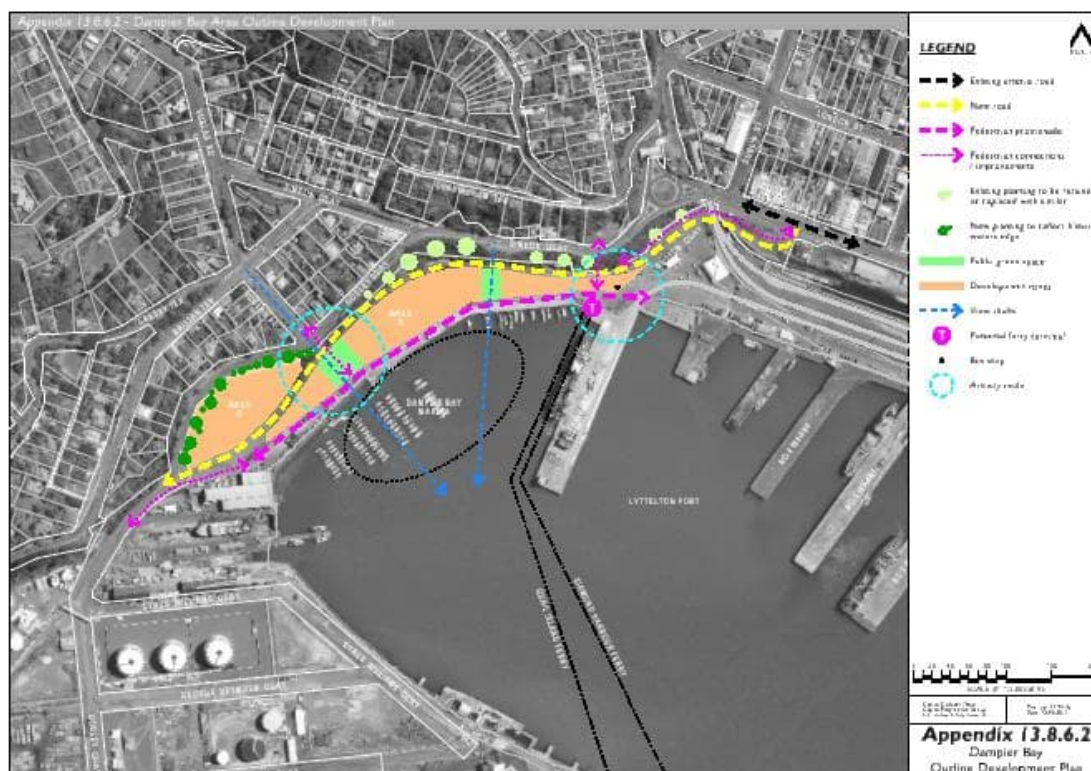
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## 13.8.6 Appendices

### Appendix 13.8.6.1 Specific Purpose (Lyttelton Port) Zone Management Areas

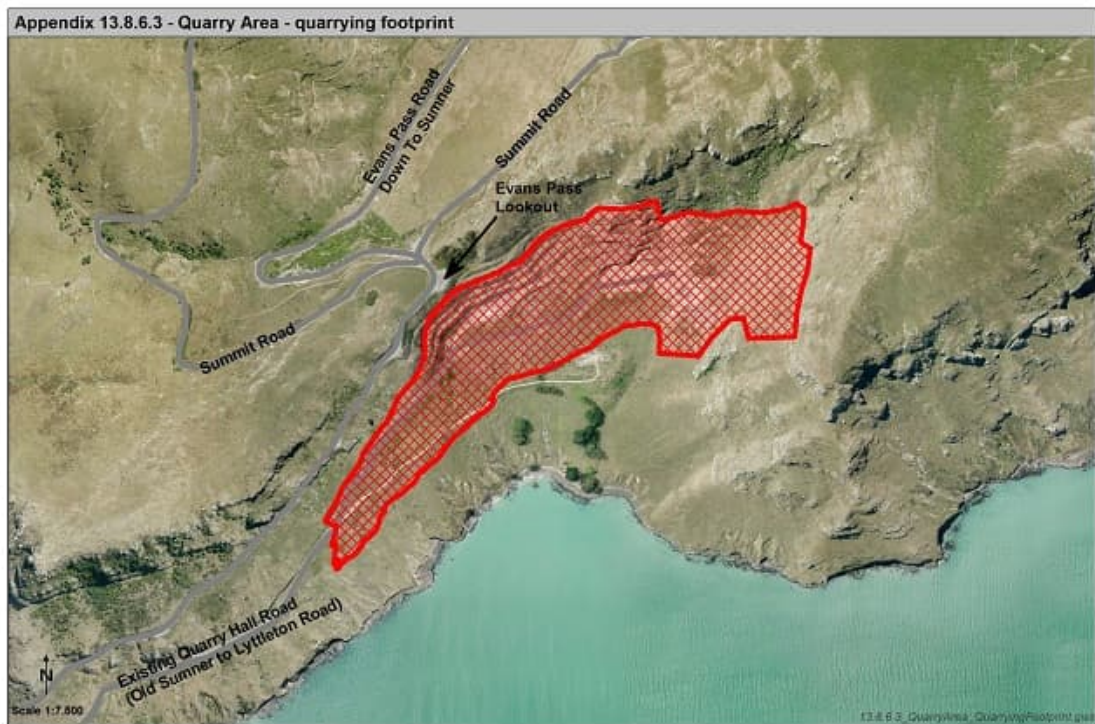


### Appendix 13.8.6.2 Dampier Bay Area Outline Development Plan

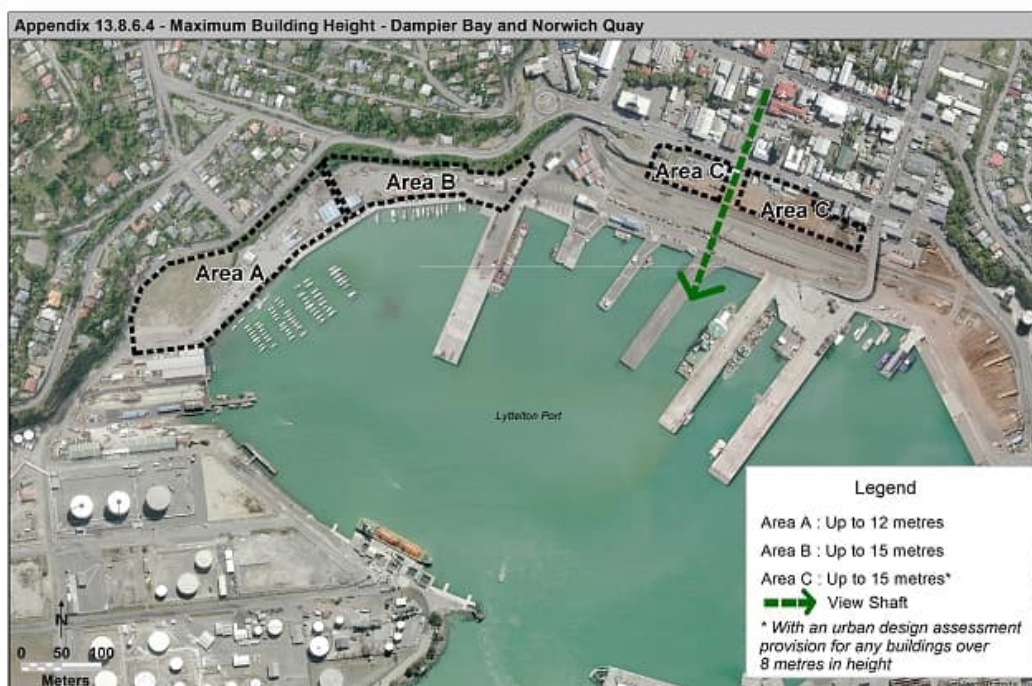




### Appendix 13.8.6.3 Quarry Area quarrying footprint



### Appendix 13.8.6.4 Dampier Bay Area and Norwich Quay maximum building height



### Appendix 13.8.6.5 Bulk liquids storage area



### Appendix 13.8.6.6 Marine Industry and Recreational Boating Area





## Appendix 13.8.6.7 Port Noise Management Plan

### 1. Port Noise Management Plan

The Port Noise Management Plan required under [Rule 13.8.4.2.7\(a\)](#) will include but not be limited to the following:

- a. Purpose of the Port Noise Management Plan
  - i. State owners and operators of the Lyttelton Port's commitment to manage and to reduce/mitigate port noise.
  - ii. Set a framework for the Port Liaison Committee.
  - iii. Identify Port Activities that can give rise to noise.
  - iv. Set a framework for monitoring, measuring and reporting on port noise.
  - v. Set a framework for dealing with complaints.
  - vi. Document noise management activities.
- b. Obligations of the owners and operators of Lyttelton Port
  - i. Allocate an annual budget to the Port Liaison Committee for the preparation and implementation the Port Noise Management Plan and the Plan for Acoustic Treatment and Purchase of Dwellings.
  - ii. Provide administrative and advisory support for the Port Liaison Committee.
  - iii. Deal with noise complaints.
- c. Owners and operators of the Port of Lyttelton in conjunction with the Port Liaison Committee
  - i. Prepare and implement the Port Noise Management Plan and the Plan for Acoustic Treatment and Purchase of Dwellings.
  - ii. Develop noise modelling, monitoring and measurement procedures that follow the concepts in NZS 6809: 1999 Acoustics – Port Noise management and land use planning, for the purpose of preparing a Port Noise Contour Map that shows contour lines in 1dB increments from 55dB Ldn to 70dB Ldn inland of the Specific Purpose (Lyttelton Port) Zone. This Port Noise Contour Map is to be attached to the Port Noise Management Plan and is to be regularly updated as required by the Port Liaison Committee and at the expense of the owners and operators of the Port of Lyttelton. The model for the Port Noise Contour Map shall be reviewed at least once every two years to determine whether it needs to be updated.
  - iii. Develop methods to monitor port noise, in order to verify the port noise contour lines.
  - iv. In developing the Port Noise Contour Map, recognise that noise from water and grit blasting at the dry dock facilities is excluded and instead noise from the water and grit blasting operation is managed by controlling the hours of operation.
- d. Port Liaison Committee framework
  - i. Meet at least once a year.

- ii. Provide details on representation and administration of the committee.
  - iii. Provide a list of functions, including but not limited to the administration of the Plan for Acoustic Treatment and Purchase of Dwellings and associated budget, consideration of complaints, monitoring port operators' performance of their obligations with respect to noise issues, and reporting to residents affected by noise.
  - iv. Keep within the annual budget provided by the owners or operators of the Port of Lyttelton.
  - v. Advise any property owner in writing where the property is partly or wholly contained within an area seaward of the 70dBA Ldn contour or greater as shown by the Port Noise Contour Map following the preparation or the update of the Port Noise Contour Map.
- e. Complaints
- i. Develop procedures to record complaints and steps to investigate such complaints.
- f. Documentation
- i. Current version of the Port Noise Management Plan to be made available by the operators of the Port of Lyttelton to the public on a website.
  - ii. Names and contact details for current staff of the operators of the Port of Lyttelton, Port Liaison Committee members and consultants involved in noise management.
  - iii. Noise model and measurement details and procedures.
  - iv. Summary of scenarios tested in the acoustics model.
  - v. Summary noise monitoring conducted.
  - vi. Summary of complaints annually and a description of actions taken to address a complaint.
- g. Review and alteration of the Plan
- i. Develop procedures to alter, review and update the Port Noise Management Plan.
  - ii. Produce and append to the Port Noise Management Plan annually a report on the implementation and, where relevant, alteration and update of that Plan.

### Appendix 13.8.6.8 Plan for Acoustic Treatment and Purchase of Dwellings

The Plan for Acoustic Treatment and Purchase of Dwellings required under [Rule 13.8.4.2.7\(c\)](#) will include but not be limited to the following:

- a. Port Liaison Committee
  - i. Include procedures for the Port Liaison Committee to consider research into noise mitigation, modifications to plant and equipment, and acoustic purchase.
  - ii. Include reporting procedures on expenditure.
- b. Application to the Port Liaison Committee for acoustic treatment (65+ dBA Ldn)
  - i. Where any port noise affected property within a residential zone is partly or wholly contained within the area seaward of a contour line that is 65dBA Ldn or greater, as shown on the Port



Noise Contour Map attached to the Port Noise Management Plan, an owner or occupier may apply to the Port Liaison Committee for acoustic treatment at any time.

- c. Port Liaison Committee consideration of an application for acoustic treatment
  - i. The Port Liaison Committee is to determine that the application made under 13.8.6.8(b) is attributable to on-going port noise.
  - ii. The Port Liaison Committee needs to decide on the priority that the application has in terms of the annual budget for noise mitigation.
  - iii. Should the Port Liaison Committee accept an application for acoustic treatment, it then makes a recommendation to the owners and operators of the Port of Lyttelton.
  - iv. The Port Liaison Committee oversees the acoustic treatment projects and liaises with the owner receiving acoustic treatment and the owners and operators of the Port of Lyttelton as necessary.
- d. Acoustic treatment
  - i. Owners and operators of the Port of Lyttelton obligations
    - A. Provided the maximum cost of acoustic treatment is within the annual budget, then the owners and operators of the Port of Lyttelton shall, subject to the written agreement of the property owner to register a covenant against the certificate of title to the property, agree to the acoustic treatment in accordance with the following:
      - i. Proceed on the basis that all habitable rooms subject to acoustic treatment have an internal design sound level of 40dBA Ldn (5-day) with windows and doors closed and mechanical ventilation installed and operating or with ventilating windows open, whichever is the more cost effective; except that the above internal design sound level does not need to be achieved in the following circumstances:
        - 1. the property owner seeks a form of or level of acoustic treatment or mitigation that results in a different internal design sound level; or
        - 2. it is impracticable to achieve the specified internal design sound level due to the desirability of maintaining heritage features of a building. Instead the internal design sound level of the habitable rooms will be reduced as far as practicable; or
        - 3. it is impracticable to achieve the specified internal design sound level of the habitable rooms in the dwelling at a cost of \$60,000. Instead the internal design sound level of the habitable rooms will be reduced as far as practicable while not exceeding the cost of \$60,000 (inclusive of GST and inflation adjusted from 2007 to the Consumer Price Index).
    - B. Where necessary, seek the advice of an appropriately qualified acoustic consultant when considering the acoustic treatment required to achieve the internal design sound levels. When determining the appropriate internal design sound level, the external noise

environment will be taken from nearest Ldn contour line shown on the Port Noise Contour Map that is to be attached to the Port Noise Management Plan.

- C. Prepare a list of one or more appropriate builders for the acoustic treatment work, select a builder for the acoustic treatment work, and ensure the builder carries out work to the appropriate standard.
  - D. Where necessary, seek the advice of an appropriately qualified acoustic consultant to assist in the verification of the internal design sound level or to assist any noise measurement work generally.
  - E. Ensure all acoustic treatment work is carried out in a cost-effective manner but at the same time does not significantly compromise the character of the house.
  - F. Organise the payment of the necessary costs for acoustic treatment, provided the cost does not exceed a maximum of \$60,000 (inclusive of GST and inflation adjusted from 2007 to the Consumer Price Index).
- ii. Property owner obligations
    - A. Approve the acoustic treatment, including any construction details associated with the proposed acoustic treatment, and agree to treatment proceeding before any treatment commences.
    - B. Notify the Port Liaison Committee and the owners and operators of the Port of Lyttelton that the work has been completed.
    - C. Enter into a civil covenant with the owners and operators of the Port of Lyttelton. Such a covenant shall apply to existing and successive property owners and occupiers.
- e. Offer of purchase (70dBA Ldn or greater)
    - i. Where any port noise affected property within a residential zone is partly or wholly contained within the area seaward of a contour line that is 70dBA Ldn or greater, as shown on the Port Noise Contour Map attached to the Port Noise Management Plan, then at the written request of the property owner the Port Liaison Committee shall organise an offer of purchase for the property. The offer shall be made by the owners or operators of the Port of Lyttelton and the property owner has the right to accept or reject the offer.
    - ii. A fair market value of the property shall be determined as if the property was situated in Lyttelton, not taking into account the effect of port noise.
    - iii. Procedures shall be put in place so a fair valuation is reached.
- f. Documentation
    - i. Names and contact details for current Port of Lyttelton staff and consultants involved in acoustic treatment.
    - ii. Summary details of work undertaken and specifications used for treatment and ventilation.
    - iii. Schedule of properties in the 65dB Ldn contour and status of acoustic treatment.
    - iv. Schedule of acoustics assessments undertaken.

- g. Review and alteration of the Plan
  - i. Develop procedures to alter, review and update the Plan for Acoustic Treatment and Purchase of Dwellings.
  - ii. Produce and append to the Plan for Acoustic Treatment and Purchase of Dwellings annually a report on the implementation and, where relevant, alteration and update of that Plan.

### Appendix 13.8.6.9 Construction Noise Management Plan

- a. Where the cumulative effect of construction noise and operational port noise (5-day busy period) falls within the 65dBA Ldn contour, then no further assessment of the construction noise is required.
- b. Where the cumulative effect of construction noise and operational port noise (5-day busy period) exceeds the 65dBA Ldn contour, then further assessment of the construction noise under a Construction Noise Management Plan is required.
- c. The Construction Noise Management Plan required under [Rule 13.8.4.2.8\(a\)](#) will include but not be limited to the following:
  - i. Purpose of the Construction Noise Management Plan
    - Owners and operators of the Port of Lyttelton commitment to manage construction noise.
    - A. Identify construction activities that can give rise to construction noise.
    - B. Set a framework for monitoring, measuring and reporting on construction noise.
    - C. Set a framework for dealing with complaints.
  - ii. Owners and operators of the Port of Lyttelton obligations
    - A. Allocate an annual budget to the Port Liaison Committee for the preparation and implementation of the Construction Noise Management Plan and the Construction Noise Mitigation Plan.
    - B. Provide administrative and advisory support for the Port Liaison Committee for construction noise matters.
    - C. Deal with construction noise complaints.
  - iii. Owners and operators of the Port of Lyttelton
    - A. Prepare and implement the Construction Noise Management Plan and, in conjunction with the Port Liaison Committee, the Construction Noise Mitigation Plan, utilising the concepts in [NZS 6803:1999 Acoustics – Construction Noise](#).
  - iv. Port Liaison Committee
    - A. Provide details on representation and administration of the committee.
    - B. Provide a list of functions, including but not limited to the administration of the Construction Noise Mitigation Plan and associated budget, consideration of complaints,

monitoring port operators' performance of their obligations with respect to construction noise issues, and reporting to residents affected by noise.

- C. Keep within the annual budget provided by the owners and operators of the Port of Lyttelton.
- v. Certification
  - A. Provide documentation confirming the Plan has been certified by the Christchurch City Council as meeting the requirements set out in (i) to (iv) above.
- d. Complaints
  - i. Develop procedures to record complaints and steps to investigate such complaints.
- e. Review and alteration of the Plan
  - i. Develop procedures to alter, review and update the Construction Noise Management Plan.
  - ii. Produce and append to the Construction Noise Management Plan annually a report on the implementation and, where relevant, alteration and update of that Plan.
- f. Construction Noise Mitigation Plan

The Construction Noise Mitigation Plan required under [Rule 13.8.4.2.7\(b\)](#) will include but not be limited to the following:

  - i. Setting out procedures on how affected property owners are to be contacted and the documentation of feedback and proposed mitigation measures discussed.
  - ii. Criteria that specify mitigation measures, having regard to the length of time the construction affected property is to be exposed to construction noise and the levels of construction noise involved.
  - iii. The mitigation measures determined under the criteria developed in (ii) will include but not be limited to:
    - provision of temporary accommodation;
    - acoustic mitigation (such as upgrading the dwelling) in accordance with the criteria set out in the Plan for Acoustic Treatment and Purchase of Dwellings, [Appendix 13.8.6.8\(d\)](#) Acoustic Treatment;
    - an offer to purchase the property; and
    - where an offer to purchase a property is made, a fair market value of the property shall be determined as if the property was situated in Lyttelton, not taking into account the effect of construction noise and also port noise. Procedures shall be put in place so a fair valuation is reached.
  - iv. Documentation confirming the Plan has been certified by the Christchurch City Council as meeting the requirements set out in (i) to (iii) above.
- g. Review and alteration of the Plan
  - i. Develop procedures to alter, review and update the Construction Noise Mitigation Plan.

- ii. Produce and append to the Construction Noise Mitigation Plan annually a report on the implementation and, where relevant, alteration and update of that Plan.

### Appendix 13.8.6.10 Hazardous Substances Permitted Activity Thresholds in the Specific Purpose (Lyttelton Port) Zone (excluding the Bulk Liquids Storage Area)

HSNO Class/Category	Column A (Permitted Activity Threshold)
1.1, 1.2 <sup>1</sup>	50kg
1.3 <sup>1</sup>	100kg
1.4, 1.5 <sup>1</sup>	200kg
2.1.1A	250kg
2.1.1A (LPG)	8,000kg
2.1.2A	250kg
3.1A, 3.1B	Aboveground storage: 3,000 litres Underground storage: 100,000 litres
3.1C	Aboveground storage: 10,000 litres Underground storage: -
3.1D	Aboveground storage: 50,000 litres Underground storage: -
3.2A, 3.2B, 3.2C	100 litres
All Class 4 except 4.2C and 4.3C	50kg
4.2C, 4.3C	500kg
5.1.1A	1,000kg/litres
5.1.1B, 5.1.1C	200kg/litres
5.1.2A	1,000kg
All Class 5.2	25kg
6.1A, 6.1B, 6.1C (gases only)	1,000kg
6.1A, 6.1B, 6.1C (liquids and solids)	-
8.2A, 8.2B	1,000kg
8.2C	5,000kg

HSNO Class/Category	Column A (Permitted Activity Threshold)
9.1A, 9.1B, 9.1C, 9.1D	-

#### Notes

1. The use of high explosives is a permitted activity but is subject to the [Hazardous Substances and New Organisms Act 1996](#) and any subsequent legislation.
2. The dash symbol ( - ) denotes no limit.

IHP RECOMMENDATIONS