

CHRIS HILDER holds a Bachelor of Science in Physics and a Bachelor of Art and a Diploma in Teaching. He currently teaches at John McGlashan College teaching mathematics.

He represented the Careys Bay Residents Association in the Environment Court appeal in the last District Plan Review .

He believes that the decision of the environment court was intrinsically flawed because it was impossible to make rules that would apply outside the boundaries of the district. So in fact with this Resource Consent , the problem is magnified because the Resource Consent covers a tiny piece of area but cannot be subject to conditions that govern the whole operation.

This resource consent can only be declined because it is not possible to put in any noise controls that are enforceable.

The specific parts of the applications that my submission relates to are: *(Give details)*

Application No: 2010.200 – Coastal Permit

To extend the existing Port Chalmers multipurpose wharf by 135 metres.

My/Our submission is *(the reasons for your views, use a separate sheet if necessary)*

The adverse effects from noise generated by existing wharf operations are not subject to specific noise controls that set enforceable upper limits for noise. This has led to a situation where neighbouring residents are currently affected by unreasonable noise. It is not reasonable to aggravate this situation by extending port operations without providing noise controls that set enforceable upper limits for noise.

Port operations freely cross and re-cross the boundary between the District and the Coastal Marine Area, and if a coastal permit was granted they would freely cross and re-cross the boundary between the area covered by the coastal permit and the area of existing operations. Enforcement of noise controls is almost impossible as long as they are specific to arbitrary subsections of the port. It is very difficult, if not technically impossible, to establish the source of measured noise as being in one subsection of the port only. This makes it impossible to provide noise controls that set enforceable upper limits for noise as conditions of a coastal permit. Noise controls need to be set for the whole area of port operations – not just the area subject to this coastal permit application

Enforceable controls require the conditions or rules of the coastal permit, the District Plan, and the Coastal Plan to all be saying the same thing, or better, there has to be a joint plan. Therefore the matter can only be advanced by way of plan change, not coastal permit.

We accept the need for further port development, but recognise that it cannot reasonably take place until the underlying planning regime supports enforceable noise controls.

I/We seek the following decision from the consent authority *(give precise details, including the general nature of any conditions sought)*

That this application for coastal permit be declined, and the matter be referred to the Otago Regional Council and the Dunedin City Council so that it can be dealt with by way of a joint or co-ordinated plan change that introduces enforceable upper limits for noise generated by port operations.

Date submissions close:

5pm on Friday 13 August 2010

A copy of your submission must be served on the applicant as soon as reasonably practicable after the service of your submission on the Otago Regional Council