

Appendix E – Section 32AA Evaluation of Recommended Amendments

Table 1 – Amendments to provisions relating to aircrafts (including agricultural aviation) and helicopters

Effectiveness and efficiency	- The recommended amendments to provisions relating to agricultural aviation and helicopter movements are more enabling to ensure they are efficient for Plan users and operators, including by providing an exemption for activities undertaken on the same contiguous site (for which a new definition is proposed). - The amended provisions are more effective than the notified version, as they remove confusion around flight path requirements and provide clear direction to Plan users and decision makers. - Overall, the amended provisions are considered to be more effective and efficient than the notified provisions. They recognise the need to balance the practical operation of agricultural aviation activities and helicopter movements, particularly for certain temporary purposes, with managing and mitigating adverse effects from noise generated by the activities.
Costs/Benefits	The amended provisions have increased economic benefits for operators and rural landowners. Whilst there will still be a compliance cost associated with the provisions this is offset by the benefits for people and community, in relation to the management of noise effects.
Risk of acting or not acting	- There is a risk that if the amendments are not made, then some aspects of the provisions become difficult to enforce and monitor. For example, flight path requirements. - Further, there is a risk of the provisions being overly onerous where agricultural aviation is undertaken on the same site as the landing area / rural airstrip, and so the adverse effects are more limited. - There is sufficient information to understand the risks associated with making the amendments.
Conclusion as to the most appropriate option	- The amended provisions are considered more appropriate at achieving the objectives of the Noise Chapter and also the General Rural Zone, Rural Lifestyle Zone and Temporary Activity Chapter than the notified version because they provide a more enabling pathway for agricultural aviation and helicopter movements where they are limited or associated with certain critical temporary activities. - The amendments also give effect to the Urban Form and Development Objectives, in particular UFD-010 because they support primary production activities. - However, where the activities are likely to generate higher degrees of adverse effects through more regular / higher use adverse effects can be managed through a resource consent process.

Table 2 – Rail Corridor Vibration Alert Layer, State Highway Noise Control Overlay and NOISE-S3

Effectiveness and efficiency	• The recommendation to include a rail corridor vibration alert layer for information only purposes is an efficient and effective means of alerting landowners to potential vibration effects from the railway. However, the fact that there are no provisions associated with the layer is efficient and effective as it will not unduly burden or constrain landowners. • The amendment to the state highway noise control overlay is a more efficient and effective means of managing noise from the state highway and mitigating reverse sensitivity effects as it reflects the actual modelled noise effects rather than an arbitrary line. • Amendments to NOISE-S3 reflect the modelling and data gathered by both NZTA and KiwiRail in relation to the noise effects from the state highway and rail corridor. Splitting the noise limits into the activities which align with the definition of noise sensitive activities is more efficient and effective at achieving the purpose of the objective than the notified version which had limited application and was not entirely relevant for non-residential noise sensitive activities.
Costs/Benefits	• There will be some increased economic costs for landowners where a greater portion of their property is now within the state highway noise control overlay, however, the economic costs are balanced against increased amenity benefits from the proposed amendments. • Furthermore, the amendment has an increased economic benefit for NZTA and KiwiRail as they seek to manage reverse sensitivity effects based on modelled data.
Risk of acting or not acting	• There is a risk that without the amendments, the application of NOISE-S3 is unclear in relation to non-residential noise sensitive activities. • There is also a risk that without amending the state highway noise control overlay some parts of properties are captured where there is not modelled to be an effect from state highway noise or properties may place buildings for noisesensitive activities in an area where they may actually experience adverse effects from state highway noise, causing an adverse effect • The risk of acting is considered to be low in relation to the state highway noise control overlay given the submitter has provided clear modelling data which is specifically relevant to Gore District. • There is sufficient information to understand the risks associated with making the amendments.
Conclusion as to the most appropriate option	• The proposed amendments are considered more effective and efficient at achieving the purpose of the objectives (NOISE-O1, NOISE-O2 and NOISE-O3) than the notified version and the costs and benefits are evenly balanced.

Table 3 – Amendments to definitions and Note 2 (exemptions)

Effectiveness and efficiency	• The recommended inclusion of a definition for audible bird scaring device and contiguous site are considered to be an efficient and effective means of ensuring plan useability in relation to amended provisions which are recommended. • The amendments to Note 2 provide appropriate exemptions for activities to support rural production activities (audible bird scaring)
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	and an exemption for mobile equipment associated with emergency response work.
Costs/Benefits	• There will be no discernible costs associated with the amendments. • There will be a benefit to those undertaking emergency work and an economic benefit to landowners undertaking rural production activities, given audible bird scaring devices are a relatively common feature of agricultural and horticultural practice. • There are not considered to be any cultural or social costs.
Risk of acting or not acting	• The risk of not making these amendments is that there is confusion as to what the terms audible bird scaring device and contiguous site mean. • There is also a risk that activities which generate noise but have limited adverse effects due to their nature and in the case of audible bird scaring device anticipated part of life within the rural district. • There is sufficient information to understand the risks associated with making the amendments.
Conclusion as to the most appropriate option	• The amendments are efficient and effective at enabling rural activities and managing noise effects. • Overall, the amendments are the more efficient means of giving effect to the objectives than the notified version.

Table 4 – Inclusion of new Rule (NOISE-R1)

Effectiveness and efficiency	• The recommended amendment includes a new rule to clarify that activities, which are not specifically mentioned in other rules, are subject to the noise chapter standards. This aligns with the general PDP approach and ensures it is clear there is no 'default' activity status for those activities. • The new rule is considered to be an efficient and effective means of ensuring plan users and decision makers understand how the noise standards are applied to activities which are not specifically provided for elsewhere in the chapter. • Overall, the amendment is considered to be more efficient and effective at achieving the objectives than the notified plan which does not clearly articulate how activities, other than those specifically managed, are considered in relation to noise.
Costs/Benefits	• As the rule does not introduce any new performance standards because the standards could be triggered in their own right there are no increased compliance cost (economic, social, cultural or environmental) associated with the new rule. • There are, however, benefits in terms of plan useability which could result in economic benefits due to a clearer articulation of how noise associated with activities is managed in the PDP.
Risk of acting or not acting	• There is a risk that without the amendment it may be unclear to plan users and decision makers how the standards are triggered because there is no general rule which covers activities not specifically provided for by other rules.

Conclusion as to the most appropriate option	• Overall, the new rule provides for a more efficient and effective means of triggering the standards compared to the notified PDP which could be seen as being inconsistent with the general drafting style for district wide matters. The amendment will not alter compliance costs as compliance with the standards could be considered as a stand alone matter, however, the new rule simply aligns with the drafting style and makes it clearer for plan users and decision makers. • Therefore, the amendment is considered to be a more appropriate means of achieving the objectives and the notified version.
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