

14 October 2024

Proposed Gore District Plan
C/- Lindsey Crazy Wolf
Hearings Administrator
Via email: lcrazywolf@goredc.govt.nz

Attention: Hearings Panel

Proposed Gore District Plan (Hearing Stream 6 Part 2: District Wide Matters - Noise)

I refer to the abovementioned matters set down for hearing commencing 14 October 2024. The New Zealand Defence Force (NZDF) (submitter 147) has reviewed the Section 42A Report for Hearing Stream 6 and determined that it will not attend this hearing but requests that this letter be tabled with the Hearings Panel.

NZDF acknowledges and supports the recommendations made by the Reporting Officer in the Section 42A Report regarding the majority of its submission points on the Noise Chapter, including the amendments to rules NOISE-R4 and NOISE-R9.

In relation to submission point s147.016 NZDF provides further information, as set out below.

1. Amend default activity status from discretionary to restricted discretionary

- 1.1 NZDF seeks to change the default activity status from discretionary to restricted discretionary where temporary military training activities (TMTA) cannot comply with the relevant permitted activity standards under NOISE-R6. The Reporting Officer accepts at paragraph 325 that if the effects can be identified through matters of discretion, then a restricted discretionary pathway may be more appropriate than discretionary. The Reporting Officer recommends that either the submitter provides matters of discretion which can be considered through the hearing process, or the activity status remain discretionary.
- 1.2 NZDF is of the view that the effects of TMTA that cannot comply with the relevant standards are well understood and can be identified through matters of discretion.
- 1.3 These matters are considered to relate to:
 - The level and duration of noise;
 - Use and effectiveness of noise attenuation measures,
 - The extent to which alternative locations have been considered, and
 - The extent to which noise will adversely affect amenity values or cause sleep disturbance.

- 1.4 To support a restricted discretionary activity status for NOISE-R6 proposed matters of discretion are provided in Appendix A.
- 1.5 We note this approach aligns with the approach taken in the Temporary Activities chapter¹ under Rule TEMP-R5, which has a default activity status of restricted discretionary where compliance is not achieved.
- 1.6 This approach is also taken in other District Plans such as the Partially Operative Selwyn District Plan (Appeals Version). The default activity status is restricted discretionary under NOISE-R9, where compliance is not achieved with the standards for TMTA weapons firing and/or use of explosives.² Discretion is restricted to the following matters:
1. *The level, duration, and character of the noise, including the ambient noise levels.*
 2. *The nature and location of nearby activities and the adverse effects they may experience from the noise.*
 3. *Whether the noise is likely to adversely impact on the amenity values or general environmental quality of the area in which it is received.*
 4. *Whether the noise generated is likely to cause sleep disturbance or result in adverse health or well-being effects.*
 5. *The effectiveness of any mitigation or noise attenuation measures proposed, such as: reduction of noise at the source, alternative techniques or machinery available, insulation or enclosure of the noise source, mounding or screen fencing/walls, hours of operation.*
 6. *The extent to which alternative locations and methods have been considered to avoid, remedy, or mitigate any adverse effects recognising functional need, operational need, and any technical, and practical constraints.*

2. Closing

If the Hearings Panel considers it useful for NZDF to appear before the Panel to explain or answer any questions on the matters above, it would be happy to do so. Please do not hesitate to contact me on 021 445 482.

Yours faithfully



Rebecca Davies
Principal Statutory Planner
Defence Estate and Infrastructure
Te Ope Kātua o Aotearoa | New Zealand Defence Force

¹ As per the version dated 19th August 2024.

² Partially Operative Selwyn District Plan (Appeals Version):
<https://eplan.selwyn.govt.nz/review/rules/0/283/0/8897/0/188>

Appendix A: Amended NOISE-R6

Additions

Deletions

Tracked changes against s42A version (Appendix A – Recommended Amendments to the Noise Chapter). Reporting officer's amendments in red.

NOISE– R67	Noise from temporary military training and emergency services training activities involving live firing, firing of blank ammunition, and/or the use of explosives	
All Zones	Activity status: Permitted Where: - The activity complies with the following minimum separation distances to any notional boundary: 0700 to 1900 hours: 500m 1900 to 0700 hours: 1250m - Where the minimum separation distances specified above cannot be met, then the activity shall comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity: 0700 to 1900 hours: 95dBC 1900 to 0700 hours: 85dBC; and - Notice must be provided to the Gore District Council at least 5 working days prior to the commencement of the activity, specifying: - whether the activity involves live firing and / or the use of explosives, or firing of blank ammunition, - the location of the activity and the boundaries - within which the activity will take place, - distances to buildings housing noise sensitive activities, and - the timing and duration of the activity; and - The activity is carried out for no longer than 31 days on the site in any one calendar year, excluding set up and take down which can occur one week immediately prior to and one week immediately following the activity.	Activity status where compliance is not achieved: ~~Discretionary~~ <u>Restricted Discretionary</u> Matters of Discretion: <u>The level, duration, and character of the noise, including the ambient noise levels.</u> <u>The nature and location of nearby activities and the adverse effects they may experience from the noise.</u> <u>Whether the noise is likely to adversely impact on the amenity values or general environmental quality of the area in which it is received.</u> <u>Whether the noise generated is likely to cause sleep disturbance or result in adverse health or well-being effects.</u> <u>The effectiveness of any mitigation or noise attenuation measures proposed, such as: reduction of noise at the source, alternative techniques or machinery available, insulation or enclosure of the noise source, mounding or screen fencing/walls, hours of operation.</u> <u>The extent to which alternative locations and methods have been considered to avoid, remedy, or mitigate any adverse effects recognising functional need, operational need, and any technical, and practical constraints.</u>