

PROPOSED GORE DISTRICT PLAN SECTION 32 REPORT

NOISE



Table of Contents

1. Executive Summary	3
2. Overview and Purpose	4
2.1 Introduction to the resource management issue(s)	4
2.2 Purpose of the report	4
3. Statutory and Policy Context	5
3.1 Resource Management Act.....	5
3.2 National Policy Statements.....	6
3.3 National Environmental Standards	6
3.4 National Planning Standards.....	7
3.5 Regional Policy Statement	8
3.6 Regional Plans.....	9
3.7 Iwi Environmental Management Plan(s).....	9
3.8 Other Legislation and Policy Documents	9
3.9 Other Local Policies, Strategies and Plans.....	10
4. Resource Management Issue Analysis	10
4.1 Background.....	10
4.2 Operative Plan Approach.....	12
4.3 Effectiveness of Operative Plan	14
4.4 Technical Reports and Research.....	15
4.5 Analysis of Best Practice – how other Councils are addressing the same issue.....	18
4.6 Other Relevant Documents and feedback	21
5. Scale and Significance	22
5.1 Scale and Significance Evaluation.....	22
5.2 Evaluation Summary	22
6. Consultation	23
6.1 Overview	23
7. Proposed Plan Provisions.....	24
7.1 Strategic Direction.....	24
7.2 Objectives, Policies, Rules, Standards and Definitions	24
8. Evaluation of Objectives	28
9. Evaluation of Options to Achieve the Objectives.....	30
9.1 Introduction.....	30

9.2	Quantification of Costs and Benefits	30
9.3	Evaluation of Options	30
9.4	Summary of Preferred Options	33

Glossary of Terms

Resource Management Act 1991	RMA or 'the Act'
Gore District Council	GDC or 'the Council'
Operative District Plan	ODP
Draft District Plan	DDP
Proposed District Plan	PDP
Draft District Plan	DDP
Southland Regional Policy Statement	RPS
New Zealand Standard	NZS
National Planning Standards 2019	PS
Southland Regional Policy Statement 2017	RPS
National Policy Statements	NPS
National Environmental Standards	NES
National Environmental Standard for Electricity Transmission Activities 2009	NES-ETA
National Environmental Standard for Telecommunications Facilities 2016	NES-TF
Ngai Tahu Ki Murihiku Natural Resource and Environmental Management Plan	EMP
New Zealand Defence Force	NZDF
Permitted Activity	PA
Controlled Activity	CA
Restricted Discretionary Activity	RDA
Discretionary Activity	DA
Non-complying Activity	NCA
Southland District Plan	SDP
Clutha District Plan	CDP
Proposed Selwyn District Plan	PSDP
Proposed New Plymouth District Plan	PNPDP

1. Executive Summary

Section 32 of the Resource Management Act 1991 ('the Act' or 'the RMA') requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Act. The policies and methods of those proposals are examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives. The analysis set out in this report is to fulfil the obligations of the Gore District Council (the 'Council' or 'GDC') under section 32 of the Act.

This section 32 report relates to the evaluation of options for the management of noise through the Gore District Plan. Objectives, policies, rules and standards for managing noise are located within Part 2 – District Wide Matters, in the Noise Chapter, as required by the National Planning Standards.

The effects of noise can create nuisance which may adversely affect the health and wellbeing of people. However, some activities cannot avoid generating a degree of noise and these activities are best situated in certain locations away from more sensitive activities. It is recognised that activities which generate higher levels of noise are an important part in the economy of the district, and may also contribute to social outcomes, such as sport, recreation and entertainment. There may be other instances where sensitive activities and noise activities may co-locate or locate close together. In these instances, to prevent reverse sensitivity and manage adverse effects, measures are proposed to manage the effects.

This report evaluates the resource management issues relating to noise against the Operative District Plan (ODP) and Proposed District Plan (PDP) provisions. The purpose is to ascertain if they are the most efficient and effective means of achieving the purpose of the Act and appropriately manage the effects of noise generating activities. The preferred option has been determined as the PDP which provides greater clarity and direction for plan users and decision makers, and will ensure high quality environmental, economic, social and cultural outcomes for people and the community.

The Noise Chapter will assist the Council to fulfil its statutory functions and responsibilities as required by the Act through the following proposed objectives, policies and rules:

- Objectives which allow for noise generation which is compatible with the purpose and character of each zone. They seek to ensure that noise generated does not adversely affect amenity values and the health and wellbeing of people and communities.
- Policies which require the control of noise generating activities relative to the purpose and character of the zone and which provide specific guidance on the type, scale and level of noise which is appropriate for different locations. The policies also seek to ensure that reverse sensitivity effects are managed through use of acoustic treatment. Policies further provide for noise from temporary activities.
- Rules and standards which set maximum noise levels for certain activities and within specific zones; requirements for how noise is measured and where those measurements are taken and provisions.
- The rules also provide for noise from temporary activities, including military training exercises and other common activities such as agricultural aviation.
- Updated and new definitions are provided corresponding with the PDP provisions.

- A list of activities which are exempt from the rules and standards.

Key changes from the ODP include the following:

- New objectives which replace the more generic objectives relating to the effects of activities on amenity values within the district and the zone.
- Revised noise rule requirements to better align with the purpose and character of the PDP zones.
- Specific provisions for certain activities and more appropriate exclusions which align with the remainder of the PDP.
- Clear and directive matters of discretion.
- Introduction of definitions for the relevant new terminology.

The scale and significance of the change is determined as low-moderate. The level of detail and assessment provided within this evaluation is to that level of change which has been assessed against environmental, economic, social and cultural effects.

2. Overview and Purpose

2.1 Introduction to the resource management issue(s)

The Noise Chapter provides a regulatory framework for the control and management of noise emitted by land use activities. The provisions seek to address the following issues:

1. Noise can have an adverse effect on the health and wellbeing of people, communities and amenity values and should therefore be managed.
2. There is potential for reverse sensitivity for certain sensitive activities locating in areas where higher noise generating activities are prioritised or in close proximity to important infrastructure.
3. Recognition that noise, generated by certain emergency, temporary or critical activities requires a different approach.

2.2 Purpose of the report

The purpose of this report is to provide an evaluation of the proposed provisions in accordance with the requirements of Section 32 of the RMA 1991.

The PDP includes a chapter relating to noise which is consistent with the requirements of the National Planning Standards (PS). The Chapter contains objectives, policies, rules and standards to manage and control the actual and potential adverse effects of noise from a variety of land use activities.

This report assesses the appropriateness of the proposed objectives to achieve the purpose of the Act, and the effectiveness and efficiency of the policies, rules and standards, which give effect to the objectives. This report also provides an evaluation of the provisions relating to noise within

the ODP, information on the issues the provisions seek to address, and the research undertaken to inform the provisions.

An assessment of the scale and significance of the provisions will inform the level of detail included in this report.

3. Statutory and Policy Context

3.1 Resource Management Act

Part 2 of the RMA

In carrying out a s32 analysis, an evaluation of how the proposed provisions achieve the purpose and principles, contained in Part 2 of the RMA, is required. The Section 32 – Overview and Urban Form and Development Evaluation Report provides a broad assessment of Part 2 of the RMA in respect of the PDP.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

In achieving this purpose, authorities also need to recognise and provide for the matters of national importance identified in s6, have particular regard to other matters referred to in s7 and take into account the principles of the Treaty of Waitangi referred to in s8.

There are no section 6 matters which are directly relevant to the topic of noise.

Section 6

Whilst there are no section 6 matters which are directly relevant the provisions the following section 6 matters are indirectly relevant as the provisions integrate with the PDP cultural values identified in the PDP Mana Whenua Chapter through the matters of discretion:

- (e) *the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

Section 7

The section 7 matters that are relevant to this topic are:

- (c) *the maintenance and enhancement of amenity values*
- (f) *maintenance and enhancement of the quality of the environment*

The proposed provisions seek to manage noise which, without adequate control, may adversely affect the quality of the environment and amenity values.

Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Tangata whenua, through the Hokonui Rūnanga, have partnered with the Council in the preparation of the proposed District Plan.

Other sections of the RMA

Section 16 of the RMA requires that every occupier of land (including any premises and any Coastal Marine Area), and every person carrying out an activity in, on, or under a water body or the Coastal Marine Area, shall adopt the best practicable option, to ensure that the emission of noise from that land or water does not exceed a reasonable level. A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, (and 12, 13, 14, 15, 15A, and 15B) may prescribe noise emission standards. The PDP does not exempt people from the requirements of Section 16.

Section 31 is relevant insofar as it requires the Council to establish, implement and review a District Plan, which contains objectives, policies and methods to achieve a range of purposes, as listed above. This report considers the appropriateness of the new objectives within the PDP to achieve the purpose of the Act. The review of the ODP and the establishment of a new District Plan allows Council to give effect to Section 31.

Section 326 addresses the meaning of 'excessive noise'. 'Excessive noise' means any noise that is under human control and of such a nature as to unreasonably interfere with peace, comfort, and convenience of any person (other than a person in or at the place from which the noise is being emitted), but does not include any noise emitted by:

- aircraft being operated during, or immediately before or after, flight;
- vehicles being driven on a road (within the meaning of section 2(1) of the Land Transport Act 1998); or
- trains, other than when being tested (when stationary), maintained, loaded, or unloaded.

Excessive noise includes noise that exceeds a standard for noise prescribed by a National Environmental Standard (NES); and may include noise emitted by:

- a musical instrument; or
- an electrical appliance; or
- a machine, however powered; or
- a person or group of persons; or
- an explosion or vibration.

3.2 National Policy Statements

There are no National Policy Statements (NPS) which have particular relevance to the noise chapter.

3.3 National Environmental Standards

The Section 32 – Overview and Urban Form and Development Evaluation Report includes details and a brief assessment of all National Environmental Standards.

There are two National Environmental Standards of relevance to noise. The National Environmental Standard for Telecommunications Facilities 2016 (NES-TF) and the National Environmental Standard for Electricity Transmission Activities 2009 (NES-ETA).

The NES-TF sets noise limits for telecommunication cabinets. Section 24 (Noise limits for cabinet in road reserve) contains noise limits (daytime and night time) for cabinets that are located in a

residential zone or an adjoining road reserve. Measurement and assessment of noise is in accordance with NZS 6801 and 6802.

Section 24 also prescribes where noise must be measured. If a building containing a habitable room is within 4m of the road reserve, where the cabinet is located, the noise must be measured at a point that is 1m from the side of the building or on the vertical plane of the side of the building. In any other case, the noise must be measured at a point that is at least 3m from the cabinet; and within the boundaries of land adjoining the road reserve where the cabinet is located.

Section 25 (Noise limits for cabinet not in road reserve) applies to a cabinet not located in a road reserve. Compliance is achieved if the cabinet is installed and operated in accordance with the district plan rules about noise from a facility at the place where the cabinet is located.

The only reference to noise levels in the NES-ETA is in relation to a construction activity relating to an existing transmission line whereby the activity is permitted if it complies with NZS 6803:1999 Acoustics - Construction Noise.

The only reference to noise levels in the NES-ET is in relation to construction activity relating to an existing transmission line whereby it is permitted if it complies with NZS 6803:1999 Acoustics - Construction Noise.

The PDP does not impose more restrictive requirements on these activities relative to the NES-TF or NES-ETA.

3.4 National Planning Standards

The National Planning Standards (PS) 2019 requires a more bespoke approach to planning zones than the ODP. This includes a clearer centre hierarchy, rural settlement zones, and a wider range of residential, industrial and rural zones. The PS directs that where a particular topic is addressed in a Plan it must be presented in accordance with the requirements. The PS provides the structure and form for the plan content along with definitions and mapping criteria. The PS also requires that matters which affect the entire district are provided for in specific chapters.

The PS states:

If provisions for managing noise are addressed, they must be located in the Noise chapter. These provisions may include:

- a. noise provisions (including noise limits) for zones, receiving environments or other spatially defined area*
- b. requirements for common significant noise generating activities*
- c. sound insulation requirements for sensitive activities and limits to the location of those activities relative to noise generating activities.*

Any noise-related metrics and noise measurement methods must be consistent with the 15. Noise and vibrations metrics Standard.

The Noise chapter must include cross-references to any relevant noise provisions under the Energy, infrastructure, and transport heading.

The unique identifier for noise is NOISE.

Section 15 of the PS requires that any rule to manage noise emissions must be in accordance with the mandatory noise measurement methods and symbols in the applicable New Zealand Standards (NZS):

- New Zealand Standard 6801:2008 Acoustics – Measurement of environmental sound
- New Zealand Standard 6802:2008 Acoustics – Environmental noise
- New Zealand Standard 6803:1999 Acoustics – Construction noise
- New Zealand Standard 6805:1992 Airport noise management and land use planning – measurement only
- New Zealand Standard 6806:2010 Acoustics – Road-traffic noise – New and altered roads
- New Zealand Standard 6807:1994 – Noise Management and Land Use Planning for Helicopter Landing Areas - excluding 4.3 Averaging
- New Zealand Standard 6808:2010 Acoustics – Wind farm noise
- New Zealand Standard 6809:1999 Acoustics – Port noise management and land use planning

These standards must be incorporated by reference into the relevant chapter as listed in section 15 of the PS. In addition, any rule to manage noise emissions must be consistent with the mandatory assessment methods in section 6 Rating Level and section 7 LMAX of New Zealand Standard 6802:2008 Acoustics – Environmental Noise, provided the type of noise emitted is within the scope of this standard.

The PS also includes definitions which are relevant to the noise chapter:

noise has the same meaning as in section 2 of the RMA (as set out in the box below) includes vibration.

noise rating level means a derived noise level used for comparison with a noise limit.

notional boundary means a line 20 metres from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building.

special audible characteristic has the same meaning as ‘special audible characteristic’ in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise.

3.5 Regional Policy Statement

The Southland Regional Policy Statement 2017 (RPS) sets out the framework and priorities for resource management in the region. The RPS identifies the regionally significant issues around the management of the Region’s natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods). The PDP is required to give effect to the RPS by section 75(3) of the RMA.

The RPS does not contain any objectives or policies which are particularly relevant to the management of noise in Gore District. The only policy in the RPS which specifically refers to ‘emission of noise’ is Policy COAST.7. This relates to management of activities in the coastal marine area. As Gore does not have a coastal marine area this policy is not directly relevant to the PDP.

The urban section of the RPS recognises that there is a need to create and maintain sustainable urban environments that function well and provide a safe, healthy and stimulating environment, but also recognise that development can result in a range of negative effects, including a loss of local identity, social problems or health issues.

Objective URB.1 – Urban Development states:

“Urban (including industrial) development occurs in an integrated, sustainable and well-planned manner which provides for positive environmental, social, economic and cultural outcomes.”

Managing noise through the PDP will contribute to positive environmental, social, economic and cultural outcomes by maintaining amenity values and protecting the health and well-being of the community.

3.6 Regional Plans

There are no regional plans which specifically relate to management of noise through the PDP.

3.7 Iwi Environmental Management Plan(s)

‘Te Tangi a Taura – The Cry of the People’ the Ngai Tahu Ki Murihiku Natural Resource and Environmental Management Plan (EMP) identifies a broad range of relevant matters when considering where and how Gore grows and develops. In particular, there is a desire to:

- limit the impacts of climate change on indigenous species and ecosystems and the risks of natural hazards by appropriately managing urban development and providing for sustainable energy and transport systems.
- Protect sites of significance and indigenous biodiversity areas along with appropriate management of water
- Limit impacts of industrial activity and subdivision by involving iwi in decision making processes and managing land use, building and water issues
- Providing appropriate infrastructure management

‘Te Tāhū o Te Whāriki’, the Ngāi Tahu Climate Change Strategy, identifies a need to assess future commercial risks, protect wahi tapu, mahinga kai and other taonga, prepare plans to relocate Marae and Runānga facilities threatened by increasing hazards, as well as influence agencies to develop climate change responses.

In relation to noise the EMP identifies that effects from industry and farming is an issue which can result in increased noise pollution from localised industry e.g. airports, industry premises and car stereos.

3.8 Other Legislation and Policy Documents

Building Act 2004 and Building Code 1992

These Acts control the construction of buildings including preventing undue noise transmission between activities in the same building, the insulation of new buildings and the use of double glazing, to reduce the effects of external noise sources.

Health Act 1956

Sections 29-35 of the Health Act enables the Council to deal with nuisance noise and vibration that is likely to be injurious to public health.

3.9 Other Local Policies, Strategies and Plans

Guide to the management of effects on noise sensitive land use near to the state highway network (Waka Kotahi / NZTA, September 2015, Version 1.0)¹

The purpose of this guidance document is to promote good practice for the management of noise sensitive land use activities near state highways, consistent with NZS 6806:2010 Acoustics - road traffic noise - new and altered roads. This guidance has been taken into account in the drafting of the PDP in respect of setbacks to state highways, acoustic insulation of sensitive activities and noise provisions.

Quality Planning Guidance on Managing Noise²

The Ministry for the Environment produces and publishes RMA guidance on the Quality Planning website, which includes material about managing noise. The guidance focusses on managing noise in mixed-use urban areas and provides an explanation of noise effects and how noise is quantified and assessed; an overview of relevant legislation and managing noise effects; and provides an overview of the techniques that local authorities might use in managing noise in mixed use environments.

The PDP has been prepared in a manner that is consistent with this guidance.

4. Resource Management Issue Analysis

4.1 Background

Section 2.1 of this report identifies three resource management issues which the PDP light chapter provisions address:

- 1. Noise can have an adverse effect on the health and wellbeing of people, communities and amenity values and should therefore be managed.*
- 2. There is a potential for reverse sensitivity for certain sensitive activities, locating in areas where higher noise generating activities are prioritised, or in close proximity to important infrastructure.*
- 3. Recognition that noise generated by certain emergency, temporary or critical activities requires a different approach.*

¹ <https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf>

² <https://www.qualityplanning.org.nz/node/165>

Issue 1 - Noise can have an adverse effect on the health and wellbeing of people, communities and amenity values and should therefore be managed.

The majority of land use activities emit some degree of noise. However, noise which is intrusive, particularly overnight, can adversely affect people's health and wellbeing. It is appropriate that maximum noise levels correspond with the anticipated amenity, and therefore degree of sensitive activities within each zone.

The PDP provides for maximum noise levels of each zone, depending on its particular character and function, which is established through the zone provisions. The zone provisions are assessed in specific topic-based section 32 evaluation reports.

Where an activity breaches the maximum noise levels, the matters of discretion provide for a comprehensive assessment to ensure adverse effects are fully assessed and, where appropriate, mitigation measures are required through conditions of consent.

Issue 2 - There is a potential for reverse sensitivity for certain sensitive activities, locating in areas where higher noise generating activities are prioritised, or in close proximity to important infrastructure.

Zones such as the industrial or commercial zones have a primary purpose of providing for industrial and commercial activities, which play an important role in the economic wellbeing of the community. These activities need to be able to operate without undue compromises. Allowing noise sensitive activities to establish without controls, in the same areas as activities which generate higher levels of noise, can lead to complaints which may compromise the efficient operation of industrial or commercial activities. The PDP zone provisions appropriately manage activities which may compromise higher noise generating activities and result in reverse sensitivity. For example, in the industrial zones, residential activities are only permitted on a very small scale, where it is ancillary to an industrial activity.

The PDP noise chapter includes a rule and standard for acoustic treatment for noise sensitive activities in certain locations. The acoustic treatment requirements are cross referenced in other chapters, such as the Mixed Use and Commercial Zones, to ensure that noise sensitive activities are protected against the higher levels of noise anticipated in these zones, which also provide for commercial and / or light industrial activities.

The PDP noise chapter includes requirements for lower levels of noise to be received within an adjoining different zone, compared to within the zone where the activity is undertaken. This aims to ensure that the amenity values of adjoining zones are appropriately maintained, and adverse effects of those more sensitive activities are mitigated. For example, within the industrial zones, higher noise levels can be received at sites within the zone, however, a lower level of noise must be received at an adjoining zone, such as rural lifestyle, where there is a greater density of noise sensitive activities.

Issue 3 - Recognition that noise, generated by certain emergency, temporary or critical activities requires a different approach.

The PDP exempts noise from emergency response activities and some temporary activities subject to limits. Specific provisions are also provided for construction noise, temporary military training activities, small scale wind turbines and agricultural aviation. These bespoke rules recognise the nature and significance of these activities to the local community and economy. The provisions also recognise the value and national significance military training exercises have to the operation of the New Zealand Defence Force (NZDF).

4.2 Operative Plan Approach

Noise is currently managed in the Land Use Activities Framework and Rules chapters in the ODP³. The ODP recognises the potential for land use activities to adversely affect the quality of the environment, the landscape and amenity values. It also recognises that the various environments of the district have a different ability to absorb the adverse effects of land use activities. The ODP recognises that the rural and residential environments are characterised by low background noise levels. However, in the commercial and industrial areas higher noise levels can reasonably be anticipated. The ODP also acknowledges that Mātaura has a predominantly industrial character due to the dominance of industrial activity, this results in higher noise levels being experienced than Gore.

Objectives 3.3[1] and [2] seek to ensure:

- the amenity values of the various localities within the district are maintained and enhanced while respecting the different values and characteristics that exist within each area; and
- the effects of land use activities do not adversely affect the quality of the environment and are compatible with the characteristics and amenity values of each locality.

There are no specific objectives or policies which relate to noise. Policy 3.4[2] is generally referring to controlling the adverse effects of land use activities on the environment.

Chapter 4, Section 4.5 contains rules relating to noise control with noise limits for the different zones:

Rural and Residential Zones

7.00am to 10.00pm	55 dBA Leq
10.00pm to 7.00am	40 dBA Leq
10.00pm to 7.00am	75 dBA Lmax

Measured at any point in the notional boundary of any noise sensitive activity in the Rural Zone and at any point in any other site in the Residential Zone.

³ [District Plan - Gore District Council \(goredc.govt.nz\)](https://www.goredc.govt.nz/)

Commercial, Industrial and Mixed Use Zones

Anytime	55 dBA Leq
10.00pm to 7.00am	75 dBA Lmax

Measured at any point in any other site for the Commercial Zone and at or beyond the zone boundary for the Industrial and Mixed Use Zones.

The following activities are excluded from the noise standards:

Rural and Residential Zones:

- a) Where there is any noise sensitive activity on the same site as a noise source being assessed.
- b) Where activities conducted are of a normal domestic nature including recreational activities, such as sporting events and which do not involve powered motorsport, powered aviation, gunfire or amplified music.
- c) To activities of normal primary production or forestry activities.
- d) To vehicle movement on public roads.
- e) To warning devices used by emergency services.
- f) On any site in the District where, on not more than one day in any 12 month period, an event is held for recreation, or entertainment purposes open to the public and held between the hours of 8.00 a.m. and 11.00 p.m. on the same day.
- g) To any land use activity in connection with the Waimumu Field Days.
- h) To any land use activity on the A and P Showgrounds in Gore.
- i) To any land use activity on the Gore Racecourse.
- j) To any land use activity or flight operations associated with use of the Charlton Aerodrome or the Mandeville Airfield.
- k) Where the activity is a temporary military training activity and complies with the following provisions:
 - (i) Temporary military training activity shall be conducted so as to ensure the noise limits in Table 4.1 below are not exceeded at any point within the notional boundary of any noise sensitive activity during the following time-frames
 - (ii) Provided further that the above noise limits shall not apply on up to four occasions in any period of 12 months where any exhibition or demonstration of military activities is open to the public and held on any day between the hours of 10.00 a.m. and 5.00 p.m.

Commercial, Industrial and Mixed Use Zones

- a) Where there is any noise sensitive activity on the same site as a noise source being assessed.
- b) Where activities conducted are of a normal domestic nature including recreational activities, such as sporting events and which do not involve powered motorsport, powered aviation, gunfire or amplified music.
- c) To vehicle movement on public roads.
- d) To warning devices used by emergency services.

The rules provide for noise from temporary military training activities:

Time on any day	Leq (15 min) dBA	L max dBA
7.30am - 6.00pm	75	90

6.00pm – 8.00pm	70	85
8.00pm – 7.30am	55	75

Provided the limits for impulsive noise arising from any use of explosives, explosives simulators, ammunition, munitions or pyrotechnics at any time, shall not exceed 120 dBC (peak).

A further requirement is the acoustic insulation of any building providing overnight accommodation located within 50m of a State Highway.

The ODP provides methods for measurement and assessment of noise which references the New Zealand Standards 6801:1999 and 6802:1999, both of which have now been superseded by the more recent 2008 standards.

Any non-compliance with the rules is a restricted discretionary activity with discretion limited to “the adverse environmental effects of the matters with which there is a non-compliance”.

4.3 Effectiveness of Operative Plan

Issue	Comment	Response
The lack of relevant objectives and policies	There are no objectives and policies which specifically relate to noise which results in a lack of clarity and direction.	The PDP contains specific objectives and policies for the management of noise. These are given effect to by the rules and standards and provide clarity and certainty for plan users and decisions makers.
The references to measurement and assessment standards are outdated	The PS require reference to current NZS and to ensure best practice and clear direction for Plan users the correct standards should be referenced.	The PDP contains reference to current NZS standards.
The vagueness of the matter of discretion	Matters of discretion should be more directive to provide certainty for plan users and decision makers.	The PDP generally retains the Restricted Discretionary Activity status for non-compliances but provides more directive matters of discretion.
The noise limits do not reflect current best practice or the PDP zoning.	The provisions are outdated and do not reflect current best practice to manage noise effects.	The PDP provides clearer noise limits for zones which align with the PS and the provisions cover a wider range of activities.
The range of exemptions is too broad and specific activities are not provided for appropriately	The range of exemptions is extensive and may not appropriately protect the health and wellbeing of the community. However, other specific activities which may need to be provided for are	The PDP contains a targeted list of exemptions to recognise activities, which are reasonable to exempt from noise standards. Such activities are regularly undertaken as part of a

	not included in the provisions.	normal zone activity, such as agricultural activities. The PDP also contains bespoke provisions for significant activities and temporary activities.
--	---------------------------------	--

The ODP approach is not efficient or effective as there is a lack of specific objective and policies which can result in inefficient consent processing and a lack of clarity and direction for both plan users and decision makers.

4.4 Technical Reports and Research

The Council commissioned Styles Group Acoustics & Vibration Consultants to undertake a review⁴ of the draft District Plan (DDP) noise chapter and the feedback which was received on the DDP. Section 6 of this report details the consultation process and feedback received. The feedback is fully summarised in Appendix 1 with a high level summary provided in section 6. However, where the technical advice has been provided to address specific feedback and amendments have been made to the DDP this is noted in the table below.

Styles Group provided further expert input⁵ into the drafting of the PDP noise chapter on the following matters:

- Appropriate maximum noise levels for specific zones and receiving zones.
- Vibration standards associated with construction activities.
- Noise from take off and landing of aircraft and helicopters.
- Management of noise from airfields
- Provisions for temporary military training activities.
- Standards for wind turbines.
- Mechanical ventilation standards.
- Noise and vibration from state highways and rail activities.

The advice provided resulted in amendments to the draft District Plan Noise Chapter to ensure the PDP provisions are fit for purpose, achieve best practice principles and provide for appropriate outcomes. This included the following amendments:

PDP provision	Amendment to DDP following expert advice
Objectives and policies	• The objectives and policies were generally refined to ensure they articulated clear outcomes which were appropriate for the management of noise. • The objectives and policies were updated to ensure the terminology used was appropriate in respect of noise management and measurement.
Noise sources exempt from specific rules and standards	• Reduction of the range of exempt activities to ensure that adverse effects on the health and wellbeing of people and communities are appropriately managed.

⁴ Noise Chapter Review: Gore District Plan Review, Styles Group Acoustics & Vibration Consultants 9 June 2023

⁵ Noise Chapter Review: Gore District Plan Review, Styles Group Acoustics & Vibration Consultants 2 August 2023

	- Refining the wording in relation to exempt activities to ensure the exemptions are not likely to be misinterpreted and clear for plan users. - Refine reference to section 16 of the RMA and how it is applied in relation to the PDP provisions. - Noise from the take-off and landing of aircraft within the Airport Zone and Mandeville Aviation and Rail precinct was included as an exemption, in line with Option 2⁶ of recommendations within the Technical Report.
Noise from activities not otherwise provided for in this chapter (DDP NOISE-R1)	This rule was deleted as it was deemed inappropriate and unnecessary.
Noise from construction activities (PDP NOISE-R1)	- Amendments to include requirements for construction noise standards (tables which align with the relevant New Zealand Standards) and where construction noise must be measured from. - Notes added to explain what is meant by duration in relation to construction.
Vibration from construction activities (PDP NOISE-R2)	- Inclusion of a new rule to manage vibration effects associated with construction. - The rule includes requirements for vibration standards and measurement. A note providing an explanation of vibration measurements, standards and likely scenarios is provided. - Matters of discretion are also included.
Noise from small scale wind turbines (PDP NOISE-R3)	- Amendments to include a permitted activity condition relating to noise rating level. - A note was also added to explain how noise would be measured.
Noise from temporary military training activities (PDP NOISE-R4, R5 & R6)	Amendments to the permitted activity conditions, activity status and matters of discretion. <i>Following discussions between Styles Group and the New Zealand Defence Force's (NZDF) noise expert, a memo was received from the NZDF. The memo is attached at Appendix 2. The provisions have been amended to align with the memo.</i>
Construction of, additions to or alterations to buildings for a noise sensitive activity (PDP NOISE-R7)	Amendments to include a requirement to acoustically treat (based on NOISE-S3) buildings for noise sensitive activities within the state highway noise control overlay. <i>(This provision was added following feedback from Waka Kotahi)</i>
Noise from the take-off and landing of aircraft and helicopters used for agricultural aviation (PDP NOISE-R8)	- Permitted Activity (PA) conditions added to provide limits on the number of take-offs and landings per year. - Amendment to include a restriction on where the activity can take place (rural airstrip, helicopter

⁶ Noise Chapter Review: Gore District Plan Review, Styles Group Acoustics & Vibration Consultants 2 August 2023 para 10.1.2

	landing area in the rural environment or the Mandeville Aviation and Rail precinct). • Requirements for the location of rural airstrip and helicopter landing areas. • Amendment to permit the activity without restrictions within the Airport Zone. <i>These provisions were developed following feedback from the community and further discussions with the New Zealand Agricultural Aviation Association.</i>
Noise from the take-off and landing of helicopters (other than for agricultural aviation) (PDP NOISE-R9)	• Amendments to include requirements for helicopter landing areas and helicopter flight paths. • An additional PA condition to limit the number of movements per day, week and month. • Additional matters of discretion and a note to explain how noise levels must be measured and assessed.
Noise from temporary activities (NOISE-R10)	• Addition of a new rule to manage noise from temporary events. • PA conditions around timing and requirement for measurement of noise.
Noise levels (NOISE-S1 & S2)	• Split out the noise levels into two standards. One for noise levels received within a zone and a second standard for noise levels received within a different zone. • Updates to some noise levels to reflect better outcomes and the general character and function of that zone.
Acoustic treatment (NOISE-S3)	• Amendments to include specific noise levels and times for different internal spaces. • Amendments to include requirements for mechanical ventilation. • Addition of a note to explain compliance and mechanical ventilation requirements.

There were several areas where advice was provided and not included with the PDP as follows:

Advice	Comment
Wind farms – recommend an RDA status for wind farms	Large scale renewable energy activities (which would include wind farms) are a discretionary or non-complying activity in the Energy Chapter. The PDP Energy Chapter includes a policy specifically relating to assessing large scale renewable energy activities. The policy refers to 'noise effects' and so is directive to ensure consideration is given to noise effects through the consent process. The Noise Chapter 'noise level' standards would apply to any wind farm, and it is anticipated any application for a wind farm would be accompanied by an acoustic assessment.

	The noise chapter rule for small scale turbines is more important due to the PA status for small scale turbines in certain zones within the Energy Chapter.
Education facilities and early childhood facilities – provide a specific noise standard for these facilities	The PDP rule framework within the zones is appropriate to ensure that educational facilities are directed to locate in appropriate zones i.e. Non-Complying in Industrial Zones, DA in Residential. Therefore, a noise standard is not considered necessary. Where compliance with the general zone noise standard cannot be met it is considered appropriate that adverse effects are assessed.

4.5 Analysis of Best Practice – how other Councils are addressing the same issue

To understand whether the PDP provisions in relation to light are appropriate and consistent with how other Councils are addressing the same issue the following District Plans were reviewed.

- Southland District Plan⁷ (Southland District Council borders Gore District Council to the north, south and east)
- Clutha District Plan⁸ (Clutha District Council borders Gore District Council to the west)
- Proposed New Plymouth District Plan⁹
- Proposed Selwyn District Plan¹⁰

Southland District Plan 2018 (SDP)

Chapter 2.11 of the SDP relates specifically to the management of noise. The chapter contains a single objective which seeks to control the adverse effects of noise emission and manage potential conflicts between land use activities. Two policies are provided to manage subdivision, land use activities and development in a manner which avoids, remedies or mitigates the adverse effects of noise and avoid, remedy or mitigate reverse sensitivity effects from noise emissions.

The maximum noise levels are provided within the relevant zone chapters and cover the following activities:

• Permitted Activities	• Noise from wind turbines
• General Standards (noise measurement)	• Audible devices in rural and Eweburn Zone
• Noise standard exemptions	• Vibration
• Temporary Military Training Activities	• Edendale Industrial Noise Control Boundary
• Temporary Activities / Events	• Construction Noise
• Noise from helicopters	• Frost Fans
• Noise from Aircraft	• Discretionary Activities & Shooting Ranges

⁷ [District Plan | Southland District Council \(southlanddc.govt.nz\)](https://southlanddc.govt.nz/district-plan)

⁸ [District Plan - Clutha District Council \(cluthadc.govt.nz\)](https://cluthadc.govt.nz/district-plan)

⁹ [IsoPlan \(selwyn.govt.nz\)](https://selwyn.govt.nz/iso-plan)

¹⁰ [IsoPlan \(npdc.govt.nz\)](https://npdc.govt.nz/iso-plan)

For example, Urban Zone

	Day time (7.00 am - 10.00 pm inclusive)		Night time (All other times)	
	LAeq (15 min)	LAF,max	LAeq (15 min)	LAF,max
When measured at the boundary of any property zoned:				
Urban Zone	50 dB	75 dB	40 dB	70 dB
Urban Zone - Commercial Precinct	55 dB	80 dB	45 dB	70 dB

Rural Zone

	Day time (7.00 am - 10.00 pm inclusive)		Night time (All other times)	
	LAeq (15 min)	LAF,max	LAeq (15 min)	LAF,max
When measured at the boundary of any property zoned:				
Rural Zone (including Mountains Overlay)	65 dB	85 dB	45 dB	70 dB
When measured at any point within the notional boundary of any dwelling on an adjoining property zoned:				
Rural Zone	50 dB	75 dB	40 dB	70 dB

Clutha District Plan 1998 (CDP)

Chapter 3.13 of the CDP relates specifically to the management of noise within the district. The chapter identifies the issues and contains objectives and policies to protect the district's amenity values and the wellbeing of people from the adverse effects of noise. The policies also reference permitted noise levels, monitoring requirements and specific noise from airports.

The chapter contains 4 rules relating to noise:

- How to measure noise
- Construction noise
- Vibration
- Noise from temporary military training activities

The CDP does not provide 'zones' but instead has 'resource areas' each of which has a specific chapter in the Plan. The maximum noise levels for each resource area are provided within the chapter relating to that area and the noise chapter (3.13) is cross referenced.

Proposed Selwyn District Plan (PSDP) - publicly notified on 5 October 2020 with a variation notified on 20 August 2022

The PSDP includes objectives and policies to manage adverse effects associated with noise to protect the health and wellbeing of people and communities and their amenity values and to ensure that important infrastructure which generates noise is protected from reverse sensitivity effects.

The policies specifically provide for and manage some existing and future activities which generate noise, including the Darfield Gun Club, temporary military training activities and temporary activities. The policies also seek to protect the Christchurch Airport, port and industrial activities within the Port Zone, State Highways and the New Zealand Defence Force West Melton Rifle range from reverse sensitivity effects.

Rules provide the following activities with rule requirements providing zone noise limits and construction noise limits:

• Any activity not specified elsewhere	• Darfield Gun Club
• Construction activities	• Temporary Military Training Activities
• Noise sensitive activities within the State Highway and Railway Network Noise Control Overlays	• Temporary Activities
• Noise sensitive activities within the Christchurch International Airport Noise Control Overlays	• Audible Bird Scaring Device
• Noise sensitive activities within the Port Zone Noise Control Overlays	• Frost Fans
• Noise sensitive activities within the Dairy Processing Zone Noise Control Overlays	• Blasting Activity
• Noise sensitive activities within the West Melton Rifle Range Noise Control Overlays	• Land Use Activities Generating Vibration Effects

Proposed New Plymouth District Plan (PNPDP) - decisions notified on 13 May 2023

The PNPDP includes objectives and policies to ensure noise generating activities are compatible with the role, function and predominant character of each zone; noise from activities does not adversely affect the health and wellbeing of people and communities and their amenity values; noise sensitive activities are located to avoid reverse sensitivity effects.

Rules provide the following activities with rule requirements providing zone noise limits and noise insulation standards for noise sensitive activities in specific zones:

• Emission of noise not otherwise provided for	• Temporary Military Training Activities involving mobile noise sources
• Construction, maintenance & demolition activities	• Temporary Military Training Activities involving fixed (stationary) noise sources
• Noise from domestic wind turbines	• Temporary Military Training Activities involving live firing, fire of blank ammunition & the use of explosives

• Temporary Activities	• Large scale renewable electricity generation activities
• New buildings / alterations to or additions to buildings to be occupied by a noise sensitive activity	• Noise from helicopter landing areas

Summary and conclusions

The four Plans reviewed contain controls over noise from similar activities to those controlled through the PDP.

The PNPDP and PSDP were both prepared in accordance with the PS and so more closely align with the PDP. However, the approach to noise management and maximum noise levels are comparable between all plans reviewed and the PDP. On this basis the PDP is considered to align with best practice and other comparable plan approaches.

4.6 Other Relevant Documents and feedback

The Council have processed 2 consents related to non-compliance with noise standards in the last 10 years. However, there may be other bundled land use consents where noise was a consideration. The processed land use consents (LU2021/134 and LU2021/118) related to noise at the Gore Multi Sport Facility, where a variation was sought to amend the conditions relating to noise and consent to upgrade the ventilation system which impacted on noise levels.

The level of compliance issues and number of resource consents issued indicates that generally the ODP noise provisions are managing noise appropriately. However, to align with the PS, reflect the PDP zoning and provide for some key activities in a more appropriate manner changes to the ODP are considered appropriate.

Other than the DDP consultation feedback, specific feedback has been provided from the Gore Hospital in relation to helicopter landings and the NZDF in relation to noise associated with temporary military training activities (refer to Appendix 2).

Feedback from hospital (via email)

Thanks for the email. I've asked for the data for the number of helicopter landings, but generally it seems to average about one a week.

The helicopter is only utilised in emergency situations, so when someone has come into our ED in a critical condition that our staff do not think an ambulance transfer will be quick enough. Most car crashes, or rural accidents with serious injuries – the helicopter lands directly at the accident site.

The helipad location is not used for any non-critical movements, only for emergencies.

5. Scale and Significance

5.1 Scale and Significance Evaluation

Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

	Assessment				
	Low	Low - Moderate	Moderate	Moderate - High	High
Degree of change from the Operative Plan			X		
Scale of effects – geographically (local, district wide, regional, national).			X		
Effects on matters of national importance (s6 RMA)	X				
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).				X	
Scale of effects on those with specific interests, e.g., Mana Whenua		X			
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	X				
Likelihood of increased costs or restrictions on individuals, communities or businesses.		X			

5.2 Evaluation Summary

The management of noise is not substantially controlled through other planning documents such as regional plans, or through other legislation. Whilst there are a number of Australian/New Zealand Standards which are relevant to the measurement and assessment of noise, District Plans are the method for setting noise limits to manage environmental effects from land use activities.

The PDP provisions largely maintain the current ODP approach to managing the effects of noise based on the purpose and characteristics of the zone, however, the PDP provides the following:

- More specific objectives and policies.
- Clearer matters of discretion.

- Greater distinction between noise limits in different zones to reflect the particular characteristics of areas.
- The rules control and manage noise from a broader range of land use activities.

Overall, the scale of significance is considered to be low-moderate and therefore, the level of detail provided within this evaluation is commensurate with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the provisions.

6. Consultation

6.1 Overview

The Section 32 – Overview and Urban Form and Development Evaluation Report provides an overview of the consultation undertaken to date in respect of the PDP. The PDP has been prepared in partnership with Hokonui Rūnanga who have reviewed and provided feedback on the Noise Chapter to ensure consistency with the Mana Whenua Chapter and cultural values are appropriately integrated throughout the proposed provisions.

Engagement with the community on the draft District Plan was undertaken between 10th August 2022 and 30th September 2022. The feedback received in respect of the Noise Chapter is summarised in full within Appendix 1. However, the feedback generally related to the following matters:

- The range of exemptions are too far reaching to fully manage adverse effects on health and wellbeing of people and communities.
- Some technical terminology, reference to New Zealand Standards and noise measurement standards.
- Inclusion of ventilation standards is necessary to support acoustic treatment requirements.
- It is unclear how noise would be measured and managed in relation to indigenous species.
- The temporary military training activity provisions do not fully align with provisions sought by NZDF elsewhere in district plans and cover the full range of necessary activities.
- The agricultural aviation noise limits are too onerous and restrictive to work in practice.
- Request to acknowledge reverse sensitivity in respect of greater noise generating activities.
- Reverse sensitivity effects of noise from rail and state highways should be managed through overlays, acoustic treatment and setback requirements.

Some key amendments were incorporated into the PDP to respond to feedback and also to respond to advice provided by Styles Group Acoustic & Vibration Consultants. The key amendments made to the DDP are outlined in section 4.4 of this report. Where the amendment is a result of feedback from the community, this is noted.

7. Proposed Plan Provisions

7.1 Strategic Direction

The PDP includes a number of strategic objectives which have been tested in terms of s32(1)(a) in their relevant s32 reports. However, the other chapters of the plan should align with these strategic objectives to ensure vertical integration within the PDP.

There are no specific objectives relevant to noise, however, there are several objectives which relate to general development and urban environments within the district. These objectives have some relevance to noise as a resource management issue.

Objective UFD-O1 seeks to ensure that the district develops in a cohesive, compact and structured manner, this includes managing adverse effects between incompatible activities and zones.

Objective UFD-O7 relates to ensuring urban environments are liveable, safe and well-designed which would include managing the adverse effects of noise, which can affect the liveability of an environment.

The noise provisions align with the strategic direction by providing for noise levels which are appropriate for the character and function of each zone i.e. higher noise levels in industrial zones and lower levels for rural and residential zones.

The Mana Whenua Chapter articulates mana whenua and Te Taiao values. The objectives, policies and matters of discretion for rules within the noise chapter, integrate with the values identified in the Mana Whenua Chapter to ensure appropriate consideration of cultural values, in relation to activities which create higher than anticipated noise levels.

7.2 Objectives, Policies, Rules, Standards and Definitions

Objectives
Three objectives are provided to ensure: • noise levels generated by activities are compatible with the purpose and predominant character of each zone; and • activities which generate noise do not adversely affect amenity values and health and wellbeing; and • noise sensitive activities should be located, designed and constructed to ensure reasonable indoor noise levels are achieved and the risk of reverse sensitivity is managed.
Policies
The policies seek to ensure the following: • The predominant character and amenity of each zone is maintained, and the health and wellbeing of the community is managed through application of noise levels, specific to each zone.

• When assessing non-compliance with noise levels, consideration is given to the effects of noise such as level, timing, frequency and the ability to avoid conflict, along with appropriate mitigation and implementation of best practicable options, to minimise adverse effects. • Acoustic treatment is required for activities in certain locations where there may be concerns over reverse sensitivity. • Temporary activities, including military training activities, are provided for.
Rules
There are 10 rules which give effect to the policies and objectives and provide for the following:- • Noise and vibration from construction activities. • Noise from small scale wind turbines. • Noise from temporary military training activities (including fixed and mobile noise sources, firing and explosive noise). • Construction of, addition to or alterations to a building used for a noise sensitive activity in certain locations (within the railway corridor and 40m of the state highway). • Noise from take-off and landing of aircraft and helicopters used for agricultural aviation and noise from take-off and landing of helicopters used for other purposes. • Noise from temporary events.
Standards
Standards S1 & S2 provide the maximum noise levels generated by activities within each zone and specify where the noise must be measured at. The standards seek to ensure noise levels within a zone are compatible with the purpose and predominant character of the zone. For example, within the Residential and Rural Zones lower noise levels are proposed to reflect the ambient character of those zones, higher noise levels are proposed within the General Industrial Zone to reflect the presence of noise generating activities. However, the standards seek to ensure that noise generated by an activity in one zone does not adversely affect an activity in another zone, where the receiving environment has a different character. Standard S3 provides the requirements for acoustic treatment of habitable rooms and buildings used for noise sensitive activities, to ensure reverse sensitivity effects are managed and appropriate amenity values are achieved for occupants.
Definitions
The following definitions are directly relevant to the Noise Chapter (this is not a comprehensive list of terms included in the Noise Chapter which have a definition): LA90 Has the same meaning as per the National Planning Standards: has the same meaning as the 'Background sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound. LAeq Has the same meaning as per the National Planning Standards:

has the same meaning as ‘time-average A-weighted sound pressure level’ in New Zealand Standard 6801:2008 Acoustics -Measurement of Environmental Sound.

LAF(max)

Has the same meaning as per the National Planning Standards:

has the same meaning as the ‘maximum A-frequency weighted, F-time weighted sound pressure level’ in New Zealand Standard 6801:2008 Acoustics – Measurement Of Environmental Sound.

Ldn

Has the same meaning as per the National Planning Standards:

has the same meaning as the ‘Day night level, or day-night average sound level’ in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.

Lpeak

Has the same meaning as per the National Planning Standards:

has the same meaning as ‘Peak sound pressure level’ in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.

Habitable room

Has the same meaning as per the National Planning Standards:

means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.

Noise

Has the same meaning as in section 2 of the RMA – includes vibration

Noise rating level

Has the same meaning as per the National Planning Standards:

means a derived noise level used for comparison with a noise limit.

Notional Boundary

Has the same meaning as per the National Planning Standards:

means a line 20 metres from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building.

Noise Sensitive Activity

Noise sensitive activity means any:

- a. health care centre or hospital where overnight accommodation is provided.
- b. educational facility, excluding trade and industrial training facility
- c. residential activity
- d. visitor accommodation
- e. places of worship
- f. marae or Papatipu Rūnanga complex
- g. Graveyard or urupā

Reverse sensitivity

The potential for an approved (whether by consent or designation), existing or permitted activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an approved, existing or permitted activity.

Special audible characteristic

Has the same meaning as per the National Planning Standards:

has the same meaning as '*special audible characteristic*' in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental *Noise*.

8. Evaluation of Objectives

This section of the report evaluates the proposed objectives as to whether they are the most appropriate to achieve the purpose of the Act.

Existing Objective	Appropriateness to achieve the purpose of the Act
As identified elsewhere in this report there are no specific objectives relating to noise in the ODP, however, the following objectives would broadly direct the decision maker in respect of amenity values. 3.3(1) – Maintain and enhance the amenity values of the various localities within the district whilst respecting the different values and characteristics that exist within each area. 3.3(2) – Ensure that the effects of land use activities do not adversely affect the quality of the environment and are compatible with the characteristics and amenity values of each locality	These objectives provide high level guidance to decision makers around the expectations for maintaining, enhancing and managing adverse effects on amenity values within the district. In this respect they are broadly consistent with RMA Section 5(2)(c) but are not considered to fully achieve the purpose of the Act due to the lack of specific clarity and direction. Relevance and Usefulness Due to the broad nature of these objectives, they are of limited relevance and provide little guidance and direction to plan users and decision makers. Therefore, they are of limited usefulness to decision makers or plan users. Reasonableness The ODP provisions in relation to noise will not result in unjustifiably high costs on the community. However, the lack of clarity and direction in the objectives may increase costs in a situation where there is dispute over the outcome of a non-compliance. Achievability The provisions seek outcomes within the scope of Council’s responsibilities and can be realistically achieved through regulations at a district level.

Proposed Objective	Appropriateness to achieve the purpose of the Act
NOISE-O1 - Recognise and provide for activities that generate noise whilst ensuring that the character, timing and duration of noise levels are compatible with the purpose and character of each zone.	The objective is considered the most appropriate way to achieve the purpose of the Act because it: - Provides for the management and development of land in a way which will enable people and communities to provide for their social, economic and cultural well-being, by ensuring that noise effects are appropriate and commensurate to the anticipated character of the zone (section 5(2)). - Provides for the efficient use of natural and physical resource (section 7(b) and maintenance of amenity values (section 7(c)) Relevance The objective is relevant to the resource management issues identified and recognises that within the zones there are differing characteristics and expectations around amenity values, which will influence the appropriateness of noise generating activities. The objective also recognises that certain activities generate noise and provided they are appropriately sited, they should be provided for. The objective gives effect to higher order documents and aligns with the relevant New Zealand Standards for noise. The objective will assist the Council to undertake its functions under s31 to manage noise within the district. The objective aligns with the strategic direction objectives and does not duplicate them. Usefulness: The objective guides the decision maker to consider the context of the noise in relation to whether the noise level is appropriate for the predominant character of the zone. The objective meets best practice by providing clear direction to describe how differing noise levels are appropriate in the context of different environments, where certain levels of amenity value can reasonably be anticipated. Reasonableness: The objective will avoid unjustifiably high costs on the community as it provides for higher noise generating activities in certain zones and protects amenity values of more sensitive activities, thereby providing clear direction, which aims to reduce consenting costs. The objective provides certainty and so reduces risks, as the community can reasonably understand what to expect in different zones. Achievability: The objective is consistent with the identified resource management issues which take account of community outcomes and mana whenua values. The objective is also achievable within the Council’s powers through the district plan provisions.

Proposed Objectives	Appropriateness to achieve the purpose of the Act
NOISE-O2 - Activities do not generate unreasonable noise effects which adversely affect amenity values and health and wellbeing of people and communities.	The objective is considered the most appropriate way to achieve the purpose of the Act because it: Seeks to ensure that the adverse effects of noise will be avoided, remedied or mitigated (Section 5(2)(c)) and that amenity values are maintained (section 7(c) and 7(f)).

NOISE-O3 - Require noise sensitive activities to be located, designed and constructed to achieve reasonable indoor noise levels, minimise conflict and manage potential reverse sensitivity effects.	Responds to the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (section 6(e)). Relevance The objectives are relevant to the resource management issues identified as they seek to ensure people’s health and wellbeing are protected through management of noise levels. The objective provides for higher noise generating activities in appropriate locations to recognise their contribution to the economy. NOISE-O3 identifies that these activities can be compromised by other activities which are sensitive to noise. The objectives give effect to higher order documents and align with the relevant New Zealand Standards for noise. The objectives will assist the Council to undertake its functions under s31, to manage noise within the district. The objectives align with the strategic direction objectives and does not duplicate them. Usefulness: The objectives guide the decision maker to consider whether the level of noise emitted adversely affects people and communities and whether noise sensitive activities are appropriately located to avoid reverse sensitivity effects. The objectives meet best practice by providing clear direction to ensure noise emitting activities are appropriately managed within the context of the particular environment. Reasonableness: The objectives will avoid unjustifiably high costs to the community as they will ensure people and communities are protected and enjoy appropriate levels of amenity value, without resulting in unduly high costs for those activities generating noise effects. The objectives provide certainty and so reduce risks, as the community can reasonably understand what to expect in different zones. Achievability: The objectives are consistent with the identified resource management issues which take account of community outcomes and mana whenua values. The objective is also achievable within the Council’s powers through the district plan provisions.
--	---

Evaluation of Alternative Option	Appropriateness to achieve the purpose of the Act
Draft District Plan Objectives: NOISE-O1 Noise generated from activities is compatible with the purpose and predominant character of each zone. NOISE-O2 Activities do not generate noise effects which adversely affect amenity values, the health and wellbeing of people, communities and indigenous species. NOISE-O3 New sensitive activities are located and designed to avoid reverse sensitivity effects.	The objectives are similar to the Proposed District Plan objectives but are not as clear and do not achieve the purpose of the Act as successfully. The PDP objectives clearly articulate the intended outcomes and are therefore more successful at achieving the purpose of the Act, have a higher degree of relevance in addressing the identified resource management issues and are more useful and reasonable. Overall, the PDP objectives are considered more appropriate to achieve the purpose of the Act.

Summary The PDP objectives achieve the purpose of the RMA as they: - recognise and provide for an appropriate level of noise generation to support the operational and functional requirements of activities. Such activities make a social and economic contribution to the district, - ensure any adverse effects (including reverse sensitivity effects) on the community and environment are appropriately managed, - give effect to the RPS, strategic direction, and - provide increased certainty regarding the anticipated outcomes sought under the District Plan in relation to noise generation and management of potential reverse sensitivity effects.

9. Evaluation of Options to Achieve the Objectives

9.1 Introduction

Section 32(1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 4 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s). For the purpose of this evaluation, the Council has considered the following potential options:

- Option A - The proposed provisions
- Option B - The ‘status quo’ provisions.
- Option C – The draft District Plan provisions.

9.2 Quantification of Costs and Benefits

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Based on the scale and significance of the proposed changes, specifically the degree of change from the ODP, level of policy risk and scale of effects, it is considered that quantifying costs and benefits is unnecessary. Therefore, exact quantification of the benefits and costs identified in this report was not considered necessary, beneficial or practicable. Rather, the table below generally identifies where there may be additional cost(s) and benefit(s).

9.3 Evaluation of Options

Option A – Proposed Provisions	
Objective	
NOISE-O1	Recognise and provide for activities that generate <i>noise</i> whilst ensuring that the character, timing and duration of <i>noise</i> levels are compatible with the purpose and character of each zone.
Policies, rules and standards which give effect to NOISE-O1	
NOISE-P1	Maintain the character and amenity of each zone by controlling the types of activities and level of <i>noise</i> that is permitted in each zone.
NOISE-P4	Enable the infrequent <i>noise</i> levels associated with <i>temporary activities</i> , <i>temporary military training activities</i> and <i>emergency services training activities</i> provided that the level, timing and duration of <i>noise</i> is reasonable.
NOISE-R1	Noise from construction activities.
NOISE-R2	Vibration from construction activities.
NOSIE-R3	Noise from small scale wind turbines.
NOISE-R4	Noise from temporary military training and emergency services training activities involving fixed (stationary) noise sources
NOISE-R5	Noise from temporary military training and emergency services training activities involving mobile noise sources
NOISE-R6	Noise from temporary military training and emergency services training activities involving live firing, firing of blank ammunition, and/or the use of explosives
NOISE-R8	Noise from the take-off and landing of aircraft and helicopters used for agricultural aviation
NOISE-R9	Noise from the take-off and landing of helicopters (other than for agricultural aviation)
NOISE-R10	Noise from temporary events
NOISE-S1 & S2	Provides maximum noise levels and different times for each zone and details of where noise must be measured.
Objective	

NOISE-O2	Activities do not generate unreasonable noise effects which adversely affect amenity values and health and wellbeing of people and communities.
Policies, rules and standards which give effect to NOISE-O2	
NOISE-P2	Ensure the health and wellbeing of people and the community is protected by managing <i>noise effects</i> generated by an activity, having regard to: - the frequency, intensity, duration and offensiveness of the <i>noise</i> being generated; - whether the level, intensity, character and timing of <i>effects</i> are compatible with the character and amenity of the location and adjacent activities; - internalisation of <i>noise effects</i> to the extent practicable and to avoid or minimise conflict at and beyond <i>site</i> boundaries; - any impact on the health and well-being of the surrounding community (including sleep disturbance); - the adoption/implementation of <i>best practicable options</i> to minimise the adverse <i>effects</i>; - any positive <i>effects</i> associated with the activity; - The extent to which noise levels may compromise the ability of existing and anticipated activities to operate or establish in the future without undue constraints; and - the ability to avoid conflict with existing and anticipated <i>noise sensitive activities</i>.
NOISE-R1	Noise from construction activities.
NOSIE-R3	Noise from small scale wind turbines.
NOISE-R4	Noise from temporary military training and emergency services training activities involving fixed (stationary) noise sources.
NOISE-R5	Noise from temporary military training and emergency services training activities involving mobile noise sources.
NOISE-R6	Noise from temporary military training and emergency services training activities involving live firing, firing of blank ammunition, and/or the use of explosives.
NOISE-R7	Construction of, additions to or alterations to buildings for a noise sensitive activity.
NOISE-R8	Noise from the take-off and landing of aircraft and helicopters used for agricultural aviation.
NOISE-R9	Noise from the take-off and landing of helicopters (other than for agricultural aviation).
NOISE-R10	Noise from temporary events.
NOISE-S1 & S2	Provides maximum noise levels and different times for each zone and details of where noise must be measured.
NOISE-S3	Requirements for acoustic treatment for noise sensitive activities.
Objective	
NOISE-O3	Require <i>noise sensitive activities</i> to be located, designed and constructed to achieve reasonable indoor noise levels, minimise conflict and manage potential <i>reverse sensitivity effects</i> .
Policies, rules and standards which give effect to NOISE-O3	
NOISE-P2	Require acoustic treatment within <i>buildings</i> used by <i>noise sensitive activities</i> in the following locations: - adjacent to the State Highway and rail network; and - within Industrial, Mixed Use, Local Centre and Town Centre Zones.
NOISE-R7	Construction of, additions to or alterations to buildings for a noise sensitive activity
NOISE-S3	Acoustic treatment for noise sensitive activities

Benefits	Costs
Environmental - Increased protection of the general environment and environmental amenity values through the management of adverse noise effects, including reverse sensitivity effects. - The provisions align with the anticipated character and function of each zone to support activities which are anticipated by providing for their noise discharge at appropriate levels.	Environmental There are no anticipated environmental costs.
Economic The exemptions will provide for activities normally undertaken within a zone, such as agricultural activities in a rural zone or day to day living activities in a residential zone without compliance risks.	Economic There may be increased compliance costs associated with acoustic treatment requirements and noise levels which vary slightly from the ODP.

- Enables businesses and the community to generate a level of noise that is compatible with the role, function, and predominant character of the local environment. This in turn supports employment and economic activity and growth within the district. - Provides certainty to business and the community around the extent of noise generated from activities. - The provisions are clear, directive, easy to interpret and align with the relevant New Zealand standards which will reduce consenting and compliance costs. - Activities such as agricultural aviation which play an important part in the rural environment and economy are appropriately provided for.	- There may be some monitoring costs to the Council associated with implementing the standards, managing complaints and assessing compliance. This cost is considered comparable to the ODP. - There may be some increased costs associated with compliance with the provisions which manage noise and vibration from construction activities.
Social - People's health and wellbeing is protected through provisions which ensure consideration of adverse noise effects and support the anticipated amenity value and character of individual zones. - Amenity values are maintained through the provision of standards for acoustic treatment and the requirement for higher noise generating activities to minimise noise effects at zone interfaces.	Social - There may be some social costs as a result of conditions around noise from temporary events which are more widely exempt in the ODP. - There may be some social costs from higher noise generating activities establishing near existing noise sensitive activities, this cost is associated with the PDP zoning, the effects of which has been assessed in the relevant section 32 report.
Cultural - Cultural values are respected through the provisions which seek to protect health and well-being. - The matters of discretion ensure consideration of potential adverse effects on mana whenua values for activities which do not comply with the maximum noise levels.	Cultural There are not anticipated to be any cultural costs.
Efficiency	
There are a number of improved efficiency outcomes associated with the PDP provisions which achieve the objectives. These include: - Noise standards to reflect the character and function of each zone. - Management of reverse sensitivity effects and support for business which contribute to the economy. - Exemptions which recognise common, temporary or critical / emergency noise sources. - Improved clarity through more directive objectives and policies, which provides greater certainty for plan users and decision makers and will improve efficiency compared to the status quo option. Overall, the environmental, economic and social benefits outweigh the economic cost associated with the proposed provisions will generally provide more effectively for existing and proposed activities.	
Effectiveness	
The proposed provisions are considered to be the most effective means of achieving the objectives for the following reasons: - The provisions will address the identified resource management issues. - The provisions align with the relevant New Zealand Standards for noise and vibration and align with best practice outcomes. - They are consistent with the National Planning Standards. - They will provide for an appropriate level of amenity values within the zone and ensure that adverse effects on noise sensitive activities at the zone interfaces are managed. - They will increase the effectiveness of the plan provisions in maintaining amenity values by providing greater clarity and certainty. - They assist in achieving the relevant strategic direction objectives by supporting activities which are appropriately located and activities which contribute to the social, economic and cultural wellbeing of the community. - The provisions align with the cultural values, interests, rights and relationships expressed in the Mana Whenua Chapter. - They will enable Council to fulfil its statutory obligations under the Resource Management Act to maintain and enhance both the amenity value and quality of the environment (sections 7(c) and 7(f)) and ensure that development is undertaken in a sustainable manner which appropriately avoids, remedies or mitigates adverse effects (section 5(2)(c)). - They will enable Council to effectively administer its District Plan and to monitor the outcomes of the proposed provisions in a clear and consistent manner.	
Alternative options	
Option B – Status Quo The current provisions are not considered appropriate as they do not contain appropriate policies relating specifically to the effects of noise emission. The provisions do not reflect to PDP zones and do not reflect that activities in industrial zones are likely to have higher noise emissions. The provisions also provide too broad a range of exemptions from the noise standards meaning some activities which should be managed may not be and therefore create adverse effects on the health and wellbeing of people and communities.	

The existing provisions lack clarity and direction and do not clearly address the issues which have been identified and which the proposed objectives address, therefore maintaining the status quo is not an appropriate way to achieve the objectives. The ODP provisions are not considered the most appropriate means of achieving the PDP objectives, which have been determined in section 8 of this report as the most appropriate means of achieving the purpose of the Act.
Option C – Draft District Plan provisions The DDP provisions did not sufficiently provide for certain activities, including agricultural aviation, temporary activities, vibration effects from construction activities. The DDP provisions did not adhere with best practice principles or incorporate expert input from acoustic specialists. The objectives, policies and matters of discretion were not adequately appropriate or directive, which may lead to inefficient consenting processes. The DDP provisions are not considered the most appropriate means of achieving the PDP objectives, which have been determined in section 8 of this report as the most appropriate means of achieving the purpose of the Act.
Risk of acting or not acting
The Council has sufficient information to determine that the provisions of the noise chapter are appropriate to meet the social, economic and cultural needs of the community and generally reflect the character and function of zones, to support and enable activities in appropriate locations. The Plan provisions have been assessed by acoustic experts, tested and determined to be feasible and provide for good quality outcomes. The provisions address both the resource management issues identified and the shortcomings identified with the ODP. Overall, the risk of acting is considered to be low, however, the risk of not acting is higher as the ODP has been identified as insufficient, to fully manage adverse effects on the environment and protect the health and wellbeing of people and communities.

9.4 Summary of Preferred Options

Summary Overall, the preferred option is ‘A’ the PDP provisions because they: • Give effect to higher order documents and achieve the purpose of the Act. • Address the identified resource management issues by providing protection for people and communities health and wellbeing and maintaining amenity values. The provisions also align with the PDP zone character and function and support activities which contribute to the social and economic wellbeing of the community (sporting, temporary or larger scale noise generating activities). • Provide greater direction and certainty for plan users and decision makers.
--

Appendix 1 - Feedback Summary

Person / Organisation	Feedback summary	Response
Southern District Health Board	- Overall approach is supported - Changes should be made objectives to ensure that the health of people is protected from environmental noise, including in areas affected by existing and authorised environmental noise. - A new policy should be included to elevate the protection of public health from environmental noise. - Replace use of 'frequency' and 'intensity' of noise in matters of discretion to 'how often the noise occurs' and 'sound levels'. In addition the use of 'special audible characteristics' rather than 'offensiveness' would be consistent with NZS 6802. - The list of exemptions should be reviewed as it is considered too wide ranging, controls should be considered for activities such as motorcraft. - Limitations on aircraft distances from sensitive activities, hours (no. of flights) and daily / weekly movements such as NOISE-S3. - Include reference to NZS 6808:2010 for wind farm noise. - Some typesetting errors around the measurement standard for noise limits. - NOISE-S1 should be clearer in respect of the noise limits relating to the zone in which noise is received and not to the zone in which the activity generating the noise is located. In accordance with NZS 6802, noise limits should apply "at any point within the boundary/notional boundary of..." and not "at the boundary/notional boundary...". The column header 'maximum noise levels' should be rephased. - Ventilation standards should be higher than under the Building Code because without adequate ventilation any acoustic insulation is nullified when windows have to be opened to maintain thermal comfort.	Following a review of the chapter by Styles Group amendments have been made to strengthen provisions in relation to management of noise on the health and wellbeing of the community. This includes strengthening objectives and policies, refining the list of exemptions and ensuring the noise limits in the standards are presented in accordance with best practice principles.
New Zealand Defence Force	- NOISE-O2 supported - NOISE-P8 is supported but reference to vibration limits is deleted. - NOISE-R4 is amended to include bespoke noise standards which NZDF seek are included in all District Plans across the country. The activity status should also be controlled. The matters of discretion are then amended to remove matters 1 and 4 which relate to management of noise effects and the ability to mitigate adverse effects through conditions such as noise attenuation. - NOISE-R5 is supported by an amendment is sought to change the activity status to Controlled in the event the permitted activity standards are not met. The matters of control are amended as per NOISE-R4 feedback above. - NOISE-R6 should apply to all zones not just the rural zone with permitted activity conditions amended to restrict hours and separation distances. - NOISE-R9 should be amended to allow for helicopter and aircraft landing from Temporary Military Training Activities (TMTA) as a permitted activity.	Amendments have been made to the relevant provisions to align with the feedback to ensure temporary military training activities are provided for in line with best practice and consistent with other District Plans around the country.
Cruickshank Helicopters	- Opposed to the setback standards and hours of operation within NOISE-S3. - Supports NZAAA feedback.	The relevant rule and standard relating to agricultural aviation has been amended to reflect the feedback received and ensure that the provisions are practical and fit for purpose. It is proposed to adopt a limit of 315 hours over a 1 month period, for take off and landings associated with agricultural aviation. This is considered the most practical option for management of this activity. Any requirements relating to setbacks and location of rural airstrips or helicopter landing areas can be managed through the General Rural Zone Chapter.
Heliops	Supports NZAAA feedback.	
HeliFarm Limited	- Supports the objectives which allow for noise generation in different zones and in particular noise generated from agricultural aviation in the General Rural Zone which is a working rural environment with activities which generate noise, odour and traffic. - Supports the intent of NOISE-R8 to provide for agricultural aviation but reference to NOISE-S3 should be removed or NOISE-S3 should be amended. - NOISE-S3 should be amended to remove restrictions relation to the location (setbacks) of airstrips and helicopter landing areas, remove limits on the number of movements and hours of operation and replace with 'morning civil twilight and evening civil twilight' as defined by CAA rules.	
Alliance Group Ltd	- Questions how noise on indigenous specie is will be measured and how compliance would be determined. Considers it inappropriate that noise on indigenous species is a consideration in an urban environment, particular one which has been heavily modified. - Agrees with the recognition of reverse sensitivity effects. - Supportive of the requirement for acoustic insulation for sensitive activities but recommends the requirement for acoustic insulation for sensitive activities be extended to the Rural Lifestyle Zone which may be impacted by the establishment of the new General Industrial Zones.	It is not considered appropriate to require acoustic treatment of properties within the Rural Lifestyle Zone as the noise generated by activities within the General Industrial Zones should be managed within the zone to ensure adverse effects on adjoining sites are mitigated. The maximum noise levels provided for in NOISE-S1 are designed to ensure noise effects from activities are appropriate for the zone and do not adversely affect receiving environments within adjoining zones.

	Noise limits in NOISE-S1 are appropriate within the Zone but it is unclear exactly where the noise must be measured with respect to sites outside the zone.	
Hamish Mackay	Opposes the limits on agricultural aviation which does not consider practical operation.	
Ballance Agri-Nutrients Ltd	- Supports the objectives which recognise noise generated by rural activities, including agricultural aviation and manage reverse sensitivity effects on rural activities. - Support the intent of the rule to enable agricultural aviation but recommend NOISE-S3 is deleted or amended as per the HeliFarm feedback.	
Ministry of Education	Supportive in part the objective NOISE – O2 but requests that the objective is amended to enable reverse sensitivity effects to be managed within the respective zones.	NOISE-O2 has been amended to provide greater clarity for consideration of reverse sensitivity effects associated with noise sensitive activities.
Silver Fern Farms Ltd	- Questions how noise on indigenous species will be measured and how compliance would be determined. Considers it inappropriate that noise on indigenous species is a consideration in an urban environment, particular one which has been heavily modified. - Agrees with the recognition of reverse sensitivity effects. - Supportive of the requirement for acoustic insulation for sensitive activities but recommends the requirement for acoustic insulation for sensitive activities be extended to the Rural Lifestyle Zone which may be impacted by the establishment of the new General Industrial Zones. - Noise limits in NOISE-S1 are appropriate within the Zone but it is unclear exactly where the noise must be measured with respect to sites outside the zone.	It is not considered appropriate to require acoustic treatment of properties within the Rural Lifestyle Zone as the noise generated by activities within the General Industrial Zones should be managed within the zone to ensure adverse effects on adjoining sites are mitigated. The maximum noise levels provided for in NOISE-S1 are designed to ensure noise effects from activities are appropriate for the zone and do not adversely affect receiving environments within adjoining zones.
Peter Christie	Objects to the restrictions on agricultural aviation in terms of setback requirements and limits on the hours of operation as Gore is a rural town.	The relevant rule and standard relating to agricultural aviation has been amended to reflect the feedback received and ensure that the provisions are practical and fit for purpose. It is proposed to adopt a limit of 315 hours, over a 12 moth period, for take off and landings associated with agricultural aviation which is considered the most practical option for management of this activity. Any requirements relating to setbacks and location of rural airstrips or helicopter landing areas can be managed through the General Rural Zone Chapter.
Gary Heslip	Objects to the restrictions on agricultural aviation in terms of setback requirements and limits on the hours of operation as well as the number of movement which will severely restrict business.	
Stoney Creek Station Ltd	Restrictions on agricultural aviation would make it difficult for operators, particularly the setbacks and number of movement restrictions. Supportive of the feedback from Matt Cruikshank.	
Simon Bertenshaw	- Agricultural aviation should be exempt from the District Plan rules as they fall under the exemption note “<i>Agriculture, horticulture and pastoral farming activities, including noise from stock, and the use of agricultural vehicles and other machinery or equipment to carry out those activities.</i>” - Opposed to the restrictions on setbacks for airstrips and helicopter landing areas as well as the number of movements as these restrictions are unworkable.	
Bernadette Hunt (Southland Federated Farmers)	Opposed to the rules around agricultural aviation, in particular the restrictions on the location of landing sites, the number of aircraft movements and the time of day restrictions as these rules are considered unworkable.	
The New Zealand Helicopter Association	- The feedback relates to helicopter landing areas used on an intermittent and temporary basis. Helicopter bases / depots that are used on a regular basis are not part of the permitted activity that is sought. - Helicopter activities should be permitted as it is generally temporary and intermittent with multiple flights undertaken over a short period of time. Helicopter activity contributes to the local economy, are critical for maintaining infrastructure, support DOC operations in national parks and remote areas. - Helicopters are regulated by other legislation. - NZS6807:1994 should not apply to non-fixed based helicopter activities as the standard is not intended to apply to infrequently used helicopter landing areas (NZS 6807:1994 1.1 and C1.1, notwithstanding 1.1.2 and C1.1.2). - Acknowledges the restrictions on the location of airstrips and helicopter landing areas for agricultural aviation but notes that these are located in positions that maximise flight safety and risks to other persons and property. - Notes the District Plan is limited to managing the effects of aviation activities during take off and landing.	The rules have been amended to clarify when take off and landing of helicopter would be permitted, including agricultural aviation, conservation activities, construction, vegetation clearance and restoration etc. Emergency works requiring use of helicopters can be undertaken under Section 330 of the RMA. The rules have also been amended to provide greater flexibility for the take off and landing of helicopters by permitting a maximum number of hours per year. Controls on the location of helicopter landing areas (which is now defined in the Plan) have been included within the Rural Zone Chapter and resource consent would be required for a helicopter landing area in any other zone.
KiwiRail	- Supports the objects which seek to avoid reverse sensitivity effects from new sensitive activities. - Supports Note 1 which states that noise from trains on rail lines, including at railway yards, sidings, stations and crossing, are not subject to the Rules and Standards of the district plan. - Supports requirement to acoustically insulate sensitive activities to manage noise effects from railways.	No justification has been provided for a 100m buffer corridor and the PDP 70m corridor is considered sufficient. Support of other provisions is acknowledged.

	• Provided recommendations on the acoustic performance standards for development activities sensitive to noise within 100m of the railway buffer corridor.	
Waka Kotahi	• Supports the objective and policies which relate to reverse sensitivity noise effects from established highways / transport corridors. • Supportive of the requirement for acoustic insulation for sensitive activities locating near the State Highway.	Support acknowledged.
Fire and Emergency NZ	• Supportive of the exclusion of ‘<i>any warning device or fixed plant used by emergency services for emergency purposes, including routine testing and maintenance</i>’ from the rules and standards of the district plan.	Support acknowledged.
Advance Agricultural Ltd	• Opposed to restrictions on number of aircraft and helicopter movements per day as well as the restrictions on the hours of operation.	The relevant rule and standard relating to agricultural aviation has been amended to reflect the feedback received and ensure that the provisions are practical and fit for purpose. It is proposed to adopt a limit of 315 hours, over a 12 month period, for take off and landings associated with agricultural aviation which is considered the most practical option for management of this activity. Any requirements relating to setbacks and location of rural airstrips or helicopter landing areas can be managed through the General Rural Zone chapter.
New Zealand Agricultural Aviation Association	• Supports objectives which require sensitive activities to be located to avoid reverse sensitivity effects but recommends a new objective to refer specifically to continued operation of existing noise generating activities. • Seeks to have the Plan provide for intermittent use of rural airstrips and helicopter landing areas but the restrictions in NOISE-S3 should either be deleted to amended to allow for use of rural airstrips or helicopter landing areas for agricultural aviation as a permitted activity for up to 30 days in a 12 month period or 315 aircraft hours (whichever is greater).	
Feedback Summary		
Contrasting feedback was received from a wide variety of parties. The Southern Health Board are generally supportive of the provisions but seek greater reference to the health and well being of communities, a reduction in the number of activities exempt from the noise standards, some limits of aircraft noise and some technical amendments to noise measurements and references. The Defence Force was generally supportive of the inclusion of temporary military training activities in the noise chapter but made some suggestions to bring the provisions in line with other District Plans to ensure a consistent approach across the country. Waka Kotahi, KiwiRail, Ministry of Education, Silver Fern Farms and Alliance Group were generally supportive of the recognition of reverse sensitivity effects and acoustic insulation requirements. However, KiwiRail recommend some amendments to strengthen the provisions around acoustic performance standards for noise sensitive activities. Silver Fern Farms & Alliance Group also recommend changes to recognise reverse sensitivity effects of industrial activities on Rural Lifestyle properties. Fire and Emergency NZ were also supportive of the provisions, particularly the exemption for noise from warning devices used by emergency services. A range of feedback was received from agricultural aviation operators, the New Zealand Agricultural Aviation Association and The New Zealand Helicopter Association around the inclusion of restrictions on the position of rural airstrips and helicopter landing areas, the hours of operation and number of movements per day. Some feedback was provided on how the provisions could be amended.		
Key Changes in response to feedback		
1. The objectives and policies have been refined and redrafted to provide greater clarity for Plan users and decision makers and to reflect feedback and expert advice received. 2. The list of exemptions has been reduced and refined to ensure noise generation does not adversely affect the health and wellbeing of the community and to avoid any future confusion over exemptions. 3. The provisions relating to temporary military training activities have been redrafted to align with the NZDF feedback and ensure national consistency. 4. The provisions relating to agricultural aviation have been redrafted to ensure they are fit for purpose and balance the needs of the community and aviation operators with the need to manage adverse effects on the health and wellbeing of the community.		

Appendix 2 – New Zealand Defence Force Noise Memo



Memo

To:	Rebecca Davies	Job No:	1010541
From:	Darran Humpheson	Date:	23 May 2023
cc:	Karen Baverstock		
Subject:	TMTA noise standards – Gore District Plan		

1 Introduction

Gore District Council (GDC) is preparing its proposed District Plan (DP). NZDF submitted its bespoke TMTA noise standards in response to the draft last year and has now received feedback from Styles Group on behalf of Council.

The main issue raised by Styles Group is that it is not appropriate to assess mobile TMTA noise sources against NZS 6803:1999 *Acoustics – Construction noise*. Styles Group cites that use of the construction noise standard is not consistent with the mandatory requirements of the Noise and Vibration Metrics Standard¹ (NVMS) - Chapter 15 of the National Planning Standards. Specifically, TMTA noise falls outside the scope of NZS 6803:1999 and therefore cannot in isolation be referenced. Styles Group recommends including appropriate noise limits within NZDF's mobile noise sources standard.

We have therefore prepared a revised drafting of the TMTA noise standard for mobile noise sources and, where appropriate, we have commented on the draft TMTA rules in the proposed DP.

2 Response

We agree with the Styles Group statement that any plan noise rule must be in accordance with the mandatory noise measurement methods and symbols in the applicable New Zealand Standards. However, the proposed TMTA noise standard for mobile sources simply references the noise limits in NZS 6803:1999:

"The noise generated complies with Tables 2 & 3 of NZS 6803:1999 Acoustics Construction Noise."

The TMTA noise standard does not state that noise should be measured and assessed in accordance with NZS 6803:1999 and therefore we consider that the TMTA noise standard is consistent with the NVMS.

Referencing NZS 6803:1999 has the additional benefit of making the proposed DP rules simpler to read, understand and enforce. However we accept that knowledge of the actual noise limits of NZS 6803:1999 is required.

¹ Ministry for the Environment. November 2019. National Planning Standards. Wellington: Ministry for the Environment. [national-planning-standards-november-2019-updated-2022.pdf](https://www.mfe.govt.nz/national-planning-standards-november-2019-updated-2022.pdf) ([environment.govt.nz](https://www.environment.govt.nz/))

For transparency and to address Council's concern, we have drafted a revised rule which is consistent with NZDF's proposed TMTA mobile noise sources standard but includes the actual limits rather than referencing out to the standard.

NOISE-R5

Temporary military training activities involving mobile noise sources

The noise generated by mobile TMTA activities must not exceed the levels in Table R5-1 when measured at 1 m from the façade of any occupied building that contains an activity sensitive to noise.

Table R5-1 Mobile noise levels for activities sensitive to noise

Time of week	Time period	Noise limit dB	
		L_{Aeq}	L_{Amax}
Weekdays	6:30 am – 7:30 am	60	75
	7:30 am – 6:00 pm	75	90
	6:00 pm – 8:00 pm	70	85
	8:00 pm – 6:30 am	45	75
Saturdays	6:30 am – 7:30 am	45	75
	7:30 am – 6:00 pm	75	90
	6:00 pm – 8:00 pm	45	75
	8:00 pm – 6:30 am	45	75
Sundays and public holidays	6:30 am – 7:30 am	45	75
	7:30 am – 6:00 pm	55	85
	6:00 pm – 8:00 pm	45	75
	8:00 pm – 6:30 am	45	75

The noise generated by mobile TMTA activities must not exceed the levels in Table R5-2 when measured at 1 m from the façade of any occupied building that contains any other activity.

Table R5-2 Mobile noise levels for noise affecting any other activity

Time period	Typical duration of work dB L_{Aeq}
7:30 am – 6:00 pm	75
6:00 pm – 7:30 am	80

Where the noise source is present for less than two weeks, the noise limits in Table R5-1 shall be increased by 5 dB Monday to Friday 6:30 am to 8 pm and Saturdays 7:30 am to 6 pm.

No adjustments shall be made for duration or special audible character.

Noise levels shall be measured in accordance with NZS 6801:2008.

This rule applies to use of temporary mobile TMTA activities such as personnel carriers, light and heavy vehicles, self-propelled equipment and construction plant.

3 Other comments

The draft DP provisions for other sources of TMTA noise are not consistent with the model TMTA noise standards, as we note below:

Rule	Comment												
NOISE-R4													
Noise from temporary military training activities involved fixed (stationary) All zones Activity status: Permitted	Recommending adding “noise sources” to end of heading – fixed (stationary) noise sources												
Where: 1. The noise generated complies with Noise Standard NOISE-S1	While there are inconsistencies with the proposed TMTA noise standards (e.g. more lenient in evening period, less lenient at night - noting that night time LAmax is identical), the implications are very minor. It is recommended that the draft DP rule is accepted. <table><tr><th>Time period</th><th>NOISE-S1</th><th>TMTA ‘model’</th></tr><tr><td>7am to 7pm</td><td>55 dB LAeq</td><td>55 dB LAeq</td></tr><tr><td>7pm to 10pm</td><td>55 dB LAeq</td><td>50 dB LAeq</td></tr><tr><td>10pm to 7am</td><td>40 dB LAeq 75 dB LAmax</td><td>45 dB LAeq 75 dB LAmax</td></tr></table>	Time period	NOISE-S1	TMTA ‘model’	7am to 7pm	55 dB LAeq	55 dB LAeq	7pm to 10pm	55 dB LAeq	50 dB LAeq	10pm to 7am	40 dB LAeq 75 dB LAmax	45 dB LAeq 75 dB LAmax
Time period	NOISE-S1	TMTA ‘model’											
7am to 7pm	55 dB LAeq	55 dB LAeq											
7pm to 10pm	55 dB LAeq	50 dB LAeq											
10pm to 7am	40 dB LAeq 75 dB LAmax	45 dB LAeq 75 dB LAmax											
NOISE-R5													
Noise from temporary military training activities involving mobile noise sources All zones Activity status: Permitted	See new drafting above												
NOISE-R6													
Noise from temporary military training activities involving live firing, firing of blank ammunition, and/or the use of explosives Rural Zone Activity status: Permitted	As currently drafted the Rule requires noise to be assessed against NZS 6802:2008, which specifically excludes the assessment of impulse sounds - live firing, firing of blank ammunition, use of explosives (section 1.2.1 of NZS 6802:2008). Therefore similar to GDC’s reasoning to amend Noise-R5, Noise-R6 is also not consistent with the requirements of the National Planning Standards. We therefore recommend that the NZDF proposed noise standard is used.												

23-May-23

t:\christchurch\tt projects\1010541\workingmaterial\gore dp\memo_tmta_noise_gdcp_pdp.docx