

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council Officer's Speaking Notes on the Noise Chapter on behalf of
Waimakariri District Council**

Date: 21 August 2023

Introduction

- 1 My name is Jessica Manhire. I am a Policy Planner for Waimakariri District Council. I prepared the s42A report on noise and can confirm that I have read all the submissions, further submissions, submitter evidence and relevant technical documents and higher order policies.
- 2 First by way of introduction to the Noise Chapter, I will provide a background to the Noise Chapter, submissions received and, the s42A report. Then I will highlight the matters covered in evidence by the submitters, however it is not my intention to provide a response on these at this time as I wish to hear the evidence and the Hearings Panel questions but I will respond in my right of reply. Then I will go through the questions from the hearings panel and my preliminary written responses. After which, I will be happy to take questions on the s42A report.
- 3 I anticipate that there may be questions of clarification on my answers to your pre-circulated questions, so I will take a pause between my responses for this purpose.

Operative District Plan Approach

- 4 As outlined in the s32 evaluation report for noise, the Operative District Plan manages noise in the Health, Safety and Wellbeing Chapter through standards applied to zones, specific controls related to airport and highway operation, construction activities, earthquake recovery construction and helicopter landing activities.

Proposed District Plan Approach

The main changes introduced for management of noise in the Proposed District Plan are:

- (a) specific objectives, policies and methods for noise contained within a separate district wide chapter;
- (b) updated standards and technical references for noise emission within zones and overlays;
- (c) specific management of potential reverse sensitivity effects related to existing noise generating activities;
- (d) specific management of limited duration noise effects related to primary production; and
- (e) new provisions for the management of noise associated with temporary activities.

Noise contours

The Noise Chapter has several noise contours associated with the rules. These include contours for Christchurch Airport (considered in a later s42A report), Rangiora Airfield, Daiken MDF Plant, and Woodford Glen.

S42A Report – Key Points

- 5 The Noise Chapter received 165 submission points from 29 submitters, and 11 further submissions with 33 submission points. There were also submissions received on definitions and planning maps that relate to the Noise Chapter.
- 6 Submission points received on the Noise Chapter from the Christchurch International Airport in relation to the airport noise contour, and any related submissions, will be dealt with in a separate s42A report for the hearing on the Airport Noise Contour, bird strike and growth-related policies in the Canterbury Regional Policy Statement.
- 7 Most of the submissions support the provisions. The submissions seeking amendment or in opposition to provisions were diverse and sought a range of outcomes.
- 8 The recommendations in the s42A Report were informed by technical evidence provided by Mr Stuart Camp, who is in attendance and available to answer technical questions. He will also be in attendance for some key noise-based submitters. Mr Camp provided a Statement of Evidence which is appended to the s42A report. Council compliance staff have also provided informal advice about noise issues and compliance matters in the district.
- 9 As identified in the s42A report, the key issues raised in submissions were:
 - Reverse sensitivity effects on rural activities, industrial activities, and transport infrastructure.
 - Fulton Hogan sought a specific rule for setbacks from quarrying activities to be contained in the Noise Chapter.
 - Daiken sought a policy to recognise the potential for reverse sensitivity effects on major existing activities, such as those undertaken on the Daiken site.
 - Horticulture NZ also sought a new policy to provide for reverse sensitivity effects on rural production.
 - Objective NOISE-O2 received the most submissions either opposing or seeking amendment out of all the provisions in the chapter. Submitters sought clarity for the term ‘identified existing activity’ in

the objective and seek that it provides for rural reverse sensitivity effects from noise.

- Four submitters sought amendment to the standards in NOISE-R16 for residential units and minor residential units within a specified setback of an arterial road, strategic road or rail designation.
- There were four submissions seeking amendment to the standards contained in the rule for audible bird scaring devices (NOISE-R6).
- Objective NOISE-O1, the definition of ‘noise sensitive activity’, and NOISE-P1 each received three submissions either opposing or seeking amendment.
- HortNZ sought a setback for noise sensitive activities from frost fans.
- The North Canterbury Clay Target Association sought a specific rule for its site.
- The New Zealand Defence Force (NZDF) seeks replacement noise standards for Temporary Military Training Activities (TMTA).
- There were submissions seeking exemptions for particular activities, such as recreational jet boating and aviation.
- The general noise limits received just two submissions on minor matters.

S42A Report – recommended amendments

10 Upon weighing up all submissions, my recommended changes are contained within Appendix A of my s42A report.

Submitter evidence - key outstanding matters

11 I have read all the submitter evidence received on this topic.

12 Based on the evidence presented, I consider that the key outstanding matters remaining are:

- The definition of ‘noise sensitive activity’ including the inclusion of marae and places of worship, and residential activities in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;

- Federated Farmers seeks objective NOISE-O2 be expanded to include exiting noise generating activities in the rural zone, or, alternatively, a separate objective focused on the rural environment. Federated Farmers would still prefer an explicit statement in NOISE-P1 that in some locations a certain level of noise is to be expected.
- Kainga Ora seek “reverse sensitivity effects from” be replaced with “the incompatible use or development of” in objective NOISE-O2 and NOISE-MD3. Kainga Ora seek other changes to wording in other parts of the plan which were not stated in the original submission. Kainga Ora also seek acoustic treatment for bedrooms in Commercial and Mixed Use Zones to be reduced, and a ventilation clause.
- Daiken seek a new policy regarding reverse sensitivity for its site.
- The New Zealand Defence force seek different noise standards for Temporary Military Training Activities than was in the Proposed District Plan.
- The New Zealand Agricultural Aviation Association seeks amendments to NOISE-R4 and NOISE-R7 to exempt helicopter movements for agricultural aviation activities, with an associated definition for agricultural aviation.
- NOISE-R16, and associated matters of discretion, (noise sensitive activities near roads and rail) has received extensive evidence from KiwiRail, Waka Kotahi and Kainga Ora.
- McAlpines seeks a noise contour to protect the activity from reverse sensitivity effects.

Hearing panel questions

- 13 I will now address the hearing panel’s preliminary questions. And I anticipate that there may be questions of clarification on my answers to your pre-circulated questions, so will take a pause between my responses for this purpose.

Date: 21/08/2023

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