

OFFICER'S REPORT FOR:

Hearings Panel

SUBJECT:

Proposed Waimakariri District Plan:
Te orooro - Noise

PREPARED BY:

Jessica Manhire

REPORT DATED:

21 July, 2023

DATE OF HEARING:

Stream 5
21-25 August 2023

Executive Summary

1. This report considers submissions received by the District Council in relation to the relevant objectives, policies, rules, definitions, maps, and matters of discretion of the Proposed Plan as they apply to the Noise Chapter. The report outlines recommendations in response to the issues that have emerged from these submissions.
2. 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 that are being covered in this s42A evaluation report.
3. 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 (refer to Panel Minute 5, paragraph 10).
4. Most of the submissions support the provisions. The submissions seeking amendment or in opposition to provisions were diverse and sought a range of outcomes. Key issues in contention in the Noise Chapter are:
 - Reverse sensitivity effects on rural activities, industrial activities, and transport infrastructure. Submitters seek provisions for specific activities to deal with potential reverse sensitivity effects. Examples are quarrying, the Heavy Industrial Zone (HIZ) Daiken site, North Canterbury Clay Target Association, railway and frost fans;
 - Some submitters support the wording of NOISE-O1 as notified while some oppose or seek amendment in relation to the “narrow focus” or reverse sensitivity issues;
 - Submitters seek clarity for the term ‘identified existing activity’ in NOISE-O2 and that it provides for rural reverse sensitivity effects from noise;
 - Acoustic insulation of new noise sensitive activities and the specified setback distance (NOISE-R16);
 - The standards contained in the rule for audible bird scaring devices (NOISE-R6).
5. This report addresses each of these matters, as well as any other issues raised by submissions.
6. I recommend some amendments to the Proposed Plan provisions to address matters raised in submissions. These key amendments are summarised below:
 - Rename the ‘Noise Contour for: Timber Processing’ to ‘HIZ Processing Noise Contour’ and Amend NOISE-R1 to reflect acoustic advice for the HIZ Daiken site;
 - Amend NOISE-O2 to provide clarity for what is an ‘identified existing activity’;
 - Amend NOISE-P2 to include temporary military training activities as these have different effects than other temporary activities;
 - Amend standards for audible bird scaring devices in NOISE-R6 by rewording of clause d, deleting the advisory note, and adding a density standard.
 - Amend NOISE-R16 to apply to all ‘noise sensitive activities’, not just residential and minor residential units.

- Exempt recreational jet boating activity from NOISE-R9 and NOISE-R19 as noise limits in the rules are unable to be practically assessed;
 - Include a new rule with a setback for noise sensitive activities from frost fans; and
 - Amend the noise limits for the Large Format Retail Zone and General Industrial Zone to be consistent with the Light Industrial Zone limit and add text to refer to and integrate with NOISE-R1.
7. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Proposed Plan should be amended as set out in **Appendix A** of this report.
8. For the reasons included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

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Interpretation

9. This Officer's report utilises a number of abbreviations for brevity as set out in Table 1 and Table 2 below:

Table 1: Abbreviations

Abbreviation	Means
RMA	Resource Management Act 1991
District Council	Waimakariri District Council / territorial authority
Operative Plan	Operative Waimakariri District Plan
Proposed Plan	Proposed Waimakariri District Plan
ECan	Environment Canterbury/Canterbury Regional Council
GIZ	General Industrial Zone
GRUZ	General Rural Zone
HIZ	Heavy Industrial Zone
LFRZ	Large Format Retail Zone
LIZ	Light Industrial Zone
NESPF	National Environmental Standards for Plantation Forestry 2017
RLZ	Rural Lifestyle Zone
RPS	Operative Canterbury Regional Policy Statement
TMTA	Temporary Military Training Activities

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
BRL	Bellgrove Rangiora Ltd
CDHB	Canterbury District Health Board
CIAL	Christchurch International Airport Ltd
CIL	Clampett Investments Limited
Daiken	Daiken New Zealand Limited
ECan	Environment Canterbury / Canterbury Regional Council
Federated Farmers	Federated Farmers of New Zealand Inc.
Forest and Bird	Royal Forest and Bird Protection Society
HortNZ	Horticulture NZ
Kainga Ora	Kainga Ora - Homes and Communities
KiwiRail	KiwiRail Holdings Limited
Mainpower	Mainpower New Zealand Ltd
MoE	Minister / Ministry of Education
Ngāi Tūāhuriri	Te Ngāi Tūāhuriri Rūnanga
NZAAA	NZ Agricultural Aviation Association
NZDF	New Zealand Defence Force
RIDL	Rolleston Industrial Developments Ltd
WDC	Waimakariri District Council
Waka Kotahi	Waka Kotahi NZ Transport Agency
Woolworths	Woolworths New Zealand Limited

1 Introduction

1.1 Purpose

10. The purpose of this report is to provide the Hearings Panel with a summary and analysis of the submissions received on the Noise Chapter and to recommend possible amendments to the Proposed Plan in response to those submissions.
11. This report is prepared under section 42A of the RMA. It considers submissions received by the District Council in relation to the relevant objectives, policies, rules, definitions, and maps as they apply to the Noise Chapter in the Proposed Plan.
12. This report discusses general issues or topics arising, the submissions and further submissions received following notification of the Proposed Plan, makes recommendations as to whether or not these should be accepted or rejected, and concludes with a recommendation for amendments to the Proposed Plan provisions or maps based on the preceding discussion in the report.
13. The recommendations are informed by both the technical evidence provided by Stuart Camp, and the evaluation undertaken by the author. In preparing this report the author has had regard to recommendations made in other related s42A reports including Temporary Activities, Rural and Strategic Directions (including the right of reply).
14. This report is provided to assist the Hearings Panel in their role as Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

1.2 Author

15. My name is Jessica Anneka Manhire. My qualifications and experience are set out in **Appendix G** of this report.
16. My role in preparing this report is that of an expert planner.
17. I was involved in the preparation of the Proposed Plan, including the early drafting of the Noise Chapter and contributed to the Section 32 Evaluation Report for Noise.
18. Although this is a District Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the 2023 Practice Note issued by the Environment Court. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
19. The scope of my evidence relates to the Noise Chapter, and related provisions including the definitions. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.
20. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
21. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

22. The expert evidence which I have used or relied upon in support of the opinions expressed in this report includes the following:
- Statement of Evidence from Mr Stuart Camp on behalf of Waimakariri District Council in relation to noise (June 2023) (refer to **Appendix C**).
 - Earlier advice received for drafting the Noise Chapter and included as part of the s32 RMA analysis¹ and as **Appendix E and F**

1.4 Key Issues in Contention

23. The submissions and further submissions received on the Noise Chapter were diverse and sought a range of outcomes. Reverse sensitivity effects on rural activities, industrial activities, and transport infrastructure was a key issue raised. Fulton Hogan sought a specific rule for setbacks from quarrying activities to be contained in the Noise Chapter. Daiken New Zealand Limited (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 (HortNZ) also sought a new policy to provide for reverse sensitivity effects on rural production.
24. 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.
25. Four submitters sought NOISE-R16 (residential units and minor residential units within 80m of an arterial road, strategic road or rail designation) be amended.
26. There were four submissions seeking amendment to the standards contained in the rule for audible bird scaring devices (NOISE-R6).
27. NOISE-O1, the definition of 'noise sensitive activity', and NOISE-P1 each received three submissions either opposing or seeking amendment.
28. HortNZ sought a setback for noise sensitive activities from frost fans. The North Canterbury Clay Target Association sought a specific rule for its site. 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 activity and aviation. The general noise limits received just two submissions on minor matters.
29. I consider the following to be the key issues in contention in the chapter:
- Reverse sensitivity effects on rural activities, industrial activities, and transport infrastructure. Submitters seek provisions for specific activities to deal with potential reverse sensitivity effects. Examples are quarrying, the HIZ Daiken site, North Canterbury Clay Target Association, and frost fans;
 - Some submitters support the wording of NOISE-O1 as notified while some oppose or seek amendment in relation to the "narrow focus" or reverse sensitivity issues;

¹ Noise Gap Analysis Report (2019), Noise Monitoring Report (2019) and Noise Issues and Options Report (2019)

- Submitters seek clarity for the term 'identified existing activity' in NOISE-O2 and that it provides for rural reverse sensitivity effects from noise;
- Acoustic insulation of new noise sensitive activities and the specified setback distance (NOISE-R16);
- The standards contained in the rule for audible bird scaring devices (NOISE-R6).

30. I address each of these key issues in this report, as well as any other issues raised by submissions.

1.5 Procedural Matters

31. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on the Noise Chapter.

32. I note that submission point 373.101, contained in the Summary of Submissions Errata, was re-notified missing the track change format, which was correct in the original summary of submissions.

2 Statutory Considerations

2.1 Resource Management Act 1991

33. The Proposed Plan has been prepared in accordance with the Resource Management Act (RMA) and in particular, the requirements of:
- section 74 Matters to be considered by territorial authority, and
 - section 75 Contents of district plans,
34. There are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the Proposed Plan. These documents are discussed in detail within the [Section 32 Evaluation Report: Noise](#). There have been no changes in national direction relevant to noise since notification of the Proposed Plan.

2.2 Section 32AA

35. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

36. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the Noise Chapter is contained within the assessment of the submissions in section 3 of this report as required by s32AA(1)(d)(ii).

2.3 Trade Competition

37. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

38. The Noise Chapter contains objectives, policies and rules to manage the effects of noise for different receiving environments and activities. The Noise Chapter received 29 submissions comprising 165 submission points, and 11 further submissions comprising 33 further submission points.
39. Of the original submissions, a large number were received from CIAL. However, the Panel have confirmed that the Council is to provide an updated hearing schedule that moves matters related to the Christchurch International Airport Noise Contour, bird strike and growth-related policies in the Canterbury Regional Policy Statement (RPS) to a later hearing (refer to Panel Minute 5, paragraph 10). Other matters covered by the CIAL submission, where the relief sought is not related to and cannot be affected by changes to the Airport Noise Contour, such as its naming, have been retained in this s42A report.
40. The major theme of the submissions were reverse sensitivity effects, in particular reverse sensitivity effects on rural and industrial activities, and on transport infrastructure, and recognising and providing for primary production noise. There were 11 submissions on NOISE-O2 and many submissions on noise mitigation near roads/rail, in particular NOISE-R16 which received six submissions.
41. There were also general further submissions in opposition or support of a whole submission Peter and Lizzie Anderson [FS25], Richard and Geoff Spark [FS37], David Cowley [FS41], Miranda Hales [FS46], and R J Paterson Family Trust [FS91]. These further submissions have not been assessed against specific submission points because of their generic nature and lack of material relevant to the Noise Chapter. FS63 was on points that will be included in the Airport Noise Contour hearing so will also not be considered further in this report.
42. The Noise Chapter is not subject to provisions introduced by *Variation 1: Housing Intensification* and there are no qualifying matters that apply to the Noise Chapter provisions.

3.1.1 Report Structure

43. Submissions on the Noise Chapter raised issues which have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
44. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission-by-submission approach. I have organised the evaluation in accordance with the layout of the Noise Chapter of the Proposed Plan as notified.
45. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves.
46. I have provided a marked-up version of the Chapter with recommended amendments in response to submissions as **Appendix A**.

47. This report only addresses definitions that are specific to this topic. Definitions that are more relevant to other topics are addressed in the relevant s42A report.

3.1.2 Format for Consideration of Submissions

48. For each identified topic, I have considered the submissions that are seeking changes to the Proposed Plan in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and
- Section 32AA evaluation.

49. I have undertaken a s32AA evaluation in respect to the recommended amendments in my assessment.

50. Specific recommendations on each submission/further submission point are contained in **Appendix B**. To assist the Panel and submitters, I have provided a summary of recommendations to the provisions in the table below.

Table 3: Overview of Noise Chapter recommendations

Provision	
Planning maps	Amend planning maps to rename the noise contour for timber processing in response to the submission received from Daiken [145.66], see section 3.11.1.
Definitions	Amend the definitions of 'construction work', see 3.11.3, and 'noise sensitive activity', see section 3.7.1.
Introduction	Minor edits related to the submission points from NZPork [169.29] and HortNZ [295.109], see section 3.8.
NOISE-O1	Retain as notified, see section 3.9.1.
NOISE-O2	Amend to provide clarity for the phrase 'identified existing activity', see section 3.9.2.
NOISE-O3	Submissions addressed by this report are in support of the objective. Retain as notified.
NOISE-P1	Retain as notified, see section 3.10.2.
NOISE-P2	Minor edit related to submission from the NZDF [166.17], see section 3.10.3.
NOISE-P3	Submissions are in support of the policy. Retain as notified.
NOISE-P4	Submissions addressed by this report are in support of the policy. Retain as notified.
NOISE-P5	Submissions are in support of the policy. Retain as notified.
NOISE-R1	Amend in response to submission point from Daiken [145.26], see section 3.11.1.
NOISE-R2	Retain as notified, see section 3.11.2.
NOISE-R3	Retain as notified, see Appendix B .
NOISE-R4	Retain as notified, see section 3.11.4.
NOISE-R5	Submissions are in support of the rule. Retain as notified.

Provision	
NOISE-R6	Amend in response to submissions from Michael John Baynes [357.1] and HortNZ [295.114], see section 3.11.5.
NOISE-R7	Retain as notified, see sections 3.11.4 and 3.11.7.
NOISE-R8	Submissions are in support of the rule. Retain as notified.
NOISE-R9	Amend to provide an exemption for recreational jet boating activity, see Appendix B .
NOISE-R10, NOISE-R11, NOISE-R12	Submissions are in support of the rule. Retain as notified.
NOISE-R13	Minor amendment to provide clarity.
NOISE-R14, NOISE-R15	Submissions addressed by this report are in support of the rules. Retain as notified.
NOISE-R16	Amend to apply to all noise sensitive activities in response to the submission from KiwiRail [373.74], see section 3.11.8.
NOISE-R17, NOISE-R18	Submissions addressed by this report are in support of the rule. Retain as notified.
NOISE-R19	Amend to provide an exemption for recreational jet boating activity, see Appendix B .
NOISE-R20, NOISE-R21, NOISE-R22, NOISE-R23	Submissions are in support of the rule. Retain as notified.
Table 2 Noise limits	Amend in response to submissions from Woolworths New Zealand Limited (Woolworths) [282.142] and Daiken [135.27], see section 3.12.
NOISE-MD1	Amend to delete clause 10 in response to submission point NZDF [166.21] see section 3.13.
NOISE-MD2	Submissions addressed by this report are in support of the matter of discretion. Retain as notified.
NOISE-MD3	Minor amendment in response to CIAL [254.64] see section 3.13.

3.2 General Submissions

3.2.1 Matters raised by submitters

51. Clampt Investments Ltd (CIL) [284.1] and Rolleston Industrial Developments Ltd (RIDL) [326.2 and 326.3] seek that all controlled and restricted discretionary activities are amended to preclude them from limited or public notification. Royal Forest and Bird Protection Society Inc. (Forest and Bird) [FS78] oppose this relief on the basis that there may be instances where notification is appropriate. Andrea Marsden [FS199] and Christopher Marsden [FS120] both oppose RIDL [326.2] as they consider all applications should be open for community consultation to give communities a voice and removing this could risk the system being exploited. The Ohoka Residents Association [FS84 and FS137] oppose RIDL [326.2] and [326.3] on the basis that it is inconsistent with national policy direction and contrary to the Operative Plan and Proposed Plan. They oppose the “inappropriate satellite town” proposed in Ohoka.
52. RIDL [326.1] seeks that all provisions in the Proposed Plan are amended to delete the use of absolutes such as ‘avoid’, ‘maximise’ and ‘minimise’. There are four further submissions on RIDL [326.1], all opposed, from the Ohoka Residents Association [FS84], Andrea Marsden [FS119], and Christopher Marsden [FS120], and Forest and Bird [FS78]. Andrea Marsden

[FS119] and Christopher Marsden [FS120] state that these absolutes have the purpose of ensuring compliance and removing them would open the system up for potential abuse. The Ohoka Residents Association [FS84 and FS137] reiterate their opposition to the “inappropriate satellite town” proposed in Ohoka and state that the RIDL submission is inconsistent with national policy direction. Forest and Bird’s [FS78] reasoning did not relate to this submission point, rather it stated that there may be instances where it is appropriate to notify consents.

3.2.2 Assessment

53. CIL and RIDL seek amendments to the entire Proposed Plan, however I have considered them in the context of the Noise Chapter. There is one controlled activity rule (NOISE-R20) and one restricted discretionary rule (NOISE-R21) within the notified version of the Noise Chapter. NOISE-R1 to R4, NOISE-R6, NOISE-R9, NOISE-R11 and R12, and NOISE-R16 to R19 are all permitted activities which go to restricted discretionary activity status if there is non-compliance with the activity standards (noting that in some instances non-compliance with the standard reverts to non-complying activity status). The RMA contains a specific process for determining notification on a case-by-case basis and, in my opinion, that statutory process should only be circumvented where it is clear that potential adverse effects will not affect other parties. NOISE-R17 includes a limited notification clause as effects were able to be identified to only the Christchurch International Airport Limited (this rule will be considered as part of the subsequent s42A report). NOISE-R18 was precluded from being publicly or limited notified as the effects were internal to bedrooms in certain Commercial and Mixed Use Zones. My understanding is all other rules may potentially generate noise effects; thus, I do not agree with this request for a blanket clause preventing notification for these activities.
54. The terms ‘minimise’ and ‘avoid’ are used in the Noise Chapter. NOISE-O3 and NOISE-P5 include the term ‘avoid’ in relation to noise sensitive activities within the noise contours for Rangiora Airfield. As the activity status for buildings in the 55 dBA Ldn Noise Contour for Rangiora Airfield is a non-complying activity where standards are not met and noise sensitive activities within the 65 dBA Ldn Noise Contour are prohibited, the use of ‘avoid’ is the correct word. The term ‘avoid’ in NOISE-P4 (airport noise contour) is used in relation to avoiding noise sensitive activities within the noise contour for Christchurch International Airport. The Christchurch International Airport and Rangiora Airfield are recognised in the RPS as strategic infrastructure/regionally significant infrastructure and the term ‘avoid’ gives effect to RPS Policy 5.3.2 (avoid or mitigate reverse sensitivity effects and conflicts between incompatible activities), 5.3.9 (avoid development which constrains the ability of infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity).
55. NOISE-P1 includes the phrase “Minimise adverse noise effects” as that is what the chapter does through a range of activity rules with different activity statuses and noise standards. I consider the use of the terms ‘minimise’ and ‘avoid’ to be appropriate in the context of the Noise Chapter.

3.2.3 Summary of recommendations

56. For the reasons outlined in the assessment above, I recommend that the following submission points in terms of their application to the Noise Chapter be **rejected**:
- i. RIDL [326.1, 326.2, and 326.3]; and

ii. CIL [284.1].

57. My recommendations in relation to further submissions are outlined in **Appendix B** and reflect my recommendations on submissions.
58. I recommend that no change be made to the Proposed District Plan.

3.3 Noise from quarrying

3.3.1 Matters raised by submitters

59. Fulton Hogan [41.40] seek the inclusion of a rule in the Noise Chapter for sensitive activities located close to quarries as there are no reverse sensitivity rules other than for the 50 dBA Ldn Noise Contour for Christchurch International Airport. Fulton Hogan has also requested the rule be included in the General Rural Zone (GRUZ) Chapter.

3.3.2 Assessment

60. Consultation undertaken when drafting the Noise Chapter generally supported specific noise rules for quarry blasting². However, acoustic advice was that blasting is relatively uncommon in the district and a consent process would be simpler than trying to develop rules without a context.
61. Further advice has been sought on this submission point from Mr Stuart Camp, who is a qualified and experienced noise consultant. Mr Camp considers the submission is addressing effects other than just noise. He has assisted in consenting numerous quarries throughout Canterbury over the past 30 years and states *"there has never been a need for buffer distances greater than about 50 metres from excavation areas to achieve District Plan noise limits. This is not the case in other parts of the country but in Canterbury gravel is generally dug out of the ground, with machinery located well below ground level."*³ Additionally, most Canterbury quarries do not require any blasting. Mr Camp is concerned that the request is too complex and continues to not be satisfied that the final setback should be based upon blasting⁴.
62. At the time of writing this s42A report, no additional evidence had been provided to justify amending the setbacks from that proposed in the notified version of the plan.
63. The notified proposed plan already contains setback rules for any habitable building or building housing a sensitive activity from quarries in applicable zone chapters. This includes LLRZ-BFS6 (300m), GRUZ-BFS5 (500m) and RLZ-BFS5 (500m). I consider the correct location for such a rule is in the rural zone chapters which contain the activity rules for the zones and all effects of quarrying (including noise, dust, light, visual) can be considered in setting a setback distance. These provisions are being considered in the Rural s42A report.

3.3.3 Summary of recommendations

64. I recommend that the submission point from Fulton Hogan [41.40] be **rejected**.

² Page 31

³ Paragraph 88

⁴ Paragraph 88-89

3.4 North Canterbury Clay Target Submission

3.4.1 Matters raised by submitters

65. The North Canterbury Clay Target Association [61.4] seeks a “sports facility” overlay, and a rule for the North Canterbury Clay Target Association similar to the rule that provides for activities at Woodford Glen Speedway (NOISE-R12). The requested overlay was not provided by the submitter. They have sought a maximum of 48 events per year, as well as 96 practice events, a finish time of 9pm and a maximum duration of 12 hours for events, and five hours for practice events.

3.4.2 Assessment

66. The Rural s32 report considered sport shooting facilities have a range of effects that require individual management, and there may be some sites and locations where the activities are suitable⁵. Acoustic advice received for drafting the noise provisions was that gunshot noise needs to be controlled to levels much lower than the general noise standards. It was considered the most effective way to address these activities is to mandate a consent process. A discretionary activity status was recommended for shooting ranges/gun clubs (Marshall Day Acoustics, 2019).
67. Sport shooting facilities are discretionary in the Rural Zones and require resource consent to establish. As outlined in the Rural s32 report, this provides a clear link to the Noise Chapter objectives and policies and reduces the potential for activities with conflicting expectations for amenity values⁶.
68. There is one other consented rifle range in the district at 191 Roller Road, Burnt Hill which has obtained resource consent with specific conditions recommended to suit its location.
69. The North Canterbury Clay Target Association is located at 269 Boundary Road, Cust. There is a hedge that screens the site from the road and the proposed Rural Lifestyle Zone (RLZ) on the northern side of Boundary Road. The site itself is within the proposed GRUZ (refer to Figure 1 on the next page). There is subdivision potential surrounding the site.
70. The rule requested by the submitter is based on the rule for Woodford Glen Speedway, but a higher number of events, and longer duration is sought. However, gunshots are a different type of noise than car racing. The noise is more similar to audible bird scaring devices, which does not occur all year round and also has a rule contained in the Proposed Plan, see section 3.11.5 for submissions and assessment of this rule.

⁵ Page 34

⁶ Page 49 and 53 Rural S32



Figure 1: North Canterbury Clay Target Association site within 269 Boundary Road. *Source: Planning Map, Proposed Waimakariri District Plan.*

71. Resource consent (RC950041) granted in 1995 for the North Canterbury Clay Target Association limited the activity to 13 shoot meetings and 13 practices per year. A Certificate of Compliance (2007) (RC075615) increased meetings and practices to 52 each. Therefore, the submission seeks less shoot meetings but more practices, a later finish time and longer duration (see Table 4 below).

Table 4: North Canterbury Clay Target Association

Condition/standard	Currently permitted	Submission seeking
Shoot meetings/events per year	52	48
Practices per year	52	96
Hours of shoot meetings	10:00am-6:30pm	9pm conclude
Conclusion time of practices	5:30pm-8:30pm	9pm conclude
Duration	-	12 hours
Practices duration	1.5hrs	5 hours
Shot gun firings per session	1800	-

72. This certificate of compliance was subject to a judicial review in 2014, that focused on the interpretation of rules within the Operative Plan that related to the measurement of noise at locations within the Rural Zone. In *North Canterbury Clay Target Association v Waimakariri District Council*, the High Court held that the Association is still required to comply with the noise limits under the Operative District Plan⁷.

“the Association is subject to a continuing obligation to abide by the noise limitations specified in the condition, notwithstanding the changing surrounding physical environment.”⁸

73. This judgement was subject to Court of Appeal decision in 2016. As this provides a background to the activity and how noise is considered to be measured under the Operative Plan, I have attached it as **Appendix D**.
74. As stated by Mr Camp, a detailed assessment of noise around the site clearly concludes that the construction of residential dwellings since the Association established has resulted in justified complaints about sport shooting noise. In his view, there are unlikely to be any practicable noise mitigation options to enable the Association to comply with the notified permitted activity standards⁹.
75. I consider, given the potential for noise issues and the specific matters that need to be assessed, it would be more effective for the Clay Target Association activity to proceed through a resource consent process. Separate to an effects assessment, this may require direct notification to any affected party under s95A and 95B of the RMA.
76. As the site is already subject to a detailed resource consent approval (including conditions), in my opinion, it is more effective and efficient to enable the Association to continue operating under those conditions. The Association has the option of seeking changes to or cancellation of consent conditions under s127 of the RMA. That resource consent process would allow scrutiny of the potential effects on the environment, including scrutiny on the number of events, operating days and finish time and consultation with neighbours on these.
77. Accordingly, I recommend the submission point be rejected.

3.4.3 Summary of recommendations

78. I recommend that submission point from North Canterbury Clay Target Association [61.4] be **rejected**.
79. I recommend that no change be made to the Proposed District Plan.

⁸ North Canterbury Clay Target Association v Waimakariri District Council CIV-2014-409-371 [2014] NZHC 3021 at [66]. This judgement was upheld by the Court of Appeal.

⁹ Paragraph 39

3.5 Frost Fans Submissions

3.5.1 Matters raised by submitters

80. There was one submission on frost fans, and no further submissions. HortNZ [295.115] supports frost fans being a controlled activity, however as the Proposed District Plan does not address reverse sensitivity on rural production using frost fans, they seek a new rule is inserted requiring a setback of 1000m for any noise sensitive activity from any frost fan. Within 1000m of any frost control fan the noise sensitive activity must be designed and constructed to ensure that the noise level inside any bedroom of the dwelling will not exceed 30 dB Laeq with all fans operating at normal duty.

3.5.2 Assessment

81. The Noise s32 report identified noise effects related to frost fans near noise sensitive activities as a key resource management issue that requires clear management to avoid conflict between land uses¹⁰. A lack of specific controls for frost fans was identified as a gap in the Operative Plan (p.6). While a rule for noise sensitive activities from frost fans was not included in the plan when notified, inclusion of a rule addresses potential reverse sensitivity effects and aligns with the position outlined in the s32 report.
82. Mr Camp recommends this submission point be accepted. I understand that there are no frost fans in operation in the district and that NOISE-R20 was inserted as a precautionary measure in the event that frost fans are installed in the future. Mr Camp considers, using the same precautionary approach, it would be sensible to also include a reverse sensitivity rule. This would ensure that once a frost fan was lawfully established, the development of noise sensitive activities would have to be mindful of the noise from the fan(s). The requested rule is consistent with that which Mr Camp has recommended for other district plans. He recommends it be adopted in its entirety¹¹. I agree with this advice and recommend amending the activity heading to 'Noise sensitive activities near frost fans' to differentiate from other activities included in the chapter. The recommended rule is included after rule NOISE-R20 in **Appendix A**.

3.5.3 Summary of recommendations

83. I recommend that the submission point from HortNZ [295.115] be **accepted**.
84. I recommend that the Proposed District Plan is amended by inserting the requested rule as shown in **Appendix A**.

3.5.4 Section 32AA evaluation

85. In my opinion, the amendment to the Noise Chapter to include the rule is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions.
86. Whilst there may be potential economic costs associated with setback of noise sensitive activities from frost fans, acoustic insulation or resource consent processing, costs are expected to be low due to minimum subdivision size in the Rural Zones and as there are currently no frost fans in the district.

¹⁰ Page 13

¹¹ Paragraph 58-59

87. I consider that the rule will avoid potential conflict between frost fans and noise sensitive activities if frost fans were to establish in the district in the future. It addresses potential reverse sensitivity effects constraining the use of frost fans.
88. Consequently, it ensures frost fans do not adversely affect human health, communities, and the anticipated amenity values of the receiving environment. Therefore, including the rule is more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan particularly NOISE-O1 (adverse noise effects).
89. The recommended rule is efficient as it provides a high degree of certainty by clearly identifying the activity status, a setback for where an internal noise level is to be met, and associated matters of discretion.

3.6 Recreational jet boating activity

3.6.1 *Matters raised by submitters*

90. The submission from Jet Boating New Zealand seeks recreational jet boating activity is exempted from control under NOISE-R9 and NOISE-R19.
91. Jet Boating New Zealand [358.6 and 358.7] notes that the Db Laeq limits in NOISE-R9 clause (4) and NOISE-R19, are unable to be practically assessed in respect of recreational jet boating activities as the activity occurs. It states that all noise from recreational jet boating activities is of very short duration and influenced by all manner of external circumstances that act to mitigate potential adverse effects often to a permitted level. The submitter considers that, in these circumstances, it may be reasonable to exempt recreational jet boating activity noise from control under these rules – in the same way that noise from the use of public roads or railways is exempt.

3.6.2 *Assessment*

92. If Recreational Jet Boating is exempt from these rules, then there would be no noise rules that apply to this activity. I agree with the submitter that recreational jet boating activity cannot be practically assessed, as it is temporary, intermittent, and difficult to monitor and enforce.
93. As outlined by the Activities on the Surface of Water Section 32 report, there are no water bodies (outside of the Waimakariri River and Ashley-Rakahuri River) that could provide for high powered craft that could potentially cause adverse noise effects¹². No complaints have been recorded in relation to jet boat noise, at the time of writing this s42A report, as confirmed with compliance staff.
94. There are existing bylaws that place some controls on surface water activities, as outlined in the Activities on the Surface of Water section 32 report. This includes the Northern Pegasus Bay Bylaw 2016, administered by the District Council, and the Navigational Safety Bylaw 2016, administered by the Regional Council. The Northern Pegasus Bay Bylaw places controls on kite surfing in the Ashley-Rakahuri Estuary whereas the Navigational Safety Bylaw contains provisions for managing the navigation and speed of watercraft and managing conflicts between activities.¹³ It does not contain noise provisions.

¹² Page 7

¹³ Page 7

95. The acoustic advice received in June 2019 for drafting the Proposed District Plan was that “there is no benefit in having rules for recreational users of water, because the general public are never going to give any thought to District Plan compliance when taking their boat out...it is the commercial activities that are likely to result in adverse effects”. I agree with this advice which has been attached as **Appendix E**.
96. An exemption aligns with the Christchurch District Plan which exempts boating activities in specified locations from the noise rules¹⁴.

3.6.3 Summary of recommendations

97. I recommend that the submission points from Jet Boating New Zealand [358.6 and 358.7] be **accepted**.
98. I recommend that NOISE-R9 and NOISE-R19 be amended to provide the following exemption, and as shown in **Appendix A**:

This rule does not apply to recreational jet boating activity.

3.6.4 Section 32AA evaluation

99. In my opinion, the amendments to NOISE-R9 and NOISE-R19 are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:
- The recommended amendments will better achieve ASW-O1 as it provides for the appreciation of natural, recreational and amenity values of rivers and lakes.
 - The recommended amendments continue to achieve NOISE-O1 as I consider recreational jet boating noise will not adversely affect human health, communities, natural values, and amenity values.

3.7 Definitions

3.7.1 Definition of Noise Sensitive Activity

3.7.1.1 Matters raised by submitters

100. Four submission points were received to amend the definition of noise sensitive activities, including the following:
- The Ministry of Education (MoE) [277.6] seeks the definition is amended to refer to ‘educational facilities’ in place of the reference to preschools which are included in the definition for ‘educational facilities’ as follows:

“b. Educational Facilities ~~activities including pre-school places or premises~~ excluding training, trade training or other industry related training facilities;”
 - KiwiRail [373.6] seek the definition is amended to include “e. marae and places of assembly” as these are susceptible to noise.
 - Federated Farmers [414.11] seek the definition is amended as it is not clear it covers the issue of reverse sensitivity for activities located close to rural areas. It appears to include

¹⁴ Christchurch District Plan rule 6.1.4.2

all residential activities as noise sensitive, other than people living on farms and, the submitter considers, this creates a substantial reverse sensitivity issue.

- HortNZ [295.48] supports the definition as the listed activities can be sensitive to noise, causing reverse sensitivity impacts on primary production.
- CIAL [254.9] support in part the definition and considers it gives effect to the corresponding definition in the RPS. It considers that all activities that are potentially sensitive to aircraft noise should be included in the definition of 'noise sensitive activity'. Should any additional rules applicable to noise sensitive activities, which are not already covered in any of these broad categories, be included in the plan as a result of submissions, CIAL seeks that activity is also added to the list in this definition, which will be considered as part of the later report dealing with the Christchurch International Airport Noise Contour, bird strike and growth-related policies.

3.7.1.2 Assessment

101. The term 'noise sensitive activities' is used throughout the Noise Chapter in relation to managing reverse sensitivity effects on the Rangiora Airfield, road and rail infrastructure, and the Christchurch International Airport. It is also used in the Urban Form and Development Chapter in the context of avoiding noise sensitive activities within the Christchurch Airport Noise Contour. It is currently defined as:

- a. *residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;*
- b. *education activities including pre-school places or premises excluding training, trade training or other industry related training facilities;*
- c. *visitor accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;*
- d. *hospitals, healthcare facilities and any elderly persons housing or complex.*

Ministry of Education

102. The MoE state there is no definition of preschool. The plan does, however, provide a definition of preschool. There are a variety of approaches by neighbouring councils regarding this component of the definition. Christchurch District Plan refers to 'education activities', the Proposed Selwyn District Plan refers to 'educational facility', and the Hurunui District Plan does not use the term. If amended, the definition would not align with the RPS definition of 'noise sensitive activities'.¹⁵ However, if the definition is not inconsistent with the RPS

¹⁵ RPS definition of noise sensitive activities:

- Residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;
- Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities located within the Special Purpose (Airport) Zone in the Christchurch District Plan;
- Travellers' accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;
- Hospitals, healthcare facilities and any elderly persons housing or complex.

definition, alternative terms can be used. Educational Facilities is a National Planning Standards definition and is used in the Proposed District Plan. It is defined as:

“means land or buildings used for teaching or training by childcare services, schools, or tertiary education services, including any ancillary activities.”

103. If this term is used, it means that land or buildings that might potentially be used for educational activities would be considered noise sensitive. I do not anticipate any risks with this approach nor am I aware of any educational activities that would not be encompassed by the definition of educational facilities that would need to be included as noise sensitive. Therefore, I consider there to be no issues with amending the definition as requested.

KiwiRail

104. KiwiRail seek that marae and places of assembly are included in the definition. The definition of ‘place of assembly’ is broad. It is defined as:

“land or buildings used for principally for public or private assembly of people for recreation, cultural, spiritual or entertainment activities and includes halls and community centres.”

105. There are a variety of activities that could be encompassed under the Places of Assembly definition and they are unlikely to always be noise sensitive activities.
106. The Plan does not use the term ‘marae’ on its own but does include a definition of Marae Complex for the Special Purpose Zone-Kāinga Nohoanga. There is only one marae established in the district which is in this zone. Marae complex means:

“a specific area containing a complex of building and facilities used for the provision of a focal point for social, cultural and economic activity for Ngāi Tūāhuriri.”

107. Considering the rules where the term ‘noise sensitive activities’ is currently used in the plan, the inclusion of marae would only be relevant to the Special Purpose Zone-Kāinga Nohoanga in the context of TMTA noise standards which due to their temporary nature, I consider there to be limited benefit in the inclusion of the term marae. Furthermore, as the RPS does not include either of these terms (marae and places of assembly) in the definition of noise sensitive activity, I recommend the submission is rejected to be consistent with the RPS.¹⁶

But does not include:

- Commercial film or video production activity.

¹⁶ RPS definition of noise sensitive activities:

- Residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;
- Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities located within the Special Purpose (Airport) Zone in the Christchurch District Plan;
- Travellers’ accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;
- Hospitals, healthcare facilities and any elderly persons housing or complex.

But does not include:

Federated Farmers

108. Federated Farmers seek clause (a) of the definition to read:

“residential activities other than those in conjunction with, or nearby to, rural activities that comply with the rules in the relevant district plan as at 23 August 2008;”

109. I consider this wording would be problematic to implement, as “nearby to” could mean different things and would need to be measured or defined. The Oxford dictionary meaning of “in conjunction with” is “together with”, and I consider it is clear that it is residential associated with the farming activity so I do not consider that it would cause reverse sensitivity effects. Furthermore, the definition as notified is consistent with the RPS definition.

3.7.1.3 Summary of recommendations

110. I recommend that the submission point from MoE [277.6] be **accepted**.

111. I recommend that the submission point from CIAL [254.9], HortNZ [295.48] be **accepted in part**, subject to the amendment in response to submission point 277.6.

112. I recommend that the submission points from KiwiRail [373.6] and Federated Farmers [414.11] be **rejected**.

113. I recommend that the definition of noise sensitive activity clause (b) be amended to read:

“b. Educational Facilities ~~activities including pre-school places or premises excluding training, trade training or other industry related training facilities;~~”

114. I recommend that this definition be re-considered as part of the Christchurch International Airport Noise Contour, bird strike and growth-related policies hearing.

3.8 Noise Chapter Introduction**3.8.1 Matters raised by submitters**

115. Two submitters NZPork [169.29] and HortNZ [295.109] seek the Noise Chapter Introduction be amended, because of the urban focus, and to recognise and enable primary production noise. They seek the addition of the following text:

“In the rural zones a range of animal and mechanical sounds often characterise the working nature of the rural environment.”

116. Three submission points CIL [284.289], RIDL [326.449] and KiwiRail [373.70] support the introduction and seek it be retained as notified.

117. The submission point from CIAL will be assessed in a separate s42A that considers submissions on the airport noise contour.

3.8.2 Assessment

118. I acknowledge the Rural Zones have particular noise characteristics that are related to primary production, and intermittent noise from activities such as seasonal harvesting (as outlined in the Noise s32 evaluation report, p.4). I agree that the Rural Zones should also be mentioned

-
- Commercial film or video production activity.

in the introduction, but this should be consistent with the outcomes sought for the Rural Zones in the plan. RURZ-P1 seeks to maintain the amenity values in the Rural Zones by retaining generally low levels of noise while recognising that primary production and rural industry are part of the character of each rural zone and there may be seasonal, short term or intermittent noise effects.

119. The rural environment is more than just a working environment (such as people also live in rural areas), and it can also be valued for its natural environment values (such as for its natural features and landscapes and waterbodies), as outlined in the Rural Zones objectives and policies. Therefore, I recommend alternative wording to acknowledge this.

3.8.3 Summary of recommendations

120. I recommend that the submission points from NZPork [169.29] and HortNZ [295.109] be **accepted in part**;
121. I recommend that the submission points from CIL [284.289], RIDL [326.449] and KiwiRail [373.70] be **accepted in part**, subject to amendments in response to the submission points above.
122. I recommend that the introduction be amended to include the following words, as shown in **Appendix A**:

"...The working nature of the rural environment may result in seasonal, short term or intermittent noise effects but the rural environment generally comprises low levels of noise..."

3.9 Objectives

3.9.1 Objective NOISE-O1 – Adverse noise effects

3.9.1.1 Matters raised by submitters

123. The following submissions support Objective NOISE-O1 and do not seek any changes:
- Woodstock Quarries Limited [46.6];
 - CIL[284.290];
 - RIDL [326.450];
 - Jet Boating New Zealand [358.4].
124. Three submitters either oppose or seek it be amended.
125. HortNZ [295.110] oppose the narrow focus of the objective and seeks it be amended to:
- "Noise effects that are compatible with the role, function and predominant character of each receiving environment."*
126. This submission point is supported by Federated Farmers [FS83] and opposed by Waka Kotahi [FS110]. Waka Kotahi supports the notified version of NOISE-O1 particularly the wording relating to noise and its effects on human health.
127. Federated Farmers [414.175] seek the objective is amended as it does not anticipate the reverse sensitivity effects that may occur to adjacent zones, or to residential sites within the

Rural Zones from rural activities. They consider there is no clarity on whether NOISE-O1 or NOISE-O2 has primacy in the event of reverse sensitivity issues.

128. NZPork [169.30] also oppose the narrowness of the objective, its focus on amenity values and that it does not address character.

3.9.1.2 Assessment

Narrow focus

129. HortNZ and NZPork oppose the narrow focus of the objective.
130. I consider noise effects can be “compatible with the role, function and predominant character” of receiving environments but might also have adverse effects on human health, communities, and natural values. For instance, a rural productive activity might cause noise that adversely effects a residential unit located nearby that is not well-tolerated and exceeds a reasonable level. As acknowledged above, in regard to the introduction, rural zones have particular noise characteristics that are related to primary production, and intermittent noise from activities such as seasonal harvesting (Noise s32 evaluation report, p.4). However, some rural activities can produce noise that generates, or can potentially generate, effects/complaints that are managed by the plan with specific rules to maintain amenity values, while allowing primary production activities to occur (such as audible bird scaring devices and frost fans).
131. The objective as notified gives effect to the RMA. The objective seeks to protect values identified in section 5 of the Act, including people’s health and community wellbeing, and section 7(f) matter – *maintenance and enhancement of the quality of the environment*. I agree with the s32 analysis that the potential for noise to adversely affect health, amenity values and quality of the environment is a key resource management issue that needs to be addressed. It is likely that there will be some costs or restrictions on some activities or locations for activities that relate to managing noise to achieve the character and amenity values anticipated within zones or overlays. I consider the wording as sought by HortNZ and NZPork would not achieve the intent of the objective and would not give effect to the RMA.

Reverse sensitivity

132. Managing reverse sensitivity effects also “avoids” adverse noise effects. No one of the three objectives has primacy over the other, and all objectives are to be given effect to. Therefore, I consider there is no need to clarify which objective has primacy.

3.9.1.3 Summary of recommendations

133. I recommend that the following submission points be **accepted**:

- Woodstock Quarries Limited [46.6];
- CIL [284.290];
- RIDL [326.450];
- Jet Boating New Zealand [358.4]; and
- Waka Kotahi’s further submission [FS110].

134. I recommend that the following submission points be **rejected**:

- HortNZ [295.110];
- Federated Farmers [414.175] and further submission [FS83];
- NZPork [169.30].

135. I recommend that no change be made to NOISE-O1.

3.9.2 Objective NOISE-O2 – Reverse sensitivity

3.9.2.1 Matters raised by submitters

136. There are six submissions in support of NOISE-O2 – Fulton Hogan [41.38], NZDF [166.16], Mainpower New Zealand Ltd (Mainpower) [249.247], CIAL [254.56], Waka Kotahi [275.52], and KiwiRail [373.71]. Fulton Hogan supports the objective as it elevates the importance of reverse sensitivity effects for all activities. KiwiRail supports the recognition of the value and function of the Main North Line and the aim to protect infrastructure from reverse sensitivity effects. NZDF also supports the objective as it recognises reverse sensitivity.
137. NZPork [169.31] opposes the objective as it has an urban and infrastructure focus and rural reverse sensitivity effects from noise are not addressed.
138. Four submitters seek the objective is amended. The North Canterbury Clay Target Association [61.3] and Daiken [145.24] consider there is lack of clarity/certainty as to what “identified existing activities” are. The North Canterbury Clay Target Association seek it is amended to refer to ‘existing noise generating activities’.
139. Four submissions North Canterbury Clay Target Association [61.3], NZPork [169.31], HortNZ [295.111] and Federated Farmers [414.176] seek the objective also addresses the Rural Zones.
140. HortNZ oppose the urban and infrastructural focus of the objective and lack of a policy framework to address reverse sensitivity effects associated with noise in the Rural Zones. Rural production activities experience reverse sensitivity effects associated with noise, including the use of methods such as frost fans and bird scarers. HortNZ states that horticulture requires flexibility to respond to population and market demands. It considers limiting this objective to only where the identified activity is existing is too limiting.
141. Federated Farmers consider the objective only provides for reverse sensitivity considerations in the commercial and mixed use and industrial zones, and not existing activities in rural zones. They state that this is a district where residential expansion has a risk of creating reverse sensitivity issues, and this is already happening in many cases.

3.9.2.2 Assessment

142. The potential for reverse sensitivity effects, where noise sensitive activities are located near lawfully established noise generating activities, was a key noise issue identified in the Noise s32 Report. As outlined in the Noise s32 report, the objective identifies the need to manage reverse sensitivity effects in relation to existing activities and significant infrastructure, to both ensure that those activities are not constrained through the future location of noise sensitive activities, and to ensure that noise sensitive activities are not adversely affected by noise¹⁷. I have spoken to the planner involved in drafting that aspect of the objective and confirmed that identified existing activities was intended to be those identified and protected through

¹⁷ Page 20

the Noise Chapter rules (such as Christchurch Airport Noise Contour, Woodford Glen, Rangiora Airfield, and Daiken MDF Plant).

143. Mr Camp recommends the submission point from the North Canterbury Clay Target Association [61.3] is rejected. He considers the requested change would move the objective from offering protection for a small number of “identified” activities in the district to any noise generating activity in a rural zone and, in his view, this would be inappropriate¹⁸. I agree with this assessment and consider it would be unreasonable that the objective provide for a wide range of uncertain noise generating activities that may or may not adversely affect amenity values and the quality of the environment. He also recommends rejection of submission points seeking the objective includes activities within rural zones (NZPork [169.31], HortNZ [295.111] and Federated Farmers [414.176]), as the intent of the objective was to safeguard large existing activities. On the one hand, the Rangiora Airfield is located within a rural zone, which lends support to this submission. However, it appears, this submission is aiming at a broader reverse sensitivity framework to protect all activities rather than significant existing ones.
144. Having considered the above, I do however consider that ‘identified existing activities’ needs to be clarified further. Mr Camp is also of this view as it is somewhat vague. The intent was to provide reverse sensitivity protection for a small number of large established activities. I consider these specific activities could be included in the objective to replace “identified existing activities”. I note that most of the activities are already covered by the objective, as shown in Table 5 below. However, listing the remaining activities (frost fans and Woodford Glen Speedway) may give the impression that these activities have special hierarchy in the plan which is not the case. Therefore, I prefer the term “existing noise generating activities identified through the Noise Chapter rules” is clearer than the notified objective, and still achieves the intent of the objective.

Table 5: Activities included in NOISE-O2

Activity identified through noise chapter rules and protected from reverse sensitivity effects	Covered by NOISE-O2 as notified?
Daiken MDF Plant	Yes – Activities within Industrial Zones
Christchurch International Airport	N/A to this s42A report
Rangiora Airfield	Yes – Regionally significant infrastructure/strategic infrastructure
Arterial road, strategic road or rail designation	Yes – Regionally significant infrastructure/strategic infrastructure
Bedrooms in TCZ, LCZ, NCZ or MUZ	Yes – Activities within Commercial and Mixed Use Zones
Frost fans	No
Woodford Glen	No

3.9.2.3 Summary of recommendations

145. I recommend that the submission point from Daiken [145.24] be **accepted**.
146. I recommend that the following submission points be **accepted in part**:

¹⁸ Paragraph 32

- Fulton Hogan [41.38];
 - North Canterbury Clay Target Association [61.3];
 - NZDF [166.16];
 - Mainpower [249.247];
 - CIAL [254.56];
 - Waka Kotahi [275.52]; and
 - KiwiRail [373.71].
147. I recommend that the submission points from NZPork [169.31], HortNZ [295.111] and Federated Farmers [414.176] be **rejected**.
148. I recommend that NOISE-O2 be amended as follows:

The operation of regionally significant infrastructure and strategic infrastructure, activities within Commercial and Mixed Use Zones and Industrial Zones and ~~identified~~ existing noise generating activities identified through the Noise Chapter rules are not adversely affected by reverse sensitivity effects from noise sensitive activities.

3.9.2.4 Section 32AA evaluation

149. In my opinion, the amendment to NOISE-O2 is a minor wording amendment that provides clarity and would continue to achieve the purpose of the RMA. The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.10 Policies

3.10.1 Additional Policies (reverse sensitivity effects in rural zones)

3.10.1.1 Matters raised by submitters

150. Two submitters are seeking an additional policy for reverse sensitivity effects in rural zones.
151. Daiken [145.25] consider there is a need to recognise potential for reverse sensitivity effects on major existing activities such as those undertaken on the Daiken site. It notes that this issue is recognised in policies for the Christchurch International Airport and Rangiora Airfield but not in relation to 'identified existing activities' more broadly. Daiken seeks a policy is inserted as follows:

"Avoid the development of noise sensitive activities in the Rural Lifestyle Zone within any noise contour associated with a Heavy Industrial Zone or in close proximity to the existing processing plant located between Upper and Lower Sefton Roads."

152. HortNZ [295.113] state that objectives and policies protect a range of activities from reverse sensitivity but do not provide for reverse sensitivity effects on rural production. They seek the following policy:

“Rural production activities are not constrained by reverse sensitivity effects arising from noise sensitive activities located in the Rural Zones.”

153. There were no further submissions received on either of these submission points.
154. There are submissions seeking reverse sensitivity considerations to be included in NOISE-P1 to be consistent with NOISE-O2. These submissions on NOISE-P1 are assessed in section 3.10.2 below.

3.10.1.2 Assessment

Daiken

155. Daiken is a large industrial complex located between Lower and Upper Sefton Roads. It is zoned Business 3 in the Operative Plan which provides for an integrated timber-based industry to operate with site specific environmental effects. The site is zoned HIZ in the Proposed Plan with a Noise Control Contour Overlay applying to the site and land across Upper Sefton Road.



Figure 2: Daiken site – HIZ shown in purple, and the Noise Control Contour Overlay shown in orange hatching across the whole of the HIZ and land to the north of Upper Sefton Road. Source: Planning Map, Proposed Waimakariri District Plan.

156. NOISE-O2 (as outlined above in the discussion on section 3.9.2) identifies the need to manage reverse sensitivity effects in relation to existing activities and significant infrastructure. A policy would give effect to the objective and to the policies in the RPS, including Policy 5.3.2(2) that seeks to enable development which avoid or mitigate *“reverse sensitivity effects and conflicts between incompatible activities”*.

157. RURZ-P8 covers new sensitive activity near a range of rural activities¹⁹. Daiken has also submitted to amend RURZ-P8, to include HIZ [145.29]. UFD-P10(2) seeks to “*minimise reverse sensitivity effects on primary production*”. The Urban Form and Development s42A author, has recommended that the policy also address reverse sensitivity effects on industrial areas from activities within new development areas. HIZ-P1 covers heavy industrial activities “*that generate potentially significant and continuous effects, including relatively high levels of noise...necessitating separation from more sensitive activities and the consideration of reverse sensitivity management*”. Daiken [145.41] has submitted to amend HIZ-P1, which will be considered in the Commercial and Industrial s42A report.
158. While the zone chapters include rules for separation between activities for a range of effects (including noise), there may be benefit in having a more specific policy providing direction for reverse sensitivity effects for the activities where the Noise Chapter rules provide protection, specifically regarding ‘noise sensitive activities’. This applies to the HIZ Daiken site, as there is a specific rule contained in the Noise Chapter (NOISE-R1) and Noise Control Contour provisions (including contours on the planning map).
159. However, NOISE-P1(3) already gives direction to limit the “*location of noise sensitive activities where they may be exposed to noise from existing activities*”.

HortNZ

160. Regarding rural production, under the RPS Policy 5.3.12, territorial authorities are directed to control the adverse effects of subdivision and land-use in rural areas, including “*ensuring appropriate separation between consented and permitted rural productive activities and those land-uses which may result in reverse sensitivity effects on rural productive activities*”.
161. The policy requested by HortNZ, could offer protection for any rural production activity located in rural zones. This would mean the impact of additional noise on a noise sensitive activity could not be considered under the policy. I consider such a policy would provide unfettered enablement of noise effects, which would not give effect to NOISE-O1. In my opinion, as the rural chapters deal with reverse sensitivity through land use and separation from sensitive activities, if a policy was contained in the Noise Chapter, then it should be specific to those activities identified through the rules in that chapter to give effect to NOISE-O2. The only rural production activity that this applies to is frost fans.
162. NOISE-P1(3) and NOISE-P1(1) apply to frost fans. NOISE-P1(3) gives direction to limit the “*location of noise sensitive activities where they may be exposed to noise from existing activities*”. This is given effect to through the recommended rule for the location of noise

¹⁹ Minimise the potential for [reverse sensitivity effects](#) by:

1. avoiding the establishment of any new [sensitive activity](#) near existing [intensive indoor primary production](#) activities, [intensive outdoor primary production](#) activities, [waste management facilities](#), [quarrying activities](#), [mining](#) activities, and [rural industry](#) in circumstances where the new [sensitive activity](#) may compromise the operation of the existing activities;
2. managing the establishment of new [sensitive activities](#) near other [primary production](#) activities;
3. ensuring adequate separation distances between existing [sensitive activities](#) and new [intensive indoor primary production](#) activities, [intensive outdoor primary production](#) activities, [quarrying activities](#), [mining](#) and [rural industry](#); and
4. avoiding [quarry](#), [landfill](#), [cleanfill area](#), [mining](#) activities adjacent to [urban environments](#) where the [amenity values](#) of [urban environments](#) would be diminished.

sensitive activities where they may be exposed to noise from frost fans (refer to section 3.5). I note that, NOISE-P1(3) does not cover situations where an existing rural production activity changes land use and may then install the frost fans. However, this situation is provided for through the notified rule for frost fans (NOISE-R20) and through NOISE-P1(1) to limit *“the noise level, location, duration, time, intensity and any special characteristics of noise”*. I consider the policy sought by HortNZ is already provided for through these policies.

3.10.1.3 Summary of recommendations

163. I recommend that the submission points from Daiken [145.25] and HortNZ [295.113] be **rejected**.

164. I recommend that no change be made to the Proposed District Plan.

3.10.2 Policy NOISE-P1 Minimising adverse noise effects

3.10.2.1 Matters raised by submitters

165. Seven submitters support NOISE-P1 as notified. One seeks amendment and two oppose.

166. Fulton Hogan [41.39] oppose NOISE-P1 and seek avoidance of reverse sensitivity effects to be consistent with NOISE-O2. The submitter considers that minimisation and focus on indoor amenity fails to recognise physical separation as a means to avoid sensitive land uses encroaching on quarrying activities. They seek amendments to the policy, including replacing *“minimising”* with *“managing”* in the opening sentence of the policy, and amendment of clause 3 including deletion of *“requiring sound insulation, or limiting”*.

167. This submission was supported in part by KiwiRail [FS99]. KiwiRail agrees that adverse effects of an existing established use should be addressed in the policy but supports the requirement for sound insulation when adequate physical separation cannot be achieved. The rail corridor extends through the district and development occurs along this corridor. KiwiRail seeks both physical setbacks and acoustic insulation of new noise sensitive activities to address reverse sensitivity.

168. NZPork [169.32] also opposes NOISE-P1. It considers adverse effects of noise generating activities are minimised by controlling noise components, and not by limiting them.

169. HortNZ [295.112] seek the policy is amended because limiting adverse noise effects is too narrow as management can minimise adverse effects.

170. Federated Farmers [414.177] support the policy but seek to have clarity on which zone is to be minimised; noise generating zone or noise receiving zone. If it is the noise-generating zone then, they consider, the reverse sensitivity consideration in NOISE-O2 needs to be reflected in the policy, and seek the addition of another clause:

“Minimise adverse noise effects by:

...

4. Outlining where noise-receiving activities near or in noise-generating zones are subject to reverse sensitivity, and where that level of noise is to be expected.”

3.10.2.2 Assessment

Manage vs minimise

171. Fulton Hogan seek that “minimise” in the policy title and opening text of the policy is replaced with “manage”. There are a range of activity statuses used in the Noise Chapter, including a prohibited rule. NOISE-R23 is a prohibited rule for noise sensitive activities within the 65 DbA Ldn Noise Contour for Rangiora Airfield. NOISE-P1 does not apply to NOISE-R23. Instead, the specific NOISE-P5 applies to the Rangiora Airfield. ‘Minimise’ is the correct term for the range of activity statuses contained in the other rules. Manage can mean many things such as prevent, reduce or avoid. I consider that the use of the term ‘minimise’ provides for a more effective policy direction, enables a range of actions to achieve the direction and gives effect to NOISE-01 that recognises the potential for effects on human health.

Sound insulation

172. Fulton Hogan seeks deletion of the text regarding “requiring sound insulation” in clause 3. One of the ways NOISE-O2 may be achieved is through sound insulation. Clause 3 addresses those activities where sound insulation is required e.g. buildings in the vicinity of infrastructure. “Requiring sound insulation” is implemented through the rule NOISE-R16 (Residential units and minor residential units within 80m of an arterial road, strategic road or rail designation). Therefore, I reject the deletion of those words. Fulton Hogan also sought “limiting”, in clause 3, be replaced with “avoiding”. My understanding, based on recent case law, is that ‘avoid’ means ‘prevent the occurrence of’. The use of the term ‘avoid’ may be more appropriate for the activities where NOISE-R22 applies – the location of noise sensitive activities is avoided in the Speedway Noise Contour. However, I consider a limit is more appropriate as there are a range of activity statuses for noise sensitive activities near noise generating activities e.g. NOISE-R16 where noise sensitive activities are permitted within a setback of an arterial road, strategic road or rail designation if standards are met.

Limiting vs avoiding/controlling/managing

173. Two submitters sought amendment of the first word “limit” (the verb) in clause 1. NZPork sought the term be replaced with ‘controlling’. ‘Controlling’ may be read as applying a controlled activity status which may cause confusion due to the activity status of the rules. HortNZ sought the term ‘managing’. As stated above, manage can mean many things such as prevent, reduce or avoid. As above, I consider that the term ‘limiting’ is the correct word for quantitative standards such as noise level.

Reverse sensitivity

174. Federated Farmers sought a new clause be added to NOISE-P1. The intent of the additional clause (4) is achieved through associated rules (such as audible bird scaring devices (noise generating activities) are subject to standards and where these are met then any residual level of noise is to be expected. For some activities there are setbacks or overlays for where acoustic insulation is required (noise receiver). NOISE-P1(3) already deals with this situation by specifying “limiting the location of noise sensitive activities where they may be exposed to noise from existing activities”, and I consider this already provides direction that the submitter is seeking. As not all situations can be predicted, I consider ‘limit’ is the correct term because there might be instances where a noise sensitive activity needs to be established near an existing noise generating activity as in the situations identified above.

175. As is the case for NOISE-O2 in section 3.9.2 above, the same argument can be applied to NOISE-P1, the requested change would move the policy from one offering protection for a small number of "identified" noise generating activities in the district to any noise generating activity, which was not the intention and could potentially create significant loopholes.

3.10.2.3 Summary of recommendations

176. I recommend that the further submission from KiwiRail [FS99] be **accepted in part**.
177. I recommend that the submission points from Fulton Hogan [41.39], NZPork [169.32], and HortNZ [295.112] be **rejected**.
178. I recommend that no change be made to NOISE-P1.

3.10.3 Policy NOISE-P2 Limited duration noise generating activities

3.10.3.1 Matters raised by submitters

179. There were five submissions in support of NOISE-P2 and one seeking amendment.
180. Mainpower [249.248] support NOISE-P2 as it provides for temporary noise effects for a limited duration, including the use of generators during emergency situations.
181. Jet Boating New Zealand [358.5] supports the view that short term or limited duration noise is acceptable in certain circumstances.
182. NZDF [166.17] seek a specific reference to temporary military training activities (TMTA) in NOISE-P2. NZDF [166.7] have also requested the definition of temporary activity exclude TMTA as these are different from other temporary activities with different effects. Submission point 166.7 is to be assessed in the Temporary Activities s42A.

3.10.3.2 Assessment

183. TMTA are enabled (subject to standards) through specific rules in the Noise and Temporary Activities chapters. Temporary Activities and TMTA have separate rules in both chapters and separate definitions. As they are treated differently (despite TMTA being included in the Temporary Activities chapter), I recommend the submission point is accepted.
184. For plan clarity, I also recommend a cross-reference with a hyperlink is included in NOISE-R2 to link to TEMP-R5 (TMTA) so that the rules are not missed by plan users. This would give effect to the National Planning Standards, which states:

"If provisions for managing noise are addressed, they must be located in the Noise chapter..."

"If provisions to manage temporary activities, buildings and events are addressed, they must be located in the Temporary activities chapter" (p.35).

185. Therefore, I recommend the submission point is accepted along with a minor amendment to add a cross-reference to NOISE-R2 for plan usability and to implement the National Planning Standards. This has been included in the minor errors section 3.14 and **Appendix A**.

3.10.3.3 Summary of recommendations

186. I recommend that the submission point from the NZDF [166.17] be **accepted**.

187. I recommend that the following submission points be accepted in part, subject to the amendments in response to the submission point from NZDF:

- Woodstock Quarries Limited [46.25];
- Mainpower [249.248];
- CIL [284.293];
- RIDL [326.453]; and
- Jet Boating New Zealand [358.5].

188. I recommend that NOISE-P2 be amended as follows:

“Enable specific noise generating activities of limited duration that are:

1. required for anticipated activities within zones or the District, including construction noise, audible bird scaring devices, frost control fans, temporary activities, temporary military training activities, and emergency services, and

...”

3.10.3.4 Section 32AA evaluation

189. In my opinion, the amendment to NOISE-P2 is more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:

- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.11 Rules

3.11.1 Rule NOISE-R1 and associated planning maps

3.11.1.1 Matters raised by submitters

190. The submission from Daiken [145.26] seeks amendment to NOISE-R1 to better recognise the activity established and reflect noise contours considered acceptable based on expert acoustic advice. The proposed noise contour was to apply to both daytime and night-time noise and cover the notional boundary approach, rather than separating the two matters. Daiken considers NOISE-R1 is not achievable within the operational and functional constraints of the site and operation, and the reference to ‘timber processing’ is an unnecessarily limiting term to describe the processing on the site.

191. Daiken [145.66] also seeks that the planning maps are amended to rename the ‘Noise Contour for: Timber Processing’ to ‘HIZ Processing Noise Contour’.

3.11.1.2 Assessment

192. A rule was prepared based on information provided by the submitter to provide protection for existing dwellings, along with a contour that protects the plant from encroachment of new dwellings.

193. In preparation of the rule drafting prior to notification, [noise monitoring](#) was undertaken.²⁰ The requested rule is consistent with the noise levels measured, and is similar to the existing rule in the District Plan, but applies to a contour area, rather than one dwelling. There are two sites within the contour that are not owned by Daiken (87 Upper Sefton Road and 126 Beatties Rd). The requested noise levels (daytime and night-time) are slightly higher (5Db) than the general noise limits measured from the RLZ. Therefore, I consider the requested rule will have no or negligible impact on surrounding property owners.
194. The requested rule mostly aligns with the agreed rule attached as **Appendix F**. I accept the submission point but recommend the addition of “at or beyond the noise control boundary” after “the following standards” to align with the agreed approach.
195. Regarding the naming of the noise contour, I agree with the submitter that activities undertaken on the site and existing plant could potentially accommodate a range of natural resources processing and manufacturing activities that would have the same or similar appearance and effects. Noise effects are managed by the noise rules and updating the name of the contour does not amend the associated rules.

3.11.1.3 Summary of recommendations

196. I recommend that the submission point from Daiken [145.66] be **accepted**.
197. I recommend that the submission point from Daiken [145.26] be **accepted in part**.
198. I recommend that the submission points from CIL [284.297], and RIDL [326.457] be **accepted in part**, subject to amendments in response to the submission point from Daiken [145.26].
199. I recommend that NOISE-R1 be amended as follows:

“Activity status: PER

Where:

noise generated within the ~~Timber~~HIZ Processing Noise Contour, as shown on the planning map, shall not exceed the following standards at or beyond the noise control boundary:

~~not exceed 45 dB LAeq outside the Timber Processing Noise Contour and shall otherwise comply with Table NOISE-2; and~~

~~not exceed the following standards at or within the notional boundary of the residential unit located at 126 Beatties Road:~~

a. 7:00am-7:00pm Monday to Saturday 55 dB LAeq.

b. 9:00am-7:00pm Sundays and Public Holidays 55 dB LAeq.

c. All other times 45 dB LAeq.

d. 10:00pm-7:00am on any day 75 dB LAF(max).”

²⁰ Marshall Day Acoustics (2019) Waimakariri District Plan Review – Noise Deliverable 2 – Noise Monitoring. Retrieved from https://www.waimakariri.govt.nz/_data/assets/pdf_file/0022/98401/23.-NOISE-DELIVERABLE-2-NOISE-MONITORING-REPORT-LATEST-VERSION-OCT-19.PDF, p.6.

200. I recommend the planning maps are amended to rename the 'Noise Contour for: Timber Processing' to 'HIZ Processing Noise Contour'.
201. I recommend that a consequential amendment be made to NOISE-R21, as shown in **Appendix A**.

3.11.1.4 Section 32AA evaluation

202. In my opinion, the amendments to NOISE-R1 are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:
- They provide an agreed set of standards to protect the plant and existing residents.
 - The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions and continue to achieve NOISE-O1, HIZ-O1 and RLZ-O1 as notified.

3.11.2 Rule Noise-R2 Temporary military training activity

3.11.2.1 Matters raised by submitters

203. There were three submissions received on NOISE-R2, two in support from CIL [284.298] and RIDL [326.458] and one opposed.
204. NZDF [166.18] opposes NOISE-R2 and instead seeks replacement noise standards for TMTA. The standards sought by NZDF divides noise sources into four categories that have different noise characteristics, with a different set of standards for each. NZDF also seeks controlled activity status, when compliance is not achieved, to provide certainty an activity can proceed while controlling effects.

3.11.2.2 Assessment

205. Acoustic advice received from Mr Camp recommends rejecting the submission point from NZDF.²¹ In his view, the requested rules are overly complex and do not achieve a better outcome than the notified rule.
206. The requested rules propose five working days' notice to Council. Mr Camp considers it is likely to be challenging for Council to be able to respond and/or have any effective control over an event with such a short timeframe. In his experience, temporary military training activities are not spur-of-the-moment events, and the notified 10-day requirement is easily achievable.
207. The requested rule asks for a daytime separation distance of 500 metres from noise sensitive activities. In his view, shooting activity at this distance would result in significant adverse effects, and the notified setback of 1500 metres is more appropriate.
208. Mr Camp sees no benefit in including noise limits as part of a permitted rule as requested – appropriate noise levels are inherent in the rule. Being permitted, there is no requirement for Council resources to be expended monitoring noise levels for a permitted activity. The notified rules are predominantly based on separation distances which can be easily verified before, during, or even after an event.
209. Mr Camp sees no need to provide exemptions from the general noise rules for mobile and stationary noise sources. He considers the required setback distances to accommodate

²¹ Paragraph 18

shooting will generally be more than adequate to ensure that these sources comply with the general noise rules.

210. Mr Camp does not agree with using NZS6807 as part of a permitted activity rule because there is no mechanism for demonstrating or checking compliance. He prefers the notified rule which allows for small numbers of helicopter movements close to noise sensitive receivers and unlimited movements if further than 450 metres from noise sensitive receivers. Helicopter movements is a term defined by the Proposed Plan as *“the take-off or landing of a helicopter. For example, when a helicopter lands and takes off, this constitutes two movements.”* Given the overall setback distances required, he considers this will provide the necessary mitigation for helicopter noise. NZS6807 can be used for exceptions as part of a restricted discretionary consent²². I agree with this advice.

3.11.2.3 Summary of recommendations

211. I recommend that the submission point from NZDF [166.18], be **rejected**.
212. I recommend that no change be made to the Proposed District Plan.

3.11.3 Rule NOISE-R3 and ‘construction work’ definition

3.11.3.1 Matters raised by submitters

213. Oxford-Ohoka Community Board [172.8] seeks amendment to NOISE-R3, as is concerned that the definition of construction noise is too broad and could be used in domestic situations to prevent DIY.
214. House Movers Section of New Zealand Heavy Haulage Association [221.5] seeks the definition of ‘construction work’ be amended to add:

“for the avoidance of doubt, installation of a building includes the relocation and resiting of a building.”

3.11.3.2 Assessment

215. NOISE-R3 provides a less restrictive standard than the noise limits provided in Table NOISE-2 to be more enabling of this temporary noise. I consider the limits are appropriate as they match the limits in *New Zealand Standard 6803:1999 – Construction noise* as the common standard used to consider construction noise throughout the country. As outlined in Mr Camp’s statement of evidence, the standard on vibration also provides suitable limits for measuring and assessing vibration effects²³.
216. I consider the addition of the wording sought by the House Movers Section of New Zealand Heavy Haulage Association provides clarity. Storage of relocatable buildings are subject to standards in the Temporary Activities Chapter (TEMP-R6), and associated matter of discretion TEMP-MD1 which includes consideration of adverse effects on the environment including noise. They are also subject to the activity rules in the zone chapters where the storage is on a permanent basis e.g. GRUZ-R8. This ensures commercial relocatable building business is captured by plan rules.

²² Paragraph 17-24

²³ Paragraph 93

3.11.3.3 Summary of recommendations

217. I recommend that the submission point from House Movers Section of New Zealand Heavy Haulage Association [221.5] be **accepted**.
218. I recommend that the submission point from Oxford-Ohoka Community Board [172.8] be **rejected**.
219. I recommend the definition of 'construction work' be amended, as shown in **Appendix A**, to add:

"for the avoidance of doubt, installation of a building includes the relocation and resiting of a building."

3.11.4 Rule NOISE-R4 and NOISE-R7 Aviation movements

3.11.4.1 Matters raised by submitters

220. Two submitters raised aviation movements-related matters.
221. NZDF [166.19] oppose standards in NOISE-R4 as they are unnecessarily restrictive for helicopter landing and take-offs associated with TMTA. The submitter considers that noise from these activities can be appropriately managed by the use of *NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas*, and the updated noise standards supplied (refer to full submission for Attachment 3). NZDF requests helicopter movements associated with TMTA are deleted from this rule.
222. The NZ Agricultural Aviation Association (NZAAA) [310.1] seeks NOISE-R4 is amended to provide an exclusion for intermittent agricultural aviation movements ancillary to primary production activities. They state that the rule would be extremely limiting for helicopters operating in a rural zone as weather conditions mean that many operations occur before 8am or after 6pm. The Association supports primary production and has a functional need to operate in the Rural Zone and creates short-term and intermittent noise effects, so it is consistent with the policy framework for rural zones. Given the direction of the objectives and policies, they consider, there should be an exclusion for helicopter movements for intermittent primary production activities such as application of fertilisers, spray or frost protection.
223. The NZAAA [310.2] supports recognition of temporary mobile or intermittent agricultural activities that generate noise in NOISE-R7 but seek recognition of noise from agricultural activities. The New Zealand Helicopter Association [FS66] support the NZAAA submission as it identifies an opportunity to better manage helicopter operations by permitting its operations over short time periods and is concerned with time limitations on operations when many require settled weather of early morning before thermal mixing disturbs the air mass. It seeks permitting most helicopter operations as a temporary activity whilst still complying with acceptable noise limits.

3.11.4.2 Assessment

224. Regarding the submission point from NZDF, Mr Camp prefers the notified rule which allows for small numbers of helicopter movements close to noise sensitive receivers and unlimited movements if further than 450 metres from noise sensitive receivers. He does not agree with using NZS6807 as part of a permitted activity rule because there is no mechanism for

demonstrating or checking compliance. He considers NZS6807 can be used for exceptions as part of a restricted discretionary consent²⁴.

225. Mr Camp recommends rejecting the submission point from the NZAAA on NOISE-R4. He states that, except for frost protection, helicopter use as part of primary production would generally be a daytime activity, and he anticipates these activities would comply with the notified version of NOISE-R4. In his view, using a helicopter for frost protection purposes means that the helicopter is a “frost fan”. Allowing the requested exemption would therefore provide a means to circumvent NOISE-R20 which aims to control the adverse effects of noise from frost fans²⁵.
226. He also recommends rejecting the submission point from the submitter on NOISE-R7. He considers the words “including aircraft” would result in a greater number of loopholes which could lead to unintended consequences. For example, fertiliser application could be undertaken using aircraft within the notified wording of NOISE-R7 without any need to add additional words. I accept this advice²⁶.
227. Other submissions on NOISE-R7 are discussed in the section on NOISE-R7 below.

3.11.4.3 Summary of recommendations

228. I recommend that the submission points from NZDF [166.19], NZAAA [310.1, 310.2] and New Zealand Helicopter Association [FS99] be **rejected**.

3.11.5 Rule Noise-R6 Audible bird scaring devices

3.11.5.1 Matters raised by submitters

229. Three submitters sought amendments to NOISE-R6 Audible bird scaring devices including the following:
230. HortNZ [295.114] support the permitted activity rule for audible bird scaring devices as they are necessary for horticulture, however it considers clause (d) containing the 65 dB LAE limit should refer to ‘the notional boundary’, not ‘any point within the notional boundary’ as noise beyond the boundary will dissipate with increased distance.
231. HortNZ [295.114] oppose the advisory note in the rule that there should be a legible notice fixed to the road frontage with contact details of the person responsible for the operation of the device. It is not attached to any other provisions for noise emitting activities. The information requested on a notice at the road frontage contains private details which the submitter considers is inappropriate, especially as a permitted activity.
232. Michael John Baynes [357.1] seeks several amendments to the standards contained in the rule including:
- A maximum of 1 device per 4ha, being a space 200m x 200m centred around the device;
 - A minimum of 400m from the notional boundary of adjoining residences;
 - 12 shots per hour, per gun;

²⁴ Paragraph 24

²⁵ Paragraph 27

²⁶ Paragraph 28

- d. 7am to 7pm operating period; and
 - e. No use in a restricted fire season.
233. Michael John Baynes states that the effects on neighbouring properties include sharp, frequent, loud detonations which cause stress for residents and animals, and impact enjoyment of properties. Long-term exposure to noise has been associated with poor health, educational and work outcomes. He states that bird scarers can commence early (6am), 7 days a week for months in a row and echo against dwellings and barns. He states 2000 events per day have been recorded. The use of gas guns is currently self-regulated by the operator, whereas elsewhere are subject to council guidance as to use/location including guidance around shots per hour and separation distances, Best Practice Guidelines/Codes of Practice, and active management plans (especially important in restricted fire seasons) including alternatives such as visual, physical, and acoustic deterrents.
234. Federated Farmers [414.178] seeks a change to the maximum frequency of events from six per device per hour to 10. It states that six events do not cover the functioning of most devices.
235. There were two submissions in support of NOISE-R6 from CIL [284.203] and RIDL [326.462].
236. There were no further submissions received.

3.11.5.2 Assessment

Operating period

237. Mr Camp recommends rejecting the requested timeframe of 7am to 7pm, as sought by Michael John Baynes. Mr Camp considers the permitted operating hours are best tied to sunrise and sunset because bird damage to crops tends to occur around these times²⁷. I agree with this advice.

Number of shots/events

238. Mr Camp does not like the use of the term "shots" in isolation, because this implies that the only suitable device is a "gun". There are other devices on the market, such as ones which mimic bird distress calls, and Mr Camp considers the rule should accommodate these²⁸.
239. Mr Camp considers a limit on the number of noise events per hour has merit. However, the requested "12 shots per hour, per gun" could involve four bursts of three shots, or 12 individual shots, with potentially different effects. The notified rule provides for a "noise event" as comprising up to "three clustered shots", both to allow for something which is not uncommon in commercial bird scaring devices, and to acknowledge that a small number of closely spaced "shots" is generally less disturbing than more widely spaced shots. With this in place, he considers the notified limit of six events per hour to be appropriate, and consistent with the request by submitter Michael John Baynes²⁹. Mr Camp does not accept the suggestion from Federated Farmers that "...10 events per device per hour...does not cover the functioning of most devices...". He states that one of the major suppliers of gas guns in New

²⁷ Paragraph 72

²⁸ Paragraph 74

²⁹ Paragraph 75

Zealand (Bird Control NZ) offers a gun with adjustable timing from two to 20 minutes, which means as few as three events per hour³⁰.

240. Mr Camp recommends, that item d. in the notified rule use the same terminology of "noise event" as per the other clauses in the rule, rather than "noise emission" as notified³¹.

Setback

241. Acoustic advice received from Marshall Day Acoustics for drafting the chapter recommended a 200m setback on an effects basis. There is also a noise limit to manage effects.

"The setback which we have recommended works for many gas guns currently on the market. Hence, a lay person could establish their gas guns by following all the rules except for noise level and have a reasonable expectation of compliance. If any rule was to be removed, it would be the noise level (rather than the setback) but such an approach could result in occasional noise problems if a particularly noisy device was used. We therefore recommend retaining both the noise limit and setback" (Marshall Day, 2019).

242. Based on the above reasons, I recommend the setback be retained as notified.

Limiting devices per hectare

243. Advice was sought from Mr Camp on submission point 357.1. Mr Camp accepts the merit of limiting the number of devices per hectare but considers such a control may have unintended consequences. Multiple small devices may result in lesser noise effects than one very large one. The noise limit arguably applies to any one device. A grower could theoretically install several devices in essentially the same location to circumvent the limit on the number of shots per hour. Given that gas guns are currently the most used bird scaring device, Mr Camp recommends accepting the requested limit on the number of devices. He is aware of gas guns which are advertised as protecting areas of four to 25 hectares, with others suggesting only 0.6 hectares. On balance, he recommends a limit of one per hectare³².

244. When drafting the Noise Chapter, I spoke to growers in Swannanoa about how many devices they have on their land³³ and I consider the limit recommended by Mr Camp would still enable them to carry out their activity but would offer extra protection for noise receivers from proliferation and circumvention. Based on this advice, I recommend a density standard is included.

Fire risk

245. Fire risk is managed through woodlots and shelterbelts in the Natural Hazards Chapter (NH-R7). More evidence would be required to justify the inclusion of this rule.

Notional boundary and advice note

246. HortNZ seek that the 65 dB LAE limit should refer to 'the notional boundary', not 'any point within the notional boundary'. Mr Camp states there are good technical reasons for the wording proposed. Firstly, the notional boundary is a line 20 metres from a dwelling. This line

³⁰ Paragraph 76

³¹ Paragraph 77

³² Paragraph 78

³³ Noise S32 evaluation report, p.34.

is easy to draw on a plan, but in real life it can be somewhat difficult to locate it precisely. Secondly, there are times when a solid fence, for example, is located just outside the notional boundary. This can mean that the noise level at the notional boundary is reduced by the fence, and hence the noise level can actually increase closer to the dwelling. Topographical features can result in the same effect. In terms of measuring noise, there is no downside to the proposed wording. Industry best practice is that a number of noise measurements are made at various positions within and on the notional boundary, and the highest noise level measured is ultimately reported. I agree with this advice and consider the wording should be retained as notified.

247. I agree with HortNZ that having a notice fixed to the road frontage of the site is unnecessary and could result in inappropriate behaviour such as the person being contacted for reasons unrelated to the device.

3.11.5.3 Summary of recommendations

248. I recommend the submission point from HortNZ [295.114] be **accepted in part**.
249. I recommend the submission point from Michael John Baynes [357.1] be **accepted in part**.
250. I recommend the submission points from CIL [284.302] and RIDL [326.462] be **accepted in part**, subject to amendments in response to other submissions.
251. I recommend the submission point from Federated Farmers [414.178] be **rejected**.
252. I recommend the Proposed District Plan NOISE-R6 be amended as follows and as shown in **Appendix A**:
- deleting the advisory note; and
 - adding a density standard of one device per ha.

3.11.5.4 Section 32AA evaluation

253. In my opinion, the amendments to NOISE-R6 are clearer in achieving the objectives of the Proposed Plan than the notified provisions. I consider that:
- They provide a balance between noise producers and noise receivers. Consequently, they are more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan. The amendments seek to achieve NOISE-O1, and associated NOISE-P2. It enables audible bird scaring devices required for growers consistent with the character and amenity values of the receiving environment.
 - The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. The density standard provides extra protection for noise receivers but at a density that would still be effective to scare away birds. There will be benefits from improved plan interpretation with the amendment of clause d.

3.11.6 Rule NOISE-R7 Temporary agriculture activities (matters not addressed above)

3.11.6.1 Matters raised by submitters

254. NZPork [169.33] oppose NOISE-R7 as it excludes intensive primary production from permitted activities for noise as it is not deemed as agriculture.

255. Rayonier Matariki Forests [171.18] seek NOISE-R7 be amended to include a statement that for plantation forestry activities the National Environmental Standards for Plantation Forestry (NESPf) provisions prevail.
256. CIL [284.303] and RIDL [326.463] support NOISE-R7 and do not seek any changes.

3.11.6.2 Assessment

257. NOISE-R7 permits temporary, mobile or intermittent agriculture activities. The term 'agriculture' used in the proposed rule is defined as:

a land based activity having any one or combination of the following as the purpose of the use of land:

arable land use being the use of land to grow crops for harvest; or

horticultural land use being the use of land to grow food or beverage crops for human consumption (other than arable crops), or flowers for commercial supply; or

pastoral land use being the use of land for the grazing of livestock; or

Plantation Forest or Woodlot being less than 1ha of continuous area of deliberately established tree species that has been planted, or has or will be, harvested or replanted.

258. There are defined terms for intensive indoor primary production and intensive outdoor primary production. Intensive primary production activities require restricted discretionary consent in the GRUZ and RLZ zones so would already require resource consent and are subject to RURZ-MD3 which includes assessing the "extent to which the activity may result in conflict and/or reverse sensitivity effects with other activities occurring on adjacent rural sites." This would include noise effects. If they are also subject to the general noise rules, then this would provide a tolerable noise level threshold with associated matter of discretion (NOISE-MD1) to assess the noise.
259. Intensive primary production activities could include noise from factories which may have a higher level of effects. I considered whether 'agriculture' could be replaced with 'primary production', however, the definition of primary production would not be a suitable alternative as it includes any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities. Therefore, I reject the submission point.
260. Regarding plantation forestry, there is already an advice note contained in the Noise Chapter which states that:
- "Section 98 of the NESPf regulates noise and vibration for forests greater than 1ha that has been planted specifically for commercial purposes and will be harvested."*
261. NOISE-R7 only applies to agriculture activities. The definition of agriculture activities, as above, only applies to plantation forest which is not covered by the NESPf. Therefore, I consider that the advice note would not be applicable to this rule.

3.11.6.3 Summary of recommendations

262. I recommend that the submission points from CIL [284.303] and RIDL [326.463] be **accepted**.
263. I recommend that the submission points from NZPork [169.33] and Rayonier Matariki Forests [171.18] be **rejected**.
264. I recommend that no change be made to NOISE-R7.

3.11.7 Rule NOISE-R13 Aircraft operations at Rangiora Airfield

3.11.7.1 Matters raised by submitters

265. CIL [284.309] and RIDL [326.469] support NOISE-R13 and do not seek any changes.
266. The NZAAA [310.3] seeks amendment to NOISE-R13 as it lists purposes for the use of Rangiora Airfield. It considers agricultural aviation should be listed as an activity that operates from Rangiora Airfield.
267. The whole of the submission is supported by the New Zealand Helicopter Association [FS66], as many of its members operate in both the agricultural and general helicopter support roles. They see an opportunity to better manage helicopter operations by permitting as a temporary activity over short time periods.

3.11.7.2 Assessment

268. NOISE-R13 is only relevant for activities not covered by the purpose of the Rangiora Airfield designation (WDC-1). The activities listed under NOISE-R13(1) of the rule is not a list of all activities that can operate from the airfield but are the activities where the standards listed under clause 2 do not apply – they are permitted activities. Agricultural aviation operations can operate from the airfield but are subject to the standards listed under clause 2. Listing activities that can occur was not the purpose of the rule, rather it is about managing the noise. While I reject the submission, I recommend that the rule is amended to make this clear by better drafting of the exemption and recommend the addition of the word “or” at the end of clause 1 as a minor amendment. Aviation movements are also discussed under section 3.11.4 regarding NOISE-R4 and NOISE-R7.

3.11.7.3 Summary of recommendations

269. I recommend that the submission points from NZAAA [310.3] and the New Zealand Helicopter Association further submission [FS66] be **rejected**.
270. I recommend that no change be made to NOISE-R13, except for a minor amendment for clarity, as shown in **Appendix A**.

3.11.8 Rule NOISE-R16 - Residential units and minor residential units within 80m of an arterial road, strategic road or rail designation and associated matters of discretion

3.11.8.1 Matters raised by submitters

271. Five submissions and three further submissions raised noise mitigation near roads/rail-related matters, and, in addition, there was also two submissions in support of NOISE-R16.

272. George Jason Smith [270.2] supports NOISE-R16(3) "future proofing" and seeks it is amended to provide for changes in classification of collector roads. The submitter questions the adequacy of the 2dB allowance and points out that climate change may change the transport network and the allowance should be conservative for noise effects. The submitter considers road traffic growth seems a reasonable starting point.
273. Waka Kotahi [275.55] seeks NOISE-R16 is amended to apply within 100m (not 80m) of the state highway network. The submitter considers the current rule would result in a shortfall of 20m where noise mitigation may be necessary. This submission is opposed by Kainga Ora [FS88] and supported by KiwiRail [FS99] on the basis of the 100m setback.
274. CIL [284.312] and RIDL [326.472] support NOISE-R16.
275. KiwiRail [373.74] recommends provisions to mitigate noise and vibration effects on all noise sensitive activities, as effects are not exclusive to residential activities, and to provide greater clarity around noise, ventilation and vibration. It states that noise and vibration effects can be felt 100m from the rail corridor and, to effectively manage reverse sensitivity and support NOISE-O2 and NOISE-P3, the distance should be noise sensitive activities within 100m of a rail designation. Waka Kotahi [FS110] supports this submission on the basis of the 100m setback.
276. Bellgrove Rangiora Ltd (BRL) [408.27] oppose NOISE-R16 in that it would apply to arterial road Kippenberger Avenue which they consider is excessive given the road's speed limit is 50km/hr and heavy traffic only contributes to approximately 4% of its traffic. It considers the 80m buffer is a considerable distance to require insulation measures within. BRL seek the rule is amended to only apply within 40m of an arterial road (as opposed to 80m). The submitter also states that NOISE-R16 does not enable an alternative consenting pathway such as the application of certain building insulation provisions that will help with acoustic insulation reduction e.g. construction requirements for external walls, specified glazing requirements. It considers, there should be an either/or option to achieve compliance with NOISE-R16 (1) and (2) without needing an acoustic assessment.
277. Kainga Ora [325.149], opposes the Noise Chapter and planning maps. The submitter seeks amendments to more clearly articulate the balance between providing for noise generating activities, whilst appropriately managing effects on the community, and considers the noise corridor overlay maps do not reflect the distances prescribed in the rules/standards in relation to the state highway and railway and seeks deletion. The submitter considers that additional requirements in relation to indoor noise design levels results in an unnecessary and overly restrictive burden on infrastructure providers to manage effects to adjacent land uses generated by the operation of infrastructure. It considers there are more balanced and less onerous ways in which potential interface issues can be managed, and also opposes all aspects of the chapter managing vibration effects. Kainga Ora's submission point was opposed by KiwiRail [FS99] and Waka Kotahi [FS110].

3.11.8.2 Assessment

278. The Noise s32 evaluation report identified that some noise emitting activities that are established in the District may require reverse sensitivity protection from new noise sensitive activities that could otherwise develop nearby, as this could constrain future activity³⁴. NOISE-R16 gives effect to NOISE-P3 which seeks to protect the operation of rail and road

³⁴ Page 4-5

infrastructure by identifying locations where acoustic mitigation measures for any new noise sensitive activities are required. In discussion with the District Council Building Unit, they have confirmed that under the Building Act, acoustic insulation is only a consideration where there is a common building element. Building Code Clause G6 Airborne and Impact Sound come into effect when there are attached buildings and is not a consideration for free-standing buildings.

Setback

279. [Acoustic advice](#) received for drafting NOISE-R16, recommended a setback of 80m for sound insulation rules from arterial roads, strategic roads and rail designations³⁵. Mr Camp has reviewed the submissions on the setbacks contained in the rule and recommends the submission points from Waka Kotahi and KiwiRail are accepted in part. Mr Camp recommended the 80-metre setback on the basis that it was consistent with Waka Kotahi's recommendations at that time. However, he notes, *"there is an important distinction to be made with respect to this submission. Waka Kotahi, in their published guidelines, clearly show their current 100 metre setback being measured from the edge of the nearest traffic lane."* In a district plan context, he is of the view that it is much simpler to establish a setback based on property boundaries, given that these are well defined, whereas the location of the road can be less so. His review of busier roads in the district suggested 80 metres from the road designation boundary is very similar to 100 metres from the nearest traffic lane. Mr Camp recommends retaining the notified 80 metres but suggests wording is added to clarify that this distance is measured from the boundary of a site adjoining the road. Rail corridors are somewhat more variable, but less concerning given the small number of trains. For consistency Mr Camp recommends retaining the notified 80 metre setback for rail³⁶.
280. Mr Camp recommends BRL submission point seeking a 40m setback is rejected. He considers noise effects are well established at distances much greater than 40 metres³⁷.

KiwiRail requested rule

281. I consider the rule requested by KiwiRail is overly complex and I agree with Kainga Ora on vibration rules. The acoustic advice received when drafting the plan was that vibration rules are expensive and difficult to implement, and it was recommended to avoid them. The District Council also has no means to measure vibration and relies on external companies to provide site specific vibration plans/assessments where required for resource consenting purposes.
282. In regard to the limited notification clause sought by KiwiRail, associated with the requested rule, I consider if a limited notification clause was included then, unless there was a rule specific to rail, it should also apply to Waka Kotahi.

Noise sensitive activity

283. Mr Camp agrees with the request to use 'noise sensitive activities' rather than 'residential units and minor residential units' because it then includes such activities as schools,

³⁵ Marshall Day (2019). Waimakariri District Plan Review – Noise Deliverable 3 – Issues and Options. Retrieved from https://www.waimakariri.govt.nz/_data/assets/pdf_file/0023/98402/24.-WAIMAKARIRI-DISTRICT-PLAN-REVIEW-NOISE-DELIVERABLE-3-THREE-ISSUES-AND-OPTIONS-REPORT-APRIL-2019-DPR.PDF, p.22.

³⁶ Paragraph 46-47

³⁷ Paragraph 51

retirement homes and hospitals. The notified plan already includes a suitable definition of noise sensitive activities³⁸.

Matters of discretion

284. In regard to the matter of discretion requested from KiwiRail, I consider as standards for vibration are not included in NOISE-R16 and as I do not recommend their inclusion for the reasons outlined above, the aspects on vibration should not be included.
285. I have undertaken a comparison of the requested matter of discretion against existing matters of discretion and consider the aspects are already sufficiently covered by either the matters of discretion or resource consenting requirements under the RMA. The relevant matters of discretion are contained in the table below.

Table 3: Gap analysis of matters of discretion requested by KiwiRail [373.101]

Matter of discretion requested by KiwiRail submission [373.101]	Notified Noise Chapter matters of discretion
1. Whether the activity sensitive to noise could be located further from the railway network.	<p>NOISE-MD2(3) <i>The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means, e.g. screening by other structures, or distance from noise sources.</i></p> <p>NOISE-MD3(1) <i>The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means.</i></p>
2. The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance.	All matters of discretion applicable. The matters of discretion as notified are more specific in providing guidance on effects to consider.
3. The character of, and degree of, amenity provided by the existing environment and proposed activity.	<ul style="list-style-type: none"> • The character of the existing environment. NOISE-MD1(8) <i>The characteristics of the existing noise environment, and the character the objectives and policies of the zone are seeking to achieve.</i> • The character of the proposed activity. This would be relevant when considering effects on the noise sensitive activity, which can be considered under many of the matters of discretion e.g. NOISE-MD1(2) which is about the health and well-being of persons living or working in the receiving environment. • The degree of amenity provided by the existing environment/proposed activity. NOISE-MD2(3) <i>The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means, e.g. screening by other structures, or distance from noise sources.</i>

³⁸ Paragraph 49

Matter of discretion requested by KiwiRail submission [373.101]	Notified Noise Chapter matters of discretion
4. The reverse sensitivity effects on the rail network, and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.	<p>NOISE-MD3(4) <i>Any potential reverse sensitivity effects on other activities that may arise from residential accommodation or other noise sensitive activities that do not meet acoustic insulation requirements necessary to mitigate any adverse effects of noise.</i></p> <p>NOISE-MD2(3) <i>The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means, e.g. screening by other structures, or distance from noise sources.</i></p> <p>NOISE-MD3(1) <i>The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means.</i></p> <p>NOISE-MD1(5) <i>Any proposals to reduce or modify the characteristics of noise generation, including:</i> <i>reduction of noise at source;</i> <i>alternative techniques or machinery which may be available;</i> <i>insulation or enclosure of machinery;</i> <i>mounding, screen fencing/walls or landscape characteristics; and</i> <i>hours of operation.</i></p>
5. Special topographical, building features or ground conditions which will mitigate vibration impacts;	<p>NOISE-MD1(5) <i>Any proposals to reduce or modify the characteristics of noise generation, including:</i> <i>reduction of noise at source;</i> <i>alternative techniques or machinery which may be available;</i> <i>insulation or enclosure of machinery;</i> <i>mounding, screen fencing/walls or landscape characteristics; and</i> <i>hours of operation.</i></p> <p>NOISE-MD1(8) <i>The characteristics of the existing noise environment, and the character the objectives and policies of the zone are seeking to achieve.</i></p> <p>NOISE-MD2(3) <i>The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means, e.g. screening by other structures, or distance from noise sources.</i></p> <p>NOISE-MD2(4) <i>The ability to meet acoustic insulation requirements through alternative technologies or materials.</i></p> <p>NOISE-MD3(2) <i>The ability to provide effective acoustic insulation through alternative technologies or materials.</i></p>
6. The outcome of any consultation with KiwiRail.	Not covered by the matters of discretion but is subject to RMA s95A and s95B.

Alternative pathway

286. Mr Camp agrees with the request to provide a pathway that does not require an individual acoustic assessment. He does not agree with the single path rule which “compels applicants to employ an acoustic consultant when an off-the-shelf solution may be significantly cheaper” (para.53). Christchurch City Council rules offered a dual approach for areas outside Christchurch City until the recent Plan Change 5E decision.
287. I have reviewed the Plan Change 5E information, which seeks to reduce the options to achieve the rule from two to one by removing the reduction method (which they refer to as façade reduction method), with the associated construction specifications, and retaining the indoor design sound levels. As stated in the Plan Change 5E s42A:
- “It can result in future plan changes to keep the construction specifications up to date with industry practices since parts are out of date and the products prescribed are no longer available, and similar issues in the future are likely to reoccur” (p.40).*
288. Mr Camp considers it would be possible to adopt the Christchurch District Plan appendix 6.11.4 as an interim measure.³⁹
289. However, I consider having an alternative pathway is not effective at present, since it can become out-of-date, and out of plan methods such as design guidelines could provide a pathway for how to achieve the rule. Bellgrove has not provided any evidence or detail in its submission on what it would like the alternative pathway to include. I have not been able to provide an alternative as part of the s42A report and, at this point in time, recommend the submission point be rejected.

Future proofing

290. NOISE-R16 is flexible in that it requires the design for road traffic to take into account future permitted use of the road, either by the addition of 2dB to predicted sound levels or, alternatively, based on forecast traffic in 20 years' time. Therefore, the change in road classification can also be considered in forecast sound levels.
291. Mr Camp recommends that the submission from George Jason Smith be rejected. He considers future proofing is always a balancing act and states that the proposed 2dB allowance is equivalent to more than a 50% increase in current traffic volumes, and this is a sufficient imposition on landowners. Mr Camp notes that Waka Kotahi generally recommend a 3dB allowance, which would provide for a doubling of traffic, but the additional cost of such a change, in terms of building a new dwelling, would almost certainly be negligible. On balance, considering Mr Camp's advice that the notified allowance already takes into account a significant increase in traffic volume, I recommend this submission point is rejected⁴⁰.

Kainga Ora submission

292. Kainga Ora opposes the noise corridor overlay and related provisions but have not provided any evidence. It is unclear whether the submitter seeks deletion of all noise contours and why they will need to reflect the distances prescribed in standards for highway/railway. The submitter states that additional requirements for indoor noise design levels are unnecessary and overly restrictive without a corresponding burden on infrastructure providers to manage

³⁹ Paragraph 54-56

⁴⁰ Paragraph 43

effects. In their further submission [FS88] they oppose KiwiRail submission points 373.70 to 373.77 and 373.101 and state there are more balanced and less onerous ways in which potential interface issues can be managed. However, they have not stated what these are.

293. Mr Camp recommends this submission point be rejected. He considers the notified rules relating to roads, railways, and airports do provide a balance between the noise producer and noise receivers. He gives an example that Christchurch International Airport are bound by rules within the Christchurch District Plan which limit their total noise emissions. Mr Camp considers it is not necessary to duplicate these rules in the Waimakariri District Plan. Notwithstanding this, the overall reduction of noise from transport related activities is fundamentally tied to the long-term reduction of noise from individual vehicles or aircraft, and therefore somewhat outside the control of infrastructure operators. Given this, he states, it is prudent to ensure that noise sensitive activities wishing to establish close to roads, rail lines or airports should be required to incorporate reasonable measures to ensure that their internal noise environment is acceptable. The notified rules represent industry best practice for noise in New Zealand. Mr Camp is also unclear on the intent behind the submission on vibration as the notified plan does not contain any rules to control vibration from road or rail⁴¹.
294. I consider NOISE-R16 gives effect to the objectives of the plan including NOISE-O1 and NOISE-O2. It also gives effect to the policies in the RPS, in particular 5.3.2 and 5.3.8, as described in the Noise s32 evaluation report.⁴²

3.11.8.3 Summary of recommendations

295. I recommend that the following submission points be **accepted in part**:

- CIL [284.312];
- RIDL 326.472;
- KiwiRail [373.74];
- and Kainga Ora [FS88].

296. I recommend that the following submission points be **rejected**:

- George Jason Smith [270.2];
- Waka Kotahi [275.55];
- BRL 408.27;
- Kainga Ora [325.149];
- KiwiRail [FS99]; and Waka Kotahi [FS110].

297. I recommend that NOISE-R16 be amended to apply to all noise sensitive activities, as shown in **Appendix A**.

⁴¹ Paragraph 63-66

⁴² Page 10-11

3.11.8.4 Section 32AA evaluation

298. In my opinion, the amendments to NOISE-R16 are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions.
299. I consider that, while there may be an economic cost to insulate buildings of new noise sensitive activities, as acoustic insulation of freestanding buildings is not considered under the Building Act, they are more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan. In particular, NOISE-O2 that *“the operation of regionally significant infrastructure and strategic infrastructure...are not adversely affected by reverse sensitivity effects from noise sensitive activities”*.
300. Consequently, they help to ensure noise does not adversely affect human health, communities, and the anticipated amenity values of the receiving environment (NOISE-O1). It also better achieves the notified Transport Chapter objectives as it supports healthy and liveable communities (TRAN-O1(4)), avoids adverse effects from (TRAN-O3), and on, the transport system by mitigating reverse sensitivity effects (TRAN-O4).

3.12 Table NOISE-2 Noise Limits

3.12.1 Matters raised by submitters

301. Canterbury District Health Board (CDHB) [68.17] support Table NOISE-2 Noise Limits for the Special Purpose Zone (Hospital) as hospitals are noise sensitive.
302. Daiken [145.27] seek amendment to Table NOISE-2 as it should not apply to the activity referred to in NOISE-R1 as that is linked to the noise contours for the site, not at the boundary of the site.
303. Woolworths [282.142] opposes noise limits for the Large Format Retail Zone (LFRZ) and General Industrial Zone (GIZ) as they are unnecessarily onerous, particularly given that the Light Industrial Zone (LIZ) noise limits are less stringent, which is inconsistent and inappropriate given the nature of these zones. Woolworths considers the more stringent limits will curtail lawfully established activities. A daytime limit of 65dBA and night-time limit of 55dBA is considered appropriate in terms of the activities anticipated in that zone. Woolworths also opposes the measurement for noise received by sites in the Rural Zones to be measured *“at or within the boundary of any site”*, instead of at the notional boundary (defined as a line 20m 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). Woolworths seeks amendment to avoid measurements being taken at a site boundary where the nearest noise sensitive activity may be some distance away.

3.12.2 Assessment

304. The limits in Table NOISE-2 apply under NOISE-R19 to activities emitting noise not otherwise covered in NOISE-R1 to NOISE-R13. I consider the amendment sought by Daiken provides clarity that this is how the noise limits are to be applied.

305. I consider that the noise limits for the LFRZ and GIZ do align with the limits of the LIZ, which I consider was a drafting error. The noise limits for LFRZ and GIZ is 60 dB LAeq during daytime and 50 dB LAeq during night-time. The LIZ has higher noise limits of 65 dB LAeq daytime and 55 dB LAeq night-time. I note that the noise limits to be applied are the limits for the zone receiving the noise, not generating it. I do not consider the LFRZ and GIZ to be more sensitive to noise than the LIZ. LFRZ and GIZ occur adjacent to residential zones such as MRZ in Southbrook. Nearby LIZ in Rangiora (South and East) is surrounded by MRZ.

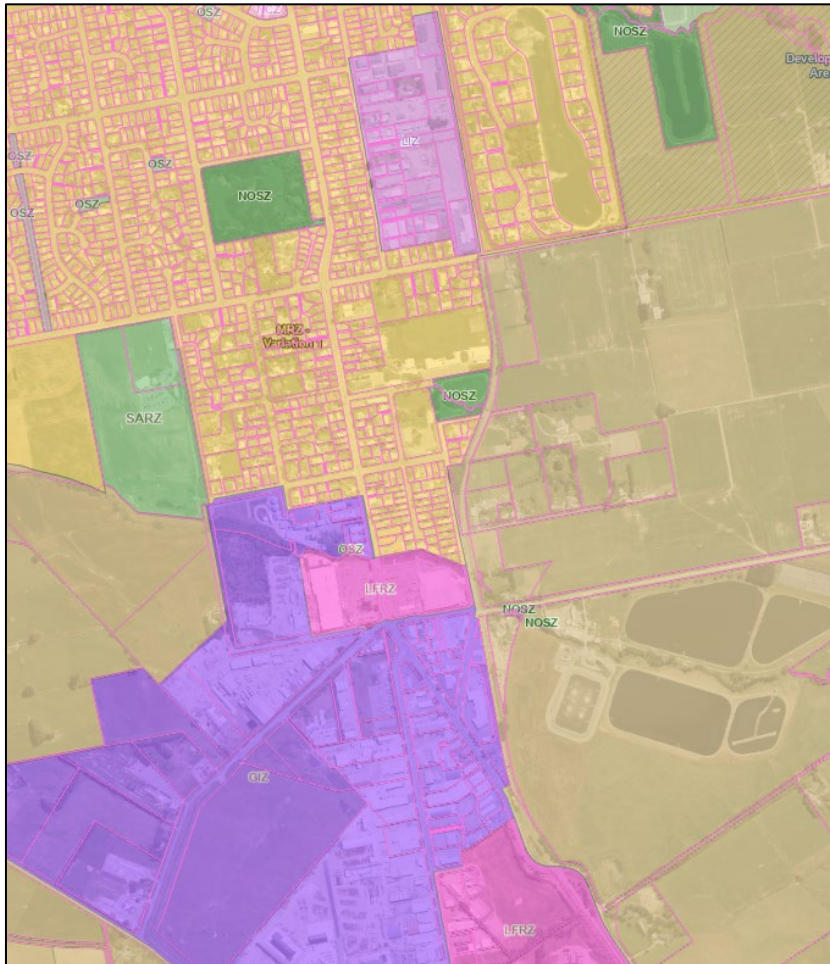


Figure 2 GIZ, LFRZ and LIZ in Rangiora/Southbrook. Source: Planning Map, Proposed Waimakariri District Plan.

306. The noise standards sought by Woolworths are appropriate based on acoustic advice received for drafting as for these zones (these areas were Business 2, 3, and 5 under the Operative District Plan) 65 dB LAeq and 55 dB LAeq were recommended by the Noise Issues and Options Report (2019), p.14.
307. Regarding measurement for noise received by sites in the Rural Zones, this error was resolved as a minor amendment under clause 16(2) of Schedule 1 to the RMA (item number 9), which is available as a memo on the WDC website.⁴³

⁴³ The minor amendments to the notified Proposed District Plan can be viewed here: https://www.waimakariri.govt.nz/__data/assets/pdf_file/0015/120912/Memo-re-Proposed-Clause-16-Amendments-v3.pdf

3.12.3 Summary of recommendations

308. I recommend that the submission points from Daiken [145.27] and Woolworths [282.142] be **accepted**.
309. I recommend that the submission point from CDHB [68.17] be **accepted in part**, subject to amendments in response to the submission points above.
310. I recommend that noise limits for the LFRZ and GIZ in Table NOISE-2 be amended to be consistent with the limits of the LIZ. I also recommend the addition of the following text:

"Heavy Industrial Zone, except as provided for in NOISE-R1"

3.12.4 Section 32AA evaluation

311. In my opinion, the amendments to Table NOISE-2 are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions. In particular, I consider that:
- The noise limits are based on acoustic advice, and better align with the advice received. Consequently, they are more efficient and effective than the notified provisions in achieving the objectives of the Proposed Plan in regards to amenity values of the receiving environment, including NOISE-O1, LFRZ-O1(3).
 - The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation, with the clarification on HIZ, and more efficient plan administration.

3.13 Matters of discretion

3.13.1 Matters raised by submitters

312. There are five submissions that support NOISE-MD1. NZDF [166.21] seeks NOISE-MD1 should be restricted to a general assessment of noise and duration rather than a report to be supplied and seek deletion of clause 10.
313. All submissions on NOISE-MD2, NOISE-MD3 and NOISE-MD4 are in support. CIAL [254.64] support NOISE-MD3 but seeks it is amended to delete a word which was a grammatical error.

3.13.2 Assessment

314. I agree that NOISE-MD1(10) does not need to be specified as a matter of discretion but is a resource consenting matter when assessing the matters of discretion and when assessing resource consent applications against NOISE-R2 and the other matters of discretion.

3.13.3 Summary of recommendations

315. I recommend that submission points from NZDF [166.21] and from CIAL [254.64] be **accepted**.
316. I recommend that NOISE-MD1(10) be deleted.
317. I recommend that NOISE-MD3 be amended to correct a grammatical error, as shown in **Appendix A**.

3.13.4 Section 32AA evaluation

318. In my opinion, the amendments to the matters of discretion are more appropriate in achieving the objectives of the Proposed Plan than the notified provisions.
319. For the reasons above, the recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions.

3.14 Minor Amendments

320. I recommend that amendments be made to the Noise Chapter to fix the following:
- Include a cross-reference with a hyperlink in NOISE-R2 to link to TEMP-R5 – Temporary military training activity so that the rules are not missed by plan users. This would give effect to the National Planning Standards.
 - NOISE-R6 clause d be amended from “emission” to “event” to be consistent with clause b as per acoustic advice included in the Statement of Evidence from Stuart Camp⁴⁴.
 - The activities listed under NOISE-R13 clause 1 is not a list of all activities that can operate from the airfield but are the activities where the standards listed under clause 2 do not apply – they are exemptions. Listing activities that can occur was not the purpose of the rule, rather it is about managing the noise. I recommend that the rule is amended to make this clear by better drafting of the exemption and recommend the addition of the word “or” at the end of clause 1 as a minor amendment.
 - NOISE-R3(1)(a) is missing the capital letter for ‘zones’ in ‘Rural Zones’, which is a term defined by the plan.
321. These amendments could have been made after Proposed Plan was notified through the RMA process to correct minor errors⁴⁵, but I recommend the amendments are made as part of the Hearing Panel’s recommendations for completeness and clarity. I have included these minor amendments in **Appendix A**.

⁴⁴ Paragraph 75

⁴⁵ Clause 16 of RMA Schedule 1

4 Conclusions


322. Submissions have been received in support of, in opposition to, and seeking amendments to the Proposed Plan.
323. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the Noise Chapter of the Proposed Plan be amended as set out in **Appendix A** of this report.
324. For the reasons throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the Proposed Plan, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in **Appendix B** of this report; and
2. The Proposed Plan is amended in accordance with the changes recommended in **Appendix A** of this report.

Signed:

Name and Title		Signature
Report Author	Jessica Manhire Policy Planner, Waimakariri District Council	

Appendix A. Recommended Amendments to Noise Chapter, planning maps and definitions

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the Proposed Plan is underlined.
- Text recommended to be deleted from the Proposed Plan is ~~struck through~~.

Planning maps

Rename the 'Noise Contour for: Timber Processing' to 'HIZ Processing Noise Contour'.

Definitions

Amend the definition of 'construction work' to add:

"...

for the avoidance of doubt, installation of a building includes the relocation and resiting of a building."

I recommend that the definition of noise sensitive activity clause (b) be amended to read:

"b. Educational Facilities ~~activities including pre-school places~~ or premises excluding training, trade training or other industry related training facilities;"

NOISE - Te orooro - Noise

Introduction

Noise effects require management because they can affect the health of people, natural values, and amenity values. The character, level and duration of sound, and the time at which it occurs are all factors affecting the perception of noise and how tolerable it is. This chapter contains objectives, policies and rules to manage the effects of noise for different receiving environments and activities.

This chapter does not control noise from aircraft in flight, however aircraft noise contours are used to control land uses where they may be subject to noise from aircraft using Christchurch International Airport and Rangiora Airfield. Noise from main transport routes can adversely affect residential amenity for people living nearby. Acoustic design for residential development near identified main roads and rail corridors is required to ensure noise levels within residential units do not adversely affect the health and wellbeing of occupants.

Residential Zones anticipate quiet night time conditions, as noise can disturb relaxation and sleep. Commercial and Mixed Use Zones and Industrial Zones normally have a greater tolerance for noise that reflects the working environment. The working nature of the rural environment may result in seasonal, short term or intermittent noise effects but the rural environment generally comprises low levels of noise.⁴⁶

Noise limits for the Open Space and Recreation Zones recognise the use of these areas for relaxation, and enjoyment of nature, as well as activities, such as sports, that can generate noise.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to noise include:

- Temporary Activities: this chapter contains provisions for activities that may generate noise on a short term basis.
- Special Purpose Zone (Kāinga Nohoanga): how the Noise provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives	
NOISE-O1	Adverse noise effects Noise does not adversely affect human health, communities, natural values and the anticipated amenity values of the receiving environment.
NOISE-O2	Reverse sensitivity The operation of regionally significant infrastructure and strategic infrastructure, activities within Commercial and Mixed Use Zones and Industrial Zones and identified-existing <u>noise generating activities identified through the Noise Chapter rules</u> ⁴⁷ are not adversely affected by reverse sensitivity effects from noise sensitive activities.
NOISE-O3	Rangiora Airfield The avoidance of noise sensitive activities within the 65dBA and 55dBA Ldn Noise Contours for Rangiora Airfield.
Policies	
NOISE-P1	Minimising adverse noise effects Minimise adverse noise effects by: 1. limiting the noise level, location, duration, time, intensity and any special characteristics of noise generating activities, to reflect the function, character and amenity values of each zone;

⁴⁶ NZPork [169.29], HortNZ [295.109]

⁴⁷ North Canterbury Clay Target Association [61.3], Daiken [145.24]

	<p>2. requiring lower noise levels during night hours compared to day time noise levels to protect human health, natural values and amenity values of sensitive environments; and</p> <p>3. requiring sound insulation, or limiting the location of noise sensitive activities where they may be exposed to noise from existing activities.</p>
NOISE-P2	<p>Limited duration noise generating activities Enable specific noise generating activities of limited duration that are:</p> <ol style="list-style-type: none"> required for anticipated activities within zones or the District, including construction noise, audible bird scaring devices, frost control fans, temporary activities, <u>temporary military training activities</u>,⁴⁸ and emergency services, and where noise levels and characteristics are consistent with the character and amenity values of the receiving environment.
NOISE-P3	<p>Rail and roads Protect the operation of rail and road infrastructure by identifying locations where acoustic mitigation measures for any new noise sensitive activities are required.</p>
NOISE-P4	<p>Airport Noise Contour Protect Christchurch International Airport from reverse sensitivity effects by:</p> <ol style="list-style-type: none"> avoiding noise sensitive activities within the 50 dBA Ldn Noise Contour by limiting the density of any residential unit or minor residential unit to a maximum of 1 residential unit or minor residential unit per 4ha, except within existing Kaiapoi Residential Zones, greenfield priority areas identified in Chapter 6 - Map A of the RPS (gazetted 6 December 2013) or any residential Development Area; and requiring noise insulation within the 50 dBA Ldn and 55 dBA Ldn Noise Contour for Christchurch International Airport.
NOISE-P5	<p>Rangiora Airfield Avoid the development of noise sensitive activities in the Rural Lifestyle Zone within the 55dBA Ldn Noise Contour for Rangiora Airfield and prohibit noise sensitive activities within the 65 dBA Ldn Noise Contour for Rangiora Airfield.</p>

Activity Rules

How to interpret and apply the rules

- Noise standards apply to the zone or zones where noise is received. Noise from the use of public roads or railways is exempt from the provisions of the Noise Chapter.
- Unless otherwise specified:
 - sound levels shall be measured in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics - Environmental Noise where the source of noise is within the scope of these standards; and
 - for the purposes of compliance with these noise standards, public roads shall not be considered as a site receiving noise.

NOISE-R1	TimberHIZ processing and ancillary activities	
Heavy Industrial Zone located between Upper and Lower Sefton Roads	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> noise generated within the TimberHIZ Processing Noise Contour, as shown on the planning map, shall <u>not exceed the following standards at or beyond the noise control boundary</u>: <ol style="list-style-type: none"> not exceed 45 dB LAeq outside the Timber Processing Noise Contour and shall otherwise comply with Table NOISE-2; and not exceed the following standards at or within the notional boundary of the residential unit located at 426 Beatties Road: <ol style="list-style-type: none"> 7:00am-7:00pm Monday to Saturday 55 dB LAeq. 9:00am-7:00pm Sundays and Public Holidays 55 dB LAeq. All other times 45 dB LAeq. ⁴⁹10:00pm-7:00am on any day 75 dB LAF(max). 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD2 - Management of noise effects NOISE-MD3 - Acoustic insulation</p>
NOISE-R2	Temporary military training activity	
	<i>This rule does not apply to helicopter movements provided for under NOISE-R4.</i>	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> written notice shall be provided to the District Council's Manager, Planning and Regulation at least 10 working days prior to the commencement of the activity; firing of weapons and explosive events shall be undertaken no closer than 1500m to the notional boundary of any noise sensitive activity during the hours of 7:00am-7:00pm, nor within 4500m during the hours of 7:00pm-7:00am; firing of weapons and explosive events shall not exceed a noise level of 65 dB 	<p>Activity status when compliance with NOISE-R2 (1) or (3) not achieved: CON Matters of control are restricted to: NOISE-MD1 - Noise Activity status when compliance with NOISE-R2 (2) not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise Activity status when compliance with NOISE-R2 (4) not achieved: (Refer to NOISE-R4) Activity status when compliance with NOISE-R2 (5) not achieved: (Refer to NOISE-R19)</p>

⁴⁸ NZDF [166.17]

⁴⁹ Daiken [145.26]

	<p>LAF(max) during the hours of 7:00am-7:00pm, nor a level of 50 dB LAF(max) during the hours of 7:00pm-7:00am;</p> <p>4. helicopter movements shall comply with NOISE-R4;</p> <p>5. noise from all other sources other than those specified in activity standards (3) to (5) shall comply with the noise limits in NOISE-R19.</p>	
<p>Advisory Note</p> <ul style="list-style-type: none"> • <u>See also TEMP-R5 Temporary military training activity.</u>⁵⁰ 		
NOISE-R3	Construction work	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> noise from construction shall comply with the following maximum noise limits when assessed in accordance with NZS 6803:1999 Acoustics - Construction Noise: <ol style="list-style-type: none"> when received in any Residential Zones, or within the notional boundary of any Rural <u>zz</u>⁵¹ones: <ol style="list-style-type: none"> 7:30am - 6:00pm Monday to Saturday: 70 dB LAeq; all other times: 45 dB LAeq; when received in any Commercial and Mixed Use Zones and Industrial Zones: <ol style="list-style-type: none"> at all times: 70 dB LAeq; vibration from construction shall be assessed in accordance with DIN 4150-3:2016, Vibration in Buildings – Part 3: Effects on Structures, and shall comply with the relevant limits in Tables 1 and 4 of that standard. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise</p>
NOISE-R4	Helicopter movements	
<p><i>This rule does not apply to helicopter movements at Rangiora Airfield or for emergency purposes provided for under NOISE-R5.</i></p>		
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> helicopter movements shall only occur between 8:00am and 6:00pm, unless further than 450m from any residential unit or minor residential unit; within 25m of any residential unit or minor residential unit, no helicopter movement shall take place, unless that residential unit or minor residential unit is on the site on which the landing or take-off occurs; between 25m and 450m from a residential unit or minor residential unit not located on the same site as the activity, the number of helicopter movements on a site shall not exceed 24 in any 12 month period within which there may be a maximum of 10 in any month, or six in any week, unless that residential unit or minor residential unit is on the site on which the landing or take-off occurs. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD4 - Helicopter noise</p>
NOISE-R5	Helicopter movements for emergency purposes	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
NOISE-R6	Audible bird scaring devices	

⁵⁰ NZDF [166.17]

⁵¹ Minor amendment

All Zones	Activity status: PER Where: 1. audible bird scaring devices shall: a. only operate between 30 minutes before sunrise to 30 minutes after sunset; b. not exceed a maximum of six events per device per hour, where each event has a maximum of three clustered shots; c. not be used within 200m of a notional boundary of any residential unit or minor residential unit on any other site of different ownership; and d. not exceed 65 dB LAE from any one noise emission event, when assessed at any point within the notional boundary of any residential unit or minor residential unit on any site of different ownership; and e. <u>not exceed one device per 1ha of land in any single land holding.</u> ⁵²	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise
	Advisory Note <ul style="list-style-type: none"> • Audible bird scaring devices should have a legible notice securely fixed to the road frontage of the site in which the device is to operate stating the name, address and phone number of the person(s) responsible for the operation of the device and identify the site on which the device will operate.⁵³ 	
NOISE-R7	Temporary, mobile or intermittent agriculture activities emitting noise for cultivation, application of fertiliser, planting, harvesting, use of agricultural vehicles or equipment, and movement, handling and transport of livestock	
Rural Zones Special Purpose Zone (Kāinga Nohoanga) Special Purpose Zone (Pines Beach and Kairaki Regeneration)	Activity status: PER	Activity status when compliance not achieved: N/A
NOISE-R8	Operation of an emergency service facility warning device	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
NOISE-R9	Temporary activities	
	<i>This rule does not apply to recreational jet boating activity.</i> ⁵⁴	
All Zones	Activity status: PER Where: 1. between 10:00pm and 8:00am the noise limits in NOISE-R19 are met; 2. sound amplified activities shall be restricted to a total duration not exceeding four hours per day on any site on which the temporary activity is located, including all sound checks; 3. sound amplified activities shall have a maximum total amplified power of 500 Watts RMS; 4. noise from any temporary activity shall not exceed 65 dB LAeq at the notional boundary of any residential unit or minor residential unit, except fireworks displays that are limited to the hours between:	Activity status when compliance with NOISE-R9 (1 to 3) not achieved: CON Matters of control are restricted to: NOISE-MD1 - Noise Activity status when compliance with NOISE-R9 (4) not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise

⁵² Michael John Baynes [357.1]

⁵³ HortNZ [295.114]

⁵⁴ Jet Boating New Zealand [358.6]

	<ul style="list-style-type: none"> a. 9:00am to 10:00pm on any day; b. 9:00am to 11:00pm on Guy Fawkes Night or Matariki; or c. 9:00am to 01:00am on New Year's Eve/Day. 	
	<p>Advisory Note</p> <ul style="list-style-type: none"> • It is recommended that residents adjacent to an event involving amplified sound or fireworks, are notified at least 48 hours before the temporary activity commences, including: <ul style="list-style-type: none"> ○ the nature of the activity; ○ proposed dates, start and finish time and the expected times of any sound testing or practice; ○ any alternative dates in the event of postponement and; contact details of the event organiser. 	
NOISE-R10	Wind turbine operation	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the turbine has a rated generation capacity of no greater than 15kW; 2. the turbine is located no closer than 500m to the notional boundary of any residential unit or minor residential unit on any other site of different ownership; 3. where there is more than one wind turbine, noise shall be assessed in accordance with NZS 6808:2010 Acoustics - Wind Farm Noise and comply with the limits given in that standard. 	Activity status when compliance not achieved: DIS
NOISE-R11	Use of generators for emergency purposes	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. routine testing is only undertaken between the hours of 9:00am and 5:00pm; 2. noise from the generator does not exceed the NOISE-R19 daytime (7:00am-10:00pm) noise limit at any site receiving noise. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>NOISE-MD1 - Noise</p>
NOISE-R12	Speedway Activities - 39 Doubledays Road, Kaiapoi	
Speedway Overlay	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. a maximum of 25 events may be held in the period from 1 October to 30 April in any year; 2. a maximum of three practices may occur on the site each calendar year (that will not be assessed as an event under (1)); 3. events, except for Speedway New Zealand Allocated Championships, shall conclude by 10:30pm and have a maximum duration of 4.5 hours, not including event preparation and clean-up; 4. where a medical emergency or similar circumstance causes delay to an event, the hours of operation may be extended by up to one hour; 5. activities other than the use of the track by motor racing vehicles shall comply with NOISE-R19. 	<p>Activity status when compliance with NOISE-R12 (1) to (4) not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>NOISE-MD1 - Noise</p> <p>Activity status when compliance with NOISE-R12 (5) not achieved: as set out in NOISE-R19</p>
NOISE-R13	Aircraft operations at Rangiora Airfield	
Rural Lifestyle Zone	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the aircraft operation is for one of the following purposes: <ul style="list-style-type: none"> a. emergency medical or for national/civil defence reasons, air shows, military operations; b. aircraft using the airfield as a necessary alternative to an airfield elsewhere; c. aircraft taxiing; d. engine run-ups for each 50 hour check-;or⁵⁵ 2. for all other aircraft operations: <ul style="list-style-type: none"> a. noise from the aircraft operations shall not exceed 65 dBA Ldn outside the 65 dBA Ldn Airport Noise Contour, shown on the planning map; b. measurement and assessment of noise from aircraft operations at Rangiora Airfield shall be carried out in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning; c. when recorded aircraft movements at Rangiora Airfield exceed 70,000 movements per year, compliance with (1) shall be determined by calculations of noise from airfield operations and shall be based on noise data from the Rangiora Airfield Noise Model. Records of actual aircraft 	Activity status when compliance not achieved: NC

⁵⁵ Minor amendment

	<p>operations at Rangiora Airfield and the results shall be reported to the District Council's Manager, Planning and Regulation;</p> <p>d. measurement of the noise levels at the site shall commence once aircraft operations at Rangiora Airfield reach 88,000 movements per year and shall be calculated over the busiest three-month period of the year. The measurements shall be undertaken annually while aircraft operations are at 88,000 movements or higher and the results shall be reported to the District Council's Manager, Planning and Regulation.</p>	
NOISE-R14	Buildings in the 55 dBA Ldn Noise Contour for Christchurch International Airport	
55 dBA Ldn Noise Contour for Christchurch International Airport	<p>Activity status: PER Where:</p> <p>1. any new building or any addition to an existing building for an activity listed in Table NOISE-1 within the 55 dBA Ldn Noise Contour for Christchurch International Airport, shown on the planning map, shall be insulated from aircraft noise to ensure indoor sound levels stated in Table NOISE-1 are not exceeded, when windows and doors are closed, and:</p> <p>a. noise insulation calculations and verification shall be as follows:</p> <p>i. building consent applications shall be accompanied by a report detailing calculations that show how the required sound insulation and construction methods have been determined;</p> <p>b. for the purpose of sound insulation calculations, the external noise levels for a site shall be determined by application of the air noise contours Ldn and LAE. Where a site falls within the contours the calculations shall be determined by linear interpolation between the contours;</p> <p>c. if required by the District Council, in conjunction with the final building inspection the sound transmission of the façade shall be tested in accordance with ISO 16283-3:2016 to demonstrate that the required façade sound insulation performance has been achieved, and a test report is to be submitted to the District Council's Manager, Planning and Regulation. Should the façade fail to achieve the required standard then it shall be improved to the required standard and re-tested prior to occupation.</p>	Activity status when compliance not achieved: NC
NOISE-R15	Buildings in the 55 dBA Ldn Noise Contour for Rangiora Airfield	
	<i>This rule applies to any new residential unit, or minor residential unit addition to an existing residential unit, minor residential unit or building, or part of a building, for a noise sensitive activity.</i>	
55 dBA Ldn Noise Contour for Rangiora Airfield	<p>Activity status: PER Where:</p> <p>1. the building shall be insulated from aircraft noise to achieve the indoor sound levels in Table NOISE-1.</p>	Activity status when compliance not achieved: NC

Table NOISE-1: Noise Contour Indoor Design Levels

Building Type and Activity	Indoor Design and Sound Level	
	dB LAE	dB Ldn
Residential Units or Minor Residential units		
Bedrooms	65	40
Other habitable room	75	50
Visitor Accommodation		
Bedrooms, living rooms	65	40
Conference meeting rooms	65	40
Service activities	75	60
Education Facilities		
Libraries, study areas, teaching areas, assembly areas	65	40
Workshops, gymnasiums	85	60
Retail Activities, Retail Services and Offices		
Conference rooms	65	40

Private offices	70	45
Open plan offices, exhibition spaces	75	50
Data processing	80	55
Shops, supermarkets, showrooms	85	60
NOISE-R16	Residential units and minor residential units <u>Noise sensitive activities</u> within 80m of an arterial road, strategic road or rail designation	
All Zones	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> any new residential unit or minor residential unit building, intended for a noise sensitive activity⁵⁶, within 80m measured from the boundary of a site adjoining the road or rail designation⁵⁷, shall be designed and constructed to achieve a minimum external and internal noise reduction of 30 dB Dtr,2m,nT,w + Ctr to any habitable room; or be designed and constructed to meet the following maximum indoor design sound levels: <ol style="list-style-type: none"> road traffic noise within any habitable room – 40 dB LAeq(24hr); rail noise inside bedrooms between 10:00pm and 7:00am – 35 dB LAeq(1h); and rail noise inside any habitable room excluding bedrooms – 40 dB LAeq(1h); the design for road traffic noise shall take into account future permitted use of the road, either by the addition of 2 dB to predicted sound levels or based on forecast traffic in 20 years' time; rail noise shall be deemed to be 70 dB LAeq(1h) at 12m from the edge of the track, and shall be deemed to reduce at a rate of 3 dB per doubling of distance up to 40m and 6 dB per doubling of distance beyond 40m; the indoor design sound level shall be achieved at the same time as the ventilation requirements of the New Zealand Building Code. If windows are required to be closed to achieve the indoor design sound levels then an alternative means of ventilation shall be required within bedrooms; the external to internal noise reduction shall be assessed in accordance with ISO 16283-3:2016 Acoustics — Field measurement of sound insulation in buildings and of building elements — Part 3: Façade sound insulation and ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD2 - Management of noise effects NOISE-MD3 - Acoustic insulation</p>
	<p>Advisory Note</p> <ul style="list-style-type: none"> Dtr,2m,nT,w+Ctr means the weighted standardised level difference of the external building envelope (including windows, walls, roof/ceilings and floors where relevant) and is a measure of the reduction in sound level from outside to inside a building. Dtr,2m,nT,w+Ctr is also known as the external sound insulation level. 	
NOISE-R17	Noise sensitive activities	
50dBA Ldn Noise Contour for Christchurch International Airport Limited	<p>Activity status: PER Where:</p> <ol style="list-style-type: none"> the activity is located within Residential Zones; or any activity meets the indoor sound levels stated in Table NOISE 1, when windows and doors are closed. 	<p>Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD2 - Management of noise effects NOISE-MD3 - Acoustic insulation</p> <p>Notification An application for a restricted discretionary activity under this rule where compliance is not achieved with NOISE-R17 (1), shall be limited notified only to Christchurch International Airport Limited.</p>
	<p>Advisory Note</p> <ul style="list-style-type: none"> Noise insulation calculations and verification shall be as follows: 	

⁵⁶ KiwiRail [373.74]

⁵⁷ Waka Kotahi [275.55], KiwiRail [373.74]

	<ul style="list-style-type: none"> ○ Building consent applications shall be accompanied with a report detailing the calculations showing how the required sound insulation and construction methods have been determined. ○ For the purpose of sound insulation calculations, the external noise levels for a site shall be determined by application of the air noise contours Ldn and LAE. Where a site falls within the contours the calculations shall be determined by linear interpolation between the contours. <ul style="list-style-type: none"> ▪ If required by the District Council, in conjunction with the final building inspection the sound transmission of the façade shall be tested in accordance with ISO 16283-3:2016 to demonstrate that the required façade sound insulation performance has been achieved, and a test report is to be submitted to the District Council’s Manager, Planning and Regulation. Should the façade fail to achieve the required standard then it shall be improved to the required standard and re-tested prior to occupation. 	
NOISE-R18	Bedrooms in Town Centre Zone, Local Centre Zone, Neighbourhood Centre Zone or Mixed Use Zone	
Town Centre Zone Local Centre Zone Neighbourhood Centre Zone Mixed Use Zone	Activity status: PER Where: <ol style="list-style-type: none"> 1. any bedroom that forms part of residential activity or visitor accommodation must achieve an external to internal noise reduction of not less than 35 dB D_{tr,2m,nT,w+Ctr}; 2. the external to internal noise reduction shall be assessed in accordance with ISO 16283-3:2016 Acoustics — Field measurement of sound insulation in buildings and of building elements — Part 3: Façade sound insulation and ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation; 3. the indoor design sound level should be achieved at the same time as the ventilation requirements of the New Zealand Building Code. If windows are required to be closed to achieve the indoor design sound levels then an alternative means of ventilation shall be required within bedrooms that meets the ventilation requirements of the New Zealand Building Code. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD2 - Management of noise effects NOISE-MD3 - Acoustic insulation Notification An application for a restricted discretionary activity under this rule where compliance is not achieved with NOISE-R18 (1) to NOISE-R18 (3) is precluded from being publicly or limited notified.
	Advisory Note <ul style="list-style-type: none"> • D_{tr,2m,nT,w+Ctr} means the Weighted Standardised Level Difference of the external building envelope (including windows, walls, roof/ceilings and floors where relevant) and is a measure of the reduction in sound level from outside to inside a building. D_{tr,2m,nT,w+Ctr} is also known as the external sound insulation level. 	
NOISE-R19	Activities emitting noise not otherwise covered in NOISE-R1 to NOISE-R13	
	<i>This rule does not apply to recreational jet boating activity.⁵⁸</i>	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> 1. the noise limits in Table NOISE-2 are met. 	Activity status when compliance not achieved (where the activity exceeds the noise standards given in Table NOISE-2: Noise limits by less than 10 dB LAeq): RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise Activity status when compliance not achieved (where the activity exceeds the noise standards given in Table NOISE-2: Noise limits by 10 dB LAeq or more): NC
NOISE-R20	Operation of frost control fans	
Rural Zones	Activity status: CON Where: <ol style="list-style-type: none"> 1. noise from frost control fans measured at or within the notional boundary of any residential unit or minor residential unit, on a site of different ownership, shall not exceed 55 dB LAeq (10min), where: <ol style="list-style-type: none"> a. the noise level applies both to individual and cumulative noise from all frost control fans within 1km of the residential unit, and b. noise compliance shall be demonstrated by an acoustic report from a suitably qualified and experienced acoustic consultant; 2. frost control fans shall not be located within: <ol style="list-style-type: none"> a. 300m of a residential unit or minor residential unit on a site of different ownership; or b. 1km of any Residential Zones; 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise

⁵⁸ Jet Boating New Zealand [358.6]

	<p>3. frost control fan use is limited to the period between bud burst and harvest;</p> <p>4. frost control fans shall only be operated in wind speeds up to 8km/hr and when the local air temperature is 2°C or less;</p> <p>5. operation for testing shall only take place between 7:30am and 6:00pm, Monday-Friday.</p> <p>Matters of control are restricted to: NOISE-MD1 - Noise</p>	
NOISE-RX	Noise sensitive activities near frost fans	
General Rural Zone Rural Lifestyle Zone	<p>Activity status: CON</p> <p>Where:</p> <p>1. Any new noise sensitive activity located on a separate site of different ownership within 1000m of any frost control fan must be designed and constructed to ensure that the noise level inside any bedroom of the dwelling will not exceed 30 dB LAeq with all fans operating at normal duty.</p> <p>2. Compliance with this standard must be demonstrated by the production of a design certificate from an appropriately qualified and experienced acoustic engineer. The design certificate must be based either on actual noise measurements with all fans operating at normal duty, or on an assumed noise level from any one frost fan, corrected for the number of fans present at the time.</p> <p>Matters of control are restricted to: NOISE-MD1 - Noise NOISE-MD3 - Acoustic insulation</p>	<p>Activity status when not achieved: RDIS</p> <p>Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD3 - Acoustic insulation⁵⁹</p>
NOISE-R21	Noise sensitive activities	
Timber-HIZ⁶⁰ Processing Noise Contour	<p>Activity status: RDIS</p> <p>Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD3 - Acoustic insulation</p>	Activity status when compliance not achieved: N/A
NOISE-R22	Residential unit or minor residential unit	
Speedway Noise Contour	<p>Activity status: NC</p> <p>Where:</p> <p>1. the activity is located in the Speedway Noise Contour.</p>	Activity status when compliance not achieved: N/A
NOISE-R23	Residential units, minor residential units or noise sensitive activities	
65 dBA Ldn Noise Contour for Rangiora Airfield	<p>Activity status: PR</p> <p>Where:</p> <p>1. the activity is located in the 65 dBA Ldn Noise Contour for Rangiora Airfield.</p>	Activity status when compliance not achieved: N/A

Table NOISE-2 Noise limits

	Maximum noise level at or within the boundary ¹ of any site receiving noise from the activity, where the site receiving noise is zoned		
	Daytime 7:00am-10:00pm	Night-time 10:00pm-7:00am	
Residential Zones	50 dB LAeq	40 dB LAeq	70 dB LAF(max)
Special Purpose Zone (Hospital), Special Purpose Zone (Pines Beach and Kairaki Regeneration), Special Purpose Zone (Kāinga Nohoanga)	50 dB LAeq	40 dB LAeq	70 dB LAF(max)
Local Centre Zone, Neighbourhood Centre Zone	60 dB LAeq	40 dB LAeq	70 dB LAF(max)
Open Space Zone, Sport and Active Recreation Zone, Special Purpose Zone (Kaiapoi Regeneration), Special Purpose Zone (Pegasus Resort)	55 dB LAeq	45 dB LAeq	75 dB LAF(max)
Town Centre Zone, Mixed Use Zone	60 dB LAeq	50 dB LAeq	80 dB LAF(max)
Light Industrial Zone	65 dB LAeq	55 dB LAeq	

⁵⁹ HortNZ [295.115]

⁶⁰ Daiken [145.66]

Large Format Retail Zone, General Industrial Zone	60 ₅ dB LAeq	50 ₅ ⁶¹ dB LAeq	
Heavy Industrial Zone, <u>except as provided for in NOISE-R1</u> ⁶²	65 dB LAeq	55 dB LAeq	
Special Purpose Zone (Museum and Conference Centre)	65 dB LAeq	55 dB LAeq	
Rural Zones, Natural Open Space Zone ¹ For sites in Rural Zones the boundary is the notional boundary	50 dB LAeq	40 dB LAeq	65 dB LAF(max)

Advice Notes

NOISE-AN1	<ol style="list-style-type: none"> Activities and structures may also be subject to controls outside the District Plan. Reference should also be made to any other applicable rules or constraints within other legislation or ownership requirements including excessive noise provisions of the RMA. National Environmental Standards operate in parallel to or in conjunction with the District Plan, including the NESPF. Section 98 of the NESPF regulates noise and vibration for forests greater than 1ha that has been planted specifically for commercial purposes and will be harvested.
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Matters of Control/Discretion

NOISE-MD1	<p>Noise</p> <ol style="list-style-type: none"> Noise duration, timing, noise level and characteristics, and potential adverse effects in the receiving environment. Any effects on the health or well-being of persons living or working in the receiving environment, including effects on sleep, and the use and enjoyment of outdoor living areas. The location of the noise generating activity and the degree to which the amenity values of any residential activity may be adversely affected. The extent to which noise effects are received at upper levels of multi-level buildings. Any proposals to reduce or modify the characteristics of noise generation, including: <ol style="list-style-type: none"> reduction of noise at source; alternative techniques or machinery which may be available; insulation or enclosure of machinery; mounding, screen fencing/walls or landscape characteristics; and hours of operation. The adequacy of measures to address the adverse effects of noise on the natural character values of the coastal environment. Any adverse effects of noise on ecological values. The characteristics of the existing noise environment, and the character the objectives and policies of the zone are seeking to achieve. Any relevant standards, codes of practice or assessment methods based on recognised acoustic principles, including those which address the reasonableness of the noise in terms of community health and amenity values and/or sleep protection. For temporary military training activities, the extent to which compliance with noise standards has been demonstrated by a report prepared by a suitably qualified and experienced acoustic consultant.⁶³
NOISE-MD2	<p>Management of noise effects</p> <ol style="list-style-type: none"> The extent to which effects, as a result of the sensitivity of activities to current and future noise generation from aircraft, are proposed to be managed, including avoidance of any effect that may limit the operation, maintenance or upgrade of Christchurch International Airport. The extent and effectiveness of any indoor noise insulation. The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means, e.g. screening by other structures, or distance from noise sources. The ability to meet acoustic insulation requirements through alternative technologies or materials. The extent to which the provision of a report from an acoustic specialist provides evidence that the level of acoustic insulation ensures the amenity values, health and safety of present and future residents or occupiers. The reasonableness and effectiveness of any legal instrument to be registered against the title that is binding on the owner and the owner's successors in title, containing a 'no complaint' clause relating to the noise of aircraft using Christchurch International Airport.
NOISE-MD3	<p>Acoustic insulation</p> <ol style="list-style-type: none"> The extent to which a reduced level of acoustic insulation may be acceptable due to mitigation of adverse noise effects through other means. The ability to provide effective acoustic insulation through alternative technologies or materials. The extent to which the provision of a report from an acoustic specialist which⁶⁴ provides evidence that the level of acoustic insulation ensures the amenity values, health and safety of present and future occupants or residents of the site. Any potential reverse sensitivity effects on other activities that may arise from residential accommodation or other noise sensitive activities that do not meet acoustic insulation requirements necessary to mitigate any adverse effects of noise. The location of any nearby business or infrastructure activities and the degree to which any sensitive activities may be adversely affected.
NOISE-MD4	Helicopter noise

⁶¹ Woolworths [282.142]

⁶² Daiken [145.27]

⁶³ NZDF [166.21]

⁶⁴ CIAL [254.64]

	1. Assessment of noise in accordance with NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and the findings of that assessment.
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Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
General provisions							
284.1	CIL	General	Amend all controlled and restricted discretionary activity rules: <u>"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."</u>	3.2	Reject	See the relevant section of the report.	No
326.116	RIDL	General	Amend the Proposed District Plan to delete the use of absolutes such as 'avoid', 'maximise' and 'minimise'.	3.2	Reject	See the relevant section of the report.	No
FS 78	Forest and Bird		<i>Oppose - there may be instances where it is appropriate to notify consents</i>	3.2	Accept	See the relevant section of the report.	No
FS 84	Ohoka Residents Association		<i>Oppose – "Refer to ORA submission on RCP031 for further detail. It is inconsistent with the policy direction set out in the National Policy Statement for Highly Productive Land. It is also inconsistent with the objectives of the National Policy Statement on Urban"</i> <i>"ORA oppose any and every amendment requested to the Proposed District Plan that supports RIDL's hugely unpopular, unwanted and inappropriate satellite town to be developed in Ohoka . We want the Council to disregard all submissions from RIDL, The Carter Group Limited and Chapmann Tripp that are designed to facilitate RCP031"</i> <i>Disallow the submission</i>	3.2	Accept	See the relevant section of the report.	No
FS 119	Andrea Marsden		<i>Oppose – RIDL suggest limited the use of absolutes i.e. maximum, within the Waimakariri District Plan. The these attributes exist is surely to ensure compliance with the District Plan so should be included as they stand to prevent private developers doing exactly as they please"</i> <i>Limiting the use of absolutes as suggested by RIDL opens the system up to potential abuse. As RIDL are proposing a Plan Change 31 which directly affects my property, this change to wording must not be allowed.</i> <i>Disallow</i>	3.2	Accept	See the relevant section of the report.	No
FS 120	Christopher Marsden		<i>Oppose – RIDL are seeking to limit the use of absolutes, i.e. 'maximum', 'avoid' in the Waimakariri District Plan – this plan covers Ohoka where I live. However these absolutes exist to ensure compliance with the District Plan so should be included as they stand.</i> <i>Disallow</i>	3.2	Accept	See the relevant section of the report.	No
326.2	RIDL	General	Amend so that all controlled and restricted discretionary activity rules include the following wording, or words to like effect:	3.2	Reject	See the relevant section of the report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			"Applications shall not be limited or publicly notified, on the basis of effects associated specifically with this rule and the associated matters of control or discretion."				
FS 78	Forest and Bird		Oppose - there may be instances where it is appropriate to notify consents	3.2	Accept	See the relevant section of the report.	No
FS 199	Andrea Marsden		Oppose – RIDL are proposing that the wording be altered to include unlimited applications which do not need to be publicly notified. However all applications should be notified and open for consultation to give local communities a voice. The District Plan covers Ohoka. RIDL have proposed a Plan Change 31 for this area and adopting unlimited applications and non-notifications will open the system up to exploitation so the change of wording must be declined. Disallow	3.2	Accept	See the relevant section of the report.	No
FS 120	Christopher Marsden		Oppose – RIDL are proposing that the wording be altered to include unlimited applications which do not need to be publicly notified. However all applications should be notified and open for consultation to give local communities a voice. The District Plan covers the area where we live, Ohoka. RIDL have proposed a Plan Change 31 for this area and adopting unlimited applications and non-notifications will open the system up to exploitation. Disallow	3.2	Accept	See the relevant section of the report.	No
326.3 ⁶⁵	RIDL	General	Amend controlled and restricted discretionary activity rules to provide direction regarding non-notification.	3.2	Reject	See the relevant section of the report.	No
FS 78	Forest and Bird		Oppose - There may be instances where it is appropriate to notify consents	3.2	Accept	See the relevant section of the report.	No
Noise Chapter - General							
147.19	Kaiapoi-Tuahivi Community Board	NOISE-General	Not specified.	N/A	N/A	The submitter noted general support for the General District Wide Matters section of the plan. No changes were requested to the Noise Chapter.	No
226.2	McAlpines Ltd	NOISE-General	Retain the reverse sensitivity provisions but amend relevant subdivision standards for Rural Lifestyle Zone (RLZ) to recognise and protect the sawmill from reverse sensitivity effects from rural land subdivision; and amend RLZ development standards recognise and protect the sawmill from reverse sensitivity	N/A	N/A	This issue is discussed in the Rural s42A report.	N/A

⁶⁵ Oppose - Forest and Bird [FS78] – Officer's recommendation: accept

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			effects from establishment of any residential unit or sensitive activity on the rural land.				
249.246	Mainpower	NOISE-General	Insert appropriate hyperlinks from the EI Chapter to the relevant noise rules contained in the Noise Chapter.	N/A	N/A	This issue is discussed in the Energy and Infrastructure s42A report.	N/A
325.149 ⁶⁶⁷	Kainga Ora	NOISE-General	Delete mapped Noise Overlay and Airport Noise contour maps. Amend Noise Chapter provisions.	3.11.8	Reject	See the relevant section of the report. The airport noise contour matter is being deferred to a separate s42A report.	No
Planning maps							
145.66	Daiken	Planning maps	Retain the noise contour for timber processing as notified but rename 'HIZ Processing Noise Contour'.	3.11.1	Accept	See the relevant section of the report.	Yes
325.148 ⁶⁸⁶⁹	Kainga Ora	Planning maps	Delete mapped Noise Overlay and Airport Noise contour maps. Amend Noise Chapter provisions.	3.11.8	Reject	See submission point 325.149.	No
Definitions							
221.5	House Movers Section of New Zealand Heavy Haulage Association	Definition of construction work	Amend the definition of 'construction work': "... <u>for the avoidance of doubt, installation of a building includes the relocation and resiting of a building.</u> "	3.11.3	Accept	See the relevant section of the report.	Yes
254.7	CIAL	Definition of Ldn	Retain the definition of 'LDN' as notified.	N/A	Accept	The submission is in support of the definition.	No
295.34	HortNZ	Definition of fertiliser	Retain definition of 'fertiliser' as notified.	N/A	Accept	The submission is in support of the definition.	No
254.9 ⁷⁰	CIAL	Definition of noise sensitive activity	Retain the definition of 'noise sensitive activity' as notified.	3.7.1	Accept in part	The submission is in support of the definition. I recommend that this definition be re-considered as part of the Christchurch International Airport Noise Contour, bird strike and growth related policies hearing.	No
277.6	MoE	Definition of noise sensitive activity	Amend clause (b) in the definition for 'noise sensitive activities': "... b. Educational Facilities activities including pre-school places or premises excluding training, trade training or other industry related training facilities; ..."	3.7.1	Accept	See the relevant section of the report.	Yes

⁶⁶ Oppose – KiwiRail [FS99] – Officer's recommendation: accept

⁶⁷ Oppose - Waka Kotahi [FS110] – Officer's recommendation: accept

⁶⁸ Oppose – CIAL [FS80] – Officer's recommendation: accept

⁶⁹ Oppose – KiwiRail [FS99] – Officer's recommendation: accept

⁷⁰ Oppose – Momentum Land Ltd – Officer's recommendation: accept in part

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
295.48	HortNZ	Definition of noise sensitive activity	Retain definition of 'noise sensitive activity' as notified.	3.7.1	Accept in part	Accept in part, subject to amendments made in response to submission point 277.6.	No
373.6	KiwiRail	Definition of noise sensitive activity	Amend definition of 'noise sensitive activities': "... <u>e. marae and places of assembly.</u> "	3.7.1	Reject	See the relevant section of the report.	No
414.11	Federated Farmers	Definition of noise sensitive activity	Amend the definition of 'noise sensitive activities': "means: a. residential activities other than those in conjunction with, <u>or nearby to</u> , rural activities that comply with the rules in the relevant district plan as at 23 August 2008; ..."	3.7.1	Reject	See the relevant section of the report.	No
284.16	CIL	Definition of notional boundary	Retain 'notional boundary' definition as notified.	N/A	Accept	The submissions are in support of the definition.	No
326.17	RIDL	Definition of notional boundary	Retain definition of 'notional boundary' as notified.	N/A			
Noise - Introduction							
169.29 ⁷¹	NZPork	Introduction	Amend the Noise Chapter introduction: "... Residential Zones anticipate quiet night-time conditions, as noise can disturb relaxation and sleep. Commercial and Mixed Use Zones and Industrial Zones normally have a greater tolerance for noise that reflects the working environment. <u>In the rural zones a range of animal and mechanical sounds often characterize the working nature of the rural environment</u> ..."	3.8	Accept in part	See the relevant section of the report.	Yes
284.289	CIL	Introduction	Retain introduction to Noise Chapter as notified.	3.8	Accept in part	Accept, subject to amendments made in response to other submission points.	No
295.109 ⁷²	HortNZ	Introduction	Amend Noise Chapter Introduction: "Residential Zones anticipate quiet night-time conditions, as noise can disturb relaxation and sleep. Commercial and Mixed Use Zones and Industrial Zones normally have a greater tolerance for noise that reflects the working environment. <u>In the rural zones a range of animal and mechanical sounds often characterise the working nature of the rural environment.</u> "	3.8	Accept in part	See the relevant section of the report.	Yes
326.449 ⁷³	RIDL	Introduction	Retain Introduction to Noise Chapter as notified.	3.8	Accept in part	Accept, subject to amendments made in response to other submission points.	No
373.70	KiwiRail	Introduction	Retain Noise Chapter Introduction Paragraph 2 as notified.	3.8	Accept in part	Accept, subject to amendments made in response to other submission points.	No
Noise – Objective 1							

⁷¹ Support – Federated Farmers [FS83] – Officer's recommendation: accept in part

⁷² Support – Federated Farmers [FS83] – Officer's recommendation: accept in part

⁷³ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
46.6	Woodstock Quarries Limited	NOISE-O1	Retain NOISE-O1 as notified.	3.9.1	Accept	The submission is in support of the objective.	No
169.30	New Zealand Pork	NOISE-O1	Amend NOISE-O1: "Noise does not adversely affect human health, communities, natural values and the anticipated amenity values of the receiving environment. <u>noise effects that are compatible with the role, function and predominant character of each receiving environment.</u> "	3.9.1	Reject	See the relevant section of the report.	No
284.290	CIL	NOISE-O1	Retain NOISE-O1 as notified.	3.9.1	Accept	The submission is in support of the objective.	No
295.110 ⁷⁴⁷⁵	HortNZ	NOISE-O1	Amend NOISE-O1: "Noise does not adversely affect human health, communities, natural values and the anticipated amenity values of the receiving environment. <u>Noise effects that are compatible with the role, function and predominant character of each receiving environment.</u> "	3.9.1	Reject	See the relevant section of the report.	No
326.450 ⁷⁶	RIDL	NOISE-O1	Retain NOISE-O1 as notified.	3.9.1	Accept	The submissions are in support of the objective.	No
358.4	Jet Boating New Zealand	NOISE-O1	Retain NOISE-O1 as notified.	3.9.1	Accept		No
414.175	Federated Farmers	NOISE-O1	Amend NOISE-O1 to include reverse sensitivity concerns as outlined in NOISE-O2: "Adverse noise effects <u>Outside of reverse sensitivity exclusions in Objective O2</u> , Noise does not adversely affect human health, communities, natural values and the anticipated amenity values of the receiving environment."	3.9.1	Reject	See the relevant section of the report.	No
Noise – Objective 2							
41.38	Fulton Hogan	NOISE-O2	Retain NOISE-O2 as notified.	3.9.2	Accept in part	Accept, subject to amendments made in response to other submission points.	No
61.3	North Canterbury Clay Target Association	NOISE-O2	Amend NOISE-O2 to refer to 'existing noise generating activities'.	3.9.2	Accept in part	Agree that there is lack of certainty as to what 'identified existing activities' is but disagree with the specific wording requested. See the relevant section of the report.	Yes
145.24	Daiken	NOISE-O2	Retain NOISE-O2 but amend to explain what 'identified existing activities' include, or alternatively provide a policy.	3.9.2	Accept	See the relevant section of the report.	Yes
166.16	NZDF	NOISE-O2	Retain NOISE-O2 as notified.	3.9.2	Accept in part	Accept, subject to amendments made in response to other submission points.	No

⁷⁴ Support – Federated Farmers [FS83] – Officer's recommendation: reject

⁷⁵ Oppose – Waka Kotahi [FS110] – Officer's recommendation: accept

⁷⁶ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
169.31	New Zealand Pork	NOISE-O2	Amend NOISE-O2: "The operation of regionally significant infrastructure and strategic infrastructure, activities within <u>Rural Zones</u> , Commercial and Mixed Use Zones and Industrial Zones and identified existing activities are not adversely affected by reverse sensitivity effects from noise sensitive activities."	3.9.2	Reject	See the relevant section of the report.	No
249.247	Mainpower	NOISE-O2	Retain NOISE-O2 as notified.	3.9.2	Accept in part	Accept, subject to amendments made in response to other submission points.	No
254.56	CIAL	NOISE-O2	Retain NOISE-O2 as notified.	3.9.2	Accept in part		No
275.52	Waka Kotahi NZ Transport Agency	NOISE-O2	Retain NOISE-O2 as notified.	3.9.2	Accept in part		No
295.111 ⁷⁷	HortNZ	NOISE-O2	Amend NOISE-O2: "The operation of regionally significant infrastructure and strategic infrastructure, activities <u>within Rural Zones</u> , Commercial and Mixed Use Zones an Industrial Zones and identified existing activities are not adversely affected by reverse sensitivity effects from noise sensitive activities."	3.9.2	Reject	See the relevant section of the report.	No
373.71	KiwiRail	NOISE-O2	Retain NOISE-O2 as notified.	3.9.2	Accept in part	Accept, subject to amendments made in response to other submission points.	No
414.176	Federated Farmers	NOISE-O2	Amend NOISE-O2: "Reverse sensitivity The operation of regionally significant infrastructure and strategic infrastructure, activities within <u>Rural</u> , Commercial and Mixed Use Zones and Industrial Zones and identified existing activities are not adversely affected by reverse sensitivity effects from noise sensitive activities."	3.9.2	Reject	See the relevant section of the report.	No
Noise – Objective 3							
284.291	CIL	NOISE-O3	Retain NOISE-O3 as notified.	N/A	Accept	The submission is in support of the objective.	No
326.451 ⁷⁸	RIDL	NOISE-O3	Retain NOISE-O3 as notified.	N/A	Accept	The submission is in support of the objective.	No
Noise-Policies							
145.25	Daiken	Policies-General	Insert additional policy: " <u>NOISE-P6 Existing Activities</u> Avoid the development of noise sensitive activities in the <u>Rural Lifestyle Zone</u> within any noise contour associated with a <u>Heavy Industrial Zone</u> or in close proximity to the existing processing plant located between Upper and Lower Sefton Roads."	3.10.1	Reject	See the relevant section of the report.	No
295.113	HortNZ	Policies-General	Add a new policy:	3.10.1	Reject	See the relevant section of the report.	No

⁷⁷ Support – Federated Farmers [FS83] – Officer's recommendation: reject

⁷⁸ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			"PX Reverse Sensitivity Rural Production Rural production activities are not constrained by reverse sensitivity effects arising from noise sensitive activities located in the Rural Zones."				
41.39 ⁷⁹	Fulton Hogan	NOISE-P1	Amend NOISE-P1 to require the avoidance of reverse sensitivity effects when siting sensitive activities: "NOISE-P1 Minimising <u>Managing</u> adverse noise effects Minimise <u>Manage</u> adverse noise effects by: 1. limiting the noise level, location, duration, time, intensity and any special characteristics of noise generating activities, to reflect the function, character and amenity values of each zone; 2. requiring lower noise levels during night hours compared to day time noise levels to protect human health, natural values and amenity values of sensitive environments; and 3. requiring sound insulation, or limiting <u>avoiding</u> the locating on of noise sensitive activities where they may be exposed to noise from existing activities."	3.10.2	Reject	See the relevant section of the report.	No
FS99	KiwiRail		<i>Accept the amendment to clause 3. only as follows: Minimise adverse noise effects by: 1. limiting the noise level, location, duration, time, intensity and any special characteristics of noise generating activities, to reflect the function, character and amenity values of each zone; 2. requiring lower noise levels during night hours compared to day time noise levels to protect human health, natural values and amenity values of sensitive environments; and 3. requiring sound insulation, or limiting <u>avoiding</u> the location on of noise sensitive activities where they may be exposed to noise from existing activities."</i>	3.10.2	Accept in part	See the relevant section of the report.	No
46.24	Woodstock Quarries Limited	NOISE-P1	Retain NOISE-P1 as notified.	N/A	Accept	The submission is in support of the policy.	No
169.32	New Zealand Pork	NOISE-P1	Amend NOISE-P1: "Minimise adverse noise effects by: 1. limiting <u>controlling</u> the noise level, location, duration, time, intensity and any special characteristics of noise generating activities, to reflect the function, character and amenity values of each zone ..."	3.10.2	Reject	See the relevant section of the report.	
254.58	CIAL	NOISE-P1	Retain NOISE-P1 as notified.	N/A	Accept	The submissions are in support of the policy.	
275.53	Waka Kotahi NZ Transport Agency	NOISE-P1	Retain NOISE-P1 as notified.	N/A			
284.292	CIL	NOISE-P1	Retain NOISE-P1 as notified.	N/A			

⁷⁹ Support in part – KiwiRail [FS99] – Officer's recommendation: accept in part

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
295.112	HortNZ	NOISE-P1	Amend NOISE-P1: "Minimise adverse noise effects by: 1. limiting <u>managing</u> the noise level, location, duration, time, intensity and any special characteristics of noise generating activities, to reflect the function, character and amenity values of each zone; ..."	3.10.2	Reject	See the relevant section of the report.	No
326.452 ⁸⁰	RIDL	NOISE-P1	Retain NOISE-P1 as notified.	N/A	Accept	The submissions are in support of the policy.	No
373.72	KiwiRail	NOISE-P1	Retain NOISE-P1 as notified.	N/A			
414.177	Federated Farmers	NOISE-P1	Amend the NOISE-P1: "Minimise adverse noise effects by: ... 4. <u>Outlining where noise-receiving activities near or in noise-generating zones are subject to reverse sensitivity, and where that level of noise is to be expected.</u> "	3.10.2	Reject	See the relevant section of the report.	No
46.25	Woodstock Quarries Limited	NOISE-P2	Retain NOISE-P2 as notified.	3.10.3	Accept in part	Accept, subject to amendments made in response to other submission points.	No
166.17	NZDF	NOISE-P2	Amend NOISE-P2 by adding TMTA: "Enable specific noise generating activities of limited duration that are: 1. required for anticipated activities within zones or the District, including construction noise, audible bird scaring devices, frost control fans, temporary activities, <u>temporary military training activities</u> , and emergency services, and ..."	3.10.3	Accept	See the relevant section of the report.	Yes
249.248	Mainpower	NOISE-P2	Retain NOISE-P2 as notified.	3.10.3	Accept in part	Accept, subject to amendments made in response to other submission points.	No
284.293	CIL	NOISE-P2	Retain NOISE-P2 as notified.	3.10.3			
326.453 ⁸¹	RIDL	NOISE-P2	Retain NOISE-P2 as notified.	3.10.3			
358.5	Jet Boating New Zealand	NOISE-P2	Retain NOISE-P2 as notified.	3.10.3			
275.54	Waka Kotahi NZ Transport Agency	NOISE-P3	Retain NOISE-P3 as notified.	N/A	Accept	The submissions are in support of the policy.	No
284.294	CIL	NOISE-P3	Retain NOISE-P3 as notified.	N/A			
326.454 ⁸²	RIDL	NOISE-P3	Retain NOISE-P3 as notified.	N/A			
373.73	KiwiRail	NOISE-P3	Retain NOISE-P3 as notified.	N/A			
284.295	CIL	NOISE-P4	Retain NOISE-P4 as notified.	N/A	Accept	The submissions are in support of the policy.	No
316.160	ECan	NOISE-P4	Retain NOISE-P4 as notified or original intent.	N/A			
326.455 ⁸³	RIDL	NOISE-P4	Retain NOISE-P4 as notified.	N/A			

⁸⁰ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁸¹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

⁸² Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁸³ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
284.296	CIL	NOISE-P5	Retain NOISE-P5 as notified.	N/A	Accept	The submissions are in support of the policy.	No
326.456 ⁸⁴	RIDL	NOISE-P5	Retain NOISE-P5 as notified.	N/A			
NOISE-Activity Rules							
41.40	Fulton Hogan	Activity Rules – General	<p>Insert new rule for sensitive activities and reverse sensitivity effects:</p> <p><u>"RX Sensitive activities</u> <u>Activity status: PER</u> <u>1. The establishment of a new, or alteration, or expansion of an existing sensitive activity.</u> <u>Where:</u> <u>1. The sensitive activity shall be setback from the boundary of any legally established quarrying activity:</u> <u>a. 200m to any allowable excavation area; and</u> <u>b. 500m to any allowable processing area; and</u> <u>c. 500m to any activity that involves blasting.</u> <u>The establishment of residential units, or minor residential units on the same site as the quarry are exempt from this rule requirement.</u> <u>Existing residential units or minor residential units within the specified setback that are rebuilt on their existing site but no closer to the quarry are exempt from this requirement.</u> <u>Activity status when compliance not achieved: DIS"</u></p>	3.3	Reject	See the relevant section of the report.	No
61.4	North Canterbury Clay Target Association	Activity Rules – General	<p>Insert new rule:</p> <p><u>"NOISE-RXX Sports Facility Activities – Boundary Road Activity status: PER</u> <u>Where:</u> <u>1. a maximum of 48 events may be held in any year;</u> <u>2. a maximum of 96 practice events may be held in any year (that will not be assessed as an event under (1));</u> <u>3. events, shall conclude by 9pm and have a maximum duration of 12 hours, not including event preparation and clean-up;</u> <u>4. practice events, shall conclude by 9pm and have a maximum duration of 5 hours, not including event preparation and clean-up;</u> <u>5. activities other than sporting events shall comply with NOISE-R19."</u> And add overlay to the planning maps.</p>	3.4	Reject	See the relevant section of the report.	No
295.115	HortNZ	Activity Rules – General	<p>Insert new rule:</p> <p><u>"NOISE-RX Noise Sensitive activities</u> <u>Rural Zones</u> <u>Activity status : CON</u></p>	3.5	Accept	See the relevant section of the report.	Yes

⁸⁴ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><u>Where:</u> <u>1.Any new noise sensitive activity located on a separate site of different ownership within 1000m of any frost control fan must be designed and constructed to ensure that the noise level inside any bedroom of the dwelling will not exceed 30 dB LAeq with all fans operating at normal duty.</u></p> <p><u>Compliance with this standard must be demonstrated by the production of a design certificate from an appropriately qualified and experienced acoustic engineer. The design certificate must be based either on actual noise measurements with all fans operating at normal duty, or on an assumed noise level from any one frost fan, corrected for the number of fans present at the time.</u></p> <p>Matters of control are restricted to: NOISE-MD1 - Noise NOISE-MD3 - Acoustic insulation</p> <p>Activity status when not achieved: RDIS Matters of discretion are restricted to: NOISE-MD1 - Noise NOISE-MD3 - Acoustic insulation"</p>				
145.26	Daiken	NOISE-R1	<p>Amend NOISE-R1:</p> <p>"NOISE-R1 Timber p<u>HIZ Processing</u> and ancillary activities Heavy Industrial Zone <u>located between Upper and Lower Sefton Roads</u> Activity status: PER Where: 1. noise generated within the Timber <u>HIZ Processing</u> Noise Contour, as shown on the planning map, shall <u>not exceed the following standards:</u> a. not exceed 45 dB LAeq outside the Timber Processing Noise Contour and shall otherwise comply with Table NOISE-2; and b. not exceed the following standards at or within the notional boundary of the residential unit located at 126 Beatties Road: i. 7:00am-7:00pm Monday to Saturday 55 dB LAeq. ii. 9:00am-7:00pm Sundays and Public Holidays 55 dB LAeq. iii. All other times 45 dB LAeq. iv. 10:00pm-7:00am on any day 75 dB LAF(max)."</p>	3.11.1	Accept in part	See the relevant section of the report.	Yes
284.297	CIL	NOISE-R1	Retain NOISE-R1 as notified.	3.11.1	Accept in part	Accept, subject to amendments made in response to submission point 145.26.	No
326.457 ⁸⁵	RIDL	NOISE-R1	Retain NOISE-R1 as notified.	3.11.1			

⁸⁵ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
166.18	NZDF	NOISE-R2	Amend and replace with the noise standards for temporary military training activities (refer to full submission for attachment 3). Amend matters of control: "Activity status when compliance with NOISE-R2 (1) or (3) not achieved: CON Matters of control are restricted to <u>noise and duration</u> : NOISE-MD1 – Noise Activity status when compliance with NOISE-R2 (2) not achieved: RDIS Matters of discretion are restricted to:"	3.11.2	Reject	See the relevant section of the report.	No
284.298	CIL	NOISE-R2	Retain NOISE-R2 as notified.	3.11.2	Accept	The submissions are in support of the rule.	No
326.458 ⁸⁶	RIDL	NOISE-R2	Retain NOISE-R2 as notified.	3.11.2			
172.8	Oxford-Ohoka Community Board	NOISE-R3	Amend NOISE-R3, as definition of 'construction noise' is too broad.	3.11.3	Reject	Reject, as this is a more lenient standard than the noise limits provided in Table NOISE-2.	No
284.299	CIL	NOISE-R3	Retain NOISE-R3 as notified.	N/A	Accept	The submissions are in support of the rule.	No
326.459 ⁸⁷	RIDL	NOISE-R3	Retain NOISE-R3 as notified.	N/A			
166.19	NZDF	NOISE-R4	Amend NOISE-R4: "Helicopter movements This rule does not apply to helicopter movements at Rangiora Airfield or <u>as part of a temporary military training activity under NOISE-R2</u> or for emergency purposes provided for under NOISE-R5. ..."	3.11.4	Reject	Mr Camp prefers the notified rule which allows for small numbers of helicopter movements close to noise sensitive receivers and unlimited movements if further than 450 metres from noise sensitive receivers. See the relevant section of the report.	No
284.300	CIL	NOISE-R4	Retain NOISE-R4 as notified.	N/A	Accept	The submission is in support of the rule.	No
310.1 ⁸⁸	NZAAA	NOISE-R4	Amend NOISE-R4 by adding an exclusion: " <u>Except that NOISE-R4 will not apply to intermittent helicopter movements for primary production activities such as application of fertilisers, spray or frost protection.</u> "	3.11.4	Reject	See the relevant section of the report.	No
326.460 ⁸⁹	RIDL	NOISE-R4	Retain NOISE-R4 as notified.	N/A	Accept	The submission is in support of the rule.	No
68.18 ⁹⁰	CDHB	NOISE-R5	Retain NOISE-R5 as notified.	N/A	Accept	The submissions are in support of the rule.	No
166.20	NZDF	NOISE-R5	Retain NOISE-R5 as notified.	N/A			
284.301	CIL	NOISE-R5	Retain NOISE-R5 as notified.	N/A			

⁸⁶ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁸⁷ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁸⁸ Support – New Zealand Helicopter Association [FS66] – Officer's recommendation: reject

⁸⁹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁹⁰ Support - New Zealand Helicopter Association [FS66] – Officer's recommendation: accept

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
303.47	Fire and Emergency New Zealand	NOISE-R5	Retain NOISE-R5 as notified.	N/A			
326.461 ⁹¹	RIDL	NOISE-R5	Retain NOISE-R5 as notified.	N/A			
284.302	CIL	NOISE-R6	Retain NOISE-R6 as notified.	3.11.5	Accept in part	Accept in part, subject to amendments made in response to other submission points.	No
295.114	HortNZ	NOISE-R6	Amend NOISE-R6: "... d. not exceed 65 dB LAE from any one noise emission, when assessed at any point within the notional boundary of any residential unit or minor residential unit on any site of different ownership. Advisory Note Audible bird scaring devices should have a legible notice securely fixed to the road frontage of the site in which the device is to operate stating the name, address and phone number of the person(s) responsible for the operation of the device and identify the site on which the device will operate."	3.11.5	Accept in part	See the relevant section of the report.	Yes
326.462 ⁹²	RIDL	NOISE-R6	Retain NOISE-R6 as notified.	3.11.5	Accept in part	Accept, subject to amendments made in response to other submission points.	No
357.1	Michael John Baynes	NOISE-R6	Amend NOISE-R6 to include: - A maximum of 1 device per 4ha, being a space 200m x 200m centred around the device - A minimum of 400m from the notional boundary of adjoining residences Insert standards for Gas Gun bird scarers: - Max density 1 per 4ha. Minimum 200m between guns - No use within 400m of a residential dwelling - 12 shots per hour, per gun - 7am to 7pm operating period - No use in a restricted fire season	3.11.5	Accept in part	See the relevant section of the report.	Yes
414.178	Federated Farmers	NOISE-R6	Amend NOISE-R6 to change from maximum of six events per device per hour to 10 events per device per hour.	3.11.5	Reject	See the relevant section of the report.	No
169.33	NZPork	NOISE-R7	Delete Noise-R7 and replace with a rule that includes intensive primary production activities.	3.11.6	Reject	See the relevant section of the report.	No
171.18	Rayonier Matariki Forests	NOISE-R7	Amend NOISE-R7 to include statement for plantation forestry activities that National Environmental Standards for Plantation Forestry provisions prevail.	3.11.6	Reject	See the relevant section of the report.	No
284.303	CIL	NOISE-R7	Retain NOISE-R7 as notified.	3.11.6	Accept	The submission was in support of the rule.	No

⁹¹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁹² Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
310.2 ⁹³	NZAAA	NOISE-R7	Amend NOISE-R7: "Temporary, mobile or intermittent agriculture activities emitting noise for cultivation, application of fertiliser, planting, harvesting, use of agricultural vehicles or equipment, <u>including aircraft</u> , and movement, handling and transport of livestock".	3.11.4	Reject	Acoustic advice received from Mr Camp recommends rejecting the submission point. He considers the words "including aircraft" would result in a greater number of loopholes which could lead to unintended consequences. For example, fertiliser application could be undertaken using aircraft within the notified wording of NOISE-R7 without any need to add additional words. See the relevant section of the report.	No
326.463 ⁹⁴	RIDL	NOISE-R7	Retain NOISE-R7 as notified.	3.11.6	Accept	The submission was in support of the rule.	No
284.304	CIL	NOISE-R8	Retain NOISE-R8 as notified.	N/A	Accept	The submissions were in support of the rule.	No
303.48	Fire and Emergency New Zealand	NOISE-R8	Retain NOISE-R8 as notified.	N/A			
326.464 ⁹⁵	RIDL	NOISE-R8	Retain NOISE-R8 as notified.	N/A			
249.249	Mainpower	NOISE-R9	Retain NOISE R9 as notified.	N/A	Accept in part	Accept, subject to amendment made in response to submission point 358.6.	No
284.305	CIL	NOISE-R9	Retain NOISE-R9 as notified.	N/A			
326.465 ⁹⁶	RIDL	NOISE-R9	Retain NOISE-R9 as notified.	N/A			
358.6	Jet Boating New Zealand	NOISE-R9	Amend NOISE-R9 to exempt recreational jet boating activity noise from control under this rule.	3.6	Accept	See the relevant section of the report.	Yes
284.306	CIL	NOISE-R10	Retain NOISE-R10 as notified.	N/A	Accept	The submissions are in support of the rule.	No
326.466 ⁹⁷	RIDL	NOISE-R10	Retain NOISE-R10 as notified.	N/A			
68.16	CDHB	NOISE-R11	Retain NOISE-R11 use of generators for emergency purposes as notified.	N/A	Accept	The submissions are in support of the rule.	No
249.250	Mainpower	NOISE-R11	Retain NOISE-R11 as notified.	N/A			
284.307	CIL	NOISE-R11	Retain NOISE-R11 as notified.	N/A			
326.467 ⁹⁸	RIDL	NOISE-R11	Retain NOISE-R11 as notified.	N/A			
284.308	CIL	NOISE-R12	Retain NOISE-R12 as notified.	N/A			
326.468 ⁹⁹	RIDL	NOISE-R12	Retain NOISE-R12 as notified.	N/A	Accept	The submissions are in support of the rule.	No
284.309	CIL	NOISE-R13	Retain NOISE-R13 as notified.	3.11.7	Accept	The submission is in support of the rule.	No
310.3 ¹⁰⁰	NZAAA	NOISE-R13	Amend NOISE-R13(1) by adding new clause: "e. as a base for agricultural aviation operations".	3.11.7	Reject	See the relevant section of the report.	Yes
326.469 ¹⁰¹	RIDL	NOISE-R13	Retain NOISE-R13 as notified.	3.11.7	Accept	The submissions were in support of the rule.	No

⁹³ Support – New Zealand Helicopter Association [FS66] – Officer's recommendation: reject

⁹⁴ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁹⁵ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁹⁶ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

⁹⁷ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁹⁸ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

⁹⁹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹⁰⁰ Support – New Zealand Helicopter Association [FS66] – Officer's recommendation: reject

¹⁰¹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
277.33	MoE	NOISE-R14	Retain NOISE-R14 as notified.	N/A	Accept	The submissions were in support of the rule.	No
284.310	CIL	NOISE-R14	Retain NOISE-R14 as notified.	N/A			
326.470 ¹⁰²	RIDL	NOISE-R14	Retain NOISE-R14 as notified.	N/A			
277.34	MoE	NOISE-R15	Retain NOISE-R15 as notified.	N/A	Accept	The submissions were in support of the rule.	No
284.311	CIL	NOISE-R15	Retain NOISE-R15 as notified.	N/A			
326.471 ¹⁰³	RIDL	NOISE-R15	Retain NOISE-R15 as notified.	N/A			
270.2	George Jason Smith	NOISE-R16	Amend NOISE-R16, and all related provisions, to provide for changes in classification of Collector roads.	3.11.8	Reject	See the relevant section of the report.	No
275.55 ¹⁰⁴¹⁰⁵	Waka Kotahi	NOISE-R16	Amend NOISE-R16: "NOISE-R16: Residential units and minor residential units within 80m 100m of an arterial road, strategic road or rail designation. ..."	3.11.8	Reject	See the relevant section of the report.	No
284.312	CIL	NOISE-R16	Retain NOISE-R16 as notified.	3.11.8	Accept in part	See the relevant section of the report.	No
326.472 ¹⁰⁶	RIDL	NOISE-R16	Retain NOISE-R16 as notified.	3.11.8			
373.74 ¹⁰⁷	KiwiRail	NOISE-R16	Amend NOISE-R16: "Noise sensitive activities Residential units and minor residential units within 8 100m of an arterial road, strategic road or rail designation <u>Indoor railway noise</u> 1. Any new <u>building or alteration to an existing building shall be designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in the following table:</u> <u>Building type: Residential</u> <u>Occupancy/activity: Sleeping spaces</u> <u>Maximum railway noise level LAeq(1h): 35 dB</u> <u>Occupancy/activity: All other habitable rooms</u> <u>Maximum railway noise level LAeq(1h): 40 dB</u> <u>Building type: Education</u> <u>Occupancy/activity: Lecture rooms/theatres, music studios, assembly halls</u> <u>Maximum railway noise level LAeq(1h): 35 dB</u> <u>Occupancy/activity: Teaching areas, conference rooms, drama studios, sleeping areas</u> <u>Maximum railway noise level LAeq(1h): 40 dB</u> <u>Occupancy/activity: Libraries</u> <u>Maximum railway noise level LAeq(1h): 45 dB</u> <u>Building type: Health</u>	3.11.8	Accept in part	See the relevant section of the report.	Yes

¹⁰² Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹⁰³ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹⁰⁴ Oppose – Kainga Ora [FS88] – Officer's recommendation: reject

¹⁰⁵ Support – KiwiRail [FS99] – Officer's recommendation: reject

¹⁰⁶ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

¹⁰⁷ Support – Waka Kotahi NZ Transport Agency [FS110] – Officer's recommendation: reject

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p><u>Occupancy/activity: Overnight medical care, wards</u> <u>Maximum railway noise level LAeq(1h): 40 dB</u> <u>Occupancy/activity: Clinics, consulting rooms, theatres, nurses' stations</u> <u>Maximum railway noise level LAeq(1h): 45 dB</u> <u>Building type: Cultural</u> <u>Occupancy/activity: Places of worship, marae</u> <u>Maximum railway noise level LAeq(1h): 35 dB</u> <u>Mechanical ventilation</u> <u>2. If windows must be closed to achieve the design noise levels in clause, the building is designed, constructed and maintained with a mechanical ventilation system that</u> <u>(a) For habitable rooms for a residential activity, achieves the following requirements:</u> <u>i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u> <u>ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and</u> <u>iii. provides relief for equivalent volumes of spill air;</u> <u>iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</u> <u>v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u> <u>(b) For other spaces, is as determined by a suitably qualified and experienced person.</u> <u>Indoor railway vibration</u> <u>3. Any new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 60 metres from the boundary of a railway network:</u> <u>(a) is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw,95 or</u> <u>(b) is a single-storey framed residential building with:</u> <u>i. a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</u> <u>ii. vibration isolation separating the sides of the floor slab from the ground; and</u> <u>iii. no rigid connections between the building and the ground.</u> <u>4.A report is submitted to the council demonstrating compliance with clauses (1) to (3) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:</u></p>				

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			<p>(a) railway noise is assumed to be 70 LAeq(1h) at a distance of 12 metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>NOISE-MD1 - Noise</p> <p>NOISE-MD2 - Management of noise effects</p> <p>NOISE-MD3 - Acoustic insulation</p> <p>New NOISE-MDX</p> <p>1. Whether the activity sensitive to noise could be located further from the railway network.</p> <p>2. The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance.</p> <p>3. The character of, and degree of, amenity provided by the existing environment and proposed activity.</p> <p>4. The reverse sensitivity effects on the rail network, and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.</p> <p>5. Special topographical, building features or ground conditions which will mitigate vibration impacts;</p> <p>6. The outcome of any consultation with KiwiRail.</p> <p>Notification:</p> <p>Application for resource consent under this rule will be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991."</p>				
408.27	BRL	NOISE-R16	Amend NOISE-R16 so it only applies within 40m of an arterial road (as opposed to 80m). Provide an alternative approval pathway that does not require an acoustic assessment for each residential unit that can demonstrate compliance with NOISE-R16(1) and NOISE-R16(2).	3.11.8	Reject	See the relevant section of the report.	No
277.35	MoE	NOISE-R17	Retain NOISE-R17 as notified.	N/A	Accept	The submissions were in support of the rule.	No
284.313	CIL	NOISE-R17	Retain NOISE-R17 as notified.	N/A			
326.473 ¹⁰⁸	RIDL	NOISE-R17	Retain NOISE-R17 as notified.	N/A			
284.314	CIL	NOISE-R18	Retain NOISE-R18 as notified.	N/A	Accept	The submissions were in support of the rule.	No
326.474 ¹⁰⁹	RIDL	NOISE-R18	Retain NOISE-R18 as notified.	N/A			
46.26	Woodstock Quarries Limited	NOISE-R19	Retain NOISE-R19 as notified.	N/A	Accept in part	Accept in part, subject to amendment made in response to submission point 358.7.	No
282.141	Woolworths	NOISE-R19	Retain approach of NOISE-R19.	N/A			
284.315	CIL	NOISE-R19	Retain NOISE-R19 as notified.	N/A			
326.475 ¹¹⁰	RIDL	NOISE-R19	Retain NOISE-R19 as notified.	N/A			

¹⁰⁸ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹⁰⁹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹¹⁰ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
358.7	Jet Boating New Zealand	NOISE-R19	Amend NOISE-R19 to exempt recreational jet boating activity noise from control under this rule.	3.6	Accept	See the relevant section of the report.	Yes
284.316	CIL	NOISE-R20	Retain NOISE-R20 as notified.	N/A	Accept	The submissions were in support of the rule.	No
326.476 ¹¹¹	RIDL	NOISE-R20	Retain NOISE-R20 as notified.	N/A			
284.317	CIL	NOISE-R21	Retain NOISE-R21 as notified.	N/A	Accept	The submissions were in support of the rule.	No
326.477 ¹¹²	RIDL	NOISE-R21	Retain NOISE-R21 as notified.	N/A			
284.318	CIL	NOISE-R22	Retain NOISE-R22 as notified.	N/A	Accept	The submissions were in support of the rule.	No
284.319	CIL	NOISE-R22	Retain NOISE-R22 as notified.	N/A			
326.478 ¹¹³	RIDL	NOISE-R22	Retain NOISE-R22 as notified.	N/A			
326.479 ¹¹⁴	RIDL	NOISE-R23	Retain NOISE-R23 as notified.	N/A	Accept	The submission was in support of the rule.	No
68.17	CDHB	Table NOISE-2 Noise limits	Retain Table NOISE-2 Noise Limits for the Special Purpose Zone (Hospital) as notified.	3.12	Accept in part	See the relevant section of the report.	No
145.27	Daiken	Table NOISE-2 Noise limits	Amend Table NOISE-2: "Heavy Industrial Zone <u>except as provided for in NOISE-R1</u> "	3.12	Accept	See the relevant section of the report.	Yes
282.142	Woolworths	Table NOISE-2 Noise limits	Amend Table Noise-2 noise limits for Large Format Retail Zone and General Industrial Zone to align with those for Light Industrial Zone. A daytime limit of 65dBA and night-time limit of 55dBA is considered appropriate. Amend Table Noise-2 to require measurement of noise at notional boundary when located within Rural Zones.	3.12	Accept	See the relevant section of the report.	Yes
NOISE – Matters of discretion							
166.21	NZDF	NOISE-MD1	Amend NOISE-MD1: "... 10. For temporary military training activities, the extent to which compliance with noise standards has been demonstrated by a report prepared by a suitably qualified and experienced acoustic consultant."	3.13	Accept	See the relevant section of the report.	Yes
249.251	Mainpower	NOISE-MD1	Retain NOISE-MD1 as notified.	N/A	Accept in part	Accept in part, subject to amendments made in response to submission point 166.21.	No
275.56	Waka Kotahi	NOISE-MD1	Retain NOISE-MD1 as notified.	N/A			
284.320	CIL	NOISE-MD1	Retain NOISE-MD1 as notified.	N/A			
326.480 ¹¹⁵	RIDL	NOISE-MD1	Retain NOISE-MD1 as notified.	N/A			
373.75 ¹¹⁶	KiwiRail	NOISE-MD1	Retain NOISE-MD1 as notified.	N/A	Accept in part	Accept, subject to amendment made in response to submission point 254.63.	No
275.57	Waka Kotahi	NOISE-MD2	Retain NOISE-MD2 as notified.	N/A			
284.321	CIL	NOISE-MD2	Retain NOISE-MD2 as notified.	N/A			
326.481 ¹¹⁷	RIDL	NOISE-MD2	Retain NOISE-MD2 as notified.	N/A			
373.76 ¹¹⁸	KiwiRail	NOISE-MD2	Retain NOISE-MD2 as notified.	N/A			

¹¹¹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹¹² Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹¹³ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹¹⁴ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

¹¹⁵ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

¹¹⁶ Support – Waka Kotahi [FS110] – Officer's recommendation: accept in part

¹¹⁷ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

¹¹⁸ Support – Waka Kotahi [FS110] – Officer's recommendation: accept in part

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
254.64	CIAL	NOISE-MD3	Retain NOISE-MD3, and amend (3). "3. The extent to which the provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation ensures the amenity values, health and safety of present and future residents and occupiers."	3.13	Accept	Correction of a grammatical error.	Yes
275.58	Waka Kotahi	NOISE-MD3	Retain NOISE-MD3 as notified.	N/A	Accept	Accept, subject to amendment made in response to submission point 254.64.	No
284.322	CIL	NOISE-MD3	Retain NOISE-MD3 as notified.	N/A			
326.482 ¹¹⁹	RIDL	NOISE-MD3	Retain NOISE-MD3 as notified.	N/A			
373.77 ¹²⁰¹²¹	KiwiRail	NOISE-MD3	Retain NOISE-MD3 as notified.	N/A			
284.323	CIL	NOISE-MD4	Retain NOISE-MD4 as notified.	N/A	Accept	The submission points were in support of the matter of discretion.	No
326.483 ¹²²	RIDL	NOISE-MD4	Retain NOISE-MD4 as notified.	N/A			
373.101	KiwiRail	Matters of Control/Discretion	Insert New NOISE-MDX <u>"1. Whether the activity sensitive to noise could be located further from the railway network.</u> <u>2. The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance.</u> <u>3. The character of, and degree of, amenity provided by the existing environment and proposed activity.</u> <u>4. The reverse sensitivity effects on the rail network, and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.</u> <u>5. Special topographical, building features or ground conditions which will mitigate vibration impacts;</u> <u>6. The outcome of any consultation with KiwiRail."</u> *Note: I have removed the additional relief sought text covered in 373.74.	3.11.8	Reject	As the standards for vibration are not included in NOISE-R16, I do not recommend the inclusion of the aspects on vibration. I have compared the requested matter of discretion against existing matters of discretion and consider the aspects are already sufficiently covered by either the matters or by RMA s95A and 95B, see Table 5. See the relevant section of the report.	No

¹¹⁹ Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: accept in part

¹²⁰ Oppose – Kainga Ora [FS88] – Officer's recommendation: accept in part

¹²¹ Support – Waka Kotahi [FS110] – Officer's recommendation: accept in part

¹²² Oppose – Ohoka Residents Association [FS84 and FS137] – Officer's recommendation: reject

**Appendix C. Statement of evidence of Stuart Camp on behalf of
Waimakariri District Council in relation to Noise**

**Appendix D. North Canterbury Clay Target Association Inc v
Waimakariri District Council [2016] NZCA 305 [5 July 2016]**

Appendix E. Marshall Day Acoustics (June 2019) Response to queries

**Appendix F. Marshall Day Acoustics (March 2020) Business 3
Zone – Noise Control Boundary**

Appendix G. Report Author's Qualifications and Experience

I hold a Master of Planning (First Class Honours) from Lincoln University, and a Bachelor of Arts from University of Canterbury.

I am an Intermediate Member of the New Zealand Planning Institute.

I have been employed as a Policy Planner at Waimakariri District Council within the Development Planning Unit since 2016. During this time, I have been involved in all stages of the District Plan Review (District Plan effectiveness analysis, issues and options analysis, chapter drafting, preparation of section 32 evaluation reports, public consultation and engagement, and summarising submissions). I was specifically involved in the development of the Light, Noise, Hazardous Substances, Contaminated Land, Earthworks, and Temporary Activities chapters.

I also processed resource consents while working at the Christchurch City Council on a casual contractual basis for 18 months.