

Section 42A Officer's Report Addendum in response to submitter evidence – Noise Appendix 1 – Recommended Provisions

Recommended amendments to the provisions in response to submissions are shown in ~~strikethrough~~ and underline.

Recommended amendments to the provisions following filing the s42A Report and in response to submitter evidence are shown in ~~strikethrough~~ and underline.

Recommended amendments to the provisions following the hearing, **for conferencing purposes**, shown in ~~strikethrough~~ and underline. Comments bubbles are for conferencing purposes to signal matters that arose during the hearing that will be addressed in conferencing and/or right of reply.

NOISE Noise - Ngā Oro

Overview

The generation of noise is often a necessary part of many activities undertaken on the West Coast/Te Tai o Poutini. While it is important that such activities are able to operate, noise can result in potential adverse effects on people's health and wellbeing, and their enjoyment of the environment. Adverse effects associated with noise can vary depending on a number of factors, including frequency, timing, duration and characteristics of the noise, the distance between the source and receiver, and any reduction measures. The background sound level can influence the acceptability or annoyance of noise, and this can also vary throughout the West Coast/Te Tai o Poutini.

Where ~~noise~~¹ sensitive activities are established near existing noise-generating activities, or areas where higher noise levels are to be expected, reverse sensitivity effects can arise, potentially resulting in the existing noise-generating activities being constrained, in terms of their ongoing operation or expansion. This is a particular concern for important services and community facilities, including Airports and Heliports, Sports Grounds and Stadiums, the State Highway, Railway Corridors and the Ports, which could be constrained if reverse sensitivity effects arise.

This Chapter controls the nature and timing of noise-generating activities, including maintaining appropriate noise levels within zones where a different noise environment is anticipated to ~~minimise~~ manage² potential adverse effects³, and manages new sensitive activities where these are located close to established noise-generating activities or zones which have or are expected to have elevated noise levels.

¹ Silver Fern Farms Limited (S441.006), KiwiRail (S442.008)

² Minor amendment for clarity of language

³ Buller Conservation Group (S552.153) and Frida Inta (S553.153)

The provisions in this chapter apply to all other chapters within this Plan, unless otherwise specified.

Noise Objectives

NOISE - O1	The benefits of noise generating activities are provided for in a way that is compatible with the role, function and character of each zone and does not <u>unreasonably</u> ⁴ compromise community health, safety and wellbeing.
NOISE - O2	The function and operation of existing and permitted future <u>lawfully established</u> ⁵ noise generating activities and community ⁶ infrastructure are not compromised by adverse effects, including reverse sensitivity effects, from noise-sensitive ⁷ activities.
NOISE - O3	The health and wellbeing of people and communities are protected from significant levels of noise.

Also the Strategic Objectives and Policies

Noise Policies

NOISE - P1	Enable the generation of noise when it is of a type, character, scale and level that is appropriate to the zone, having regard to: a. The purpose, character and qualities of the zone that the activity is located in; b. The nature, frequency and duration of the noise generating activity; c. Whether the noise generating activity is critical <u>regionally significant</u> ⁸ infrastructure; d. Methods of mitigation; and e. The sensitivity of the surrounding environment.
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⁴ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (Te Whatu Ora) (S190.528)

⁵ Horticulture New Zealand (S486.056), Federated Farmers of New Zealand (S524.100)

⁶ Manawa Energy Limited (S438.124)

⁷ Silver Fern Farms Limited (S441.006), KiwiRail (S442.008)

⁸ Manawa Energy Limited (S438.125)

NOISE - P2	<p>Require sensitive activities sited in higher noise environments <u>and new sensitive activities adjacent to higher noise environments</u>⁹ to be located and designed so as to minimise adverse effects on the amenity values, public health and wellbeing and the safety of occupants and minimise sleep disturbance from noise, while taking into account:</p> <ol style="list-style-type: none"> The type of noise generating activity; and Other noise sources in the area; and The nature and occupancy of the noise¹⁰ sensitive activity; and Mitigation measures, including acoustic insulation, screening and topography. <p>For the purpose of NOISE - P2 higher noise environments include:</p> <ol style="list-style-type: none"> CMUZ - Commercial and mixed use zones; INZ - Industrial zones, PORTZ - Port Zone, AIRPZ - Airport Zone, STADZ - Stadium Zone, BCZ - Buller Coalfield Zone, MINZ - Mineral Extraction Zone and HOSPZ - Hospital Zone; and Locations in close proximity to a State Highway and the Railway Corridor; and¹¹ <u>The Westport Rifle Range Noise Overlay.</u>¹²
NOISE - P3	<p>Within the Airport Noise Contour Boundary overlay avoid sensitive activities, unless noise mitigation measures are implemented that avoid sleep disturbance and minimise other adverse effects on the amenity values of occupants.</p>
NOISE - P4	<p>Ensure noise effects generated by an activity are of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment and protect the health and wellbeing of people and communities by having regard to:</p> <ol style="list-style-type: none"> Maximum noise limits to reflect the character and amenity of each zone; Type, scale and location of the activity in relation to any noise¹³ sensitive activities; Hours of operation and duration of activity; The temporary or permanent nature of any adverse effects; and The ability to internalise and/or <u>avoid, remedy or mitigate adverse effects</u> minimise¹⁴ any conflict with adjacent activities; and <u>The functional need</u> and¹⁵ <u>or operational need of the activity.</u>¹⁶

⁹ Silver Fern Farms Limited (S441.039)

¹⁰ Silver Fern Farms Limited (S441.006), KiwiRail (S442.008)

¹¹ Minor amendment for clarity

¹² Dean Trott (S330.002), Westport Pistol Club (S336.016), Chris Hartigan (S338.002), Westport Rifle Club Incorporated (S457.009)

¹³ Silver Fern Farms Limited (S441.006), KiwiRail (S442.008)

¹⁴ Westpower Limited (S547.487)

¹⁵ Minor amendment for consistency of language throughout the pTTPP

¹⁶ Westpower Limited (S547.488)

Noise Rules

Note: There may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan. In those cases, unless otherwise specifically stated in a rule, consent is required under each of those identified rules. Details of the steps Plan users should take to determine the status of an activity are provided in General Approach.

Permitted Activities

NOISE - R1	General Standards
	<p>All activities must comply with the following relevant standards.</p> <ol style="list-style-type: none"> 1. Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Acoustics - Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply. 2. The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS 6803:1999 Acoustics – Construction noise. 3. Noise from mobile noise sources shall comply with the noise limits set out in Tables 2 and 3 of NZS 6803:1999 Acoustics – Construction Noise, with reference to "construction noise" taken to refer to "mobile noise sources";¹⁷ X. <u>Noise from aerodromes, airfields ¹⁸ or airports not subject to noise rule R10 shall be measured and assessed in accordance with New Zealand Standard NZS 6805:1992 Airport Noise Management and Land Use Planning¹⁹</u> XX. <u>Noise from New or Altered Roads shall be measured and assessed in accordance with New Zealand Standard NZS 6806:2010 Acoustics - Road-traffic noise - New and altered roads²⁰</u> <p>Activity status where compliance not achieved: Restricted Discretionary</p>

¹⁷ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)

¹⁸ Minor amendment to correct typographical error

¹⁹ Minor amendment to include the standard for Airport Noise Management and Land Use Planning

²⁰ Minor amendment to include the standard for Acoustics – Road-traffic noise – New and altered roads

<p>4. Noise from wind turbines shall be <u>measured and assessed</u> in accordance with section 7.7 of²¹ NZS 6808: 2010 Acoustics Wind Farm Noise;</p> <p>5. Noise from Helicopter Landing areas shall be managed <u>measured and assessed</u>²² in accordance with and comply with the noise standards and limits of NZS 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Area.</p> <p><u>XXX. Noise from port activities shall be managed in accordance with and comply with the noise standards and limits, control boundaries and methods of measurement as outlined in NZS 6809: 1999 Acoustics Port Noise Management and Land Use Planning.</u>²³</p>	
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²¹ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.535)

²² Minor amendment for clarity

²³ Consequential change to the recommended amendment to Rule 9

NOISE - R2

Emissions of Noise in All Zones

Activity Status Permitted

Where the following activities are exempted from meeting Zone noise standards:

1. ~~Intermittent residential activities, u~~ Noise associated with use of the site for residential activity, including²⁴ use of lawn mowers, vehicles, machinery or equipment operated and maintained in accordance with the manufacturer's²⁵ specifications and associated with the use of a site for a residential activity used on an intermittent basis (e.g. spraying, harvesting, etc)²⁶;
2. Any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance of these);
3. Activities at emergency service facilities associated with emergency response and emergency response training;
4. Helicopters used for an emergency and as an air ambulance;
5. The use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 2 weeks in duration, where they are operated by emergency services, or lifeline utilities or Regionally Significant Infrastructure²⁷;
6. People noise at recreational activities, such as sporting events or the noise from children at school ~~or daycare facilities²⁸~~ or in residential dwellings. This does not include any amplified noise;
7. Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998), or within a site as part of or compatible with an normal residential activity provided for as a permitted activity in that zone²⁹;
8. Trains operating³⁰ on rail lines (public or private) and crossing bells within road reserve, including at railway yards, railway sidings or stations. However, this exemption does not apply to the testing (when stationary), maintenance, loading or unloading of trains;
9. Road construction work where management controls are in place to mitigate the emission of noise;
10. ~~Any residential activity on the same site as a noise source being assessed;³¹~~

Activity status where compliance not achieved: ~~Restricted-Discretionary~~ N/A³²

²⁴ Minor amendment for clarity

²⁵ Minor amendment to correct typographical error

²⁶ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.536); minor amendments to improve clarity and certainty

²⁷ Manawa Energy Limited (Manawa Energy) (S438.126)

²⁸ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.536)

²⁹ Foodstuffs (South Island) Properties Limited and Foodstuffs South Island Limited (S464.049), WMS Group (HQ) Limited and WMS Land Co. Limited (S599.094)

³⁰ Minor amendment for clarity

³¹ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.536)

³² Minor amendment for clarity

11. ~~Agricultural, pastoral and horticultural and pastoral farming~~³³ activities undertaken for a limited duration, ~~including using agricultural vehicles, machinery, aircraft or equipment used on a seasonal or intermittent basis~~³⁴ in the General Rural and Rural Lifestyle zones;
12. ~~Infrequent aircraft take off and landing, including helicopter movements,~~³⁵ for associated with rural production activities and conservation activities purposes on an intermittent basis for no more than 30 days in any 12 month period per site^{36,37}; ~~including aerial topdressing and helicopter movements;~~
13. Non-commercial motorised watercraft operating on the surface of waterbodies;
14. Rifle ranges located within the Rifle Range Protection Area during the hours of 7am to 10pm³⁸;
15. ~~Impulsive sounds (such as hammering and bangs) and dog barking noise which are poorly assessed by reference to NZS 6802:2008 Acoustics Environmental Noise;~~³⁹
16. The noise is emitted from an audible bird scaring device between the hours of half an hour before sunrise and until half an hour after sunset, not used at a frequency of more than 12 events per hour, and generating less than 65 dB LAE for each event;⁴⁰ and
17. The noise is from a Temporary Activity where the temporary activity occurs between 7:00am and 10:00pm, and no more than 12 days per calendar year⁴¹ only⁴², and if operating outside of these hours complies with the underlying noise standards of the zone. This does not include any amplified noise.⁴³

³³ Minor amendment to use the defined term

³⁴ Minor amendment to improve certainty of the rule

³⁵ New Zealand Agricultural Aviation Association (S166.024)

³⁶ Minor amendment to improve certainty of the rule

³⁷ West Coast Regional Council (S488.033)

³⁸ Westport Pistol Club (S336.009)

³⁹ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.536)

⁴⁰ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.536)

⁴¹ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.536)

⁴² Minor amendment for clarity

⁴³ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.536)

NOISE - R3	Acoustic Insulation Requirements for New <u>or Altered</u>⁴⁴ Buildings for Use by a Sensitive Activity
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<p>Activity Status Permitted</p> <p>Where:</p> <p>4. The building will be used by a sensitive activity and is located within <u>the Road Noise Overlay shown on the planning maps</u>⁴⁵:</p> <p style="margin-left: 20px;">a. 80m of the edge of the carriageway of a State Highway with a speed limit of 70kph or greater; or</p> <p style="margin-left: 20px;">b.⁴⁶ <u>40m of the edge of the carriageway of a State Highway with a speed limit of less than 70kph; where:</u></p> <p style="margin-left: 40px;">i. Any habitable room used <u>for a sensitive activity</u>⁴⁷ and/or space used for sleeping⁴⁸ must be designed, <u>and</u> constructed <u>and maintained</u>⁴⁹ to achieve a minimum <u>maximum</u> internal noise limit <u>level</u>⁵⁰ of 40dB L_{Aeq} (24h); and</p> <p style="margin-left: 40px;">ii. Compliance with i. above must be achieved based on an existing noise level with 3 decibel addition adjacent to State Highways allowing for future traffic increase; and⁵¹</p> <p style="margin-left: 40px;">iii. Any <u>new or altered habitable room and/or space used for sleeping building</u>⁵² within 20m of the edge of the carriageway⁵³ must be designed, constructed and maintained to achieve vibration limits not exceeding 0.3mm/s (Class C criterion Maximum Weighted Velocity, V_w,95);</p> <p style="margin-left: 20px;">c. 6⁵⁴ <u>100m</u> of the edge of the tracks of a railway line where:</p> <p style="margin-left: 40px;">i. Any <u>new or altered</u>⁵⁵ habitable room used for a sensitive activity <u>and/or spaced used for sleeping</u>⁵⁶ must be designed, <u>and</u> constructed <u>and</u> maintained⁵⁷ to achieve a maximum internal noise</p>	<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p>
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⁴⁴ KiwiRail Holdings Limited (S442.088)

⁴⁵ Waka Kotahi (S450.171)

⁴⁶ Waka Kotahi (S450.171)

⁴⁷ Minor amendment for clarity and consistency

⁴⁸ Minor amendment for clarity, Ngāi Tahu (S620.211), KiwiRail Holdings Limited (S442.088)

⁴⁹ Minor amendment for clarity and consistency

⁵⁰ Minor amendment for clarity, Ngāi Tahu (S620.211), KiwiRail Holdings Limited (S442.088)

⁵¹ Jacobus Wiskerke (S95.004), Building - Coast Wide (S223.001), Chris & Jan Coll (S558.325), Chris J Coll Surveying Limited (S566.325), William McLaughlin (S567.386), and Laura Coll McLaughlin (S574.325), Ngāi Tahu (S620.211), Ngāi Tahu (S620.211)

⁵² Consequential to KiwiRail Holdings Limited (S442.088)

⁵³ Ngāi Tahu (S620.211), Waka Kotahi NZ Transport Agency (S450.171)

⁵⁴ Ngāi Tahu (S620.211), KiwiRail Holdings Limited (S442.088)

⁵⁵ KiwiRail Holdings Limited (S442.088)

⁵⁶ Minor amendment for clarity, Ngāi Tahu (S620.211), KiwiRail Holdings Limited (S442.088)

⁵⁷ Minor amendment for clarity and consistency

limit level⁵⁸ of 35 dB $L_{Aeq}(1h)$;

ii. Compliance ~~with i. above~~ must be achieved based on an assumption of 70 $LA_{eq}(1h)$ at a distance of 12m from the railway track and shall be deemed to reduce at a rate of 3 dB per doubling of distance up to 40m; or ii. is at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows to all points 3.8 metres above railway tracks⁵⁹

cx. 60m of the edge of the tracks of a railway line where ~~iii.~~ Any building any new or altered habitable room and/or space used for sleeping⁶⁰ must be designed, constructed and maintained to achieve vibration limits not exceeding 0.3mm/s (Class C criterion Maximum Weighted Velocity, $V_w,95$);

d. The 50 dBA Noise Contour boundary of Franz Josef Heliport or the 55 dBA⁶¹ Noise Contour boundary of the Westport or Hokitika Airports or Greymouth or Karamea Aerodrome or Haast Airfield⁶²; where:

i. Any new or altered⁶³ habitable room and/or space used for sleeping⁶⁴ must be designed, and constructed and maintained⁶⁵ to achieve a ~~minimum~~ maximum⁶⁶ indoor design noise level of 40 dB L_{dn} ;

e. Any CMUZ - Commercial and Mixed Use Zone, INZ - Industrial Zone or AIRPZ - Airport Zone, PORTZ - Port Zone, STADZ - Stadium Zone, HOSZ - Hospital Zone, BCZ - Buller Coalfield Zone or MINZ - Mineral Extraction Zone; where

i. The building is designed, and constructed and maintained⁶⁷ to ensure that the following indoor design noise levels are not exceeded:

A. ~~40~~35dB LA_{eq} inside any new or altered⁶⁸ habitable room bedrooms⁶⁹;

B. ~~35~~40dB LA_{eq} inside ~~any other habitable room,~~

⁵⁸ Minor amendment for clarity

⁵⁹ KiwiRail Holdings Limited (S442.088)

⁶⁰ KiwiRail Holdings Limited (S442.088)

⁶¹ Minor amendment for clarity

⁶² Consequential amendment to reflect recommendation of Ms Easton that the Haast Airfield be included in the Airport Zone

⁶³ Consequential to KiwiRail Holdings Limited (S442.088)

⁶⁴ Minor amendment for consistency throughout the rule

⁶⁵ Minor amendment for clarity and consistency

⁶⁶ Minor technical amendment recommended by Mr Peakall

⁶⁷ Minor amendment for clarity and consistency

⁶⁸ Consequential to KiwiRail Holdings Limited (S442.088)

⁶⁹ Minor technical amendment recommended by Mr Peakall

except for new or altered⁷⁰ bedrooms between 10pm and 7am⁷¹; and

ex. The Rifle Range Protection Area Between the 55 dB L_{AFmax} and 60 dB L_{AFmax} contours of the Westport Rifle Range Noise Overlay shown on the planning maps:

i. Any habitable room used for a sensitive activity and/or space used for sleeping must be designed, and constructed and maintained⁷² to achieve a maximum internal noise level of 35 dB L_{AFmax} from outdoor noise associated with lawfully established activities at the Westport Rifle Range Protection Area; and

ii. an outdoor living areas not less than 30m² must shall be screened from the Westport Rifle Range Protection Area to achieve an outdoor noise level not exceeding 50 dB L_{AFmax}.⁷³

f. Where windows need to be closed to achieve the internal noise levels specified in a. to ~~ex~~⁷⁴. above an alternative ventilation system shall be provided which achieves the following requirements:

i. Satisfies clause G4 of the New Zealand Building Code;

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

iii. Provides relief for equivalent volumes of spill air; and

iv. Provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and

v. Does not generate more than 35 dBL_{Aeq(30s)} when measured at least⁷⁵ 1m away from any grille or diffuser.

Advice Note:

1. Compliance with Rule NOISE - R3 will be achieved if, prior to the construction of any building containing a new or altered⁷⁶ habitable room and/or space used for sleeping⁷⁷, an acoustic design certificate from a suitably qualified acoustic engineer is provided to the relevant district council stating that the design will achieve compliance with the relevant standard. The building shall be designed, constructed and

⁷⁰ Consequential to KiwiRail Holdings Limited (S442.088)

⁷¹ Minor technical amendment recommended by Mr Peakall

⁷² Minor amendment for clarity and consistency

⁷³ Dean Trott (S330.002), Westport Pistol Club (S336.016), Chris Hartigan (S338.002), Westport Rifle Club Incorporated (S457.009)

⁷⁴ Consequential amendment to inclusion of clause ex

⁷⁵ Minor amendment for clarity

⁷⁶ Consequential to KiwiRail Holdings Limited (S442.088)

⁷⁷ Minor amendment for consistency throughout the rule

maintained in accordance with the design certificate;

or:

2. For Rule R3 1 a i) or Rule R3 1 c i) compliance will be achieved if the construction conforms to the acceptable solutions listed in NOISE-APP1-Acceptable constructions requirement, Part A and meets the ventilation requirements of Rule R3.1.f⁷⁸; or

3. For Rule R3 1 a iii) or Rule R3 1 c iii) compliance will be achieved if the construction conforms to the acceptable solutions listed in NOISE-APP1-Acceptable constructions requirement, Part B and meets the ventilation requirements of Rule R3.1.f.⁷⁹

⁷⁸ KiwiRail Holdings Limited (S442.088)

⁷⁹ Ngāi Tahu (S620.211), Buller District Council (S538.333), Waka Kotahi NZ Transport Agency (S450.171); KiwiRail Holdings Limited (S442.088)

NOISE - R4	Emission of Noise for Temporary Military Training Activities	
<p>Activity Status Permitted</p> <p>Where the following noise standards are complied with:</p> <ol style="list-style-type: none"> 1. Weapons firing and/or the use of explosives: <ol style="list-style-type: none"> a. Notice is provided to the Council at least 5 working days prior to the commencement of the activity; b. The activity complies with the following minimum separation distances to the notional boundary of any building housing a sensitive activity: <ol style="list-style-type: none"> i. 7am to 7pm: 500m; ii. 7pm to 7am: 1-250km⁸⁰⁸¹ c. Where the minimum separation distances specified above cannot be met, the activity shall comply with the following peak sound pressure level when measured at the notional boundary of any building housing a sensitive activity: <ol style="list-style-type: none"> i. 7am to 7pm: 95 dBL_{Cpeak}⁸²; ii. 7pm to 7am: 85 dBL_{Cpeak}⁸³. 2. Mobile noise sources: <ol style="list-style-type: none"> a. Shall comply with the noise limits set out in Tables 2 and 3 of NZS6803:1999 Acoustics - Construction Noise, with reference to "construction noise" taken to refer to mobile noise sources. 3. Fixed (stationary) noise sources: <ol style="list-style-type: none"> a. Shall comply with the noise limits set out below when measured at the notional boundary of any building housing a sensitive activity: <ol style="list-style-type: none"> i. 7am to 7pm 55 dB L_{Aeq} (15 min) ii. 7pm to 10pm 50 dB L_{Aeq} (15 min) iii. 10pm to 7am 45 dB L_{Aeq} (15 min) and 75 dB L_{AF} max 	<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p>	

⁸⁰ Westport Pistol Club (S336.011), Westport Rifle Club Incorporated (S457.010)

⁸¹ Minor amendment to refer to same metric as clause above

⁸² Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.538)

⁸³ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.538)

NOISE – RX⁸⁴ Emission of noise for activities not provided for by NOISE-R2, NOISE-R4, NOISE-R9 and NOISE-R10

Activity Status Permitted

Where:

1. ~~85~~⁸⁵ ~~The maximum n~~Noise from any activity shall not exceed the following noise limits at any point at or within the boundary of any ~~site within any~~⁸⁶ of the following zones:

Zone	Maximum Noise Limit		
	Daytime (Monday– Friday) 7:00am- 10:00pm	Saturdays, Sundays and Public Holidays 7:00 am – 10:00 pm	Night-time 10:00pm-7:00am
RESZ Residential Zone SETZ Settlement Zone MPZ Māori Purpose Zone HOSZ Hospital Zone OSZ Open Space Zone NOSZ Natural Open Space Zone SVZ Scenic Visitor Zone FUZ Future Urban Zone	55 dB LAeq	50 dB LAeq	45 dB LAeq 70 dB LAFmax

2. ~~87~~⁸⁷ ~~The maximum n~~Noise from any activity shall not exceed the following noise limits at any point at the notional boundary of any ~~site within any~~⁸⁸ of the following zones:

Zone	Maximum Noise Limit		
	Daytime (Monday– Friday) 7:00am- 10:00pm	Saturdays, Sundays and Public Holidays 7:00 am – 10:00 pm	Night-time 10:00pm-7:00am
GRUZ General Rural Zone RLZ Rural Lifestyle Zone	55 dB LAeq	50 dB LAeq	45 dB LAeq 70 dB LAFmax

Activity status

where
compliance not
achieved:
Restricted
Discretionary

⁸⁴ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

⁸⁵ Minor amendment to improve clarity

⁸⁶ Minor amendment to improve clarity

⁸⁷ Minor amendment to improve clarity

⁸⁸ Minor amendment to improve clarity

3. The maximum noise from any activity shall not exceed the following noise limits at any point at or within the boundary of any site within any⁸⁹ following zones:

<u>Zone</u>	<u>Maximum Noise Limit</u>		
	<u>Daytime</u> <u>(Monday–</u> <u>Friday)</u> <u>7:00am-</u> <u>10:00pm</u>	<u>Saturdays,</u> <u>Sundays</u> <u>and Public</u> <u>Holidays</u> <u>7:00 am –</u> <u>10:00 pm</u>	<u>Night-time</u> <u>10:00pm-7:00am</u>
<u>SARZ Sport and</u> <u>Recreation Zone</u> <u>PORTZ Port Zone</u> <u>AIRPZ Airport</u> <u>Zone</u> <u>CMUZ</u> <u>Commercial and</u> <u>Mixed Use Zones</u> <u>STADZ Stadium</u> <u>Zone</u> <u>LIZ Light</u> <u>Industrial</u> <u>Zone</u>	60 dB LAeq	55 dB LAeq	50 dB LAeq 75 dB LAFmax
<u>GIZ General</u> <u>Industrial Zone</u> <u>PORTZ Port Zone</u> <u>BCZ Buller-</u> <u>Coalfield Zone</u> <u>MEZ Mineral-</u> <u>Extraction Zone</u>	65 dB LAeq	65 dB LAeq	65 dB LAeq

4. Noise from any activity shall not exceed the following noise limits at any point at the notional boundary of any sensitive activity within any of the following zones:

<u>Zone</u>	<u>Maximum Noise Limit</u>		
	<u>Daytime</u> <u>(Monday–</u> <u>Friday)</u> <u>7:00am-</u> <u>10:00pm</u>	<u>Saturdays,</u> <u>Sundays</u> <u>and Public</u> <u>Holidays</u> <u>7:00 am –</u> <u>10:00 pm</u>	<u>Night-time</u> <u>10:00pm-7:00am</u>
<u>SARZ Sport and</u> <u>Recreation Zone</u> <u>AIRPZ Airport</u> <u>Zone</u> <u>CMUZ</u> <u>Commercial and</u> <u>Mixed Use Zones</u>	55 dB LAeq	55 dB LAeq	45 dB LAeq 75 dB LAFmax

⁸⁹ Minor amendment to improve clarity

<p><u>STADZ</u> Stadium Zone</p> <p><u>LIZ</u> Light Industrial Zone</p> <p><u>GIZ</u> General Industrial Zone</p> <p><u>PORTZ</u> Port Zone</p> <p><u>BCZ</u> Buller Coalfield Zone</p> <p><u>MINZ</u> Mineral Extraction Zone</p>					
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NOISE – R5⁹⁰	Emission of Noise in the RESZ – Residential Zones, SETZ – Settlement Zone and NOSZ – Natural Open Space Zone
<p>Activity Status Permitted Where:</p> <p>1. Noise generated by any activity shall not exceed the following noise limits at any point within another site in the RESZ – Residential Zones, SETZ – Settlement Zone and NOSZ – Natural Open Space Zone:</p> <p>a. 7:00am to 7:00pm Monday to Friday and 8:00am to 5:00pm weekends and public holidays: 55 dB $L_{Aeq}(15\text{ min})$</p> <p>b. 7:00pm to 7:00am Monday to Friday and 5:00pm to 8:00am weekends and public holidays: 45 dB $L_{Aeq}(15\text{ min})$</p> <p>c. 7:00pm to 7:00am all days - 70 dB L_{AFmax}</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p>
NOISE – R6⁹¹	Emission of Noise in the GRUZ – General Rural Zone, RLZ – Rural Lifestyle Zone, MPZ – Māori Purpose Zone, FUZ – Future Urban Zone, SARZ – Sport and Recreation Zone and OSZ – Open Space Zone.
<p>Activity Status Permitted Where:</p> <p>4. Noise generated by any activity shall not exceed the following noise limits at any point within the notional boundary of any sensitive activity within any site receiving noise:</p> <p>a. 7:00am to 10:00pm Monday to Friday and 8:00am to 8:00pm weekends and public holidays: 55 dB $L_{Aeq}(15\text{ min})$</p> <p>b. 10:00pm to 7:00am Monday to Friday and 8:00pm to 8:00am weekends and public holidays: 45 dB $L_{Aeq}(15\text{ min})$</p> <p>c. 10:00pm to 7:00am all days - 75 dB L_{AFmax}</p>	<p>Activity status where compliance not achieved: Restricted Discretionary</p>

⁹⁰ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

⁹¹ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

NOISE - R7⁹²	Emission of Noise in all CMUZ - Commercial and Mixed Use Zones, HOSZ - Hospital Zone, STADZ - Stadium Zone and SETZ - PREC2 - Settlement Zone - Settlement Centre Precinct.	
Activity Status Permitted Where: 1. Noise generated by any activity shall not exceed the following noise limits at the notional boundary of any sensitive activity within any site receiving noise: a. 6:00am to 11:00pm Monday to Friday and 7:00am to 10:00pm weekends and public holidays: 55 dB L _{Aeq} (15 min) b. 11:00pm to 6:00am Monday to Friday and 10:00pm to 7:00am weekends and public holidays: 45 dB L _{Aeq} (15 min) c. 11:00pm to 6:00am all days - 75 dB L _{AFmax}	Activity status where compliance not achieved: Restricted Discretionary	
NOISE - R8⁹³	Emission of Noise within the GIZ - General Industrial and LIZ - Light Industrial Zone	
Activity Status Permitted Where: 1. Noise generated by any activity shall not exceed the following noise limits at the notional boundary of any sensitive activity within any site receiving noise: a. 7:00am to 10:00pm Monday to Friday and 7:00am to 10:00pm weekends and public holidays: 60 dB L _{Aeq} (15 min) b. 10:00pm to 7:00am Monday to Friday and 10:00pm to 7:00am weekends and public holidays: 45 dB L _{Aeq} (15 min) c. 10:00pm to 7:00am all days - 75 dB L _{AFmax}	Activity status where compliance not achieved: Restricted Discretionary	
NOISE - R9	Emission of Noise from Port Activities within the PORTZ - Port Zone	
Activity Status Permitted Where: 1. The maximum noise generated from port ⁹⁴ activities is in accordance with the limits, control boundaries and methods of measurement as outlined in NZS 6809: 1999 Acoustics Port Noise Management and Land Use Planning. 2. All activities are conducted in accordance with a Port Noise Management Plan that is reviewed annually, sets	Activity status where compliance not achieved: Restricted Discretionary	

⁹² Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

⁹³ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

⁹⁴ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

out the details of how NZS 6809 is being implemented, and is publicly available on the port operator's website.⁹⁵

NOISE - R10	Emission of Noise within the AIRPZ - Airport Zone	
<p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> Noise from aircraft operations at Hokitika and Westport Airports and Greymouth, <u>Haast</u>⁹⁶ and Karamea Aerodromes must be measured and assessed in accordance with NZS 6805: 1992 Airport Noise Management and Land Use Planning; Noise from helicopter operations at Franz Josef Heliport must be measured and assessed in accordance with NZS 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas; <p><u>2X. Noise from essential unplanned engine testing for scheduled passenger services is exempt from NOISE-R10.1 above.</u>⁹⁷</p> <p><u>2Y. Noise from all other engine testing shall comply with the noise limits set out in NOISE-RX.</u>⁹⁸</p> <p>3. The maximum noise levels from aircraft engine testing at any point within the boundary of a site within a RESZ – Residential Zone, MPZ – Māori Purpose Zone or RURZ – Rural Zone shall not exceed:</p> <ol style="list-style-type: none"> on any day 7.00am to 10.00pm exceed 55 dB L_{Aeq} (15 hour) on any day 10.00pm to 7.00am not exceed 45 dB L_{Aeq} (9 hours) and 75 dB L_{Amax}; and⁹⁹ <ol style="list-style-type: none"> The maximum noise generated from aircraft operations at <u>Hokitika and Westport Airports and Greymouth, Haast Airfield and Karamea Aerodrome</u>¹⁰⁰ over any 90 continuous days shall not exceed: <ol style="list-style-type: none"> 55 dB L_{dn} at or beyond the noise contour boundary shown on the planning maps; and The maximum noise generated from helicopter operations at Franz Josef Heliport over any 7 continuous days, shall not exceed: 		<p>Activity status where compliance not</p>

⁹⁵ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.544)

⁹⁶ Consequential to recommendation to include Haast Airfield in the Airport Zone

⁹⁷ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.545)

⁹⁸ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.545)

⁹⁹ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

¹⁰⁰ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.545)

<p>a. 50 dB L_{dn} at or beyond the noise contour boundary shown on the planning maps; and</p> <p>6. Standards 4 and 5 above do not apply to:</p> <p>a. Aircraft landing or taking off in an emergency; and</p> <p>b. Emergency flights required to rescue persons from life threatening situations or to transport patients, human organs or medical personnel in medical emergency situations; and</p> <p>c. Aircraft undertaking firefighting duties; and</p> <p>d. Military aircraft movements; and</p> <p>e. Aircraft using the Hokitika Airport in preparation for and participation in air shows.</p> <p>7. In order to audit compliance with this rule, noise level monitoring must be carried out for a minimum of three months every five years with the resulting report forwarded to the Council within one month of that monitoring being completed.</p> <p><u>7. All activities are conducted in accordance with a Noise Management Plan that is reviewed annually, sets out details of how NZS 6805 or NZS 6807 is being implemented, and is publicly available on the facility operator's website.</u>¹⁰¹</p>	
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NOISE - R11¹⁰²	Emission of Noise within the BCZ - Buller Coalfield Zone and MEZ - Mineral Extraction Zone
<p>Activity Status Permitted</p> <p>Where:</p> <p>1. The maximum noise generated from activities does not exceed the following limits at at any point within the notional boundary of any sensitive activity within any site receiving noise:</p> <p>1. 7:00am to 10:00pm Monday to Friday and 7:00am to 10:00pm weekends and public holidays: 55 dB $L_{Aeq}(15 \text{ min})$</p> <p>2. 10:00pm to 7:00am Monday to Friday and 10:00pm to 7:00am weekends and public holidays: 45 dB $L_{Aeq}(15 \text{ min})$</p> <p>3. 10:00pm to 7:00am all days - 75 dB L_{AFmax}</p>	<p>Activity status where compliance not achieved:</p> <p>Restricted Discretionary</p>

¹⁰¹ Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.545)

¹⁰² Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190.540) and others

Restricted Discretionary Activities

NOISE - R12

Emission of Noise not meeting Permitted Activity Standards

Activity Status Restricted Discretionary

Activity status where compliance not achieved: N/A

Discretion is restricted to:

- a. Effects on the health and wellbeing of people;
- b. Ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;
- c. The level, hours of operation, duration and nature of the noise;
- d. The primary purpose and the frequency of use of the activity;
- e. Proximity and nature of nearby activities and the adverse effects they may experience from the noise;
- f. Effects on character and amenity values on the surrounding environment; and
- ~~g. Effects on the health and wellbeing of people;~~¹⁰³
- h. Effects on wildlife and habitat values;
- i. The temporary or permanent nature of any adverse effects;
- j. Any noise reduction measures;
- k. The functional need and/or¹⁰⁴ operational need of the activity.¹⁰⁵

¹⁰³ Waka Kotahi NZ Transport Agency (S450.172), Buller Conservation Group (S552.156), Frida Inta (S553.156)

¹⁰⁴ Minor amendment for consistency of language throughout the pTTPP

¹⁰⁵ Westpower Limited (S547.490)

NOISE -R13	New Buildings for Use by a Sensitive Activity and Additions to Existing Buildings for Use by a Sensitive Activity not meeting Acoustic Insulation Requirements of Rule NOISE - R3
Activity Status Restricted Discretionary Discretion is restricted to: <ol style="list-style-type: none"> The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site; and The impact of any sensitive activity that does not provide the required acoustic insulation on the ability of existing or future permitted business activities to operate or establish without undue constraint. 	Activity status where compliance not achieved: N/A

¹⁰⁶ NOISE -R13A	<u>New Buildings for Use by a Sensitive Activity and Additions to Existing Buildings for Use by a Sensitive Activity within the 60dB L_{AFmax} contour of the Westport Rifle Range Noise Overlay</u>
<u>Activity Status Restricted Discretionary</u> <u>Discretion is restricted to:</u> <ol style="list-style-type: none"> <u>The provision of a report from an acoustic specialist which provides evidence that the level of acoustic insulation is appropriate to ensure the amenity of present and future residents of the site; and</u> <u>The impact of any sensitive activity that does not provide the required acoustic insulation on the ability of lawfully established activities at the Westport Rifle Range to operate without undue constraint.</u> 	<u>Activity status where compliance not achieved: N/A</u>

¹⁰⁶ Dean Trott (S330.002), Westport Pistol Club (S336.016), Chris Hartigan (S338.002), Westport Rifle Club Incorporated (S457.009)

Recommended amendments to Definitions

'Audible bird scaring device' means a gas gun, avian distress alarm or other such device used for the purposes of scaring birds.¹⁰⁷

¹⁰⁷ Federated Farmers of New Zealand (S524.103)

Recommended amendments to Appendices

Appendix X – Acceptable Construction Design for Acoustic Insulation Requirements for New Buildings for Use by a Sensitive Activity Subject to Noise R3¹⁰⁸

Part A: Approved construction requirements for compliance with Noise-R3 1 a i) and Noise-R3 1 c i)

<u>Applicability</u>	
	<p>Construction requirements detailed in this appendix are only applicable where:</p> <ol style="list-style-type: none"> 1. <u>The building containing the sensitive activity is located with the State Highway Noise Control Boundary Overlay shown on the planning maps or is within 60m of an Existing Rail Corridor,</u> 2. <u>The building is a single level construction,</u> 3. <u>The floor of the building is a reinforced concrete slab,</u> 4. <u>No habitable room of the building is located less than 4.5 metres from the road boundary,</u> 5. <u>The total area of glazing in any habitable room is no greater than 20% of the total area of external walls of that room.</u> 6. <u>The roof of the building is a standard timber truss design, with a pitch of not less than 15 degrees. Ventilation of the roof space must only be via casual ventilation typical of the jointing, capping and guttering detail used in normal construction.</u> <p>In all other situations, a design report from a suitably qualified acoustics specialist is required.</p>
<u>Construction Options</u>	
<p><u>Exterior Walls Option 1</u></p>	<p><u>Exterior cladding of Aerated Concrete or similar, with a surface mass not less than 27 kg/m².</u></p> <ul style="list-style-type: none"> • <u>Timber framing of not less than 90 mm, with studs at 600 mm centres. A ventilated cavity is not required under this option but is permissible, with or without a rigid air barrier,</u> • <u>Fibrous insulation of minimum R2.6. This includes fibreglass, polyester and wool, but does not include polystyrene or other foam sheet insulation products,</u> • <u>1 layer of 10 mm thick Standard Gib board or alternative gypsum board having a surface mass not less than 6 kg/m².</u>

¹⁰⁸ KiwiRail Holdings Limited (S442.088), Gina Hogarth (S304.002), Misato Nomura (S151.002), Ngāi Tahu (S620.211)

Applicability	
<u>Exterior Walls</u> <u>Option 2</u>	<p><u>Exterior cladding of Profiled sheet metal not less than 0.45 mm thick.</u></p> <ul style="list-style-type: none"> • <u>20 mm thick battens forming a ventilated cavity,</u> • <u>Rigid air barrier consisting of Plywood not less than 9 mm thick or Fibre Cement not less than 4 mm thick, or alternative sheet product having a surface mass not less than 5 kg/m².</u> • <u>Timber framing of not less than 90 mm, with studs at 600 mm centres,</u> • <u>Fibrous insulation of minimum R2.6. This includes fibreglass, polyester and wool, but does not include polystyrene or other foam sheet insulation products,</u> • <u>1 layer of 10 mm thick Standard Gib board or alternative gypsum board, having a surface mass not less than 6 kg/m².</u>
<u>Exterior Walls</u> <u>Option 3</u>	<p><u>Exterior cladding of Fibre Cement weatherboards, with a surface mass not less than 18 kg/m² (Hardies Linea or equivalent)</u></p> <ul style="list-style-type: none"> • <u>20 mm thick battens forming a ventilated cavity,</u> • <u>Rigid air barrier consisting of Plywood not less than 7 mm thick or Fibre Cement not less than 4 mm thick, or alternative sheet product having a surface mass not less than 3.8 kg/m².</u> • <u>Timber framing of not less than 90 mm, with studs at 600 mm centres,</u> • <u>Fibrous insulation of minimum R2.6. This includes fibreglass, polyester and wool, but does not include polystyrene or other foam sheet insulation products,</u> • <u>1 layer of 10 mm thick Standard Gib board or alternative gypsum board, having a surface mass not less than 6 kg/m².</u>
<u>Glazing and</u> <u>Exterior doors</u> <u>- All options</u>	<ul style="list-style-type: none"> • <u>Windows to consist of double glazing consisting of a minimum of 2 layers of 4 mm thick glass separated by a 12 mm airgap, with airtight seals,</u> • <u>External doors to be either double glazed to the same standard as windows, or be a solid timber construction with a surface mass not less than 24 kg/m² and incorporating full perimeter seals.</u>
<u>Roof – All</u> <u>Options</u>	<ul style="list-style-type: none"> • <u>Profiles metal roofing not less than 0.45 mm thick profiled steel or tiles,</u> • <u>Fibrous insulation of minimum R6. This includes fibreglass, polyester and wool, but does not include polystyrene or other foam sheet insulation products,</u> • <u>2 layers of 10 mm Standard Gib board or alternative gypsum board, with each layer having a surface mass</u>

Applicability	
	<u>not less than 6 kg/m².</u>

Part B: Approved construction requirements for compliance with Noise-R3 1 a iii) and Noise-R3 1 c iii)

Any new buildings or alterations to existing buildings containing a sensitive activity, closer than 60 metres to the boundary of an Existing Rail Corridor and is a single storey framed building with:

- a. 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
- b. vibration isolation separating the sides of the floor slab from the ground; and
- c. no rigid connections between the building and the ground

In all other situations, a design report from a suitably qualified specialist is required demonstrating Compliance with Rule R3 1 c iii).

New buildings and alterations must meet the ventilation requirements of Rule R3.1.f¹⁰⁹

¹⁰⁹ KiwiRail Holdings Limited (S442.088)
