

## **Proposed Plan Hearing – Noise 4 September 2024 – Bert Hofmans**

### *Who are we?*

1. Thank you for the opportunity to speak to my submission. I appreciate its late in the day and you have probably had to listen to a long list of submitters already. I will try and keep it as succinct as possible.
2. My wife and I have owned property at Karamea for over 20 years. One of the many attractions for purchasing the property was its proximity to the Karamea Aerodrome. Approx 6 hectares over 3 titles, we have leased the property to a neighbouring dairy farmer for more than 15 years. There are currently no dwellings on the property. Refer to Appendix A for our property location.
3. We are not speculators or developers. We simply wish to build a home for ourselves on a lifestyle block. We have a current certificate of compliance for 6 dwellings over our 3 titles. This is not our plan but is simply a way to keep our options open and to protect ourselves from unreasonable changes to planning rules.
4. In summary, we have some simple aspirations for our property which are being significantly affected by the Proposed Plan.

### *What is my submission?*

5. We (because my wife also made the same submission) submitted on the:
  - a. Natural Hazards;
  - b. Coastal Environment;
  - c. General Rural Zone;
  - d. Airport Zone;
  - e. and Noise Sections of the Proposed Plan.
6. Today, I am speaking to you on the Noise Chapter, because while the Airport Noise Contour Overlay covers a small part of our property it does impact us, as I'll explain later.

7. In my submission on the Noise Chapter, I requested that:
  - a. the Noise Contour Overlay for the Karamea Aerodrome is removed from our property, and;
  - b. that Noise Rule 3 regarding the establishment of noise sensitive activities is deleted, or:
  - c. that additional text is added to Noise Rule 3.1.f that allows for a lower level of acoustic treatment provided it is registered on the title as a consent notice.
8. The reasons I objected are that the rules will be difficult and costly to comply with, especially for an off-grid dwelling.
9. I supported the submission of Building-Coast Wide and Buller District Council which also sought the deletion of Rule 3 on the basis it is difficult and costly to determine compliance when the rule is unnecessary.

*The s42a Officers Report*

10. None of these requests were supported in the section 42a officers' report.

*What are my concerns?*

11. I am concerned that:
  - a. The rules are onerous especially when considering other plan provisions being introduced. It is not just the proposed noise rules, it is also the proposed rules regarding rural density, coastal hazards and flood susceptibility. If adopted, we will end up shifting from a planning framework where we are allowed to build up to two houses on each title without resource consent, to a planning framework where we cannot build any dwelling without resource consent. We will:
    - i. need a resource consent for any dwelling on our property because of the coastal alert rules;

- ii. need a resource consent to build a second dwelling on a title (because the proposed rules density rules only allow for 1 dwelling /4ha);
- iii. need a resource consent because of non-compliance with the noise standards.... or we spend significantly more on the build to achieve these standards and avoid resource consent.

There are considerable compliance costs associated with each of these requirements. I ask what has changed in Karamea that justifies these changes to the planning regime?

- b. The proposed noise rules for Karamea Aerodrome seem disproportionate to the issue. They appear to be a copy and paste exercise using generic rules designed for busy airports next to busy urban residential environments. Not a relatively quiet rural aerodrome located in the middle of a quiet rural environment /zone (which I understand is probably the least sensitive environment to noise) with a very low density housing. I note the closest residential zone is 1km away from the aerodrome buildings.
- c. Figures<sup>1</sup> obtained last week from the Karamea Aerodrome show only 372 landings last year (2023/24) which is about 1 per day. I suspect very few, if any, will be at night. In the previous year the number of landings was lower at 237 (2022/23) and pre-covid they were around 600 per year which is still less than 2 landing per day.
- d. On the back of this, the proposed rules require us to install a heat pump (that we will probably never use) to meet the ventilation requirements so that we can sleep at night with the windows closed and have the heat pump running to provide the required ventilation. I know this is something we would never do and wonder how common and realistic this is with the current cost of electricity? Is this requirement realistic particularly in this location?

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<sup>1</sup> Email provided Karema Aerodrome 29 August 2024.

- e. I'm concerned compliance with Rule 3 will be expensive and costly, particularly for off-grid dwellings (as most of them are in this area). I have costed an additional \$24,000<sup>2</sup> for a heat pump that we will probably never use or need (this includes the cost of additional solar panels, extra batteries, the heat pump supply and installation, and the acoustic design certificate). This represents over 10% of the estimated build cost and this is solely the cost of meeting the ventilation standards and does not include any additional construction costs for acoustic treatment of the dwelling. The alternative for us is to connect to the reticulated power network. When we costed this some 10 years ago, it was estimated to be about \$30,000.
- f. I'm also concerned the rule is impractical and in particular the requirement for a quiet heat pump i.e. '35 dBLA<sub>eq(30s)</sub> measured 1metre away from the grille'. I tried to find a heat pump that met this requirement but couldn't because of dissimilarities in the way the noise from a heat pump is represented. I also question whether this requirement is also for the benefit of neighbouring dwellings, which in our situation are over 500m away.
- g. I'm concerned the proposed the noise rule will create perverse outcomes for questionable benefits. Firstly, the noise from the heat pump will be more annoying than the 1 plane landing/day given the quiet background noise levels. Who wants to live in a rural area and listen to the drone of a heat pump? Secondly, the Noise Contour Overlay for Karamea Aerodrome has the unintended consequence of pushing any future dwelling location away from the airport and closer to the coast which is not a good planning outcome.
- h. I'm concerned there has been an over reliance on the advice of noise consultants with little consideration of the impact on property owners and limited justification or section 32 analysis for the imposition of the rules, particularly in Karamea.

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<sup>2</sup> Costings confirmed verbally by Gridfree, 4 September 2024.

- i. Finally, I'm also concerned there has been limited consideration of alternatives in the officer's report. The only alternative considered is a no-complaints covenant requested by a submitter. This request is disregarded because of the administration and monitoring costs – presumably for Council. The alternative I provided in my submission was not assessed.

12. In summary, while the proposed regime may be suitable for an urban airport close to a residential environment I do not think it is appropriate here and a more nuanced proportional approach to the actual issues should be adopted.

*What am I'm asking the Commissioners?*

13. To take the time and consider carefully what is being requested. Preparing a submission and presenting at a hearing is a time consuming exercise for submitters.
14. Consider the wider context and make your decisions proportional to the issues – these are just one additional, and in my view, overly onerous requirements of a new planning regime placed on a community that seemed to be functioning okay under the previous plan.
15. Please consider the cost implications of your decision.
16. Please ensure your response is proportional to the issue. Are you cracking a walnut with a sledgehammer?
17. In formulating your decision, I'm asking that you present the following questions to your planner:
  - a. Was the problem/issue at Karamea Aerodrome well defined? That is:
    - i. has the Council received noise complaints about the Karamea Aerodrome and if so how many?
    - ii. how many of the 200 landings/annum occur at night? How much sleep disturbance is there?

- iii. how many people do you expect will live within close proximity to the Karamea Aerodrome under current rural zoning, and how many are likely to complain about noise from the aerodrome?
  - iv. does the Karema Aerodrome really need a noise overlay. Is it really critical infrastructure outside of a civil defence emergency?
  - v. should it be treated the same as the other airports when it is surrounded by General Rural Zoning with a limited dwelling density likely to limited even further under the proposal plan?
- b. Were a sufficient range of options identified to address the problem or issue and were they critically compared before narrowing in on the preferred option? Were all the benefit and costs of the proposal identified and assessed as per the MFE Guide to Section 32 of the RMA.
  - c. Why is there no consideration in the officer’s report of the compliance costs on property owners of the proposed rule when the costs to Council of administering a no-complaints covenant were used to rule out this alternative requested by submitters? (section 42a page 47 ).
  - d. Finally, can this planning regime be reasonably implemented at a later date through a plan change if and when there is an issue or there is a real risk of one occurring?

18. In summary, once you have the answers to these questions, I believe you will agree the rules are little over the top. I ask that you:

- a. remove our property from the Noise Contour Overlay for Karamea Aerodrome, or;
- b. remove the reference to Karamea Aerodrome from Rule 3.1.d; or
- c. delete Rule 3.1.f regarding ventilation; or
- d. as a bare minimum, add the following wording to Rule.3 –“except where the property owner accepts a form or level of acoustic treatment that results in a

different internal design sound level and accepts that this is registered on the certificate of title in the form of a consent notice.”

19. I believe my submission provides sufficient scope for these outcomes.

**APPENDIX A – PROPERTY LOCATION (HIGHLIGHTED YELLOW) AND POSSIBLE DWELLING LOCATIONS (RED DOT)**

