

Waitomo District Council

Hearing on submissions on the Proposed Waitomo District Plan

Report and Decisions of the Independent Hearing Commissioners

Decision Report:

Chapter 37. Noise

19 June 2025

Commissioners

Greg Hill (Chair)

Wikitōria Tāne

Allan Goddard

Phil Brodie

TABLE OF CONTENTS

1.	Introduction	3
2.	Hearing arrangements.....	3
3.	Submitter evidence.....	4
4.	Panel decision	5
5.	Conclusion	7
6.	Appendix 1 – Submission Table	9
7.	Appendix 2 – Decisions Version of the Chapter.....	10
8.	Appendix 3 – Section 32AA Evaluation	11

1. Introduction

1. This Decision Report relates to all the submissions received by the Waitomo District Council (Council) on Chapter 37 Noise. This includes related provisions within the Proposed Waitomo District Plan (PDP) such as Definitions (Chapter 9) and Appendices and Schedules (Part 4).
2. The chapter seeks to recognise that while noise is an expected component of commercial, industrial and recreational activity across the district, appropriate noise levels are still expected, particularly in the residential zones.

2. Hearing arrangements

3. The hearing was held in person and online **on 16 and 17 July 2024 in Council's** offices at 15 Queen Street, Te Kūiti. All of the relevant information pertaining to this hearing (i.e., section 42A reports, legal submissions and evidence) is **contained on Council's website**.
4. The following parties submitted on this chapter.

Submission No	Submitter
12	Heli A1 Limited
04	New Zealand Agricultural Aviation Association (NZAAA)
21	New Zealand Defence Force (NZDF)
23	Balance Agri-Nutrients
46	Federated Farmers
14	New Zealand Pork Industry Board (NZPIB)
43	Graymont (New Zealand) Ltd
24	Ministry of Education (MoE)
17	Waka Kotahi
18	Auckland Waikato Fish and Game (AWFG)
51	KiwiRail Holdings Ltd (KRH)
27	Horticulture New Zealand (Hort NZ)
02	NZHA
08	Manulife Forest Management (New Zealand) Ltd (MFMNZL)
30	New Zealand Forest Managers Ltd (NZFM)
19	PF Olsen
26	Waitomo District Council
28	Recreational Backcountry Pilots Association; Aircraft Owners and Pilots Association, Cessna 80/185 Group and the Sports Aircraft Association (Pilots Assoc)
37	Joy Hurley
40	Jackson and Hurley

Submission No	Submitter
41	Gary and Joy Jeffries
53	Director-General of Conservation
28	Pilots Assoc
16	Fire and Emergency New Zealand (FENZ)
FS01	Apiculture NZ
FS23	Te Nehenehenui Trust
FS19	PF Olsen
FS07	Grant Lennox
FS13	NZAAA
FS15	New Zealand Helicopter Association (NZHA)
FS05	Federated Farmers
FS04	Farmers Air
FS12	MFMNZL
FS03	Director-General of Conservation
FS14	NZDF
FS18	Omya
FS09	Kāinga Ora

5. The Panel heard from Terry Calmeyer on behalf of Graymont (New Zealand) Ltd at the hearing on 16 July 2024 and from Tony Michelle, on behalf of the New Zealand Agricultural Aviation Association and the New Zealand Helicopter Association at the hearing on 17 July 2024.

3. Submitter evidence

6. In her verbal evidence and in response to questions from the Panel, Terry Calmeyer on behalf of Graymont (New Zealand) Ltd:

- Supported the amendments to NOISE-R19 addressing blasting activities.
- Recommended a new definition is added as follows: *blasting means a planned blasting event within a set window of time and can include a number of blasts undertaken within that set window of time.*

7. In his verbal evidence and in response to questions from the Panel, Tony Michelle, on behalf of the New Zealand Agricultural Aviation Association:

- Supported the correction proposed by Waitomo District Council to clarify there is no intention to restrict flight movements in the general rural, natural open space or rural production zones or aerodrome precinct.
- Supported the amendment of NOISE-R8 to exempt both noise emitted by helicopters used by the Department of Conservation undertaking a

conservation activity and take offs and landings of fixed-wing aircraft from the noise provisions.

8. In his verbal evidence and in response to questions from the Panel, Tony Michelle, on behalf of the New Zealand Helicopter Association:
 - Similarly supported the changes as listed in the bullet points above.
 - **Did not consider that the plan's provisions** adequately provided for other commercial aviation activities. The Association would like movements of commercial helicopters to be permitted where their operations are of a temporary and infrequent nature.
 - **Did not consider the plan's provisions adequately provided for the** intermittent and infrequent use of helicopter landing areas. The submitter explained the necessity for staging areas for helicopters for operations such as supporting critical infrastructure and conducting activities where a using crane is not possible. The following exemption was suggested: *Helicopters used for construction, maintenance, repair and transportation of persons and equipment for operations other than tourism.*
 - Supported the requirement for a resource consent for permanent heliports.
 - Requested amendment of NOISE-R8 as the guidelines referred to either have been or are in the process of being superseded.

4. Panel decision

9. Having considered the submissions and evidence presented, the Panel acknowledged the general support for the PDP's amended provisions.
10. The Panel agreed with the aim of chapter 37 to provide for noise generating activities within acceptable and appropriate limits. The Panel found that:
 - It is appropriate for the plan to set zone-specific noise limits and to recognise that some activities such as construction, bird scaring devices, and frost fans, have unique noise characteristics which require tailored plan provisions.
 - It is necessary for the plan to provide rules for managing noise both at the source and at the receptor, depending on the effects which need to be managed.
 - It is appropriate to exempt some activities from the noise rules including those relating to a public good such as emergency response and fire sirens, as well as those that could be reasonably expected to occur in a particular zone. By way of example, in the general rural zone, noise from farm animals including farm dogs, recreational hunting and agricultural vehicles is exempt from the noise rules.
11. **In considering Ms Calmeyer's request to include** a new definition of blasting:

blasting means a planned blasting event within a set window of time and can include a number of blasts undertaken within that set window of time.

12. The Panel examined the provision but considered the amendment to NOISE-R19.5 provided a sufficient explanation of blasting. The rule provides for 'blasting which may include a series of one or more blasts undertaken within a short time period'. The Panel's **view was** that adding a definition may confuse interpretation of the rule, particularly the dual reference to 'a set window of time'. **They considered a** definition was not needed as the term was commonly understood and the rule (NOISE-R19) made clear provision for the activity.
13. **In considering Mr Michelle's** request that the intermittent or irregular use of helicopter landing areas is added to the exemptions, the Panel agreed in part with the Section 42A report that it is not appropriate to enable unfettered flight movements in zones other than the general rural, rural production and natural open space zones. However, they **also agreed with Mr Michelle's** view that **plan's** provisions did not adequately provide for temporary and infrequent commercial aviation activities in other zones.
14. The Panel considered the amendment proposed by the New Zealand Helicopter Association which seeks an exemption from the noise rules as follows:

Helicopters used for construction, maintenance, repair and transportation of persons and equipment for operations other than tourism
15. The Panel considered that the exemption proposed was too broad and could be open to interpretation should the Council need to abate or enforce a noise issue. They were particularly concerned about the absence of temporal boundaries in the exemption rule. The Panel did not consider that a blanket exemption was necessary to address the issue Mr Michelle raised – being to provide a pathway for helicopter noise associated with construction generally and infrastructure construction, maintenance and repair specifically.
16. The Panel considered that the best way to provide for noise of this nature with short-term effects that are potentially disruptive, was to employ a permitted activity provision to ensure the activity can proceed within identified constraints. The Panel concluded that this approach provided for the operational necessities of logistically complex King County terrain while setting time-bound standards and managing cumulative effects. This is achieved by limiting the activity to two consecutive weeks annually per project and specifying operating hours so as to minimise nuisance. They considered that a blanket exemption could not adequately provide for these matters or manage the associated effects.
17. The Panel considered discretionary activity status was appropriate as the default where permitted standards could not be achieved. This would ensure a full assessment of effects and potential mitigation measures. The rule reads:

<u>NOISE-RX.</u>	<u>Emission of noise from helicopters during construction projects</u>
<u>Activity Status: PER</u> <u>Where:</u> 1. <u>The activity is for building construction purposes or for infrastructure construction, maintenance and repair; and</u>	<u>Activity status where compliance is not achieved: DLS</u>

<p>2. <u>The activity is undertaken for a period of not more than two consecutive weeks annually per construction or infrastructure project; and</u></p> <p>3. <u>The activity only operates during the hours of 9am – 5pm, Monday to Saturday.</u></p>	
---	--

18. Section 32AA: See Appendix 3. This change has the effect of accepting in part the following submission points from the New Zealand Agricultural Aviation Association, the New Zealand Helicopter Association and Federated Farmers: 02.18, FS05.04, FS13.18 and FS15.02.

19. The Panel agreed in part with Mr Michelle that the wording in NOISE-R8(h) 'Whether the proposal is in accordance with non-statutory guidelines such as Helicopter Association International Fly Neighborly Guide 1993 and the operation is AIRCARE accredited' **should be replaced with** 'whether the proposal meets New Zealand Industry Best Practice Guidelines'.

20. The Panel noted that the Helicopter Association International (HAI) Fly Neighborly Guide, originally published in 1993, had not been officially superseded although HAI rebranded as Vertical Aviation International (VAI) in February 2024. The Fly Neighborly Guide, remains in place. AIRCARE has been superseded by the Spreadmark Certification Programme and Growsafe Accreditation (Aerial) Programme. The Panel proposes the following wording:

'Whether the proposal meets New Zealand industry best practice guidelines such as the Helicopter Association International Fly Neighborly Guide 1993, the Spreadmark Certification Programme or Growsafe Accreditation (Aerial) Programme'.

21. Section 32AA: The proposed amendment removes reference to a superseded document and replaces that reference with the current documents. It also adds **reference to** 'New Zealand industry best practice guidelines'. These amendments do not have the effect of changing how the matter of discretion is assessed, but rather they ensure the most up-to-date versions of documents are referred to. No section 32AA evaluation is required.

22. Otherwise, unless stated in the Panel decision above, the Panel has elected to adopt the recommendations in the Section 42A Report and the Section 42A Addendum Report on this chapter.

5. Conclusion

23. The Panel accepts the recommendations in the section 42A reports and where noted above, the evidence filed by the submitters. The reasons for this are those set out in the section 42A reports, the evidence, and provided in this Decision; collectively forming the section 32AA assessment informing this Decision.

24. Overall, the Panel is satisfied that the provisions of chapter as amended will provide a suitable framework for managing the effects of noise and vibration within the district.

25. The Panel accepts, accepts in part, or rejects the submissions as set out in the section 42A reports.

For the Hearing Panel

A handwritten signature in black ink, appearing to read "Greg Hill", followed by a period.

Greg Hill, Chair

Dated: 19 June 2025

6. Appendix 1 – Submission Table

Noise – Submission points in order of plan provision

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
04.19	New Zealand Agricultural Aviation Association (NZAAA)	Support	NOISE-01	Retain as notified.	Accept
FS07.19	Grant Lennox	Support		Allowed	Accept
12.19	Heli A1 Limited	Support	NOISE-01	Retain as notified.	Accept
FS13.41	NZAAA	Support		Retain the objective as sought	Accept
FS15.22	New Zealand Helicopter Association (NZHA)	Support		Retain the objective as sought	Accept
21.17	New Zealand Defence Force (NZDF)	Support	NOISE-01	Retain as notified.	Accept
23.09	Balance Agri-Nutrients	Support	NOISE-01	Retain as notified.	Accept
43.73	Graymont (New Zealand) Ltd	Support	NOISE-01	Retain as notified.	Accept
46.71	Federated Farmers	Support	NOISE-01	Retain as notified.	Accept
14.21	New Zealand Pork Industry Board (NZPIB)	Support in full	NOISE-01	Retain as notified.	Accept
43.74	Graymont (New Zealand) Ltd	Support with amendment	NOISE-02	Amend NOISE-02 as follows: Ensure that activities do not generate noise levels which adversely affect amenity values <u>to an unacceptable extent and / or</u> , the health and wellbeing of people and communities.	Reject
24.26	Ministry of Education (MoE)	Support	NOISE-03	Retain as notified.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
17.90	Waka Kotahi	Support	NOISE-O3	Retain as notified.	Accept
18.28	Auckland Waikato Fish and Game (AWFG)	Support	NOISE-O3	Retain as notified.	Accept
21.18	NZDF	Support	NOISE-O3	Retain as notified.	Accept
23.10	Balance Agri-Nutrients	Support	NOISE-O3	Retain as notified.	Accept
51.41	KiwiRail Holdings Ltd (KRH)	Support	NOISE-O3	Retain as notified.	Accept
14.22	NZPIB	Support in full	NOISE-O3	Retain as notified.	Accept
04.20	NZAAA	Support	NOISE-P1	Retain as notified.	Accept
FS01.03	Apiculture NZ	Support		Retain as notified.	Accept
FS07.20	Grant Lennox	Support		Allowed	Accept
12.20	Heli A1 Limited	Support	NOISE-P1	Retain as notified.	Accept
FS13.42	NZAAA	Support		Retain the policy as sought	Accept
FS15.23	NZHA	Support		Retain the policy as sought	Accept
14.23	NZPIB	Support in full	NOISE-P1	Retain as notified.	Accept
18.29	AWFG	Seek amendment	NOISE-P1	<p>Amend as follows:</p> <p>2. The general rural and future urban zones are working <u>recreation</u>, and living environments. Noise from rural activities is an accepted part of these environments, including higher noise levels at night or in the morning during different times of the year.</p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
23.11	Balance Agri-Nutrients	Support	NOISE-P1	Retain as notified.	Accept
27.50	Horticulture New Zealand (Hort NZ)	Oppose with amendment	NOISE-P1	Amend NOISE-P1 (2) as follows: The general rural and future urban zones are working and living environments. Noise from rural activities is an accepted part of these environments, including higher noise levels at night or in the morning during different times of the year.	Reject
FS23.90	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Accept
43.75	Graymont (New Zealand) Ltd	Support	NOISE-P1	Retain as notified.	Accept
46.72	Federated Farmers	Support	NOISE-P1	Retain as notified.	Accept
FS01.04	Apiculture NZ	Support		Grant the relief sought **incorrect sub reference in the further sub**	Accept
04.21	NZAAA	Support	NOISE-P2	Retain as notified.	Accept
FS07.21	Grant Lennox	Support		Allowed	Accept
12.21	Heli A1 Limited	Support	NOISE-P2	Retain as notified.	Accept
FS13.43	NZAAA	Support		Retain the policy as sought	Accept
FS15.24	NZHA	Support		Retain the policy as sought	Accept
17.91	Waka Kotahi	Support	NOISE-P2	Retain as notified.	Accept
FS19.154	PF Olsen	Oppose		Disallow submission point	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
21.19	NZDF	Support	NOISE-P2	Retain as notified.	Accept
23.12	Balance Agri-Nutrients	Support	NOISE-P2	Retain as notified.	Accept
24.27	MoE	Support	NOISE-P2	Retain as notified.	Accept
46.73	Federated Farmers	Support	NOISE-P2	Retain as notified.	Accept
51.42	KRH	Support	NOISE-P2	Retain as notified.	Accept
02.16	NZHA	Support	NOISE-P3	Retain as notified.	Reject
FS01.01	Apiculture NZ	Support		Retain as notified.	Reject
FS13.16	NZAAA	Support		Retain as notified.	Reject
04.22	NZAAA	Support	NOISE-P3	Retain as notified.	Reject
FS07.22	Grant Lennox	Support		Allowed	Reject
08.32	Manulife Forest Management (New Zealand) Ltd (MFMNZL)	Support	NOISE-P3	Retain as notified.	Reject
FS19.140	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Reject
12.22	Heli A1 Limited	Support	NOISE-P3	Retain as notified.	Reject
FS13.44	NZAAA	Support		Retain the policy as sought	Reject
FS15.25	NZHA	Support		Retain the policy as sought	Reject
21.20	NZDF	Support with amendment	NOISE-P3	Amend NOISE-P3 as follows: Manage noise at source while recognising that some	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				activities are important for the economic and social wellbeing <u>and health, safety and security of communities</u> and may exceed the specified noise levels on a temporary and/or irregular basis. However, there remains a duty for such activities to avoid unreasonable noise.	
23.13	Balance Agri-Nutrients	Support	NOISE-P3	Retain as notified.	Reject
43.76	Graymont (New Zealand) Ltd	Support	NOISE-P3	Retain as notified.	Reject
46.74	Federated Farmers	Support	NOISE-P3	Retain as notified.	Reject
FS01.05	Apiculture NZ	Support		Grant the relief sought **incorrect sub reference in the further sub**	Reject
14.24	NZPIB	Support in full	NOISE-R1	Retain as notified.	Accept
21.21	NZDF	Support with amendment	NOISE-R2.	Delete NOISE-R2; And Add a permitted activity rule specific to temporary military training activities within the Temporary Activities chapter, subject to compliance with performance standards NOISE-R14 and the amendments to NOISE-R14 outlined in other submission points.	Accept in part
27.51	Hort NZ	Support with amendment	NOISE – R4 Emission of noise from audible bird scaring devices	Retain NOISE-R4 but submitter notes proposed amendments requested to NOISE-R16 under other submissions.	Accept
27.52	Hort NZ	Support with amendment	NOISE – R5 Emission of noise from frost fans	Retain NOISE-R5 but submitter notes proposed amendments requested to NOISE-R17 under other submissions.	Accept
30.19	New Zealand Forest Managers Ltd (NZFM)	Oppose	NOISE-R7	No specific decision requested, but the submission opposes the effect of NOISE-R7 on normal use of aircraft.	See 30.20 (R7 manages noise and vibration from blasting rather than aircraft)
FS19.19	PF Olsen	Support		Allow submission point	See 19.20

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
02.17	NZHA	Oppose	NOISE-R8	<p>Amend NOISE-R8 by deleting: helipads, farm helipads and, and replace with: helicopter landing areas (helicopter landing area as defined in submission point 2.05 above):</p> <p>Emission of noise from helipads, farm helipads and helicopter landing areas</p> <p>Delete: general rural and rural production:</p> <p>2) This activity may only be undertaken in the general rural, rural production and Tourism Zone.</p>	Accept in part (see also 'agricultural aviation' in the GRUZ section 42A report)
FS01.02	Apiculture NZ	Support		Grant the relief sought or amend rule NOISE-R8 to exempt general rural and rural production zones	Accept
FS05.03	Federated Farmers	Support		Grant the relief sought or amend rule NOISE-R8 to exempt general rural and rural production zones	Accept
FS13.17	NZAAA	Support in part		<p>Amend the rule as sought as per 02.04</p> <p>Allow the rule change sought by the Waitomo District Council (WDC) point 26.03</p>	Accept
FS15.01	NZHA	Support in part		<p>Amend the rule as sought as per 02.04</p> <p>Allow the rule change sought by the Waitomo District Council (WDC) point 26.03</p>	Accept
04.23	NZAAA	Oppose	NOISE-R8	<p>Amend NOISE-R8 by deleting: helipads, farm helipads and, and replace with: helicopter landing areas:</p> <p>Amend NOISE-R8 as follows:</p> <p>Emission of noise from helipads, farm helipads and helicopter landing areas</p> <p>Delete: general rural and rural production:</p> <p>2) This activity may only be undertaken in the general rural, rural production and Tourism Zone.</p>	Accept in part (see also 'agricultural aviation' in the GRUZ section 42A report)
FS04.01	Farmers Air	Support in part		Allow	Accept
FS07.23	Grant Lennox	Support		Allowed	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS13.21	NZAAA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
FS15.03	NZHA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
12.23	Heli A1 Limited	Oppose	NOISE-R8	<p>Amend NOISE-R8 by deleting: helipads, farm helipads and, and replace with: helicopter landing areas.</p> <p>Emission of noise from helipads, farm helipads and helicopter landing areas</p> <p>Delete: general rural and rural production:</p> <p>2) This activity may only be undertaken in the general rural, rural production and Tourism Zone</p>	Accept in part (see also 'agricultural aviation' in the GRUZ section 42A report)
FS13.45	NZAAA	Support		<p>Amend the rule as sought as per 12.06</p> <p>Allow the rule change sought by the Waitomo District Council (WDC) point 26.03</p>	Accept
FS15.26	NZHA	Support in part		<p>Amend the rule as sought as per 12.06</p> <p>Allow the rule change sought by the Waitomo District Council (WDC) point 26.03</p>	Accept
19.20	PF Olsen	Oppose	Noise-R8	Delete NOISE-R8 and provide for the emission of noise from primary production helipads etc.	Accept
FS12.13	MFMNZL	Support in part		Accept the submission to provide for emission of noise from helipads used for primary production activities as a permitted activity	Accept
FS13.58	NZAAA	Oppose		<p>Reject the decision sought, and</p> <p>Allow the rule change sought by the Waitomo District Council (WDC) point 26.03</p>	Accept
FS15.39	NZHA	Oppose		<p>Reject the decision sought, and</p> <p>Allow the rule change sought by the Waitomo District Council (WDC) point 26.03</p>	Accept
FS23.74	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the</p>	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	
21.22	NZDF	Oppose with amendment	NOISE-R8	Amend NOISE-R8 as follows: Emission of noise from helipads, farm helipads and helicopter landing areas, <u>excluding helicopter landing areas associated with temporary military training activities.</u>	Accept in part
FS13.59	NZAAA	Oppose		Reject the decision as sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
FS15.40	NZHA	Oppose		Reject the decision as sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
26.03	Waitomo District Council	Oppose	NOISE-R8	Amend NOISE-R8 as follows: Activity Status: RDIS Where: 1. There are 10 or more flight movements per month per site (a landing and take-off counts as 2 movements. For less than 10 flight movements per month the zone rules in NOISE – Table 2 apply; and 2. This activity may only be undertaken in <u>This rule does not apply to</u> the general rural, rural production and natural open space tourism zones <u>or to the Aerodrome Precinct – PREC3;</u> and 3. Noise at all times must not exceed 50 db Ldn at any point within any residential, rural lifestyle, Maori purpose or settlement zones, or at or within the notional boundary of any noise sensitive activity; and	Accept
FS03.58	Director-General of Conservation	Support		Allow	Accept
FS04.12	Farmers Air	Support		Allow	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS12.25	MFMNZL	Support in part		Amend Rule R8 as sought but consider a clearer and more logical layout to make it fully clear which zones the rule does and does not apply to, and remove clause 4 which becomes redundant.	Accept in part
FS13.72	NZAAA	Support		Allow the amendment as sought	Accept
FS14.02	NZDF	Support		Allow submission point to amend NOISE-R8 as it is more consistent with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas	Accept
FS15.54	NZHA	Support		Allow the amendment as sought	Accept
27.53	Hort NZ	Oppose	NOISE-R8 Emission of noise from helipads, farm helipads and helicopter landing areas	Amend NOISE-R8 (2) by limiting the rule to the Tourism Zone. And Include agricultural aviation in the definition of 'rural production activities' as sought in another submission point.	Reject (see also 'agricultural aviation' in the GRUZ section 42A report)
FS13.63	NZAAA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
FS15.45	NZHA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
28.01	Recreational Backcountry Pilots Association; Aircraft Owners and Pilots Association, Cessna 80/185 Group and the Sports Aircraft Association (Pilots Assoc)	Support with amendment	NOISE-R8 Emission of noise from helipads, farm helipads and helicopter landing areas	Amend NOISE-R8 to clarify that the rule does not apply to fixed-wing aircraft.	Accept in part
30.20	NZFM	Oppose	NOISE-R8	Delete criteria point 1 from NOISE-R8, so that there is no limit of the number of flight movements in association with the use of helicopters for primary production land uses. (refer submission points 30.19 and 30.21).	Accept
FS13.64	NZAAA	Support in part		Reject the decision sought, and Allow the rule change sought by the Waitomo District	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				Council (WDC) point 26.03	
FS15.46	NZHA	Support in part		Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
FS19.20	PF Olsen	Support		Allow submission point	Accept
37.01	Joy Hurley	Oppose	Noise-R8	Delete NOISE-R8 and NZS 6807:1994 as it relates to limiting agricultural aviation activities and emissions of noise from helipads and landing areas.	Accept in part
FS13.65	NZAAA	Oppose		Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
FS15.47	NZHA	Oppose		Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
40.1	Jackson and Hurley	Oppose	NOISE-R8	Delete NOISE-R8. Or Amend noise-R8 to an unrestricted activity.	Accept in part
41.01	Gary and Joy Jeffries	Oppose	NOISE-R8	Delete NOISE-R8, particularly the noise controls on agricultural aviation activities, helipads, farm helipads and helicopter landing areas.	Accept in part
FS13.66	NZAAA	Oppose		Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
FS15.48	NZHA	Opposed		Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
46.75	Federated Farmers	Oppose with amendment	NOISE-R8	Amend NOISE-R8(2) as follows: 2. This activity may only be undertaken in the general rural, rural production and tourism zones; and And Add agricultural aviation activities in the list of exemptions to the NOISE rules. And Any consequential amendments required as a result of the relief sought.	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS01.06	Apiculture NZ	Support		Grant the relief sought **incorrect sub reference in the further sub**	Accept
FS04.10	Farmers Air	Support in part		Reject amendment sought and Allow rule change sought by WDC 26.03 Allow the additions to the exemptions list as sought.	Accept
FS13.68	NZAAA	Support in part		Reject the amendment sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition to the exemptions list as sought	Accept
FS15.50	NZHA	Support in part		Reject the amendment sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition to the exemptions list as sought	Accept
53.68	Director-General of Conservation	Oppose in part	NOISE-R8	I seek the following or relief to like effect: <u>NOISE-R8</u> <u>Emission of noise from helipads, farm helipads and helicopter landing areas</u> <u>Activity Status: PER Where:</u> <u>The Department of Conservation is undertaking a conservation activity.</u> Any other similar, alternative, additional, or consequential relief which will address the matters outlined above.	Accept
FS13.71	NZAAA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept
FS15.53	NZHA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
24.28	MoE	Support with amendment	NOISE-R9	<p>Add a new matter of discretion to NOISE-R9 as follows: Matters of discretion if compliance is not achieved:</p> <p>(a) The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and</p> <p>(b) <u>The proximity of the activity to existing noise sensitive activities; and</u></p> <p>(c) The degree to ...</p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p>	Accept
18.30	AWFG	Seek amendment	New rule:	<p>Seek the following rule be included in the proposed plan: <u>NOISE-R9 Emission of noise from hunting activities Activity Status: PER</u></p>	Accept in part
24.29	MoE	Support	NOISE-R10	Retain as notified.	Accept
28.02	Pilots Assoc	Support with amendment	NOISE-R10 Noise standards for the general rural and future urban zones.	Amend NOISE-R10 to allow for short-term noise caused by fixed-wing aircraft taking off and landing in the rural zone.	Accept in part
28.03	Pilots Assoc	Support with amendment	NOISE-R11 Noise standards for the open space and natural open space zones	Amend NOISE-R11 to allow for short-term noise caused by fixed-wing aircraft taking off and landing in the open space and natural open space zones.	Accept in part
43.77	Graymont (New Zealand) Ltd	Support	NOISE-R12	Retain as notified.	Accept
28.04	Pilots Assoc	Support with amendment	NOISE-R12 Noise standards for the industrial and rural production zones	Amend NOISE-R12 to allow for short-term noise caused by fixed-wing aircraft taking off and landing in the industrial and rural production zones.	Accept in part
24.30	MoE	Support	NOISE-R13	Retain as notified.	Accept
21.23	NZDF	Oppose with amendment	NOISE-R14	Amend NOISE-R14 to match the noise standards contained in Attachment B to the submission.	Accept in part (no change to recommendation)

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.54	Hort NZ	Oppose with amendment	NOISE-R16 (performance standard) Emission of noise from audible bird scaring devices	Amend NOISE-R16 1(i) to: Audible bird scaring devices must only be used between ½ before sunrise and ½ hour after sunset. And Delete R16 1(iii) And Amend NOISE- R16 2 as follows: The noise from any audible bird scaring device must not exceed 85 dBA <u>65 dB SEL unweighted peak level</u> as measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity located on a separate site or holding.	Accept in part
27.55	Hort NZ	Support	NOISE-R17 (performance standard) Emission of noise from frost fans	Retain NOISE-R17 as notified	Accept
24.31	MoE	Support	NOISE-R17	Retain as notified.	Accept
43.78	Graymont (New Zealand) Ltd	Support with amendment	NOISE-R19	Amend NOISE-R19 as follows: ... <u>5. Blasting, which may include one or more blasts undertaken within a short time period, must not occur more than once per day.</u> This requirement does not apply to minor blasts as identified in the Australian and New Zealand Environment Council - Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration, September 1990 <u>or blasting necessary for safety purposes</u> ; and ... Or Add a definition to address what blasting means, noting that this definition needs to be clear that the term ' blasting ' includes a number of blasts undertaken within a set window of time. In that regard, the definition needs to be clear that the term ' blasting ' refers to a planned blasting event within a set window of time rather than one blast.	Accept
FS18.10	Omya	Support		Adopt this change	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS23.203	Te Nehenehenui	Oppose		<p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p>	Reject
14.25	NZPIB	Support in part	NOISE- Table 2 – Performance Standards	Amend numbering of standards in NOISE Table 2 to clearly differentiate between standards and rules.	Accept
02.18	NZHA	Support in part	Exemptions	<p>Retain the exemptions and add:</p> <p><u>7. the intermittent and/or irregular use of helicopter landing areas.</u> Include definitions of helicopter landing areas as sought above.</p>	Accept in part
FS05.04	Federated Farmers	Oppose		Decline the relief sought	Accept in part
FS13.18	NZAAA	Support in part		Retain the exemptions and add to exemption list as sought <u>if not</u> provided for in NOISE-R8	Accept in part
FS15.02	NZHA	Support in part		Retain the exemptions and add to exception list as sought <u>if not</u> provided for in NOISE-R8	Accept in part
04.24	NZAAA	Support in part	Exemptions	<p>Retain the exemptions but include as a permitted activity rule and add:</p> <p><u>7. the intermittent use of rural airstrips and helicopter landing areas for agricultural aviation activities</u></p> <p>Include definitions of agricultural aviation, helicopter landing areas and rural airstrips as sought above.</p>	Reject (see also 'agricultural aviation' in the GRUZ section 42A report)
FS07.24	Grant Lennox	Support		Allowed	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
12.24	Heli A1 Limited	Support in part	Exemptions	Retain the exemptions but include as a permitted activity rule and add: <u>7. the intermittent use of rural airstrips and helicopter landing areas for agricultural aviation activities</u> Include definitions of agricultural aviation, helicopter landing areas and rural airstrips as sought above.	Reject (see also 'agricultural aviation' in the GRUZ section 42A report)
FS04.07	Farmers Air	Support		Retain exemption and add to the exemption list as sought.	Reject
FS13.46	NZAAA	Support		Retain the exemption and add to the exemption list as sought	Reject
FS15.27	NZHA	Support		Retain the exception and add to the exemption list as sought	Reject
16.26	Fire and Emergency New Zealand (FENZ)	Support	Exemptions	Retain as notified.	Accept in part
30.21	NZFM	Oppose	Advice Notes	No specific decision requested, but the submission opposes the effect of the advice notes in the NOISE chapter on normal use of aircraft.	Accept
08.33	MFMNZL	Support	Advice Note	Retain as notified.	Accept in part
FS19.141	PF Olsen	Support		Allow submission points where there is alignment with the PF Olsen submission	Accept in part
46.76	Federated Farmers	Support with amendment	Advice notes	Retain exemptions for agricultural aviation activities in the NOISE Advice Notes. Or Amend the NOISE rules to provide for the exemptions (including agricultural aviation activities) through a permitted activity status. And Any consequential amendments required as a result of the relief sought.	Accept
FS01.07	Apiculture NZ	Support		Grant the relief sought **incorrect sub reference in the further sub**	Accept
FS04.11	Farmers Air	Support in part		Allow change sought by WDC 26.03 Allow the addition as sought to the list of exemptions.	Accept

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
FS13.69	NZAAA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition as sought to the list of exemptions	Accept
FS15.51	NZHA	Support in part		Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition as sought to the list of exemptions	Accept
19.21	PF Olsen	Oppose	Advice Note 6	Delete the reference to forestry planting and forestry harvesting in advice note 6 in the NOISE chapter.	Reject
FS12.14	MFMNZL	Support in part		Retain the exemptions in the advice note for plantation forestry activities not covered by the NES PF, but add an additional advice note in relation to the NES PF noise regulations as per PF Olsen submission 19.22 below.	Accept
FS23.75	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Accept
19.22	PF Olsen	Support in part	New Advice Note	Insert the following advice note (or words with similar effect) to the NOISE chapter: <u>Noise associated with plantation forestry activities is regulated under the National Environmental Standards for Plantation Forestry 2017 (NES-PF) and is not managed through the District Plan.</u>	Accept in part
FS12.15	MFMNZL	Support in part		Accept the submission to include an advice note regarding regulation 98 of the NES PF noting that it applies to 'plantation forestry activities' defined and regulated under the NES PF.	Accept
FS23.76	Te Nehenehenui	Oppose		Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN	Reject

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	
27.56	Hort NZ	Support with amendment	Advice Notes	Retain the content of the advice notes in the NOISE chapter but include as a permitted activity rule without conditions as notified.	Accept
FS23.91	Te Nehenehenui	Oppose in part		Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for.	Reject
17.92	Waka Kotahi	-	New Rule	<p>Insert new rule as detailed in Appendix B.</p> <p>Attachment B – <u>New Reverse Sensitivity Noise Rules to be imposed in the Noise Chapter</u></p> <p><u>1. Permitted Activity Rule Indoor Noise</u></p> <p><u>a. At any point within 100 metres from the edge of a state highway carriageway, where:</u></p> <p><u>(i) a new building that contains a noise sensitive activity;</u> <u>or</u> <u>(ii) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity;</u> <u>or</u> <u>(iii) a new noise sensitive activity is located in an existing building; is proposed, it is to be:</u></p> <p><u>(iv) Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and</u></p> <p><u>(v) If windows must be closed to achieve the design noise levels in (1)(a)(i), the building is designed, constructed and maintained with a mechanical ventilation system that:</u></p> <p><u>a. For habitable rooms for a residential activity, achieves the following requirements:</u></p> <p><u>i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u></p> <p><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></p> <p><u>iii. provides relief for equivalent volumes of spill air; and</u></p> <p><u>iv. provides cooling and heating that is controllable</u></p>	This matter will be addressed in the infrastructure chapter

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation																										
				<p><u>by the occupant and can maintain the inside temperature between 180C and 250C;</u> <u>and</u> <u>does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u></p> <p><u>b. For other spaces, is as determined by a suitably qualified and experienced person.</u></p> <p><u>c. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1)(a)(i) and (ii) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.</u></p> <p>Table 1</p> <table><tr><th>Occupancy/activity</th><th>Maximum road noise level ^{Note 1} LAeq(24h)</th></tr><tr><td colspan="2"><i>Building type: Residential</i></td></tr><tr><td>Sleeping spaces</td><td>40 dB</td></tr><tr><td>All other habitable rooms</td><td>40 dB</td></tr><tr><td colspan="2"><i>Building type: Education</i></td></tr><tr><td>Lecture rooms/theatres, music studios, assembly halls</td><td>35 dB</td></tr><tr><td>Teaching areas, conference rooms, drama studios, sleeping areas</td><td>40 dB</td></tr><tr><td>Libraries</td><td>45 dB</td></tr><tr><td colspan="2"><i>Building type: Health</i></td></tr><tr><td>Overnight medical care, wards</td><td>40 dB</td></tr><tr><td>Clinics, consulting rooms, theatres, nurses' stations</td><td>45 dB</td></tr><tr><td colspan="2"><i>Building type: Cultural</i></td></tr><tr><td>Places of worship, marae</td><td>35 B</td></tr></table> <p>Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.</p> <p><u>2. Permitted Activity Rule Outdoor Living Area</u> <u>a. Where an outdoor living or outdoor activity space required by another rule in the Plan is within the Noise Corridor Boundary Overlay and the outdoor</u></p>	Occupancy/activity	Maximum road noise level ^{Note 1} LAeq(24h)	<i>Building type: Residential</i>		Sleeping spaces	40 dB	All other habitable rooms	40 dB	<i>Building type: Education</i>		Lecture rooms/theatres, music studios, assembly halls	35 dB	Teaching areas, conference rooms, drama studios, sleeping areas	40 dB	Libraries	45 dB	<i>Building type: Health</i>		Overnight medical care, wards	40 dB	Clinics, consulting rooms, theatres, nurses' stations	45 dB	<i>Building type: Cultural</i>		Places of worship, marae	35 B	
Occupancy/activity	Maximum road noise level ^{Note 1} LAeq(24h)																														
<i>Building type: Residential</i>																															
Sleeping spaces	40 dB																														
All other habitable rooms	40 dB																														
<i>Building type: Education</i>																															
Lecture rooms/theatres, music studios, assembly halls	35 dB																														
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB																														
Libraries	45 dB																														
<i>Building type: Health</i>																															
Overnight medical care, wards	40 dB																														
Clinics, consulting rooms, theatres, nurses' stations	45 dB																														
<i>Building type: Cultural</i>																															
Places of worship, marae	35 B																														

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation				
				<p><u>space is required for a noise sensitive activity, the required outdoor living space is to be designed and maintained to achieve noise levels not exceeding the maximum values in Table 2; and</u></p> <p><u>b. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (2)(a) above prior to the construction or alteration of the any building to which the outdoor living space relates.</u></p> <p>Table 2</p> <table><tr><th>Activity</th><th>Maximum road noise level ^{Note 1} (Leq,1hr)</th></tr><tr><td>Required Outdoor Living Space</td><td>57 dB</td></tr></table> <p>Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.</p> <p><u>3.Restricted Discretionary Activity Rule</u> <u>Any new or altered noise sensitive activity which does not comply with Permitted Activity (1) or (2).</u></p> <p><u>Restricted Discretionary Activity – Matters of Discretion</u> <u>Discretion is restricted to:</u> <u>(a)Location of the building and outdoor living space;</u> <u>(b)The effects of the non-compliance on the health and amenity of occupants; and</u> <u>(c)The outcome of any consultation with Waka Kotahi NZ Transport Agency.</u></p> <p><u>Restricted Discretionary Activity – Assessment Criteria</u> <u>Discretion is restricted to:</u> <u>(a)Whether the location of the building minimises effects;</u> <u>(b)Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants; and</u> <u>The outcome of any consultation with Waka Kotahi NZ Transport Agency.</u></p>	Activity	Maximum road noise level ^{Note 1} (Leq,1hr)	Required Outdoor Living Space	57 dB	
Activity	Maximum road noise level ^{Note 1} (Leq,1hr)								
Required Outdoor Living Space	57 dB								
27.21	Hort NZ	New	Frost fans	<p>Add a new definition for 'Frost fans' as follows:</p> <p><u>Means a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost.</u></p>	Accept				

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
27.20	Hort NZ	New	Audible bird scaring device	<p>Add a new definition for 'Audible bird scaring device' as follows:</p> <p><u>means Gas guns and avian distress alarms used for the purposes of disturbing or scaring birds, and excludes firearms and vehicles used for that purpose.</u></p>	Accept
51.45	KRH	Seek amendment	<p>Various zones including</p> <ul style="list-style-type: none"> a. RESZ Residential zone b. GRUZ General Rural zone c. RPROZ Rural Production zone d. RLZ Rural Lifestyle zone e. SETZ Settlement Zone f. COMZ Commercial Zone g. MPZ Māori Purpose Zone h. INZ Industrial Zone i. OSZ Open Space Zone 	<p>Amend by inserting new standard as follows:</p> <p><u>NOISE-SX Indoor railway vibration</u></p> <ul style="list-style-type: none"> 1. <u>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> <ul style="list-style-type: none"> a. <u>is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw,95 or</u> b. <u>is a single storey framed residential building with:</u> <ul style="list-style-type: none"> i. <u>a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10Hz, installed in accordance with the supplier's instructions and recommendations; and</u> ii. <u>vibration isolation separating the sides of the floor slab from the ground; and</u> iii. <u>no rigid connections between the building and the ground.</u> 2. <u>A report is submitted to the council demonstrating compliance with the above prior to the construction or alteration of any building containing an activity sensitive to vibration.</u> <p><u>Matters of discretion are restricted to:</u></p> <ul style="list-style-type: none"> 1. <u>Whether the activity sensitive to vibration could be located further from the railway network.</u> 2. <u>The extent to which the vibration criteria are achieved and the effects of any non-compliance.</u> 3. <u>The character of, and degree of, amenity provided by the existing environment and proposed activity.</u> 4. <u>The outcome of any consultation with KiwiRail.</u> 	This matter will be addressed in the infrastructure chapter
FS09.10	Kainga Ora	Oppose		Disallow	This matter will be addressed in the infrastructure chapter

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
51.46	KRH	Seek Amendment	NOISE-S4 Various zones including <ol style="list-style-type: none"> a. RESZ Residential zone b. GRUZ General Rural zone c. RPROZ Rural Production zone d. RLZ Rural Lifestyle zone e. SETZ Settlement Zone f. COMZ Commercial Zone g. MPZ Māori Purpose Zone h. INZ Industrial Zone i. OSZ Open Space Zone 	Amend each zone listed by adding new standard as follows: <ol style="list-style-type: none"> 1. <u>The requirements of ('XXX' being the railway noise acoustic insulation standard wherever it appears in the Plan) must be achieved at the same time as the ventilation requirements of the New Zealand Building Code. An alternative means of ventilation must be provided within any habitable room unless an acoustic design certificate signed by a suitably qualified acoustic engineer is provided that states the design of any habitable room as proposed will comply with the acoustic insulation standard with windows open.</u> 2. <u>Ventilation systems where installed must:</u> <ol style="list-style-type: none"> a. <u>provide cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C;</u> b. <u>not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser; and</u> c. <u>provide an adjustable airflow rate of up to at least 6 air changes per hour.</u> 	This matter will be addressed in the infrastructure chapter
FS09.11	Kainga Ora	Oppose		Disallow	This matter will be addressed in the infrastructure chapter
21.27	NZDF	Amend	New Appendix NOISE-R14	<u>TMTA permitted activity rule noise standards:</u> <ol style="list-style-type: none"> 1. <u>Weapons firing and/or the use of explosives*</u> a. <u>Notice is provided to the Council at least 5 working days prior to the commencement of the activity.</u> 	Accept in part

Submission no	Submitter	Support / in part / oppose	Plan provision	Relief sought	Recommendation
				<p><u>b. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:</u> 0700 to 1900 hours: 500m 1900 to 0700 hours: 1.250m</p> <p><u>c. Where the minimum separation distances specified above cannot be met, then the activity shall comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity:</u> 0700 to 1900 hours: 95 dBC 1900 to 0700 hours: 85 dBC *NZS6802:2008 Acoustics – Environmental Noise shall not be used to assess noise from weapons firing and use of explosives.</p> <p><u>2. Mobile noise sources</u> 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*. Note: Mobile noise sources (other than firing of weapons and explosives) include personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.</p> <p><u>3. Fixed (stationary) noise sources:</u> <i>Shall comply with the noise limits set out in the table below when measured at the notional boundary of any building housing a noise sensitive activity*</i></p> <p><u>4. Helicopter landing areas</u> Shall comply with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas*. * Noise levels shall be measured in accordance with NZS6801:2008 Acoustics – Measurement of Sound.</p>	
FS15.41	New Zealand Helicopter Association	Oppose		Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept

7. Appendix 2 – Decisions Version of the Chapter

Overview

The generation of noise is often an inherent part of the operation and function of the diverse range of activities located within the district. On industrial sites, in town centres and rural areas, noise is integral to the operation of businesses and agriculture. While everyday living activities such as mowing lawns generate noise, the expectation is that noise levels in residential settings, particularly at night, are low. This is because noise has the potential to cause annoyance and affect **peoples'** health as a result of sleep disturbance. The noise provisions in this chapter provide limits that recognise the type of activities that are anticipated in each zone. The noise provisions also recognise that some activities have specific noise characteristics that require measurement and assessment. An example of these activities is construction noise, audible bird scaring devices and frost fans.

Section 16 of the Act requires that noise is kept to a reasonable level by adopting the best practicable option. The duty applies to everyone. This chapter sets out the rules for managing noise. Generally, if noise exceeds the standards set by these rules or it does not comply with noise conditions established through a resource consent process, it is considered to be unreasonable noise and the best practicable option available must be taken to reduce it. Under the Act, Waitomo District Council has a range of powers to manage noise including education and negotiation for voluntary compliance, service of an excessive noise direction, infringement notices, abatement notices or enforcement order procedures.

This plan manages noise at both source and receptor. An example of noise controlled at source is noise being emitted from a factory as measured at the site boundary. An example of noise controlled at receptor is the use of noise insulation rules which require acoustic design of noise sensitive activities to reduce the level of noise heard by occupants.

This plan does not control operational noise of aircraft (including helicopters) **using Te Kūiti Aerodrome**. At the time of writing this plan, the aerodrome was not operating at levels which necessitated noise controls. However, it is expected that should this change, noise levels will be monitored and appropriate mitigation provided to maintain the amenity of existing, lawfully established noise sensitive activities in the vicinity. Additionally, the noise rules in this plan do not apply to noise from aircraft in flight, vehicles being driven on roads or trains (other than when any of these are being loaded or unloaded).

A Rail Vibration Alert Overlay applies to the area within 60 metres each side of the railway designation boundary where vibration effects may be experienced from use and maintenance of the rail network. There are no provisions or restrictions which are associated with the Rail Vibration Alert Overlay. Instead, it is intended to alert property owners of the potential for vibration effects.

Please note that the noise rules for wind turbines are located in the [energy chapter](#). The noise rules for temporary diesel generators are contained in the [energy chapter](#) (where their use is associated with an energy activity) and in the [network utilities chapter](#) (where their use is associated with a network utility). Noise rules for new roads and altered roads that are within the scope of NZS 6806:2010, substations, energy storage batteries and

compressors associated with gas transmission pipelines are also contained in the [network utilities chapter](#). In all other circumstances, the provisions of this chapter apply.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- NOISE-O1. Enable activities to generate noise that is compatible with the role, function and predominant character of each zone.
- NOISE-O2. Ensure that activities do not generate noise levels which adversely affect amenity values, the health and wellbeing of people and communities.
- NOISE-O3. New noise sensitive activities are designed and/or located to minimise conflict and reverse sensitivity effects.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- NOISE-P1. Ensure any noise effects generated by an activity, or a combination of activities, are of a type, scale and level that supports the character and amenity outcomes anticipated in the relevant zone:
 1. The residential, rural lifestyle, **Māori** purpose and settlement zones are predominantly living environments where a low level of noise is **anticipated, and people's peace and comfort** is maintained.
 2. The general rural and future urban zones are working and living environments. Noise from rural activities is an accepted part of these environments, including higher noise levels at night or in the morning during different times of the year.
 3. The open space and natural open space zones experience moderate levels of noise at different times of the day and infrequently at night time, depending on whether the space is used for playgrounds or active sports. At times there may also be noise from festivals, markets and other temporary activities.
 4. The tourism zone has a mix of living and working activities. Residents expect a reasonable level of night time amenity, while visitors are there to experience a full range of tourism activities. A balance of low to moderate levels of noise at night is anticipated for this zone.
 5. The commercial zone is a business environment. A noise environment which accommodates restaurants and bars is required in this zone. However, consideration of the mixed use nature of some parts of this zone is necessary.
 6. The industrial and rural production zones are a higher noise environment. Management of noise at site boundaries is particularly important to ensure that the potential for cumulative effects outside of these zones are addressed.
- NOISE-P2. Reduce the potential for reverse sensitivity effects by employing land use controls that manage the design and/or location of new noise sensitive

activities in proximity to areas that consistently experience higher noise levels.

NOISE P3. Manage noise at source while recognising that some activities are important for the economic and social wellbeing, and health, safety and security of communities_ and may exceed the specified noise levels on a temporary and/or irregular basis. However, there remains a duty for such activities to avoid unreasonable noise.

Rules

The rules that apply to noise are contained in the tables listed below. To undertake any activity, it must comply with the rules listed in:

- NOISE - Table 1 - Activities Rules; and
- NOISE - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-wide matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

NOISE - Table 1 - Activities Rules

Unless specifically stated otherwise, the rules in this table apply to all zones, precincts, all roads, new roads approved by resource consent and activities on the surface of water	
NOISE-R1.	Emission of noise (not otherwise provided for in this table)
<p>Activity Status: PER</p> <p>Where:</p> <p>1. All of the performance standards in NOISE - Table 2 are complied with.</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in NOISE - Table 2.</p>
NOISE-R2.	Emission of noise from temporary military training activities
<p>Activity Status: PER</p> <p>Where:</p> <p>Weapons firing and/or the use of explosives</p> <p>1. Notice is provided to the Council at least 5 working days prior to the commencement of the activity; and</p> <p>2. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:</p> <p>(i) 7am to 7pm hours: 500m</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The length of duration of the activity, characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p> <p>(b) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</p>

<p>(ii) 7pm to 7am hours: 1,250m</p> <p>3. Where the minimum separation distances specified above cannot be met, the activity must comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity:</p> <p>(i) 7am to 7pm hours: 95 dBC</p> <p>(ii) 7pm to 7am hours: 85 dBC</p> <p>4. NZS6802:2008 Acoustics – Environmental Noise shall not be used to assess noise from weapons firing and use of explosives.</p> <p>5. All other sources:</p> <table border="1"> <thead> <tr> <th>Time (Mon to Sun)</th><th>Noise limit L_{Aeq}(15min)</th><th>L_{AFmax}</th></tr> </thead> <tbody> <tr> <td>7am - 7pm</td><td>55 dB</td><td>N/A</td></tr> <tr> <td>7pm - 10pm</td><td>50 dB</td><td>N/A</td></tr> <tr> <td>10pm – 7am</td><td>45 dB</td><td>75 dB</td></tr> </tbody> </table>		Time (Mon to Sun)	Noise limit L_{Aeq}(15min)	L _{AFmax}	7am - 7pm	55 dB	N/A	7pm - 10pm	50 dB	N/A	10pm – 7am	45 dB	75 dB	<p>(c) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and</p> <p>(d) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and</p> <p>(e) The social benefits that will be derived from the activity.</p>
Time (Mon to Sun)	Noise limit L_{Aeq}(15min)	L _{AFmax}												
7am - 7pm	55 dB	N/A												
7pm - 10pm	50 dB	N/A												
10pm – 7am	45 dB	75 dB												
NOISE-R3.	Emission of noise from a temporary event													
<p>Activity Status: PER</p> <p>Where:</p> <p>1. The noise generated complies with NOISE-S6.</p>		<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The extent and effect of any non-compliance with any rule and any matters of discretion in the rule.</p>												
NOISE-R4.	Emission of noise from audible bird scaring devices													
<p>Activity Status: PER</p> <p>Where:</p> <p>1. The noise generated complies with NOISE-S7; and</p> <p>2. The activity is undertaken in the general rural or rural production zones; and</p> <p>3. This rule does not apply to audible bird scaring devices used for public health protection purposes located on Waitomo District Council land or infrastructure.</p>		<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The extent and effect of any non-compliance with any rule and any matters of discretion in the rule.</p>												
<p>Activity Status: DIS</p> <p>Where:</p> <p>4. The activity is undertaken in zones other than the general rural or rural production zones.</p>		<p>Activity status where compliance is not achieved: N/A</p>												

NOISE-R5.		Emission of noise from frost fans
Activity Status: PER Where: 1. The noise generated complies with NOISE-S8; and 2. The activity is undertaken in the general rural or rural production zones.		Activity status where compliance is not achieved: RDIS Matters over which discretion is restricted: (a) The extent and effect of any non-compliance with any rule and any matters of discretion in the rule.
Activity Status: DIS Where: 3. The activity is undertaken in zones other than the general rural or rural production zones.		Activity status where compliance is not achieved: N/A
NOISE-R6.		Emission of noise and vibration from construction activities
Activity Status: PER Where: 1. The noise and vibration generated complies with NOISE-S9.		Activity status where compliance is not achieved: DIS
NOISE-R7.		Emission of noise and vibration from blasting
Activity Status: PER Where: 1. The noise and vibration generated complies with NOISE-S10; and 2. The activity is undertaken in the general rural and rural production zones; and 3. This rule does not apply to building demolition.		Activity status where compliance is not achieved: DIS
NOISE-R8.		Emission of noise from helicopters during construction projects
Activity Status: PER Where: 1. The activity is for building construction purposes or for infrastructure construction, maintenance and repair; and 2. The activity is undertaken for a period of not more than two consecutive weeks annually per construction or infrastructure project; and 3. The activity only operates during the hours of 9am – 5pm, Monday to Saturday.		Activity status where compliance is not achieved: DIS

NOISE-R9. Construction of a new building containing a sensitive land use within a State Highway or Rail Corridor Noise Control Boundary

Activity Status: PER

Where:

1. Activity-specific standards: New buildings are designed, constructed and maintained to ensure that any part of the building located within the State Highway or Rail Corridor Noise Control Boundary and containing an activity listed in NOISE Table 3:
 - (i) complies with the maximum future indoor design noise levels in NOISE Table 3 and meets the ventilation requirements in NOISE Table 4; or
 - (ii) is located so the nearest exterior façade of that part of the building is at least 50m from the formed carriageway of the State Highway and 50m from the formed railway track and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to that activity to all parts of the formed carriageway of the State Highway and all points 3.8m directly above the formed railway track; or
 - (iii) is located so it can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustic consultant that noise at all exterior façades of that part of the building will be no more than 15 dB above the relevant maximum indoor design noise levels in NOISE Table 3; or
 - (iv) accords with the construction schedule in NOISE Table 5 and meets the ventilation requirements in NOISE Table 4.
2. Assumptions: For State Highways, the design road noise is to be based on measured or predicted external noise levels plus 3 dB. For the Rail Corridor:
 - (i) The source level for railway noise is 70 LAeq(1h) at a distance of 12 metres from the nearest track; and
 - (ii) The attenuation over distance is 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres; or
 - (iii) As modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for freight trains with diesel locomotives, having regard to factors such as barrier attenuation, the location of the dwelling relative to the orientation of the track, topographical features and any intervening structures.

Activity status where compliance is not achieved: RDIS

Matters over which discretion is restricted:

- (a) Adverse effects on health and amenity of people indoors within the Noise Control Boundary overlay.
- (b) Alternative options for building design or location that would achieve compliance with the standards in NOISE Table 3.
- (c) Adverse effects on the continuing operation of the State Highway network, or railway corridor as a result of non-compliance with the standards.
- (d) Any natural or built features of the site or surrounding area that will mitigate noise effects
- (e) The outcome of any consultation undertaken with NZTA or KiwiRail.

NOISE-R10. Alterations, additions or change in use of an existing building to add or increase a sensitive land use within a State Highway or Rail Corridor Noise Control Boundary

Activity Status: PER

Where:

1. Activity-specific standards: The alteration, addition or change of use of an existing building does not increase the gross floor area of an activity listed within NOISE Table 3 within the State Highway or Rail Corridor Noise Control Boundary; or
2. An internal alteration to an existing residential unit does not increase the total gross floor area of activities listed in NOISE Table 3 by more than 5m² within each 10-year period from 19 June 2025 within the State Highway or the Rail Noise Control Boundary; or
3. Other than internal alterations 5m² or less within each 10-year period from 19 June 2025 provided for in (b) above, the alteration, addition or change of use of an existing building increases the gross floor area of an activity listed within Table 3 within the State Highway or Rail Corridor Noise Control Boundary, but the part of the building containing that activity:
 - (i) Is designed, constructed and maintained to comply with the indoor design noise levels specified in NOISE Table 3 and meets the ventilation requirements in NOISE Table 4; or
 - (ii) Is in a location where the nearest exterior façade of that part of the building is at least 50m from the formed carriageway of the State Highway and 50m from the formed railway track and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to that activity to all parts of the formed carriageway of the State Highway and all points 3.8m directly above the formed railway track; or
 - (iii) Is in a location where it can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustic consultant that the noise at all exterior façades of that part of the building is no more than 15 dB above the relevant noise levels in NOISE Table 3; or
 - (iv) Is designed, constructed and maintained in accordance with the construction schedule in NOISE Table 5 and meets the ventilation requirements in NOISE Table 4.
4. Prior to the alteration, addition or change of use of an existing building to which this standard applies, a design report shall be submitted to the Council demonstrating compliance with the maximum indoor design noise levels specified in NOISE Table 3 for that part of the building subject to this rule, applying the assumptions in NOISE-RX.2. Alternatively, the design report may be substituted with confirmation that the alteration, addition or change of use within the building will meet the construction schedule requirements in NOISE Table 5.
5. A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with all of the mechanical ventilation system report requirements in NOISE Table 4 for the area of the existing building that has been altered, added to or undergone a change of use.
6. Assumptions: For State Highways, the design road noise is to be based on measured or predicted external noise levels plus 3 dB. For the Rail Corridor:
 - (i) The source level for railway noise is 70 LA_{eq}(1h) at a distance of 12 metres from the nearest track; and
 - (ii) The attenuation over distance is 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres; or
 - (iii) As modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for freight trains with diesel locomotives, having regard to factors such as barrier attenuation, the location of the dwelling relative to the orientation of the track, topographical features and any intervening structures.

Activity status where compliance is not achieved: RD1 S

Matters over which discretion is restricted:

- (a) Adverse effects on health and amenity indoors of people within the Noise Control Boundary overlays
- (b) Alternative options for building design or location that would achieve compliance with the standards in NOISE Table 3
- (c) Adverse effects on the continuing operation of the State Highway network, or railway corridor as a result of non-compliance with the standards.
- (d) Any natural or built features of the site or surrounding area that will mitigate noise effects.
- (e) The outcome of any consultation undertaken with NZTA or KiwiRail.

NOISE-R11.	Emission of noise from helipads, farm helipads and helicopter landing areas
------------	---

Activity Status: RD1 S

Where:

- 1. There are 10 or more flight movements per month per site (a landing and take-off counts as 2 movements); and
- 2. This rule does not apply to the Aerodrome Precinct – PREC3, the general rural, rural production and natural open space zones. All flight movements in these zones and PREC3 are permitted; and
- 3. Sound from any helicopter landing area must be assessed, managed and controlled in accordance with NZ 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

Where the activity is restricted discretionary, the matters over which discretion is restricted are:

- (a) The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and
- (b) The time of the day or night the landing area/helipad will be used; and
- (c) Potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) Proximity of actual and anticipated noise sensitive activities to the proposed or existing landing area/helipad and effects on these activities; and
- (e) **Effects on people and communities' health and wellbeing, including the potential for sleep disturbance;** and
- (f) Any mitigation of the noise proposed, in accordance with a best practicable option approach, including site layout, design and location of structures or equipment and the timing of operations; and
- (g) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (h) Whether the proposal meets New Zealand industry best practice guidelines such as the Helicopter Association International Fly Neighborly Guide 1993, the Spreadmark Certification Programme or Growsafe Accreditation (Aerial) Programme; and
- (i) The economic benefits, including providing opportunities for employment that will be derived from the activity.

Activity status where compliance is not achieved: DI S

NOISE-R12.	Exemptions
------------	------------

NOISE- S1.	Noise standards for the residential, rural lifestyle, settlement and Māori purpose zones										
<p>1. Within the residential, rural lifestyle, settlement and Māori purpose zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the receiving site or the nearest practical measuring point to that boundary:</p> <table border="1" data-bbox="226 555 759 761"> <thead> <tr> <th>Time</th><th>Noise limit</th></tr> </thead> <tbody> <tr> <td>7am - 7pm</td><td>50 dBA(LAeq)</td></tr> <tr> <td>7pm - 10pm</td><td>45 dBA(LAeq)</td></tr> <tr> <td>10pm – 7am</td><td>40 dBA(LAeq)</td></tr> <tr> <td>10pm-7am</td><td>70 dBA(LAmax)</td></tr> </tbody> </table>	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm – 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)	<p>Matters of discretion if compliance is not achieved:</p> <ul style="list-style-type: none"> (a) The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and (b) The proximity of the activity to existing noise sensitive activities; and (c) The degree to which the noise will be compatible with existing and anticipated activities; and (d) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and (e) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and (f) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and (g) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.
Time	Noise limit										
7am - 7pm	50 dBA(LAeq)										
7pm - 10pm	45 dBA(LAeq)										
10pm – 7am	40 dBA(LAeq)										
10pm-7am	70 dBA(LAmax)										
NOISE- S2.	Noise standards for the general rural and future urban zones										
<p>1. Noise generated by an activity in the general rural and future urban zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, future urban, tourism, rural lifestyle, settlement or Māori purpose zones:</p> <table border="1" data-bbox="226 1630 759 1832"> <thead> <tr> <th>Time</th><th>Noise limit</th></tr> </thead> <tbody> <tr> <td>7am - 7pm</td><td>50 dBA(LAeq)</td></tr> <tr> <td>7pm - 10pm</td><td>45 dBA(LAeq)</td></tr> <tr> <td>10pm – 7am</td><td>40 dBA(LAeq)</td></tr> <tr> <td>10pm-7am</td><td>70 dBA(LAmax)</td></tr> </tbody> </table> <p>AND</p> <p>2. In the event there are no existing noise sensitive activities on an adjoining site, but such activities could be constructed as a permitted activity under</p>	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm – 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)	<p>Matters of discretion if compliance is not achieved:</p> <ul style="list-style-type: none"> (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and (b) The degree to which the noise will be compatible with existing and anticipated activities; and (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and (d) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and (e) Any mitigation of the noise proposed, in accordance with a best practicable option
Time	Noise limit										
7am - 7pm	50 dBA(LAeq)										
7pm - 10pm	45 dBA(LAeq)										
10pm – 7am	40 dBA(LAeq)										
10pm-7am	70 dBA(LAmax)										

<p>this plan, the noise levels will be assessed or, at or within a line 20 m parallel to the legal boundary of the site where the noise source originates from.</p>	<p>approach including site layout, design and location of structures and equipment and the timing of operations; and</p> <p>(f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.</p>
---	---

NOISE- S3.	Noise standards for the open space and natural open space zones
------------	---

1. Noise generated by an activity in the open space and natural open space zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban or Māori purpose zones:

Time	Noise limit
7am - 7pm	50 dBA(LAeq)
7pm - 10pm	45 dBA(LAeq)
10pm - 7am	40 dBA(LAeq)
10pm-7am	70 dBA(LAmax)

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The degree to which the noise will be compatible with existing and anticipated activities; and
- (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) **Effects on people and communities' health and wellbeing**, including the potential for sleep disturbance; and
- (e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (g) The community and social benefits from the activity.

NOISE- S4.	Noise standards for the industrial and rural production zones
------------	---

1. Within the rural production and industrial zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the site or the nearest practical measuring point to that boundary:

Time	Noise limit
7am - 7pm	75 dBA(LAeq)
7pm - 10pm	65 dBA(LAeq)
10pm - 7am	60 dBA(LAeq)
10pm-7am	90 dBA(LAmax)

AND

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The degree to which the noise will be compatible with existing and anticipated activities; and
- (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and

2. Noise generated by an activity in the rural production and industrial zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban, natural open space, open space or **Māori purpose zones:**

Time	Noise limit
7am - 7pm	55 dBA(LAeq)
7pm - 10pm	50 dBA(LAeq)
10pm - 7am	45 dBA(LAeq)
10pm-7am	75 dBA(LAmax)

- (d) **Effects on people and communities' health and wellbeing**, including the potential for sleep disturbance; and
- (e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (g) Ambient noise levels and any special character of 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; and
- (h) The economic benefits, including providing opportunities for employment that will be derived from the activity.

NOISE- S5.

Noise standards for the commercial and tourism zones

1. Within the commercial and tourism zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the receiving site or the nearest practical measuring point to that boundary:

Time	Noise limit
7am - 7pm	65 dBA(LAeq)
7pm - 10pm	60 dBA(LAeq)
10pm - 7am	55 dBA(LAeq)
10pm-7am	70 dBA(LAmax)

AND

2. Noise generated by an activity in the commercial and tourism zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, open space, natural open space, rural lifestyle, settlement, future urban or **Māori purpose zones:**

Time	Noise limit
7am - 7pm	50 dBA(LAeq)
7pm - 10pm	45 dBA(LAeq)
10pm - 7am	40 dBA(LAeq)
10pm-7am	70 dBA(LAmax)

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The degree to which the noise will be compatible with existing and anticipated activities; and
- (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) **Effects on people and communities' health and wellbeing**, including the potential for sleep disturbance; and
- (e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (g) Ambient noise levels and any special character of 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; and (h) The economic benefits, including providing opportunities for employment that will be derived from the activity.										
NOISE-S6.	Emission of noise from a temporary event											
1. Noise generated by the activity must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, rural lifestyle, settlement, future urban or Māori purpose zones:		Matters of discretion if compliance is not achieved:										
<table><tr><td>Time</td><td>Noise limit</td></tr><tr><td>7am - 7pm</td><td>70 dBA(LAeq)</td></tr><tr><td>7pm - 10pm</td><td>55 dBA(LAeq)</td></tr><tr><td>10pm – 7am</td><td>40 dBA(LAeq)</td></tr><tr><td>10pm-7am</td><td>70 dBA(LAmax)</td></tr></table>	Time	Noise limit	7am - 7pm	70 dBA(LAeq)	7pm - 10pm	55 dBA(LAeq)	10pm – 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)		(a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and (b) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and (c) Effects on people and communities’ health and wellbeing , including the potential for sleep disturbance; and (d) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and (e) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and (f) The social and economic benefits, including providing opportunities from employment that will be derived from the activity.
Time	Noise limit											
7am - 7pm	70 dBA(LAeq)											
7pm - 10pm	55 dBA(LAeq)											
10pm – 7am	40 dBA(LAeq)											
10pm-7am	70 dBA(LAmax)											
AND												
2. This rule does not apply to public firework displays.												
NOISE-S7.	Emission of noise from audible bird scaring devices											
1. Any audible bird scaring devices must be operated as follows:		Matters of discretion if compliance is not achieved:										
(i) Only during daylight hours and up to half an hour before sunrise but no earlier than 6.00am and up to half an hour after sunset ; and (ii) At a frequency of not more than six clusters of up to three shots from gas operated devices or three multiple shot from firearms in rapid succession per device in any 60 minute period of the day; and		(a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and (b) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and (c) Effects on people and communities’ health and wellbeing , including the potential for sleep disturbance; and										

<p>(iii) At a maximum density of one device per 10 ha of crop;</p> <p>AND</p> <p>2. The noise from any audible bird scaring device must not exceed 85 dBA unweighted peak level as measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity located on a separate site or holding.</p>	<p>(d) How the operation and management of the device will avoid or minimise potential effects on neighboring properties; and</p> <p>(e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of devices and the timing of operations; and</p> <p>(f) The degree to which adverse effects can be mitigated through conditions of consent.</p>
---	---

NOISE-S8	Emission of noise from frost fans
----------	--

<p>1. Noise generated by frost fans must not exceed 55 dBA(LAeq) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity located on a separate site or holding.</p> <p>2. Frost fans must only be operated when the local air temperature drops to, or below 2°C, recorded at a height above ground relevant to the height of the bud or fruit being protected.</p> <p>3. Records of annual calibration of the frost fan temperature sensors must be kept and made available to Waitomo District Council on request.</p>	<p>Matters of discretion if compliance is not achieved:</p> <p>(a) The proximity of the frost fan(s) relative to noise sensitive activities and the residential zone; and</p> <p>(b) The proposed height of fans and the type of motor, speed and the number of blades on the fan(s); and</p> <p>(c) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p> <p>(d) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</p> <p>(e) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</p> <p>(f) How the operation (conditions triggering use) and management of the frost fan(s) network will avoid or minimize potential effects on neighboring properties; and</p> <p>(g) Mitigation proposals to address potential noise and vibration effects; and</p> <p>(h) The economic benefits, including providing opportunities for employment that will be derived from the activity.</p>
---	---

NOISE-S9.	Emission of noise and vibration from construction activities
-----------	---

<p>1. The noise from construction activities must be measured, assessed, managed and controlled in accordance with the requirements of New Zealand Standard NZS 6803:1999 Acoustics – Construction noise; and</p>	<p>Matters of discretion if compliance is not achieved: DIS</p>
---	---

<p>2. The vibration from construction activities must be measured, assessed, managed and controlled in accordance with the requirements of German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures.</p>	
---	--

NOISE-S10.	Emission of noise and vibration from blasting
------------	--

<ol style="list-style-type: none"> 1. The activity must only occur in the general rural or rural production; and 2. Noise generated by blasting/use of explosives must not exceed a peak sound pressure of 120dB (Lzpeak) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity; and 3. A level of 115 dBA may be exceeded on up to 5% of the total number of blasts over a period of 12 months; and 4. Blasting must not occur outside of the hours of 9am – 5pm, Monday to Saturday; and 5. Blasting, which may include a series of one or more blasts undertaken within a short time period, must not occur more than once per day. This requirement does not apply to minor blasts as identified in the Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration, September 1990 or to blasting necessary for safety purposes; and 6. Vibration generated by blasting/use of explosives must not exceed the guideline values in Tables 1 and 3 of DIN 4150 inside any building, except in the case of a building located on property under the same ownership or management as that of the party blasting/using explosives. 	<p>Matters of discretion if compliance is not achieved: DIS</p>
---	---

Advice Notes

Noise measurement

Noise shall be measured in accordance with NZS 6801:2008 "Acoustics - Measurement of environment sound" and assessed in accordance with NZS 6802:2008 Acoustics Environmental noise", unless otherwise specified elsewhere in this plan.

Noise – Table 3 - Maximum indoor design noise levels for State Highway and rail corridor noise

Type of Noise Control Boundary	Activity	Rail Corridor maximum indoor design noise level	State Highway maximum indoor design noise level
State Highway and Rail Corridor	Bedrooms	35dB LA _{eq}	40dB LA _{eq}
	Lecture rooms / theatres, music studios, assembly halls	35dB LA _{eq}	35dB LA _{eq}
	Conference rooms, drama studios, libraries and designated sleeping rooms for children aged 6 years or younger in schools, early childhood centres or tertiary institutions	40dB LA _{eq}	40dB LA _{eq}
	Sensitive activities in hospitals including overnight medical care, wards, clinics, consulting rooms, theatres, nurses' stations	40dB LA _{eq}	40dB LA _{eq}
	Places of assembly including churches, places of worship and marae	35dB LA _{eq}	35dB LA _{eq}
	Other habitable rooms	40dB LA _{eq}	40dB LA _{eq}

Noise – Table 4 - Mechanical ventilation system

Activity	Ventilation requirements (in the situations where windows must be closed to achieve indoor noise levels set out in NOISE Table 3)
Habitable rooms for a residential activity	<ul style="list-style-type: none"> a. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and b. 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 c. provides relief for equivalent volumes of spill air; and d. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and e. does not generate more than 35 dB LA_{eq}(30s) when measured 1 metre away from any grille or diffuser.
Other spaces	To be determined by a suitably qualified and experienced person.

Noise - Table 5 - Construction schedule

Elements	Minimum construction schedule for controlling noise in State Highway and Railway Noise Effects Areas in addition to the requirements of the New Zealand Building Code	
Exterior walls	Wall cavity infill of fibrous insulation, batts or similar (minimum density of 9kg/m ³)	
	Cladding and internal wall lining complying with either Options A, B or C below:	
	Option A - Light cladding: timber weatherboard or sheet materials with surface mass between 8kg/m ² and 30 kg/m ² of wall cladding	Internal lining of minimum 17 kg/m ² plasterboard, such as two layers of 10 mm thick high-density plasterboard, on resilient/isolating mountings
	Option B - Medium cladding: surface mass between 30 kg/m ² and 80 kg/m ² of wall cladding	Internal lining of minimum 17 kg/m ² plasterboard, such as two layers of 10 mm thick high-density plasterboard
	Option C - Heavy cladding: surface mass between 80 kg/m ² and 220 kg/m ² of wall cladding	No requirements additional to New Zealand Building Code
Roof / ceiling	Ceiling cavity infill of fibrous insulation, batts or similar (minimum density of 7 kg/m ³)	
	Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in	
	Roof type and internal ceiling lining complying with either Options A, B or C below:	
	Option A - Skillion roof with light cladding: surface mass up to 20 kg/m ² of roof cladding	Internal lining of minimum 25 kg/m ² plasterboard, such as two layers of 13 mm thick high-density plasterboard
	Option B - Pitched roof with light cladding: surface mass up to 20 kg/m ² of roof cladding.	Internal lining of minimum 17 kg/m ² plasterboard, such as two layers of 10 mm thick high-density plasterboard
	Option C - Roof with heavy cladding: surface mass between 20 kg/m ² and 60 kg/m ² of roof cladding	No requirements additional to New Zealand Building Code
Glazed areas	Aluminium frames with full compression seals on opening panes	
	Glazed areas shall be less than 35% of each room's gross floor area	
	Either: double-glazing with: <ul style="list-style-type: none"> a laminated pane of glass at least 6 mm thick; a cavity between the two panes of glass at least 12 mm deep; and 	

	<ul style="list-style-type: none"> a second pane of glass at least 4 mm thick Or <ul style="list-style-type: none"> any other glazing with a minimum performance of Rw 33 dB 	
Exterior doors	<p>Exterior door:</p> <ul style="list-style-type: none"> within the State Highway noise effects area with a line-of-sight to any part of the State Highway road surface; or within the railway corridor noise effects area with a line-of-sight to any point 3.8m directly above the formed railway track. 	<p>Solid core exterior door, minimum surface mass 24 kg/m², with edge and threshold compression seals; or other doorset with minimum performance of Rw 30 dB</p>

8. Appendix 3 – Section 32AA Evaluation

26. A section 32AA evaluation is only required for any changes that are proposed to the provisions of this plan since the original section 32 evaluation report for the proposal was completed. The section 32AA evaluation must be undertaken at a level of detail that corresponds to the scale and significance of the changes.

Amendment of the application of wider plan provisions

27. This chapter does not require the relevant objectives and policies of part 3 **to be considered or "all" the rules to be considered** when assessing the activity as many will be irrelevant to an application. This wording was erroneously included. RMA schedule 1, clause 16 enables a local authority to make an amendment to its proposed plan, without using the process in schedule 1, to alter any information, where such an alteration is of minor effect, *or to correct any minor errors*. Using RMA schedule 1, clause 16 the Panel has directed that the following amendments are made:

Objectives & Policies

Refer also to the relevant objectives in Part 2 District - Wide Matters ~~and Part 3 – Area Specific Matters~~

Rules

The rules that apply to noise are contained in the tables listed below. To undertake any activity, it must comply with ~~all~~ the rules listed in:

- NOISE - Table 1 - Activities rules; and
- NOISE - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-wide matters; and
- Any relevant provision in Part 3 Area Specific Matters.

28. There is also scope to make these amendments under BP Oil New Zealand Limited and Z Energy Limited (the Fuel Companies) submission to make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the proposed plan that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document.

Policy

NOISE P3. Manage noise at source while recognising that some activities are important for the economic and social wellbeing, and health, safety and security of communities and may exceed the specified noise levels on a temporary and/or irregular basis. However, there remains a duty for such activities to avoid unreasonable noise.

Other reasonably-practicable options

29. Other than recommending the amendment above, the other reasonably practicable options include retaining the notified version, not providing a policy

position or providing a separate policy to respond to the New Zealand Defence Force's position that some activities are important for social wellbeing and may intermittently exceed required noise levels.

30. NOISE-O1-O3 broadly respond to the approach that noise levels should be commensurate with the character and function of the receiving environment. There is no provision in the policies as notified that addresses noise in respect of the health, safety and security of communities. This leaves a policy gap in terms of directing and supporting decision making on some consents. As such, the absence of a policy or reliance on the notified policies is not appropriate. A specific policy could be considered, but this seems extraneous given NOISE-P3 is in place and can be amended in response to this matter.
31. As such, it is considered that the policy as amended, appropriately recognises that some activities are important for social wellbeing, and may intermittently exceed required noise levels. The duty for these activities to avoid unreasonable noise remains.

Effectiveness and efficiency

32. The change is effective as it modifies the broader justification for noise-generating activities by explicitly including health, safety and security. The policy can now recognise that certain critical functions such as emergency services or civil defence activities, may need to generate noise that exceeds standard limits. This amendment supports community resilience and aligns the policy with broader public interest matters. Pre-emptively identifying health, safety, and security as legitimate grounds for temporarily exceeding noise limits should work to minimise regulatory conflict and is therefore more efficient than the notified policy.

Costs and benefits

33. The main benefit of the amendment is the embedded policy support for essential services including police, fire, ambulance and civil defence. The main cost is also a risk, being that the terms *health*, *safety*, and *security* may be open to a broader interpretation than intended, potentially leading to inconsistent application of the policy provisions.

Risk of acting or not acting

34. As noted above there is a low risk of acting which could lead to an interpretive debate during a consenting process. However, as the policy provides for temporary noise, the risk of long term negative effects are low. As such, there is sufficient information to justify the amendment to the policy.

Decision about the most appropriate option

35. The amendment gives effect to the relevant objective NOISE-O2. It is considered to be more appropriate in achieving the purpose of the objective than that of the notified version, the absence of this approach in NOISE-P3 or the introduction of a separate, new policy.

Rules

NOISE-R8.	Emission of noise from helipads, farm helipads and helicopter landing areas
-----------	---

Activity Status: RDIS

Where:

1. There are 10 or more flight movements per month per site (a landing and take-off counts as 2 movements). ~~For less than 10 flight movements per month the zone rules in NOISE Table 2 apply;~~ and
2. This ~~rule activity may only be undertaken in~~ does not apply to the Aerodrome Precinct – PREC3, the general rural, rural production and ~~tourism~~ natural open space zones. All flight movements in these zones and PREC3 are permitted; and
3. ~~Noise at all times must not exceed 50 dB Ldn at any point within any residential, rural lifestyle, Māori purpose or settlement zones, or, at or within the notional boundary of any noise sensitive activity; and~~
4. Sound from any helicopter landing area must be assessed, managed and controlled in accordance with NZ 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

Exemptions

The noise rules do not apply to the noise generated by the following activities:

1.
2. *Helicopters used as an air ambulance or for emergency operations. Helicopters used by the Department of Conservation, by the military, CDEM or by search and rescue operations. This includes training for the purposes of undertaking those activities.*
-
7. In the general rural and natural open space zones, any noise emitted in the course of recreational hunting or during the take off and landing of fixed-wing aircraft.

Effectiveness and efficiency

36. The amendment proposed is a correction which has the effect of enabling all flight movements in the working rural environments including PREC3 (the aerodrome precinct) and the natural open space zone, but limiting the permitted number of take offs and landings in all other zones. In those zones over 10 flight movements per month would require a consent for a restricted discretionary.
37. This approach is effective as it tailors the rule to the land use purpose. In steep country such as Waitomo district, rural working environments (and the supporting aerodrome precinct) require aviation-related activities to effectively function. Enabling unrestricted flight movements in these areas recognises this. Limiting flight movements to 10 per month in other zones, protects communities from excessive noise and disruption, especially in residential or mixed-use areas such as the tourism zone. The threshold still allows for low-level, occasional use.
38. The amendment is efficient as it is easy to monitor and offers a practical threshold. The approach avoids over-regulating less frequent take offs and landings while ensuring oversight of higher-impact operations. The restricted discretionary status sets clear matters for consideration including frequency and cumulative impacts, time of day/night, proximity to noise sensitive activities and the ability to consider whether the proposal adheres to non-statutory guidelines such as the Helicopter Association International Fly Neighbourly Guide 1993 and whether the

operation is AIRCARE accredited. The economic benefits of the activity can also be assessed.

39. An associated minor amendment to exclude noise emitted by helicopters used by the Department of Conservation undertaking a conservation activity is included in these changes. These activities are likely covered by the amendment to NOISE-R8 but are included for the purposes of clarity and to avoid any potential misinterpretation. Similarly, the noise from operating aircraft is exempt from the noise standards. However, for clarity it is considered that the best approach is to exempt the noise generated by take offs and landings of fixed-wing aircraft in the general rural and natural open space zones. Finally, recreational hunting is permitted in the general rural and natural open space zones. Again, for clarity it is considered that the best approach is to exempt the noise generated by recreational hunting in these areas.

Costs and benefits

40. This approach has the effect of significantly reducing costs to primary production activities by avoiding the need for a resource consent for flight movements in the **district's** working rural environments. This enables the operational needs of farming such as agricultural spraying, to occur without any regulatory barrier from the district plan. In other zones flight movements are managed, but the benefits of maintaining amenity in these more sensitive receiving environments likely outweighs the overall costs.

Risk of acting or not acting

41. There is little risk removing flight movement controls in the working rural environments. There is low risk in the other zones that multiple operators each undertaking up to 10 flights per month, could result in higher-than-anticipated cumulative noise without triggering the consent threshold. This would need to be addressed on a case-by-case basis. On balance, the risk of not amending the rule would have a significant economic impact on the rural sector. There is sufficient information to justify this change.

Decision about the most appropriate option

42. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly NOISE-O1 and O2, and NOISE-P1.

NOISE-R2.	Emission of noise from temporary military training activities
<p>Activity Status: PER</p> <p>Where:</p> <p>Weapons firing and/or the use of explosives</p> <p>1. Notice is provided to the Council at least 5 working days prior to the commencement of the activity; and</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The length of duration of the activity, characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p>

2. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:
 - (i) 7am to 7pm hours: 500m
 - (ii) 7pm to 7am hours: 1,250m
3. Where the minimum separation distances specified above cannot be met, the activity must comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity:
 - (i) 7am to 7pm hours: 95 dBC
 - (ii) 7pm to 7am hours: 85 dBC
4. NZS6802:2008 Acoustics – Environmental Noise shall not be used to assess noise from weapons firing and use of explosives.

Mobile noise sources

5. ~~Mobile noise sources must 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; and~~
6. ~~Mobile noise sources (other than firing of weapons and explosives) include personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.~~

Fixed (stationary) noise sources

7. ~~Fixed (stationary) noise sources must comply with the noise limits set out in the table below when measured at the notional boundary of any building housing a noise sensitive activity; and~~
8. ~~Fixed (stationary) noise sources (other than firing of weapons and explosives) include power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.~~

5. All other sources:

<u>Time (Mon to Sun)</u>	<u>Noise limit LAeq(15min)</u>	<u>LAfmax</u>
<u>7am - 7pm</u>	<u>55 dB</u>	<u>N/A</u>
<u>7pm - 10pm</u>	<u>50 dB</u>	<u>N/A</u>
<u>10pm – 7am</u>	<u>45 dB</u>	<u>75 dB</u>

- ~~(b) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and~~
- (c) **Effects on people and communities' health** and wellbeing, including the potential for sleep disturbance; and
- (d) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (e) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (f) The social benefits that will be derived from the activity.

Effectiveness and efficiency

43. The NZ Defence Force requested that NOISE-R14 is amended to include updated noise provisions. These provisions are effective as they have been developed by an independent expert advice to appropriately manage adverse noise effects from temporary military training activities (TMTA). It is accepted that the submitter will have sought and tested their acoustic advice in a variety of physical environments and through a number of planning processes. They are efficient in so far as they enable TMTA to be a permitted activity in all zones and reflect standardisation across district plans.
44. Efficiency is also achieved through the simplified version of the noise standards introduced through the section 42A addendum report. This removes the distinction between mobile and stationary noise sources, relying instead on the **noise limits contained in the 'all other sources' table**. This reduces the length and complexity of the rule by taking out four provisions, while still enabling temporary military training activities to be undertaken. This simplification is more effective for noise monitoring purposes as it is generally preferable to have absolute standards where possible.

Costs and benefits

45. The benefits of permitted activity status include efficiency and a lower administrative burden as processing resource consents should not be required if the performance standards can be adhered to. Potential costs could arise if there are noise complaints which need to be monitored. On balance, the standardisation of rules across district plans in New Zealand has a significant benefit overall to taxpayers.

Risk of acting or not acting

46. The major risk that could arise in this situation would occur if the **rule's provisions** were too broad and failed to clearly set out the parameters for the activity. In this case, the provisions are clearly applied, and the matters of discretion are also specific to the activity. It is considered that there is sufficient information about this activity to justify this change.

Decision about the most appropriate option

47. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly NOISE-O3 and amended policy NOISE-P3.

NOISE-R19.	Emission of noise and vibration from blasting
1. The activity must only occur in the general rural or rural production; and	Matters of discretion if compliance is not achieved: DIS
2. Noise generated by blasting/use of explosives must not exceed a peak sound pressure of 120dB (Lzpeak) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity; and	

<p>3. A level of 115 dBA may be exceeded on up to 5% of the total number of blasts over a period of 12 months; and</p> <p>4. Blasting must not occur outside of the hours of 9am – 5pm, Monday to Saturday; and</p> <p>5. Blasting, which may include a series of one or more blasts undertaken within a short time period, must not occur more than once per day. This requirement does not apply to minor blasts as identified in the Australian and New Zealand Environment Council - Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration, September 1990 or to blasting necessary for safety purposes; and</p> <p>6. Vibration generated by blasting/use of explosives must not exceed the guideline values in Tables 1 and 3 of DIN 4150 inside any building, except in the case of a building located on property under the same ownership or management as that of the party blasting/using explosives.</p>	
---	--

Effectiveness and efficiency

48. NOISE-R19 manages the emission of noise and vibration from blasting. This standard **is amended to clarify that blasting’ includes a number of blasts** undertaken within a short window of time, and that on some occasions it is necessary for safety purposes. The amendment does not propose that the blasting sequence occurs more than once a day as is currently provided for in the plan. It **does propose that blasting for safety purposes is treated as a ‘minor blast’** as identified in the Australian and New Zealand Environment Council Technical Guidelines.
49. It is considered that these amendments are effective as they clarify the application of the standard by allowing short blasts and blasting for safety, and do not increase the effects in a more than minor way. It is also considered that a sequence of smaller blasts may be less disruptive and potentially safer than a single, larger blast. The standard is also effective as it does not hinder blasting where it is required for safety purposes.
50. In terms of efficiency, the standard sets an enforceable threshold that is straightforward to monitor. It also has the effect of controlling cumulative effects by capping blast frequency and it aligns with technical guidance by referencing the ANZECC 1990 guidelines.

Costs and benefits

51. There are benefits in providing a measurable standard for planning, compliance, and enforcement and setting operational expectations for quarry managers. There is also benefit in aligning with best practice by referring to ANZECC 1990 which ensures technical robustness and defensible thresholds. There are potential costs for surrounding landowners in terms of noise, vibration and disruption but this

should be minimised by specifying the peak sound pressure, dBA and vibration limits and specifying that blasting must not occur outside of the hours of 9am – 5pm, Monday to Saturday. There is also a cost to the quarry operator in terms of the need to undertake daily log-keeping or spot monitoring.

Risk of acting or not acting

1. The risk of a permitted standard is the need to monitor the activity and respond to complaints as necessary. More specific, site-tailored conditions can be applied in a resource consent in comparison with a permitted activity standard. This standard will require ongoing evaluation to ensure that it is working as anticipated. On balance there is a low to medium risk of allowing short blasts and blasting for safety as permitted. There is also a risk of not allowing safety blasting when it is required. It is considered that there is sufficient information to justify this change.

Decision about the most appropriate option

2. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly NOISE-O2 and NOISE-P1.6 and amended P3.

<u>NOISE-RX</u>	<u>Emission of noise from helicopters during construction projects</u>
<p><u>Activity Status: PER</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 4. <u>The activity is for building construction purposes or for infrastructure construction, maintenance and repair: and</u> 5. <u>The activity is undertaken for a period of not more than two consecutive weeks annually per construction or infrastructure project: and</u> 6. <u>The activity only operates during the hours of 9am – 5pm Monday to Saturday.</u> 	<p><u>Activity status where compliance is not achieved: DIS</u></p>

Effectiveness and efficiency

52. The amendment provides a permitted activity pathway for helicopter noise associated with construction. It is efficient because it addresses an activity with short-term effects that can be an operational necessity particularly where sites are logistically complex. The rule ensures these activities can proceed within identified constraints. The rule is effective as it sets time-bound standards. It restricts cumulative effects by limiting the activity to two consecutive weeks annually per project specifying operating hours so as to minimise nuisance. Beyond this scope, the discretionary activity status ensures a full assessment of effects and potential mitigation measures can be evaluated.

Costs and benefits

53. The benefits mainly relate to enabling essential infrastructure projects and larger construction activities to be established, maintained and upgraded, particularly where the sites are remote, elevated or topographically constrained. This is critical in rural districts. The costs are likely to accrue to landowners and occupiers

affected by the noise and disruption. This is mitigated in part by the temporal parameters. Activities needing longer periods have the flexibility to apply for a consent.

Risk of acting or not acting

54. There is some risk associated with cumulative impacts if multiple projects occur sequentially. There is also the **potential for the term 'per project' to be tested if** there are multiple activities associated with a single site. This risk is likely to be reasonably low. There is sufficient information to justify this change.

Decision about the most appropriate option

55. The recommended rule is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly NOISE-O2, and amended NOISE-P3.

NOISE- R9.	Noise standards for the residential, rural lifestyle, settlement and Māori purpose zones										
<p>1. Within the residential, rural lifestyle, settlement and Māori purpose zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the receiving site or the nearest practical measuring point to that boundary:</p> <table border="1" data-bbox="268 1162 799 1520"> <thead> <tr> <th>Time</th><th>Noise limit</th></tr> </thead> <tbody> <tr> <td>7am - 7pm</td><td>50 dBA(LAeq)</td></tr> <tr> <td>7pm - 10pm</td><td>45 dBA(LAeq)</td></tr> <tr> <td>10pm – 7am</td><td>40 dBA(LAeq)</td></tr> <tr> <td>10pm-7am</td><td>70 dBA(LAmax)</td></tr> </tbody> </table>	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm – 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)	<p>Matters of discretion if compliance is not achieved:</p> <p>(a) The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and</p> <p>(b) The proximity of the activity to existing noise sensitive activities; and</p> <p>(c)</p>
Time	Noise limit										
7am - 7pm	50 dBA(LAeq)										
7pm - 10pm	45 dBA(LAeq)										
10pm – 7am	40 dBA(LAeq)										
10pm-7am	70 dBA(LAmax)										

Effectiveness and efficiency

56. NOISE-R9 sets the noise standards for the residential, rural lifestyle, settlement **and Māori purpose zones**. This minor amendment adds a new matter of discretion which provides for the proximity of the activity to existing noise sensitive activities. This is efficient and effective as the existing matters of discretion while providing for compatibility with existing and anticipated activities, effects on health and wellbeing and noise attenuation, do not refer to proximity to noise sensitive activities. The addition is considered to be efficient as it is consistent with the approach to managing noise effects, particularly where these have a higher impact on an existing activity.

Costs and benefits

57. The costs and benefits of this addition are minor. While additional assessment may be required at the time of a resource consent application, in the long run this approach is likely to avoid impacts on existing sensitive activities.

Risk of acting or not acting

58. There is limited risk associated with introducing this matter of discretion. There is sufficient information to justify this change.

Decision about the most appropriate option

59. The recommended matter of discretion is the most appropriate way to achieve the purpose of the RMA. Additionally, this approach is consistent with the policy framework, particularly NOISE-O2, and amended NOISE-P1.1 and P2.