

3.13. NOISE

3.13.1. OVERVIEW

The Resource Management Act requires Council to "control the emission of noise and the mitigation of the effects of noise". Noise pollution creates an all invading source of intrusion into an environment and can adversely affect people's well-being. These effects are often hard to define precisely but regard must be had to the incidence of noise from any activity.

Noise may occur from a wide variety of sources in both the rural and urban environment. Industry, transport, recreation, and households can all create noise that may influence a person's well-being by, for example, preventing sleep, inducing stress, disturbing concentration or interfering with communication.

There are situations where it may be impracticable to reduce noise levels, and where related to a domestic activity of relatively short duration, such as lawn mowing or seasonal rural activities, noise may be acceptable. These activities would generally exceed any otherwise reasonable noise standards. As they are generally of short duration, they are often best left to be resolved by those involved. However, inconsiderate actions may require intervention by Council to ensure that unreasonable or excessive noise is abated.

The controls imposed by this Plan do not remove the possible requirements of other noise control legislation such as the Health Act 1956 and the Building Act 1991.

3.13.2. THE ISSUES

The following are considered to be the significant noise issues facing the Clutha District.

- **The Clutha District has a relatively "quiet" amenity.**

Explanation

The Clutha District is relatively free from major industry, high traffic volumes, and large urban centres and is largely a rural environment. Consequently, the District is considered to have a quiet and peaceful amenity.

- **Noise generated by some industrial and agricultural type activities can adversely impact on residential activities.**

Explanation

Some industrial and agricultural activities can generate significant noise levels and are consequently incompatible with residential areas which have a quiet background noise level.

3.13.3. OBJECTIVES AND POLICIES

OBJECTIVE NSE.1

To protect the Districts amenity values and the wellbeing of the Districts people from the adverse effects of noise.

POLICY NSE.1

To mitigate the adverse effects of noise on

- (i) The well-being of the people of the District; and**
- (ii) The amenities of the District.**

Explanation

Noise can greatly impact on the amenities of the District and the general wellbeing of the District's people. Council's goal is to reduce this impact to an acceptable level.

(Refer Rules NSE.1 to Method NSE.2, and Resource Areas of Section 4,)

POLICY NSE.2

To establish permitted noise levels as a minimum standard for defined areas of the District.

Explanation

Noise levels permitted reflect the noise levels in specific areas as determined by noise surveys. Noise levels are generally specified at a receiver position in order to optimise the level of protection without unnecessarily impacting on the noise generator.

(Refer various Resource Areas of Section 4)

POLICY NSE.3

To mitigate the adverse effect that noise generated from airports can have, while ensuring that the viability of the Districts airports is not threatened.

Explanation

The continuing operation of the airfields can be severely affected if activities which are sensitive to noise (e.g. residential uses), establish adjacent to them. Council proposes to investigate the establishment of an airport noise boundary which should avoid potential problems. Noise within that boundary would be controlled by the New Zealand Standard 6805: 1992.

(Refer Method NSE.1)

POLICY NSE.4

To monitor noise trends throughout the District.

Explanation

Noise levels have been measured throughout the District to establish general background noise levels. This enables Council to measure the performances of activities against accepted amenity levels. Monitoring of noise will continue throughout the district to assess the effectiveness of this Plan.

3.13.4. RULES

The following rules apply throughout the District.

It should be noted that each Resource Area contains specific noise provisions.

RULE NSE.1 MEASUREMENT

- (i) Except where otherwise stated, all noise will be measured and assessed in accordance with the requirements of New Zealand Standards NZS 6801:2008 “Acoustics – Measurement of environmental sound” and assessed in accordance with NZS 6802:2008 “Acoustics – Environmental noise”.
- (ii) The measurement period shall be not less than 15 minutes and the L10 level in dBA is defined as that level of sound equalled or exceeded for 10% of the measurement period.

REASON

Recognised noise assessment and measurement techniques are to be used to ensure consistency is achieved and doubt is removed from the process.

RULE NSE.2 CONSTRUCTION NOISE

Noise resulting from construction which is ancillary to the principal use of the site shall meet with the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 6803 1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work. Any activity that does not comply with this rule shall be considered as a discretionary activity in accordance with the criteria set out in Method NSE.2.

REASON

Construction site noise is often thought of as only a temporary inconvenience although major developments may take several years. Noise from such projects can often be a serious problem, however Council considers that existing New Zealand Standards are adequate to control this activity. The abatement procedures for excessive noise is available where such noise is becoming a major problem.

RULE NSE.3 VIBRATION

Vibration emanating from a site shall meet the limits recommended in, and shall be measured and assessed in accordance with, New Zealand Standard NZS 4403:1976 Code of Practice for Storage, Handling and Use of Explosives.

REASON

Vibration from the operation of machinery or the use of explosive devices can be a nuisance. Once again, the New Zealand Standards are seen as an adequate control with abatement notice procedures controlling excessive noise problems.

RULE NSE.4 TEMPORARY MILITARY TRAINING ACTIVITIES

Notwithstanding anything to the contrary elsewhere in this plan, the permitted noise levels for temporary military training activities shall not exceed the following limits:

For all resource areas (as measured from a line 20 metres from and parallel to the façade of any dwelling used for accommodation):

Any day 0630-0730	Any day 0730-1800	Any day 1800-2000	Any day 2000-0630
(i) Temporary Military Training Activities only up to:			
60 dBA L ₁₀	75 dBA L ₁₀	70 dBA L ₁₀	45 dBA L ₁₀
(ii) Temporary Military Training Activities – Use of explosives only up to:			
122 dBC	122 dBC	122 dBC	122 dBC

Any temporary military training activity that fails to comply with these standards shall be a discretionary activity.

REASON

Noise associated with temporary military training activities can sometimes be reasonably loud, but are generally infrequent and of short duration. Because of the short-term nature of temporary military training activities, Council considers it overly restrictive to require applications for resource consent where the noise standards of the Resource Areas are not met. Consequently, higher limits have been identified for this activity.

Council also notes section 16 of the Act which imposes a general duty on people to avoid creating unreasonable levels of noise.

3.13.5. OTHER METHODS

METHOD NSE.1 - AIRPORT NOISE BOUNDARIES

To investigate in conjunction with Airport operators, the development of an air noise boundary and outer control boundary, for the district's airfields.

REASON

While airfields and airports are considered essential resources of the District, noise emission from these facilities can be excessive relative to what is expected in the rural area and can be objectionable to people living and working in the vicinity of such facilities. In order to protect the viability and efficiency of existing or future airfields of the District, noise sensitive activities within the vicinity of these facilities may need to be controlled. Council proposes to investigate the creation of an air noise boundary that establishes performance standards for activities located within it.

METHOD NSE.2 - RESOURCE CONSENT CRITERIA

In considering any resource consent application for a dispensation from minimum noise level standards stipulated throughout the Plan, Council shall have regard to the following matters:

- The maximum noise levels of the proposed activity.
- The frequency the noise activity takes place.
- The length of time that the noise continues.
- The special characteristics of the noise.
- The likely adverse effects of noise on other activities and the natural and physical resources of the locality (including cumulative effects).
- Any possible means of mitigating the effects of the noise.
- The objectives for noise control.

In granting any consent, the Council may impose conditions including maximum noise levels and the days, and times during the day, in which noise may be created and the requirements for the mitigation of the effects of the noise.

REASON

There may be instances where dispensation can be given from the noise performance standards because of the special characteristics of the type of noise being emitted. This rule gives Council a flexibility in regard to such activities.

METHOD NSE.3 MONITORING

To assess the effectiveness of these policies and rules Council shall

- analyse complaints received
- measure noise levels at specified points annually to monitor background noise.

METHOD NSE.4 - GENERAL RESPONSIBILITIES

Every occupier of land or water and every person carrying out an activity on land or water shall adopt the best practicable option (as defined by the Act) to ensure emission of noise from that land or water activity does not exceed a reasonable level. Where Council considers there to be unreasonable noise emission in terms of Sections 326 and 327 of the Act, Council may exercise the powers available under those sections.

(See Section 16 of the Act)

REASON

Section 16 of the Act imposes a duty on people to avoid creating unreasonable noise. Council recognises that many noises generated by normal domestic activities (e.g. lawn mowing, people entertaining at their residence) may exceed normal background noise levels and in some instances will create excessive noise as defined by Section 326 of the Act. Where a complaint is received in terms of Section 327 of the Act, Council will carry out its duties in terms of that section. It is considered appropriate to note these provisions in the Plan to draw the public's attention to their responsibilities in terms of noise generation.

3.13.6. ANTICIPATED ENVIRONMENTAL RESULTS

1. Maintenance of the District's "quiet" amenity values.