

Plan Change 40: Stirling Zoning

Schedule of Changes

1. Planning Map U46 Stirling North:

- Rezone part of Lots 20-25 DP 2254 from Rural Resource Area to Transitional Resource Area.
- Rezone Lots 1-3 DP 368578 from Rural Resource Area to Urban Resource Area.

2. Planning Map U46 Stirling North and U47 Stirling South:

- Rezone part of Lot 39 DP 2254, Part Lot 40 DP 2254, Lot 8 DP 9591, Lot 40 DP 2254, Part of Lots 41 and 42 DP 2254 from Rural Resource Area to Transitional Resource Area

3. Planning Map U47 Stirling South:

- Rezone Lot 1 DP 394882 and Lot 2 DP 394882 from Rural Resource Area to Transitional Resource Area.
- Rezone Lot 1 DP 301857, Lots 1 and 2 DP 394882 from Rural Resource Area to Industrial Resource Area.
- Establish a 'Noise Control Boundary' around the Fonterra Stirling Dairy Factory site as shown on the planning map U47 Stirling South.

4. Section 3.13 Noise

(i) Amend Rule NSE.1 Noise Measurement (i) as follows:

(i) Except where otherwise stated, all noise will be measured and assessed in accordance with the requirements of ~~NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound~~. New Zealand Standards NZS 6801:2008 "Acoustics – Measurement of environmental sound" and assessed in accordance with NZS 6802:2008 "Acoustics – Environmental noise".

5. Section 4.4 Industrial Resource Area

(i) Amend Section Rule IND.2 by adding the following rule:

(2) On the Stirling Dairy Manufacturing Site located on Pt Lot 1 DP 2254, Lot 2 DP 19577, Lot 3 DP 18037, Pt Section 382R, Lot 1 DO 24460 and Lot 1 DP 301857, noise from operations, including all ancillary equipment, maintenance activities, and operation of all vehicles on site (including those entering and exiting the site), shall not exceed the following limits when measured at or beyond the Noise Control Boundary:

Weekdays and Weekends

7am – 10pm 55dB_{L_{Aeq}} (15 min)

10pm – 7am 45 dB_{L_{Aeq}} (15 min) and 75 LAF_{max}

Non-compliance with this requirement shall be considered as a restricted discretionary activity.

Council shall restrict the exercise of its discretion to the operational requirements of the site, and the effect of noise on adjoining sensitive activities within the Noise Control Boundary.”

6. Section 4.1 Rural Resource Area

(i) Add the following new Objective and Policies:

Objective RRA.7

That the ongoing operation of existing farming, rural based or industrial activities located within the Rural Resource Area or in other adjoining resource areas is not compromised by the establishment, upgrade or extension of sensitive activities within the Rural Resource Area.

Policy RRA.14

To ensure that new sensitive activities or additions to existing sensitive activities in the rural environment do not result in reverse sensitivity effects on operations at the Stirling dairy factory site by requiring such activities within the noise control boundary to meet minimum standards for acoustic insulation.

Policy RRA.13

To ensure that the establishment, upgrade or extension of sensitive activities are located and/or designed so that they will not be significantly affected by existing activities that generate noise, dust, traffic and odour effects so that reverse sensitivity effects will not occur.

(ii) Amend Rule RRA.3 Residential activities (iv) discretionary activities by amending subsection (b) as follows:

(b) Any residential activity which is to locate within 1 kilometre of any activity that:

- generates excessive or nuisance noise types
- is defined as an intensive farming activity
- requires a licence in terms of Section 15 of the Dangerous Goods Act 1974
- requires a licence as an offensive trade within the meaning of the Third Schedule of the Health Act 1956, or
- uses, produces or stores commercial quantities of hazardous substances

OR any residential activity which is to locate within a “Noise Nuisance Area” boundary as shown on the planning maps excluding the ‘Noise Control Boundary’ for the Stirling dairy factory (see Rule RRA.10(iv)).

is a discretionary activity.

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(iii) Amend Rule RRA.10 Noise Standards by inserting a new subsection (iv) as follows:

(iv) Any new sensitive activity, or additions that increase the floor area of an existing sensitive activity located within the Noise Control Boundary associated with the Stirling Dairy Manufacturing Site shall be constructed to achieve an internal design level of 35dB_{L_{Aeq}}(1hr) in all habitable rooms with the windows closed.

Any activity that fails to comply with this standard is a discretionary activity.-The Operator of the Stirling Dairy Manufacturing Site shall be considered an affected party in relation to any application arising from non-compliance with this standard.

(iv) Renumber existing Rule RRA.10(iv) as (v).

(v) Amend Rule RRA.10(v) as follows:

“Any activity that fails to comply with ~~these~~ standards (i) to (iii) above, is a restricted discretionary activity.”