

SECTION 32 REPORT

Noise

May 2022

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1 Executive Summary

A certain level of noise is anticipated by people visiting, living and working in the Far North District, but this will vary depending on the type and location of activities. Noise has the potential to cause adverse effects, depending on a number of factors such as frequency, timing, volume and the type of noise. Noise generation is often an inherent part of business and industrial activities. This can become an issue when it exceeds anticipated levels in particular locations, particularly where it causes sleep disturbance and the inability to enjoy outdoor open space.

Excessive noise can detract from the character and amenity values associated with the local environment, particularly in urban areas where it affects a greater portion of the population. Noise conflicts can occur when noise 'sensitive' activities are located in proximity to activities that generate heightened levels of noise. The Operative District Plan (**ODP**) generally manages noise by applying different noise standards in each zone and through the overall character and amenity values objectives and policies of the Plan. There are also specific noise provisions for the airports, as well as areas used for commercial and industrial purposes. Specific noise provisions are also applied to particular noise generating activities such as construction works and helicopter landing areas. The Operative Plan provisions for managing noise are generally effective in ensuring activities are not significantly adversely affecting the character and amenity values of various areas in the District. However, there are a few technical concerns relating to the current provisions, including reference to out-of-date technical documents and standards. Also, the provisions do not address management of potential reverse sensitivity effects resulting from noise sensitive activities locating near state highways.

The key resource management issues for Noise are:

- The overall management of noise emissions is simplistic and permissive and lacks a clear relationship with the purpose, function, character and amenity of each distinct environment.
- Reverse sensitivity effects can arise when noise sensitive activities are located within close proximity to commercial, industrial, or productive activities.
- A consistent approach for the location of noise assessment. The ODP allows for 'at or within the boundary' or 'at or within the notional boundary'. This creates unintended flexibility in the rule, and leaves assessment open to uncertainty to all users.
- References to consistent noise metrics, aligning with the National Planning Standards.

The key changes introduced for Noise are:

- Introduction of a single Noise chapter with objectives that set out the intent for activities that generate noise and those that are sensitive to these matters, and new and amended rules and standards that:
 - Apply a lower noise during night time (10pm-7am) in the Rural Zones.
 - Apply revised and rationalised noise controls around the airport.
 - Require the noise insulation of noise sensitive activities in close proximity to established noise generating activities or areas (e.g. state highways, Mixed Use Zone or Light Industrial Zone).
- Two new policies that recognise the character of each zone and manage noise sensitive activities near the business zones.

2 Introduction and Purpose

2.1 Purpose of report

This report provides an evaluation undertaken by the Far North District Council (**Council**) in preparation of district plan provisions for Noise in the Proposed Far North District Plan (**PDP**). This assessment is required under section 32 of the Resource Management Act 1991 (**RMA**).

Section 32 of the RMA requires Councils to examine whether the proposed objectives are the most appropriate to achieve the purpose of the RMA and whether the provisions (i.e. policies, rules and standards) are the most appropriate way to achieve the objectives. This assessment must identify and assess environmental, economic, social, and cultural effects, benefits and costs anticipated from the implementation of the provisions. Section 32 evaluations represent an on-going process in RMA plan development and a further evaluation under section 32AA of the RMA is expected throughout the review process in response to submissions received following notification of the PDP.

2.2 Overview of topic

Noise can be managed by the District Plan, directly by the RMA, or by other legislation. For example, noise from activities such as industrial processes and concerts are managed by the District Plan. Whereas noise generated by dogs, vehicles on public roads, aircraft in flight and emergency facilities are controlled through other legislation. This report focuses on noise that can be managed under the District Plan. It sets out the trends and issues for this topic, provides an overview of the statutory and policy context, and any specific consultation on this topic. The report also includes a review of the ODP and evaluation of alternatives to determine the most appropriate way(s) to achieve the purpose of the RMA in relation to noise.

The adverse effects of noise are an issue in both urban and rural areas where noise can impact on the health of people and communities and their ability to enjoy their property and wider environment. It can also have pronounced effects on amenity values. While some background noise is expected, some noise can cause nuisance, health issues and impacts on the wellbeing of communities. This is often influenced by the character, duration and time noise generating activities occur. Some activities, including certain industrial processes, motor sport and rural activities are inherently noisy, while other activities can generate noise effects due the number and/or frequency of people they attract. In natural areas, including on the surface of water, noise can detract from the intrinsic values of such areas.

The Noise provisions in the ODP simply set maximum noise limits within a zone and do not specify activities that can operate within a zone. This has created some tensions in the Rural Production zone where limits are relatively high which has allowed industrial activities to establish. The National Planning Standards 2019 (**Planning Standards**) have introduced a prescribed structure of District Plan documents to improve consistency across the country. The new structure requires noise to be considered and presented in its own chapter. The changes to the Noise provisions as part of the consolidated review of the ODP will address the requirements of the Planning Standards as well as move from a simple effects-based rule set to an activities-based approach. It is considered that this will give more certainty on the types of activities that can be established in different zones and aligns with the hybrid approach proposed in the consolidated review of the ODP.

3 Statutory and Policy Context

3.1 Resource Management Act 1991

The **Section 32 Overview Report for the PDP** provides a summary of the relevant statutory requirements in the RMA relevant to the PDP. This section provides a summary of the matters in Part 2 of the RMA (purpose and principles) of direct relevance to this topic.

Outlined below are the particular sections of the RMA that have particular relevance for the management of noise.

Section 9 sets out duties and restrictions on the use of land under the RMA and applies to overflying by aircraft:

- (5) This section applies to overflying by aircraft only to the extent to which noise emission controls for airports have been prescribed by a national environmental standard or set by a territorial authority.*

Section 16 imposes a duty on all occupiers of land to avoid unreasonable noise:

- (1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level;*
- (2) A national environmental standard, plan, or resource consent made or granted for the purposes of any of section 9, 12, 13, 14, 15, 15A and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection (1).*

Section 31 has particular relevance:

- (d) the control of the emission of noise and the mitigation of the effects of noise.*

Section 74(1) of the RMA states that District Plans must be prepared in accordance with the provisions of Part 2. The purpose of the RMA is the sustainable management of natural and physical resources which is defined in section 5(2) of the RMA as:

“...sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Section 326-328 set out specific requirements regarding the management of ‘excessive noise’, including defining what is meant by the term along with related enforcement mechanisms.

To achieve the purpose of the RMA, all those exercising functions and powers under the RMA are required to:

- Recognise and provide for the matters of national importance identified in section 6
- Have particular regard to a range of other matters in section 7
- Take into account the principles of the Treaty of Waitangi in section 8 of the RMA.

Section 6 of the RMA sets out ‘matters of national importance’ that must be recognised and provided for. There are no specific matters of national importance considered to be relevant to the noise topic.

Section 7 sets out the specific matters that those exercising functions and powers under the RMA shall have particular regard to. The following subsections are considered most relevant for the development of provisions that relate to noise:

(c) the maintenance and enhancement of amenity values

(f) maintenance and enhancement of the quality of the environment

Noise generated by certain activities can adversely affect amenity values by disturbing sleep and the ability of people to use outdoor living spaces or open windows. The presence of continuous noise can also affect the quality of an environment, particularly in Residential Environments where certain types of noise is not anticipated.

Section 8 of the RMA requires that all persons exercising functions and powers under it take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). No issues associated with the Treaty of Waitangi have been identified for the noise topic.

3.2 Higher order planning instruments

Section 75(3) of the RMA requires district plans to give effect to higher order planning instruments - National Policy Statement (**NPS**), the New Zealand Coastal Policy Statement (**CPS**), National Planning Standards (**Planning standards**), and the relevant Regional Policy Statement (**RPS**). The **Section 32 Overview Report** provides a more detailed summary of the relevant RMA higher order planning instruments relevant to the PDP. The sections below provide an overview of provisions in higher order planning instruments directly relevant to noise.

3.2.1 National Planning Standards

Section 75(3)(ba) of the RMA requires that district plans give effect to Planning Standards. The Planning Standards were gazetted in April 2019 and the purpose is to assist in achieving the purpose of the RMA and improve consistency in the structure, format and content of RMA plans.

The PDP will give effect to the Planning Standards, as the Noise chapter is located in the 'District-Wide Matters' and will be a distinct chapter. The Noise provisions have incorporated the relevant Noise Standards directed by the Planning Standards.

3.2.2 National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to the NPS. A NPS is prepared under the RMA to help local government decide how competing national benefits and local costs should be balanced. In this instance, there are no NPS considered directly relevant to the consideration of the proposed provisions for the Noise chapter.

3.2.3 National Environmental Standards

Section 44 of the RMA requires local authorities to recognise National Environmental Standards (**NES**) by ensuring plan rules do not conflict or duplicate with provisions in a NES.

The NES for Telecommunications Facilities 2016 is the only NES of relevance and sets out noise limits for telecommunications cabinets located in road reserve. As the PDP does not impose more restrictive requirements on this activity relative to the NES, no further evaluation is required under section 32(4) RMA.

3.2.4 Regional Policy Statement for Northland

Section 75(3)(c) of the RMA requires District Plans 'give effect' to any RPS. The Northland RPS was made operative on 14 June 2018. The table below outlines the provisions in the Northland RPS are directly relevant to Noise.

RPS	
Objective 3.6	Economic activities – reverse sensitivity and sterilisation
Policy 5.1.1	Planned and coordinated development

In summary, this RPS objectives and policies and the implementation method require the PDP to:

- To protect the economic viability of land and activities from the negative impacts of new subdivision, use and development, with a particular focus on primary production, industrial activities, commercial activities, and planned regionally significant infrastructure.
- To recognise the tensions that can arise within and between zone boundaries where incompatible activities are located within close proximity to each other.
- Have particular regard to commercial and industrial activities when sensitive activities seek to establish in close proximity to existing, zoned, or otherwise planned noise generating activities.

3.3 Regional Plan for Northland

Section 75(4)(b) of the RMA states that any district must not be inconsistent with a Regional Plan for any matter stated in section 30(1) of the RMA. The operative Northland Regional Plans and proposed Northland Regional Plan are summarised in the **Section 32 Overview Report**.

The Proposed Regional Plan does include noise provisions for the management of noise within the coastal marine area, as well as identifying it as a matter of discretion for a number of activities. Beyond that, the Proposed Regional Plan is of little relevance to the consideration of provisions in the Noise Chapter.

3.4 Iwi and Hapū Environmental Management Plans

When preparing and changing district plans, Section 74(2A) of the RMA requires Council to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. At present there are 14 iwi planning documents accepted by Council which are set out and summarised in the **Section 32 Overview Report**. The key issues in these plans that have been taken into account in the preparation of the provision for Noise are as follows:

- Effects on taonga species – Kororaeka Marae Environmental Hapū Management Plan 2009 sought to protect taonga species from the adverse effects of noise, particularly the impacts on air resources and how these effects could be monitored.
- Forestry and traffic noise effects – Ngā Ture mo te Taiao o Te Roroa sought that noise and vibration related to forestry be managed, including traffic noise effects generated from logging trucks.
- Effects on mauri – Te U Kai Po for Ngā Iwi o Whaingaroa sought that noise generated by radio waves be managed to maintain the mauri and enhance the life supporting capacity of the atmosphere and air to sustain life.

The following considerations have been made with regards to these matters:

- Effects on taonga species – effects on taonga species could arise when noise generating activities are located within natural environments where these resources are located. The Significant Natural Area (**SNA**) maps identify significant natural habitats. These maps do not map taonga species specifically, however it is likely that taonga species would be located in these areas. SNA's are predominantly located within the Rural Production Zone where some

noise generating activities can establish, for example primary production activities can include quarrying and forestry. The PDP proposes reduced noise limits in the Rural Production Zone that may go some way in addressing noise effects and the potential impacts on taonga species.

- Forestry and traffic noise effects – The NES for Plantation Forestry (**NES PF**) provides specifically for plantation forestry to maintain and improve environmental outcomes associated with plantation forestry and provide efficiencies in the management of forestry activities. This means that District Plans cannot be contrary to activities permitted by the NES PF, as such plantation forestry activities are permitted in the Rural Production zone with exemptions to Noise Standards provided in the PDP. Further, noise generated by vehicles on roads are managed by the Transport Act 1998. As such, further evaluation under section 32(4) RMA is not required.
- Effects on mauri – noise generated by radio waves are not specifically provided for in the PDP, however the NES for Telecommunication Facilities (**NES TF**) does include noise limits for telecommunication facilities. Similarly, to the NES PF, the PDP cannot include a rule that conflicts with a national environmental standard. As such, further evaluation under section 32(4) RMA is not required.

3.5 Other Legislation and Policy Documents

When preparing or changing a district plan, section 74(2)(b)(i) of the RMA requires council to have regard to management plans and strategies prepared under other Acts to the extent that it has a bearing on resource management issues of the district. The **Section 32 Overview Report** provides a more detailed overview of strategies and plans prepared under legislation that are relevant to PDP. This section provides an overview of other strategies and plans directly relevant to Noise Chapter.

3.5.1 New Zealand Standards

The New Zealand Standards (**NZS**) are nationally based standards that provide guidance on the measurement of noise and appropriate levels at which to control noise effects. NZS are an independent business unit within the Ministry of Business, Innovation and Employment (**MBIE**), who lead the development of these country-wide standards under the Standards and Accreditation Act 2015. NZS are mandatory when cited in legislation and regulations and can be referenced as a means of compliance or as an acceptable regulatory solution. The Planning Standards include mandatory directions on NZS that must be used to measure and assess noise emissions in a district plan.

Activities generate diverse noise characteristics and there are various standards that are designed for specific purpose and activities. The noise related NZS specifically referred to in the PDP are:

- New Zealand Standard 6801:2008 Acoustics – Measurement of environmental sound
- New Zealand Standard 6802:2008 Acoustics – Environmental noise
- New Zealand Standard 6803:1999 Acoustics – Construction noise
- New Zealand Standard 6805:1992 Airport noise management and land use planning – measurement only
- New Zealand Standard 6806:2010 Acoustics – Road-traffic noise – New and altered roads
- New Zealand Standard 6807:1994 – Noise Management and Land Use Planning for Helicopter Landing Areas- excluding 4.3 Averaging
- New Zealand Standard 6808:2010 Acoustics – Wind farm noise
- New Zealand Standard 6809:1999 Acoustics – Port noise management and land use planning

3.5.2 Any other relevant legislation

In addition to the NZS the following legislation is also relevant to this topic:

- Building Act 2004 / New Zealand Building Code 1992 – controls the construction of buildings including preventing undue noise transmission between activities in the same building, and

the insulation of new buildings and the use of double glazing to reduce the effects of external noise sources.

- Health Act 1956 (sections 29-35) – enables the Council to deal with nuisance noise and vibration that is likely to affect people’s health.

4 Current state and resource management issues

This section provides an overview of the relevant context for Noise, current approach to manage the Noise through the ODP, and key issues raised through consultation. It concludes with a summary of the key resource management issues for Noise to be addressed through the PDP.

4.1 Context

A certain level of noise is anticipated by people visiting, living and working in the District, but this will vary depending on the type and location of activities. Noise has the potential to cause adverse effects, depending on a number of factors such as frequency, timing, volume and the type of noise. Noise generation is often an inherent part of business and industrial activities. This can become an issue when it exceeds anticipated levels in particular locations, particularly where it causes sleep disturbance and the inability to enjoy outdoor open space.

Issues can arise at the zone boundary where there is a change from one purpose to another (e.g. residential and industrial activities). Complaints often relate to excessive noise, especially if it occurs frequently over extended periods of time. Although most people are generally prepared to tolerate noise from one-off infrequent events such as an outdoor public event, it is acknowledged that the level of noise that individuals are prepared to accept differs and that it is important for the District Plan to include clear limits that maintain generally accepted levels of amenity.

4.2 Operative District Plan Approach

4.2.1 Summary of current management approach

Currently, the ODP manages Noise with a zone-based approach with noise provisions simply setting maximum noise limits within each zone. The ODP is an effects-based plan and has limited activity-based provisions. The ODP approach is summarised below:

- Day and night noise emission standards for all zone environments;
- Noise mitigation for residential activities in the commercial and industrial zones;
- Provisions for Temporary Military Activities;
- Provisions for noise sensitive activities in proximity to airports; and
- Provisions for construction noise.

When compliance with the permitted activity standards cannot be met, resource consent as a restricted discretionary activity is required.

There have been 22 plan changes undertaken since the ODP became operative in 2009. No plan changes undertaken relate to the noise provisions.

4.2.2 Limitation with current approach

The Council has reviewed the current ODP approach, which has been informed by technical advice, internal workshops and feedback from the community and stakeholders.

As part of the review of the Noise provisions, a Noise and Vibration Report was undertaken by Marshall Day Acoustics and is attached as **Appendix 1**. The Noise and Vibration report reviewed the ODP provisions and made recommendations to align with the Planning Standards and best practice.

A number of limitations with the current ODP approach have been identified through this process, including:

- The Planning Standards seek to improve the efficiency and effectiveness of the planning system by providing nationally consistent structure, format, definitions, electronic functionality, and noise and vibration metrics. Additionally, they direct that Noise provisions should be located within a single Noise Chapter under ‘District-Wide Matters’.
- The ODP use of noise metrics are no longer in line with best practice, referencing out of date NZ Standards.
- The ODP generally directs that noise is to be measured ‘at or within the boundary’ in urban environments or ‘at or within the notional boundary’ in rural environments. Assessment location is discussed in the Noise and Vibration Report, and comments that ‘at or within’ provides too much flexibility and can create confusion as this approach generally allows for two locations for noise to be assessed from.
- The Noise and Vibration Report assesses a number of the noise limits, as being either too conservative or too permissive based on best practice environmental noise criteria and World Health Organisation guidelines on Community Noise.

4.3 Key issues identified through consultation

The **Section 32 Overview Report** provides a detailed overview of the consultation and engagement Council has undertaken with tangata whenua, stakeholders and communities throughout the District to inform the development of the PDP and the key issues identified through this consultation and engagement. This section provides an overview of key issues raised through consultation in relation to Noise and a summary of advice received from iwi authorities on Noise.

4.3.1 Summary of issue raised through consultation

There was a moderate level of interest in Noise from the community through consultation and engagement of the PDP. Key issues identified through this process include:

- New Zealand Defence Force (**NZDF**) – NZDF provided comprehensive feedback on both the Temporary Activity and Noise provisions in both the Draft District Plan Policy Framework 2018 and the Draft District Plan 2021 (**Draft Plan**). NZDF broadly supports the Temporary Military Training Activity rule in the Draft Plan subject to a few minor amendments. Some of the issues raised were due to drafting error, while other relief sought related to activity status when compliance could not be achieved with the permitted activity standard. The relief sought by NZDF has generally been incorporated to allow for a consistent approach in the management of temporary military training activities in District Plans across New Zealand.
- Waka Kotahi New Zealand Transport Agency (**Waka Kotahi**) – In 2018 Waka Kotahi sought a 100m setback from state highways for all sensitive activities, and where this could not be met noise insulation was to be required¹. The intention of this provisions was to address reverse sensitivity which can arise between when sensitive activities, particularly residential activities, establish in close proximity to roads that experience high volumes of traffic movements. The relief sought by Waka Kotahi in 2018 was evaluated in the Noise and Vibration Report with recommendations made and adopted in the Draft Plan 2021. Waka Kotahi have since revised their approach, now seeking the inclusion of mapped noise contours to manage reverse sensitivity and noise effects. It is understood that Waka Kotahi are seeking to roll this approach out in various district plans across New Zealand However, the noise contours will not be mapped in time to be included within the PDP which is anticipated for notification in July 2022. A more detailed section 32 evaluation of this component is undertaken in Section 8.4, with reference to the recommendations of Marshall Day from their Noise and Vibration Report.

¹ As per the recommendations in the [NZTA Guide to the Management of Effects on Noise Sensitive Land Use New to the State Highway Network](#)

- Top Energy Ltd – reverse sensitivity can arise between sensitive activities and infrastructure that generate noise. Top Energy generally supported the inclusion of objectives that sought to manage reverse sensitivity effects as they relate to infrastructure, however sought amendments to align with the RPS.
- Federated Farmers of New Zealand – Sought an exemption for mobile farm machinery. The preamble under the ‘Rules’ heading lists noise emitting activities in which the Noise rules and standards do not apply. Number 5 is considered to adequately address this matter.
- Helicopter Land Areas – Some concern was raised by members of the Russell and Paihia communities regarding allowances for helicopter landing areas within residential areas. Issues arise when helicopter landing is enabled or allowed in close proximity to areas that are predominantly residential in nature, particularly in the Russell and Paihia areas. The Noise and Vibration Report discusses appropriate noise emissions and has recommended acceptable noise levels for a range of environments, and where compliance cannot be achieved resource consent is required. A more detailed section 32 evaluation of this is undertaken in Section 8.4, with reference to the recommendations of the Marshall Day Noise and Vibration Report.
- Reverse sensitivity – There was mixed feedback regarding the inclusion of increased setbacks and the requirements for noise insulation and at the zone interface and are discussed below:
 - Noise insulation - Feedback in support of noise insulation requirements by Public Health Northland was concerned over the adequacy of the suggested insulation measures and in the absence of the section 32 evaluation report, questioned whether the provisions would ensure the health, safety and wellbeing of the community. While those in opposition were concerned with the onerous nature of the noise insulation requirements. As noted previously, the Draft Provisions were based on feedback from Waka Kotahi and supported by the Noise and Vibration Report. Waka Kotahi have since revised their approach, which will be evaluated further below in Section 8.4.
 - Zone boundary interface – noise limits in Mixed Use zone generally provide for higher levels of noise emissions than the residential and rural zone environments. Concerns were raised that there was the potential for reverse sensitivity effects to arise at the zone interface where zones were predominantly residential in nature. This has been recognised as a gap in the Draft Plan provisions, and a standard to manage noise emissions at the notional boundary of sensitive activities has been incorporated into the Mixed Use noise standards. This is consistent with the approach taken in the Light Industrial and Heavy Industrial zones.

4.3.2 Summary of advice from iwi authorities

Section 32(4A)(a) of the RMA requires that evaluation reports include a summary of advice on a proposed plan received from iwi authorities. The **Section 32 Overview Report** provides an overview of the process to engage with tangata whenua and iwi authorities in the development of the PDP and key issues raised through that process.

No feedback from iwi authorities was received in relation to the noise topic.

4.4 Summary of resource management issues

Although adverse effects of noise can cause issues in both rural and urban areas when noise impacts the health of people and communities, this was not identified as a significant resource management issue in the development of the PDP.

Based on the analysis of relevant context, current management approach, and feedback from consultation, the key resource management issues for the noise topic to be addressed through the PDP are:

- The overall management of noise emissions is simplistic and permissive and lacks a clear relationship with the purpose, function, character and amenity of each distinct environment.
- Reverse sensitivity effects can arise when noise sensitive activities are located within close proximity to commercial, industrial, or productive activities.
- A consistent approach for the location of noise assessment. The ODP allows for 'at or within the boundary' or 'at or within the notional boundary'. This creates unintended flexibility in the rule, and leaves assessment open to uncertainty to all users.
- References to consistent noise metrics, aligning with the Planning Standards.

5 Proposed District Plan Provisions

The proposed provisions are set out in the Noise Chapter of the PDD. These provisions should be referred to in conjunction with this evaluation report.

5.1 Strategic Objectives

The PDP includes a strategic direction section which is intended high level direction for the PDP and guidance on how best to implement the Council's community outcomes set out in Far North 2100 and its Long-Term Plan. No strategic objectives are of direct relevance to noise topic.

5.2 Proposed Management Approach

This section provides a summary of the proposed management approach for Noise focusing on the key changes from the ODP. The **Section 32 Overview Report** outlines and evaluates general differences between the PDP provisions and ODP, includes moving from an effects-based plan to a 'hybrid plan' that includes effects and activities-based planning and an updated plan format and structure to align with the national planning standards.

The main changes in the overall proposed management approach are:

- Noise provisions are no longer located in the area specific environments and will be consolidated in one Noise Chapter. These changes are made to align with the Planning Standards.
- The introduction of activities, providing more specifically for a range of noise generating activities that are compatible with the role and function of different environments while managing potential reverse sensitivity effects. This aligns with the change from an effects-based plan to that of a hybrid.
- The introduction of provisions to manage reverse sensitivity, to give effect to specific directions in the RPS.

The sections below provide a high-level summary of the objectives, policies, and rules and other methods for Noise.

5.3 Summary of proposed objectives and provisions

This section provides a summary of the proposed objectives and provisions which are the focus of the section 32 evaluation in section 7 and 8 of this report.

5.3.1 Summary of objectives

The proposed management approach for Noise includes objectives that:

- Seek to provide for activities with a range of noise levels that are compatible with the role, function and character of each zone in a manner than does not compromise the health, safety and wellbeing of the community.
- Seek to manage reverse sensitivity effects by minimising the opportunity for conflicts to arise.

5.3.2 Summary of provisions

For the purposes of section 32 evaluations, 'provisions' are the *"policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change"*.

The proposed management approach for Noise includes policies that:

- Seek to uphold the character and amenity of each zone by enabling or managing the effects of noise generating activities within specific environments.
- Providing for a range of noise limits to uphold the character and amenity of each zone.
- Managing potential reverse sensitivity effects by ensuring buildings that accommodate noise sensitive activities are appropriately located and designed through the use of noise insulation.

- Ensure noise effects generated by activities are compatible with the type, scale and level expected within the receiving environment.

The proposed management approach for Noise includes rules and standards that:

- Set noise limits that are appropriate with the function, and predominant character and amenity of each zone.
- Allow for temporary activities.
- Permits construction noise that comply with the guidelines and recommendations of the NZ Standards NZS 6803:1999: Acoustics Construction Noise.
- Enable temporary military training activities.
- Provide for helicopter landing areas that comply with noise standards.
- Provide for audible bird scaring devices between daylight hours in the Rural Production and Horticulture Zones.
- Permit noise from frost fans and horticulture wind machines during daylight in the Rural Production and Horticulture Zones.

The proposed management approach for Noise also involves the following methods to implement and give effect to the objectives:

- Introduce the inner and outer noise control boundary based on noise contours for the Bay of Islands and Kaitaia Airports.
- Performance standards include:
 - Maximum noise levels specific to each zone;
 - Maximum noise levels for construction work, temporary activities and temporary military activities.
 - Introduction of noise insulation for noise sensitive activities that are located in close proximity to state highways, within business zones, and within the outer noise control boundary near airports.
- Definitions related to Noise:
 - A full list of definitions is included in the PDP.

6 Approach to Evaluation

6.1 Introduction

The overarching purpose of section 32 of the RMA is to ensure all proposed statements, standards, regulations, plans or changes are robust, evidence-based and are the most appropriate, efficient and effective means to achieve the purpose of the RMA. At a broad level, section 32 requires evaluation reports to:

- Examine whether the objectives in the proposal are the most appropriate to achieve the purpose of the RMA
- Examine whether the provisions are the most appropriate way to achieve the objectives through identifying reasonably practicable options and assessing the efficiency and effectiveness of the provisions, including an assessment of environment, economic, social and cultural economic benefits and costs.

These steps are important to ensure transparent and robust decision-making and to ensure stakeholders and decision-makers can understand the rationale for the proposal. There are also requirements in section 32(4A) of the RMA to summarise advice received from iwi authorities on the proposal and the response to that advice through the provisions.

6.2 Evaluation of Scale and Significance

Section 32(1)(c) of the RMA requires that evaluation reports contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal. This step is important as it determines the level of detail required in the evaluation of objectives and provisions so that it is focused on key changes from the status quo.

The scale and significance of the environmental, economic, social and cultural effects of the provisions for noise are evaluated in the table below.

Criteria	Comment	Assessment
Raises any principles of the Treaty of Waitangi	Noise has the potential to affect the character and amenity of an area and is not considered to raise issues in terms of the principle of the Treaty of Waitangi.	Low
Degree of change from the Operative Plan	The PDP approach introduces new measures to manage character, amenity, and reverse sensitivity effects.	Medium
Effects on matters of national importance	The PDP introduces measures to manage reverse sensitivity to protect infrastructure of regional importance and the economic viability of some commercial and industrial activities.	Low
Scale of effects – geographically (local, district wide, regional, national).	The Noise Chapter is applied district wide, having implications for all landowners across the District. As noted above, the degree of change has been assessed as medium, particularly as they relate to new noise insulation standards. Consideration of alternative options is undertaken in Section 8.4.	Medium
Scale of people affected – current	As highlighted above, the ODP provisions already manage noise emissions in all zone	Medium

Criteria	Comment	Assessment
and future generations (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	environments within the District. However, the PDP provisions introduce new noise insulation requirements that have the potential to affect a number of landowners adjacent to State Highways. These provisions affect current and future generations, given buildings are generally constructed for a period of 50 years or more.	
Scale of effects on those with specific interests, e.g., Tangata Whenua	Noise emissions will apply to the whole district. Introduction of outer/inner control boundaries will reduce the number of properties affected by airports, while noise insulation requirements along state highways is new.	Low
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	Overall, the PDP approach aligns with the Planning Standards, with many of the changes attributed to consequential format and structure changes.	Low

6.3 Summary of scale and significance assessment

Overall, the scale and significance of the effects from the proposal is assessed as being low to medium. Consequently, a moderate level of detail is appropriate for the evaluation of the objectives and provisions for noise in accordance with section 32(1)(c) of the RMA. This evaluation focuses on key changes in the proposed management approach from the ODP– moderate changes to the provisions, supported by technical input prepared by Marshall Day Acoustics for clarification, and to reflect new national and regional policy direction are not included in the evaluation in section 7 and 8 below.

7 Evaluation of Objectives

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. The assessment of the appropriateness of the objectives for noise is against four criteria to test different aspects of ‘appropriateness’ as outlined below.

Criteria	Assessment
Relevance	<ul style="list-style-type: none"> • Is the objective directly related to a resource management issue? • Is the objective focused on achieving the purpose of the RMA?
Usefulness	<ul style="list-style-type: none"> • Will the objective help Council carry out its RMA functions? • Does the objective provide clear direction to decision-makers?

Reasonableness	<ul style="list-style-type: none"> Can the objective be achieved without imposing unjustified high costs on Council, tangata whenua, stakeholders and the wider community?
Achievability	<ul style="list-style-type: none"> Can the objective be achieved by those responsible for implementation?

Section 32 of the RMA encourages a holistic approach to assessing objectives rather than necessarily looking each objective individually. This recognises that the objectives of a proposal generally work inter-dependently to achieve the purpose of the RMA. As such, the objectives for noise have been grouped in the evaluation below.

7.1 Evaluation of existing objectives

Existing objective(s): There are no specific objectives that manage the effects of noise emissions in the ODP, however the zone-based provisions generally promote activities that are compatible and seek to manage potential conflicts between incompatible land uses.	
Relevance	The existing objectives generally relate to Sections 7(c) and (e) of the RMA that direct Council to maintain and enhance amenity values and the quality of the environment. However, as there are no specific objectives that relate to noise, there is no clear relationship to the management of noise emissions within the policy framework.
Usefulness	The existing objectives are generally lacking in specificity and do not provide clear direction in the management of noise emissions.
Reasonableness	As above, although the ODP includes provisions that manage noise emissions, there is no clear integration with policy.
Achievability	The ODP provides controls that are achievable, however there is no clear policy framework that allows for the deliberate management of noise emissions.
Overall evaluation	
The ODP does not include specific objectives that relate to the management and outcomes sought that directly relate to noise emissions. The policy framework is lacking and does not provide a clear relationship to higher order statutory instruments, and therefore are not considered appropriate in terms of achieving the purpose of the RMA.	

7.2 Evaluation of proposed objectives

Objective(s): NOISE-01 Activities generate noise effects that are compatible with the role, function and character of each zone and do not compromise community health, safety and wellbeing. NOISE-02 New noise sensitive activities are designed and/or located to avoid conflict with noise generating activities and regionally significant infrastructure.	
Relevance	Sections 7(c) and (e) of the RMA direct Council to maintain and enhance amenity values and the quality of the environment. In the context of noise, the proposed objectives provide for explicit consideration of amenity values and health and safety, recognising the compatibility of noise effects related to the immediate environment and sensitivity of other activities in the areas. Objectives 1 and 2 would ensure activities manage noise effects to an appropriate level, thus giving effect to both sections 7(c) and 7(f) of the RMA and taking into account the matters raised in the relevant Iwi Management Plans.
Usefulness	The proposed objectives clearly anticipate and provide for an appropriate level of noise generation to support the operational and functional requirements of activities, while also providing direction on the outcomes expected in relation to new noise sensitive

	<p>activities locating near established, high-noise generating activities.</p> <p>Additionally, the proposed objectives give effect to the policy direction in the RPS relating to avoiding reverse sensitivity effects in the region relative to existing and planned regionally significant infrastructure, commercial and industrial activities.</p>
Reasonableness	<p>They are considered reasonable in that they are unlikely to impose prohibitive costs on activities that generate noise and will assist Council to more effectively undertake its statutory obligations under section 31 RMA.</p> <p>Although the proposed objectives have the potential to increase assessment and compliance costs to manage the effects of reverse sensitivity, this is balanced against improved amenity and certainty provided by the proposed management techniques. They also provide more direction to assist decision makers assessing applications involving noise levels above that anticipated by the PDP, specifically when specialist input is required.</p>
Achievability	<p>The proposed objectives broadly seek to manage character, amenity, reverse sensitivity, and the effects of noise on the health, safety, and wellbeing of people and the community. It is considered that the objectives are achievable, under the PDP, as there is clearer direction and expected outcomes sought across the different zone environments.</p>
Overall evaluation	
<p>The proposed objectives achieve the purpose of the RMA as they recognise and provide for an appropriate level of noise generation to support the operational and functional requirements of activities that make a social and economic contribution to the District, while ensuring that any adverse effects (including reverse sensitivity effects) on the community and environment are appropriately managed. They also give effect to the RPS, particularly Objective 3.6 and Policy 5.1.1, and provide increased certainty regarding the anticipated outcomes sought under the PDP in relation to noise generation and management of potential reverse sensitivity effects.</p>	

8 Evaluation of Provisions to Achieve the Objectives

8.1 Introduction

Section 32(1)(b) of the RMA requires the evaluation report to examine whether the provisions are the most appropriate way to achieve the objectives by:

- (i) *identifying other reasonably practicable options for achieving the objectives;*
- (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) *summarising the reasons for deciding on the provisions.*

When assessing the efficiency and effectiveness of the provisions in achieving the objectives, section 32(2) of the RMA requires that the assessment:

(a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*

- (i) *economic growth that are anticipated to be provided or reduced; and*
- (ii) *employment that are anticipated to be provided or reduced; and*

(b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*

(c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

This section provides an assessment of reasonably options and associated provisions (policies, rules and standards) for achieving the objectives in accordance with these requirements. This assessment of options is focused on the key changes from the status quo as outlined in the 'proposed management approach' in section 5.2 of this report.

Each option is assessed in terms of the benefits, costs, and effectiveness and efficiency of the provisions, along with the risks of not acting or acting when information is uncertain or insufficient. For the purposes of this assessment:

- **effectiveness** assesses how successful the provisions are likely to be in achieving the objectives and addressing the identified issues
- **efficiency** measures whether the provisions will be likely to achieve the objectives at the least cost or highest net benefit to society.

The sections below provide an assessment of options (and associated provisions) for achieving the objectives in accordance with sections 32(1)(b) and 32(2) of the RMA. An overall assessment of the Noise chapter and provisions is provided in Section 8.3. Due to the scale and significance, specific evaluation of the relief sought by Waka Kotahi is provided in Section 8.4.

8.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs (environmental, economic, social and cultural) of a proposal are quantified. The requirement to quantify benefits and costs if practicable recognises it is often difficult and, in some cases, inappropriate to quantify certain costs and benefits through section 32 evaluations, particularly those relating to non-market values.

As discussed in section 6.2, the scale and significance of the effects of proposed changes for noise are assessed as being low to medium. Therefore, exact quantification of the benefits and costs of the different options to achieve the objectives is not considered to be necessary or practicable for noise. Rather this evaluation focuses on providing a qualitative assessment of the environmental, economic, social and cultural benefits and costs anticipated from the provisions with some indicative quantitative benefits and costs provided where practicable.

8.3 Evaluation of options – Overall

8.3.1 Option 1: Status quo

Option 1: Emission of noise is generally permitted in all zones subject to meeting the relevant noise level limits, where compliance is not met, activity status is generally a restricted discretionary activity. This is the principal method for the management of noise effects across the district, with limited rules to manage construction noise, temporary military training activities noise, and reverse sensitivity effects from noise sensitive activities. Compliance is assessed against a range of now outdated NZ Standards.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • Most noise generation is controlled/managed to ensure that it does not create adverse effects on the environment. • Quality of the environment and amenity values are maintained to an extent. • Provides a trigger to assess the adverse effects of noise on the environment. • Provides certainty to businesses, community and Council regarding the extent of noise generation allowed. • Consistency with already used and understood approach. 	<ul style="list-style-type: none"> • Costs to landowners/ activity operators in applying for consents and associated time/ uncertainty. • Rules/standards may potentially limit the extent of noise generation where it is an essential part of an activity, thereby imposing potential constraints on business operations and community/sporting events. • Noise levels and their appropriateness vary across all environments, with the Noise and Vibration describing some limits as too permissive and others too conservative. • Monitoring costs to enforce standards borne by Council. • Reliance on NZ Standards that have been superseded. Absence of explicit management of noise sensitive activities in certain areas increases the likelihood of reverse sensitivity conflicts, which may in turn result in constraints on existing noise generating activities and restrict their efficient operation. • Continued use of noise assessment ‘at or within’ the site and notional boundary means there can be issues for where noise is measured. • Continued use of airport noise buffer that does 	<ul style="list-style-type: none"> • It would also result in Council inadequately complying with the provisions of Part 2 (particularly section 7(f)), section 31, and section 75(3)(ba) of the RMA. Overall, it is considered that there is sufficient information to act based on the review of current noise provisions undertaken by Marshall Day Acoustics and the technical advice received.

	not reflect the noise contours and effects generated by the airport noise. Imposing unnecessary consenting costs on property owners.	
<p>Effectiveness</p> <ul style="list-style-type: none"> The ODP provisions do not clearly reflect the amenity and character related outcomes anticipated in each zone, thereby reducing its effectiveness in managing noise levels that may detract from the amenity and character values within these zones. Further, the provisions only have limited methods to reverse sensitivity effects, and the current approach is quite blunt in its application, especially as it relates to managing the development of noise sensitive activities in close proximity to airports. Additionally, the nature and extent of the NZ Standards applying to the generation of noise, particularly across the business environments, may result in consents being required for activities whose effects would more appropriately be managed through rules and standards in the plan. 	<p>Efficiency</p> <ul style="list-style-type: none"> The provisions do not do appropriately support the outcomes anticipated in each zone, adequately align with the objectives and policies sought by the RPS or sufficiently comply with the RMA. The current approach lacks specificity and clarity and has contributed to noise generating activities establishing, particularly in the Rural Production zone that do not support the function and purpose of the zone. The costs outweigh the net benefit of continuing with the status quo, and the risk of acting results in discord with higher statutory directions. 	
<p>Overall evaluation</p> <p>On balance this option is not considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> The provisions do not clearly reflect the amenity and character related outcomes anticipated in each zone. The provisions have limited means in managing reverse sensitivity effects at the zone interface, within zone, and with noise generating activities. The provisions do not accord with the higher order statutory directions and the Planning Standards which direct a single Noise Chapter. The provisions lack specificity, clarity and certainty for outcomes sought and do not adequately address the issues that arise between noise generating and noise sensitive activities. 		

8.3.2 Option 2: Single Noise Chapter - Preferred approach

Option 2:

Proposed approach is seeking clear anticipated outcomes that align the predominant character and amenity of each zone, while supporting the function and purpose of

each environment. Noise emissions are managed using noise limits that align with these characteristics, while enabling specific activities to occur, and having a particular focus on reverse sensitivity effects. The approach introduces provisions to:

- Uphold the character and amenity of each zone by introducing revised noise limits and controlling the types of noise emissions permitted in each zone.
- Manage noise sensitive activities that are proposing to locate within business zones (mixed use and light industrial), in proximity to airports and state highways with high vehicle use, and introducing design standards for noise insulation to minimise adverse effects on community health and wellbeing.
- Give clearer direction to persons making decisions, using the provisions, and making assessments under the PDP.
- Ensure noise effects that are generated are compatible with the role and function of the zone, for example, providing for horticultural practices such as bird scaring devices and frost fans.
- Provide certainty for plan users where compliance cannot be met by generally requiring resource consent as a restricted discretionary activity. For activities that have the potential for generating higher effects, such as the use of explosives associated with quarrying and Temporary Military Training Activities, the activity status will be discretionary.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • Enables businesses and the community to generate a level of noise that is compatible with the role, function, and predominant character of the local environment. • Noise generation is controlled/managed to ensure that the adverse effects on the environment (including reverse sensitivity effects) are minimised and where appropriate avoided. • Quality of the environment and the amenity values and character of individual zones is maintained or enhanced. • Provides relevant triggers to assess the adverse effects of noise on the environment within individual zones. • Provides certainty to businesses, community and Council on the extent of noise generation allowed. • Recognises the different character of, and amenity anticipated, in individual zones through the introduction of tailored standards. • All rules and standards are clearly laid out in a single chapter with a clear framework to manage noise generating activities in accordance with the direction in the Planning Standards. • Non-compliance is generally treated as a restricted discretionary activity, and there is certainty over the 	<ul style="list-style-type: none"> • The permitted noise standard may not fully manage noise to a level that is acceptable to all parties. • The rules and standards introduce new measures for noise insulation, which may incur additional compliance costs for technical inputs and construction costs for buildings that noise sensitive activities. This may result in an increase of resource consents required or additional compliance costs for landowners. • Monitoring costs to enforce standards are borne by Council. • Rules/standards may potentially limit the extent of noise generation where it is an essential part of an activity, thereby imposing potential constraints on business operations and community/sporting events. 	<ul style="list-style-type: none"> • The risk of acting is considered to be low to moderate as there is technical advice to support the changes to refer to the site boundary as well as the notional boundary and require acoustic insulation for noise sensitive activities. The risk of not acting on these provisions would result in Council failing to comply with the provisions of Part 2 of the RMA (particularly section 7(f)), and the likely loss of amenity values and the quality of the environment within individual zones. The implementation issues explained in the abovementioned sections (including reference to outdated standards) would also continue. It is considered that there is sufficient information on which to base the proposed policies and methods.

<p>matters that the Council will consider.</p> <ul style="list-style-type: none"> • Reduces the potential for reverse sensitivity which provides for the ongoing and efficient use of existing buildings and activities. • Protects occupants of buildings for new noise sensitive activities from higher noise levels, thus contributing to their and health and safety and general wellbeing. • Addresses the issues experienced under the ODP associated with measurement location. 		
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> • The proposed provisions give effect to Objective 3.6 and Policy 5.1.1 of the RPS, the Planning Standards, and are considered to accord with the RMA. The preferred approach of Option 2 establishes rules and standards that effectively manage noise emissions, and set clear, manageable and explicit direction in terms of permitted activities and standards. Further, the proposed provisions will be effective in achieving the associated objectives as the rule framework reflects the amenity anticipated in each zone by controlling the level of noise that can be generated, and the standards are aligned with the anticipated character and purpose of each zone. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> • Option 2 provides a high level of certainty as they clearly identify the trigger for consent, this being set at a level that ensures potential effects on amenity values and the character of individual zones in the District are minimised. The proposed option is also an efficient method of achieving the objectives given the identified costs and the associated issues with the current provisions. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> • The proposed provisions set clear, manageable noise, and explicit directions in terms of permitted activities and standards that align with the predominant function, character, and amenity of the zone. • The effects of reverse sensitivity are activity managed, through location and construction design standards that protect both noise generating activities and the health / wellbeing of current and future occupants of buildings. • A consolidated Noise Chapter provides for a simpler plan structure that is particular to noise and is aligned with the Planning Standards. • The proposed approach is supported by technical input and is based on best practice. • It references updated New Zealand standards that bring the PDP in line with best practice and other second-generation district plans throughout New Zealand. 		

8.3.3 Option 3: No district plan provisions and rely on section 16 and 17 of the RMA

Option 3: Do not include any provisions to manage noise emissions, relying on sections 16 and 17 of the RMA, provisions in National Environmental Standards, and guidance from the New Zealand Standards.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • Enables unlimited noise generation to occur, supporting the economic wellbeing of the community by enabling activities to operate without restriction. • Compliance costs will be low, as they will only require investigation when complaints are made. • Activities that would typically trigger a consent, will be enabled and not restricted by additional layers noise regulation. 	<ul style="list-style-type: none"> • Risks that excessive noise could generate adverse effects throughout the District, resulting in a loss of amenity. • Potential impacts on the health and wellbeing of the community through increased noise nuisance, and the general disruption of the quality of the environment. • Creates uncertainty for the community, as complaints will trigger investigation and potential enforcement action. However, there will be limited opportunity to find solutions as the District Plan will not provide direction in terms of 'reasonable' levels of noise emission. • The approach fails to manage potential adverse effects on the environment. 	<ul style="list-style-type: none"> • The risk of acting on this option is that the Council would be failing to comply with the provisions of Part 2 and fulfilling its role under section 31 of the RMA.
<p>Effectiveness</p> <ul style="list-style-type: none"> • Option 3 effectively enables activities to support their operational and economic needs. However, it is negligible in controlling potential adverse effects whereby the Council would fail to meet its obligations under Part 2 and section 31 of the RMA. 	<p>Efficiency</p> <ul style="list-style-type: none"> • This approach fails to manage potential adverse effects from noise emissions, and does not maintain or enhance the amenity values or qualities of an environment. Overall, this management approach would result in Council failing to meet its obligations under the RMA with the costs associated with this option outweighing any economic benefits. 	
<p>Overall evaluation</p> <ul style="list-style-type: none"> • On balance this option is not considered to be the most appropriate option to achieve the objectives, as the approach fails to manage potential adverse effects, and will result in Council departing from their responsibilities under the RMA. 		

8.4 Evaluation of options – Acoustic insulation for sensitive activities

8.4.1 Option 1: Draft Plan Approach - 40m setback from state highways that have average daily traffic movements of 15,000 or more.

Option: This approach introduces noise insulation standards for buildings that contain noise sensitive activities that are within 40m of a state highway (that has daily traffic movements of 15,000 or more).

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> This approach recognises that reverse sensitivity effects between noise sensitive activities and some state highways can arise, and addresses the issue through specific location or design controls. Provides relevant triggers to assess and mitigate the adverse effects of reverse sensitivity. The 15,000-traffic movement trigger identifies when and where adverse effects may be experienced, and allows the scope of the provisions to be narrowed. This will reduce the scale of effect both geographically and on landowners. Quality of the environment and the amenity values and character of individual properties are maintained. The wellbeing of occupants of noise sensitive activities are protected from adverse noise effects that have the potential to compromise their health. 	<ul style="list-style-type: none"> May incur additional compliance costs (estimated to cost around \$2,500 to \$3,500+GST) to landowners/ activity operators in applying for consents, particularly in relation to noise sensitive activities, and associated time/ uncertainty. Monitoring costs to enforce standards borne by Council. Compliance costs to install acoustic insulation when constructing new buildings occupied by noise sensitive activities and/or potential to inhibit the efficient use of land (could increase by \$35 to \$100 per m², with glazing costs likely doubling to approximately 100 per m²). 	<ul style="list-style-type: none"> The risk of acting is considered to be low to moderate, as there is insufficient information available to understand the scale of this approach both geographically and in terms of affected landowners. Notwithstanding the above, the Noise and Vibration Report and Waka Kotahi’s State Highway Monitoring – Annual Average Daily Traffic² GIS provides a credible database for to identify the relevant state highways and support noise insulation.
<p>Effectiveness</p> <ul style="list-style-type: none"> The proposed provisions effectively manage potential reverse sensitivity effects that can arise between noise sensitive activities and state highways, being regionally significant infrastructure. They attenuation standards ensure the amenity of people and communities and the quality of built environments will be maintained through appropriate mitigation. These provisions will appropriate achieve the objectives in the PDP, as well as those outlined in the RPS. 	<p>Efficiency</p> <ul style="list-style-type: none"> Option 1 provides a high level of certainty as they clearly identify the trigger for when consent is required, this being set at the point that traffic noise can start to have implications on the amenity values and wellbeing of noise sensitive activity occupants. Although there are additional costs associated with this option, the scale and significance of these provisions have been narrowed to an acceptable level. The proposed option is considered to be an efficient method of achieving the objectives given the identified costs and the associated issues with the current provisions. 	
<p>Overall evaluation</p> <p>On balance this option is considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> The 40m setback distance, 15,000 daily traffic movements, and specified noise metrics provide explicit directions for the permitted standards. The effects of reverse sensitivity are activity managed, through location and construction design standards that protect regionally significant infrastructure and the health / wellbeing of current and future occupants of buildings. 		

² Waka Kotahi’s State highway monitoring – annual average daily traffic GIS and open data source provides records provides necessary data to identify the number of traffic movements on each state highway within the District and can be viewed here: <https://maphub.nzta.govt.nz/public/?appid=31305d4c1c794c1188a87da0d3e85d04>

- The proposed approach is supported by technical input and is based on best practice.

8.4.2 Option 2: Waka Kotahi noise contours for state highways.

Option 2: This is Waka Kotahi’s preferred approach for the management of noise sensitive activities adjacent to state highways and includes the incorporation of mapped noise contours and associated noise insulation standards.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • This approach recognises that reverse sensitivity effects between noise sensitive activities and some state highways can arise, and addresses the issue through specific location or design controls. • Provides relevant triggers to assess and mitigate the adverse effects of reverse sensitivity, including maps that clearly delineate where the provisions apply. • Quality of the environment and the amenity values and character of individual properties are maintained. • The wellbeing of occupants of noise sensitive activities are protected from adverse noise effects that have the potential to compromise their health. • It is understood that this approach will be based on a noise model which appropriately takes into consideration the specific features of land where the control will apply. This includes the presence of buildings, topography and fences. This could provide a more accurate overlay for each site affected by the provisions rather than using a blunt and arbitrary setback number. • Waka Kotahi have indicated that this approach is being sought across the country, and if successfully implemented in the North and across the country, would provide national consistency. 	<ul style="list-style-type: none"> • Similar to Option 1, additional compliance costs for landowners and Council will be incurred as a result of these provisions. • May incur additional compliance costs (estimated to cost around \$2,500 to \$3,500+GST) to landowners/ activity operators in applying for consents, particularly in relation to noise sensitive activities, and associated time/ uncertainty. • Compliance costs to install acoustic insulation when constructing new buildings occupied by noise sensitive activities and/or potential to inhibit the efficient use of land (could increase by \$35 to \$100 per m², with glazing costs likely doubling to approximately 100 per m²). • The spatial extent of the contours is not presently known as the mapping has not been provided. Proceeding on this basis would create significant uncertainty for plan users 	<ul style="list-style-type: none"> • The risk of acting is considered to be high as there is insufficient evidence to support this approach. While Waka Kotahi have indicated a preference for using a mapped noise contour approach, they have not provided any actual mapping, technical information or methodology to support this approach. Implementing this option now in the absence of that information would represent a considerable risk of acting, and therefore cannot be supported.

Effectiveness

- There is potential for the mapped noise contours to be a more effective option than option one, but ultimately this cannot be confidently concluded now given the absence of to support this approach.

Efficiency

- This approach could be efficient as the noise contours would appropriately consider the specific features of land where the controls would apply. This could ultimately provide a more accurate overlay for each site. However, in the absence of any actual mapping, technical information or methodology, this option would not provide landowners and the Council with a high degree of certainty for how and when these provisions would apply.

Overall evaluation

On balance this option is not considered to be the most appropriate option to achieve the objectives because:

- There is currently insufficient information to implement the approach.

9 Summary

An evaluation of the proposed objectives and provisions for the noise has been carried out in accordance with section 32 of the RMA. This evaluation has concluded that the objectives are the most appropriate way to achieve the purpose of the RMA and the provisions are the most appropriate way to achieve the objectives for the following reasons:

- The objectives and policies ensure noise is compatible with the local environment and does not adversely affect noise sensitive activities. In addition, they ensure that new noise sensitive activities are located or designed to minimise conflict and reverse sensitivity effects with noise generating activities.
- A consolidated Noise Chapter provides for a simpler plan structure that is particular to noise and is aligned with the Planning Standards.
- Permitted activity rules are provided that allow activities to generate certain levels of noise to enable them to effectively and efficiently function, subject to meeting relevant rules and associated effects standards. Where these levels are exceeded, resource consent is required to enable an assessment of appropriateness and any associated adverse effects.
- Restricted Discretionary activity rules are included that manage activities that do not meet the permitted activity standards, along with associated matters of discretion that enable the potential adverse effects of noise on the character of the surrounding environment, amenity values, sleep and health to be addressed and proposed mitigation measures to be considered.
- Discretionary activity status rules manage the effects of noise generated from certain activities where it is not appropriate to restrict discretion. This includes the use of explosives for quarrying activities, and temporary military training activities involving live firing, use of blank ammunition and single or multiple explosives all zones except the Rural Production Zone.
- Reference to updated New Zealand Standards is included to bring the PDP in line with best-practice and other second-generation District Plans throughout New Zealand, and addresses the issues experienced under the ODP including the application of noise assessments 'at or within' the boundary of a site.

Overall, it is considered that the proposed provisions are the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.

10 Appendix 1 – Noise and Vibration Report

