



Project: **FAR NORTH DISTRICT COUNCIL - PROPOSED DISTRICT PLAN**

Prepared for: **Far North District Council
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Kaikohe**

**Far North 0440
New Zealand**

Attention: **Kenton Baxter**

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1.0 INTRODUCTION

Marshall Day Acoustics has been engaged by Far North District Council (FNDC) to provide a review of the submissions received on the Proposed District Plan. This is associated with the report we provided in 2020 on our recommendations for the noise and vibration provisions for the District Plan.

This report provides our review of the submissions received during the District Plan review.

Note that Marshall Day Acoustics carried out work for a range of clients. This includes many of the submitters on the Far North District Plan (noting that we have not been engaged to prepare submissions on the District Plan for any of these clients). We do not consider that this represents any conflict of interest, however where possible we have noted submitters that we have carried out work for in the past¹.

2.0 PREVIOUS REPORT

Our previous report was entitled:

- Rp 001.20200430 FNDC Proposed District Plan Revision dated 30 June 2020

This report is attached in Appendix B

3.0 ISSUES WITH DISTRICT PLAN

Through our review of submissions, we have noted several significant issues that we believe must be rectified for the District Plan to suitably control and regulate noise. Many of these matters have been raised in submissions. Many of the submissions raise the issues broadly and have not necessarily offered specific relief that will fully rectify the issues.

We have summarised the issues that require revision and redrafting below. We recommend we are engaged to provide a detailed redrafting of these matters. **Note that we have not covered all matters raised in submissions and there will be other matters not discussed in this table that also require amendment**

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
1	NOISE-S1 is not fit for purpose	The noise rules in NOISE-S1 are unclear and do not cover noise between all zones.	The NOISE-S1 rules need to be reorganised so it is clear which zones they apply between. All zones must have noise limits.	HIGH	S342,012 S516,072
1a	In some cases, it is not clear whether the NOISE permitted rules and standards are ALL required to be complied or only ONE rule / standard needs to be complied with.	“OR” and “AND” are not always clearly used	Revise the NOISE chapter to ensure the correct use of OR or AND between the permitted rules and standards.	HIGH	S516,069
3	In NOISE-S1, the descriptors use “dB L_{Amax}” for the zone provisions rather than “dB L_{Afmax}”	The time weighting should be specified. The fast weighting is appropriate.	Revise to “L _{Afmax} ”	LOW	S516,072
4	Under the rules sections, some activities are excluded from the rules, but there are permitted standards for those activities within the rules	Excluding a specific activity from compliance with the rules, but then providing a permitted activity status for that activity will likely lead to confusion.	Carefully review the exclusions to ensure they are required and do not exclude activities from complying with relevant permitted activity statuses	MED	S516,066 S483,183 S167,087
4a	“1. normal residential activity such as children’s play, lawn mowing, house maintenance and entertainment;” includes “entertainment” which would likely include persistent loud music	Persistent loud music should be assessed under the zone limits. While there are also excessive noise provisions in the RMA, entertainment should still be required to meet noise limits.	Remove reference to “entertainment” from this provision	MED	S516,072

¹ If we have not noted this, it may still be possible that we have carried out work for the submitter at some point over the past 45 years.

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
4b	"2. aircraft being operated during flight" is excluded from the rules but there are permitted standards for aircraft and helicopters	NOISE-S1 applies a permitted activity noise limit to aircraft operations occurring at Bay of Islands Airport, Kaitia Airport and Kaikohe Airport, but aircraft operation in flight is excluded from the noise rules. Likewise, there are noise rules proposed in the main NOISE-R section that would apply to helicopter operation (within the scope provided for by the Dome Valley case law), however if the rules exclude them from compliance, then it is possible only ground based activity could be assessed, which would be inappropriate	Redraft the exclusions to ensure there is no conflict in the District Plan.	MED	S281.001
4c	"5. Agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis, forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture Processing zones,"	As raised in submissions, some of this forestry related activity is covered by a national environmental standard	Consider removing the exclusion for forestry, if appropriate.	LOW	S148.040
4d	"8. the use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities;	The 48 hours of duration is likely problematic. It is expected that this was intended to allow for monthly generator testing, but has instead been drafted as a 48-hour limit.	Remove the 48-hour limit	MED	S483.183
4e	"10. helicopters used for an emergency and as an air ambulance," is excluded from the rules but there are permitted standards for emergency helicopter use. There is also a separate exclusion [2] for "aircraft being operated during flight".	It is appropriate for air ambulance and emergency helicopters to NOT require consent when operating in the field or to or from a hospital or medical facility. However new helicopter bases outside of established airports should require consent, as this land use has the potential for noise effects	Redraft: the provisions to ensure that emergency helicopter use across the Far North is not constrained by resource consent requirements (unless a new helicopter base is proposed in a non-airport setting). Refer to the appendix for a potential helicopter noise rule. Review the <i>Airport</i> provisions to determine if emergency helicopter bases are permitted in those locations.	HIGH	S281.001
4f	"11. impulsive sounds (such as hammering and bangs) and dog barking noise which are poorly assessed by reference to NZS 6802:2008: Acoustics Environmental Noise;"	This should not be an exclusion. Activities such as shooting ranges, dog pounds and dog kennels and certain industrial activities that involve impulsive sound can have significant noise effects and need to be suitably assessed. We would recommend certain activities such as dog kennels and shooting ranges are NOT permitted, even if they comply with the zone provisions. Certainly, they should not have a blanket exclusion from the rules.	Remove this exclusion	HIGH	S516.072
4g	There are no exemptions for rural firearms use	Rural firearms use for hunting may not be able to meet the limits in certain circumstances.	Provide for rural firearms use using a specific exclusion We recommend the provision does not inadvertently allow for regularly shooting ranges to be established without a noise assessment or consent	MED	S159.009 S436.026

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
5	The RULES table has poor column headers, and the general format of the table is unclear	The left-hand column of the first table in the NOISE section is titled NOISE-R1. However, this is the title of the rule, not the column header. The left-hand column contains reference to specific zones, but it is not really clear if the rule only applies to these zones	Revise the layout of the tables so that it is completely clear what the rules do and do not permit and what activity the rules apply to. One way to resolve this would be to locate the rule reference and the title of the rule reference to the left-hand side of each row, then provide suitable column headers for each column of the table.	HIGH	S516.072
6	NOISE-R1 and R4 and NOISE-S2 (and possibly others) refers to any activity on a "site", but "site" may not allow for operation over multiple adjoining titles.	It is not clear to a lay reader whether the definition of "site" relates to single titles or to a collection of titles that may form a single landuse such as a farm, orchard, park, industrial site, or other operation where that use is established across adjoining multiple titles. If activities can be established on multiple adjoining titles and only the emission of noise from each of those titles is required to comply with the zone noise limit, then the cumulative noise level from all titles could be above what the noise standards intend to provide for.	Consider if a suitable definition can be provided which requires the total noise from multiple titles that are used for a single purpose (e.g. noise from an industrial site that is spread over five titles) to comply with the zone noise limit	MED	-
7.	NOISE-R1 permits activity that complies with NOISE-S1, but NOISE-S1 is poorly drafted and does not apply noise limits to all zones	NOISE-S1 likely intends to provide noise limits that would apply within each zone, but the drafting of the NOISE-S1 is difficult to interpret and likely fails to apply noise limits to all zones.	Redraft NOISE-S1 so it is fit for purpose.	CRITICAL	S516.072
8.	NOISE-R2 requires all habitable rooms to comply with the noise insulation standards [NOISE-S5] for noise sensitive activities, however the definition of "habitable room" and "noise sensitive activities" are not completely consistent.	The definitions define HABITABLE ROOMS as "any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room" ...but the definition of NOISE SENSITIVE ACTIVITIES "means buildings or land that may be affected by noise and require a higher standard of amenity. These include: <ul style="list-style-type: none"> - residential or living activities; - education facilities; - health facilities; - community facilities; and - visitor accommodation As the rule is drafted, it would only mean that bedrooms, residential type living areas, offices and teaching spaces would be required to comply with the noise insulation provisions. Other rooms within noise sensitive activities would not appear to require sound insulation. As an example: even though the noise rules refer to "noise sensitive activities" such as <i>community facilities</i> , there would likely be few spaces within community facilities that would need to be sound insulated (as there would be few "habitable rooms" such as bedrooms, offices, dining rooms, etc within such spaces).	Redraft the provisions so that they clearly relate to the noise sensitive activities that FNDC want to protect from noise. In our view this should include at least the following: <ul style="list-style-type: none"> - Dwelling: bedrooms and living areas - Medical and healthcare: consulting rooms, clinics, overnight wards, operating theatres - Education facilities: lecture rooms, theatres and auditoria, classrooms, music studios, teaching areas and sleeping areas. Other sensitive spaces should be considered also.	MED	S356.110

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
9	NOISE-R5 permits temporary military training activity that complies with NOISE-S3, but the noise limits in NOISE-S3 are likely to be conservative.	The noise limits are unnecessarily conservative for a temporary military training activity and are potentially lower than the normal zone standards.	Update the noise limits to those sought in submissions Add "OR" to each PER clause, or otherwise make it clear that PER-1 applies to stationary sources and PER-2 applies to mobile sources. Make both clauses consistent in language: PER-2 uses the words "must comply" but in fact should simply give the threshold required to be a permitted activity.	LOW	S217.015
10	NOISE-R6 restricts temporary military training activity that involve explosives use to the Rural Production zone	The noise effect would not relate to the zone the noise is generated in. Temporary military training activity need not be restricted to the rural production zone (unless there are non-noise reasons for this).	Update NOISE-R6 to refer to other relevant zones where training could occur. Add "and" to each PER clause to make these conjunctive	LOW	S217.014
11	NOISE-R6 PER-2 and PER-3 contain two sets of limits for peak sound pressures (L_{Cpeak} and L_{Zpeak}) from explosives use.	There is little value in providing two competing noise limits for the same activity. Only one set of noise limits should apply. NZDF are satisfied with the PER-2 guidelines, and we consider these can serve as reasonable restrictions on this activity. Military training The correct convention should be used for dB L_{Cpeak}	Revise PER-3 to say "The activity complies with the vibration limits in NOISE-S6 explosives" Use "dB L_{Cpeak} " instead of "peak sound pressure level of 95 dBC"	LOW	S217.016
12	NOISE-R7 is not fit for purpose	NOISE-R7 contains multiple issues as raised in submissions	Revise NOISE-R7 to provide permitted standards for helicopter activities that should not require resource consent. Refer to the appendix of this report for guidance. Add "OR" to each PER clause to ensure that it is clear that only the relevant PER clause needs to be met to make the activity permitted.	HIGH	S281.001
13	The NOISE rules table does not provide for temporary fixed wing aviation activities that are necessary for fertiliser spreading and crop dressing and other rural purposes. Nor are there noise rules for new airstrips that may wish to be established.	Fixed wing aviation activities from farm airstrips are necessary in some locations to spread fertiliser and carry out other rural activities. Provisions are proposed for helicopters (NOISE-R7), but none for fixed wing operation from rural airstrips. New fixed wing landing strips or new rural gliding / aero club activity does not have a rule associated with it. A conservative permitted noise standard may be appropriate.	Provide a permitted standard for fixed wing agricultural activity for up to 30 days in any 12-month period or 315 aircraft hours (whichever is greater) Consider providing for new fixed wing landing strips, either with a restrictive permitted activity standard or as a discretionary activity.	HIGH	S143.009 S182.022

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
14	<p>NOISE-R8:</p> <ul style="list-style-type: none"> - may need to have the hours of operation revised to provide protection for crops - refers to two different noise rules - refers to firearms 	<p>The provision allows for bird scaring to occur between 7am and 7pm, but the necessary activity is likely more associated with sunrise and sunset (and associated bird activity).</p> <p>PER-2 and PER 3 are in conflict: only one set of noise limits are appropriate. It is appropriate to control bird scaring with specific provision PER-2 rather than PER-3.</p> <p>The rules does not need to distinguish between percussive devices and firearms.</p>	<ul style="list-style-type: none"> - Delete PER-3 from NOISE-R8 - Revise the permitted times in PER-1 to half an hour before sunset and half an hour after sunset, provided this can be justified as practically necessary by the relevant submitters - Revise PER-2 to say: "Not more than 6 events per hour where an event includes clusters of up to three shots" from percussive type devices or three individual shots from a firearm in quick succession - Add "and" to each PER clause to make these conjunctive 	MED	S159.009 S159.089
15	<p>NOISE-R9 (Frost Fans) requires minor improvement</p>	<p>Minor changes are required to avoid confusion</p>	<ul style="list-style-type: none"> - Add "and" to each PER clause to make these conjunctive - Revise PER-3 to read "The maximum noise generated by a single or multiple frost fans shall not exceed 55 dB LAeq(15min) at any time when assessed within the notional boundary of any noise sensitive activity on another site, with no adjustment applied for special audible characteristics. 	LOW	S516.070
16	<p>NOISE-R10 makes mineral extraction in the rural production zone permitted provided it complies with NOISE-S1 and NOISE-S6. NOISE-R11 makes mineral extraction discretionary in other zones</p> <p>There are errors in NOISE-S1 and in the associated NOISE – Table 2 - Explosives</p>	<p>NOISE-S1 does not make provision for mineral extraction activities being received in certain zones (e.g. Carrington Estate Zone). The noise limits are not particularly permissive in relation to other zone standards. Mineral extraction activity is often permitted to make noise levels of 55 dB LAeq daytime and 45 dB LAeq and 75 dB LA_{Fmax} night-time.</p> <p>NOISE-S6 contains mistakes that require amendment.</p>	<ul style="list-style-type: none"> - Ensure that the NOISE-S1 provisions are redrafted in such a way that mineral extraction activity is required to comply with suitable noise limits in all zones, not just in some zones - Fix errors in NOISE – Table 2 – Explosives: <ul style="list-style-type: none"> - All ground borne vibration limits should read "mm/s", NOT "m/s" or "mm/s" - Amend the number of blasts and peak airblast sound limit to delete and replace entries of "all hours" and "all" respectively 	MED	S316.003

Ground Borne Vibration Limit PPV
10mm/s
5mm/s
25mm/s
AS2187.2:2006 Table J4.5(B) limits

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
17	NOISE-S1 is poorly drafted and does not apply noise limits to all zones	NOISE-S1 intends to provide noise limits that would apply within each zone, but the drafting of the NOISE-S1 is difficult to interpret and likely fails to apply noise limits to all zones.	Redraft NOISE-S1 so it is fit for purpose.	CRITICAL	S516.072
18	In NOISE-S1, the descriptors use "dB L _{Aeq(15min)} " for the zone provisions rather than "dB L _{Aeq} "	Although either provision can work with reference to NZS6802:2008, there is the potential for there to be debate and confusion where the noise limits are stated with "L _{Aeq(15 min)} " rather than simply as "L _{Aeq} ".	<p>Either redraft the noise limits using "L_{Aeq}" rather than "L_{Aeq(15 min)}". If L_{Aeq(15 min)} must be retained, the text should say "rating noise limits" rather than "noise limits".</p> <p>For instance, we recommend</p> <p>Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the [....] zone:</p> <ul style="list-style-type: none"> a. 7.00 am to 10.00 pm - 50 dB L_{Aeq} b. 10.00 pm to 7.00 am - 40 dB L_{Aeq} and - 10.00 pm to 7.00 am - 70 dB L_{Amax}. 	MED	S516.072
19	In NOISE-S1 (airport zone), there is a requirement for Bay of Islands, Kaitia and Kaikohe airports to comply with both the outer control boundary noise limit of 55 dB L _{in} AND the air-noise boundary limit of 65 dB L _{in} . Compliance is typically required with only the inner control boundary limits. On the planning maps (web version) no inner or outer control boundary is shown for Kaikohe Airport	<p>The requirement to comply with the inner and outer control boundary noise limits is likely unnecessary, as raised in submissions. The inner control boundary represents a noise limit, the outer control boundary represents a land use planning measure.</p> <p>There is no requirement in the District Plan for the airports to demonstrate compliance with the noise rules. In other districts, there is often a requirement for the airport to demonstrate compliance with the noise boundaries, either through noise measurement, modelling or a combination of both. Consideration should be given to this, perhaps once a movement trigger is reached.</p> <p>There is no separate noise rule for fixed wing operations that may seek to establish elsewhere in the district, e.g. within the <i>Rural Production</i> zones. A separate specific noise rule outside of NOISE-S1 should be considered for this type of operation.</p>	<p>Delete the outer control boundary requirement</p> <p>1. The existing noise generated from aircraft operations at the Bay of Islands Airport, Kaitia Airport and Kaikohe Airport over any 90 continuous days, measured in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning, shall not exceed:</p> <ul style="list-style-type: none"> a. 55 dB L_{in} at or beyond the outer control boundary shown on the planning maps; and b. 65 dB L_{in} at or beyond the air noise boundary shown on the planning maps. <p>Consider also if Kaikohe should be shown on the planning maps or if it has been left off for good reason.</p>	MED / LOW	S516.072

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
20	<p>In NOISE-S1 Airport Zone Part 2 the daytime noise limit for engine testing is given as $L_{Aeq(9\text{ hour})}$ when it should be $L_{Aeq(15\text{ hour})}$. The maximum noise limit should read "L_{AFmax}" and not "L_{Amax}".</p>	<p>The limits should represent the time of assessment</p>	<p>Revise NOISE-S1 Airport Zone to read</p> <p>2. The maximum Noise levels from aircraft engine testing measured in accordance with NZS 6801:2008 Acoustics Measurements of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics Environmental Noise at any point within the boundary of a receiving environment site within General Residential, Rural Production, Rural Lifestyle, or Rural Residential zones shall not exceed:</p> <p>a. on any day 7.00 am to 10.00 pm: exceed $55\text{ dB } L_{Aeq(9\text{ hour})}$ and $L_{Aeq(15\text{ hour})}$; and</p> <p>b. on any day 10.00 pm to 7.00 am: not exceed $45\text{ dB } L_{Aeq(9\text{ hours})}$ and $75\text{ dB } L_{AFmax}$ with the exception that on any 12 nights between hours of 10.00 pm to 7.00 am in any calendar year, the maximum noise levels from aircraft engine testing shall not exceed $50\text{ dB } L_{Aeq(9\text{ hour})}$ and $75\text{ dB } L_{AFmax}$</p>	LOW	S516.072
21	<p>NOISE-S2 has drafting errors. Submitters have requested that emergency generators be excluded from the provision.</p>	<p>Drafting errors/ typos</p>	<p>The NOISE-S2 (ii) should read as follows:</p> <p>....</p> <ul style="list-style-type: none"> • $70\text{ dB } L_{Aeq(1\text{ hour})}$ • $85\text{ dB } L_{eq(1\text{ min})}$ at 63 Hz • $75\text{ dB } L_{eq(1\text{ min})}$ at 125 Hz <p>or</p> <p>And (iii) should read as:</p> <p>....</p> <ul style="list-style-type: none"> • $60\text{ dB } L_{Aeq(1\text{ hour})}$ • $75\text{ dB } L_{eq(1\text{ min})}$ at 63 Hz • $65\text{ dB } L_{eq(1\text{ min})}$ at 125 Hz <p>Ensure that emergency generators are not subject to the temporary activity noise rules.</p>	LOW	S454.105

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
22	NOISE-S2 refers to “temporary activities” which has a somewhat vague definition	<p>The definition for temporary activities is given below. There are no timeframes put around that “limited in duration” means. It may be appropriate to provide a general indication as to what is intended (e.g. “generally a few days or weeks”) to give context to what should be considered the rule applies to. The definition is given below.</p> <p><i>TEMPORARY ACTIVITIES means an activity that is temporary and limited in duration. It may include carnivals; concerts; fairs; festivals and events; markets and exhibitions; public meetings; parades; special events; sporting events; filming activities; temporary military training activities; temporary motorsport activities; and emergency response training by ambulances, Civil Defence, Coast Guard New Zealand, Fire and Emergency New Zealand, New Zealand Police, Land Search and Rescue, or Surf Life Saving New Zealand. It also includes buildings or structures accessory to temporary activities, temporary car parking areas, and the ancillary activities associated with the temporary activities.</i></p>	<p>Consider if adding context to what duration temporary activities are expected to occur over to be given consideration under this provision.</p>	LOW	-
23	NOISE-S3 provides noise limits that are too conservative. “L _{Amax} ” is used, but this should read “L _{Afmax} ”	<p>The noise limits are unnecessarily conservative for a temporary military training activity and are potentially lower than the normal zone standards.</p>	<p>Update the noise limits to those sought in submissions and revise “L_{Amax}” to read “L_{Afmax}”.</p>	LOW	S217,020
24	NOISE-S5 (road noise) requires revision to meet the requirements of the submission NOISE-S5 (road noise) does not include rail noise provisions	<ul style="list-style-type: none"> - The rules should apply to suitably defined noise sensitive activities (in any zone) that fall within a road noise control boundary (or suitably named boundary) which will be shown on the planning maps. - The rule should include provision for rail. The rule requested by KiwiRail very onerous for a district that has few rail movements currently (recognising that freight may begin between Otiria and Towai in future years. We recommend a pragmatic approach of rolling in the rail and road provisions into one concise rule. - The rule should be updated to provide for a suitable cooling and ventilation requirement 	<p>The issue with habitable rooms and noise sensitive activities definitions should be resolved – refer yellow highlighting below. The noise insulation standard should be updated to include rail provisions also. Ideally the provisions should be combined. The noise rules should apply to activities occurring within the mapped road and rail control boundaries that should be agreed with NZTA and KiwiRail. The noise insulation standard for road (and rail) traffic could read as follows:</p> <ol style="list-style-type: none"> 1. Any habitable room in a new building used for a noise sensitive activity, or an alteration to an existing building that changes its use to a noise sensitive activity, must be designed, constructed, and maintained to achieve a maximum internal noise limit of 40 dB L_{Aeq(24h)} for road and 40 dB L_{Aeq(1h)} for rail; 2. Compliance with (1) above shall be achieved based on the existing road or rail noise level with a 2-3 decibel addition allowing for future increase and design uncertainty; 3. Compliance with (1) above shall be achieved if, prior to the construction of any habitable room in a new building used for a noise sensitive activity, an acoustic design certificate from a suitably qualified acoustic engineer is provided to the Council stating the 	MED	S416,041 S356,110



Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
			<p>design will achieve compliance with this standard OR the certificate shows that design noise level as determined in accordance with (2) above is less than 55 dB $L_{Aeq(24h)}$ for road or 55 dB $L_{Aeq(1hr)}$ for rail. The building shall be designed, constructed, and maintained in accordance with the design certificate. The design certificate shall also state the required HVAC design noise levels that are to be included in the ventilation design as well as any relevant assumptions;</p> <p>The following alternative provisions would be suitable for ventilation:</p> <p>4. Where design external noise levels in (2) above are greater than 55 dB $L_{Aeq(24h)}$ for road or 55 dB $L_{Aeq(1h)}$ for rail, a ventilation and cooling system shall be provided to enable occupants to remain comfortable within the noise sensitive activity without having to open doors or windows for ventilation or cooling. Compliance with this clause shall be achieved if, prior to the construction of the noise sensitive activity, a ventilation and HVAC design certificate from a suitably qualified and experienced practitioner is provided to the Council.</p> <p>OR</p> <p>4. Where design external noise levels in (2) above are greater than 55 dB $L_{Aeq(24h)}$ for road or 55 dB $L_{Aeq(1h)}$ for rail, the noise sensitive activity must be designed, constructed and maintained with cooling and mechanical ventilation system(s) that achieves the following requirements:</p> <ul style="list-style-type: none"> i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and ii. provides cooling that is controllable by the occupant and can maintain the inside temperature to below 25°C <p>We also recommend mechanical services noise levels are designed to be acceptable, however we recommend that the design requirements are not so onerous that they cannot be achieved by good quality standard proprietary split system heat pump units (these may generate noise levels of above 40 dB L_{Aeq}</p>		



Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
25	NOISE-55 (Mixed Use Zone, Light Industrial Zone, Orongo Bay zone) contains no requirement for mechanical ventilation or cooling	It is not best practice to not have a requirement for ventilation or cooling.	<p>at 1m from the diffuser at some times of their operation, however their use is generally acceptable within dwellings). We recommend the following:</p> <ol style="list-style-type: none"> Noise levels from ducted ventilation and cooling systems must be designed to within the design sound level range of NZS2107:2016 when measured as a time and space average over the room beyond 1 metre from any diffuser or outlet. If split system air-conditioning systems are used, an HVAC design certificate must confirm these are of good quality, suitable for noise sensitive applications, and include a “low noise” or “quiet” operation mode. 	MED	S516.075
			<p>The issue with habitable rooms and noise sensitive activities definitions should be resolved – refer yellow highlighting below. The noise insulation standard should read as follows:</p> <ol style="list-style-type: none"> Any habitable room in a new building used for a noise sensitive activity, or an alteration to an existing building that changes its use to a noise sensitive sensitive activity must be designed, constructed, and maintained to achieve the following maximum internal noise limit: <ol style="list-style-type: none"> Any habitable room used as a bedroom - 30 dB $L_{Aeq,T}$ and Other habitable rooms in residential units, or teaching areas - 40 dB $L_{Aeq,T}$. The following external noise levels in NOISE-Table 1 shall be used in the design and shall be assumed to be incident on the exposed wall facade(s). An assessment from a suitably qualified acoustic engineer may determine noise levels on other building elements based on the surrounding environment using NOISE-Table 1 – Design Noise Level Incident; and Compliance with (1) above shall be achieved if, prior to construction of any building containing habitable rooms used by noise sensitive activities, an acoustic design certificate from a suitable qualified acoustic engineer is provided to the Council stating the design will achieve compliance with this standard. The design certificate shall also state the required HVAC design noise levels that are to be included in the ventilation design as well as any relevant assumptions. 		
			<p>The following alternative provisions would be suitable for</p>		

Issue	Problem	Recommended solution	Risk	Example submission reference
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ventilation:

[outcome focussed]

4. A ventilation and cooling system shall be provided to enable occupants to remain comfortable within the noise sensitive activity without having to open doors or windows for ventilation or cooling. Compliance with this clause shall be achieved if, prior to the construction, a ventilation and HVAC design certificate from a suitably qualified and experienced practitioner is provided to the Council.

OR [prescriptive]

4. The noise sensitive activity must be designed, constructed and maintained with cooling and mechanical ventilation system(s) that achieves the following requirements:

- i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
- ii. provides cooling that is controllable by the occupant and can maintain the inside temperature to below 25°C

We also recommend mechanical services noise levels are designed to be reasonable, however we recommend that the design requirements are not so onerous that they cannot be achieved by good quality standard proprietary split system heat pump units. We recommend the following:

5. Noise levels from ducted ventilation and cooling systems must be designed to within the design sound level range of NZS2107:2016 when measured as a time and space average over the room beyond 1 metre from any diffuser or outlet. If split system air-conditioning systems are used, an HVAC design certificate must confirm these are of good quality, suitable for noise sensitive applications, and include a "low noise" or "quiet" operation mode.

Ensure the plan prohibits these activities from the heavy industrial and similar zones.

It is inappropriate to allow dwellings in heavy industrial areas

25a It is not clear if noise sensitive activities that occur in the heavy industrial zones (e.g. *Heavy industrial, Horticultural Processing*) are prohibited activities. NOISE-S5 (Mixed Use Zone, Light Industrial Zone, Orongo Bay zone) does not apply to these zones which is appropriate, however the District Plan should ensure they are not permitted in the louder zones

The issue with habitable rooms and noise sensitive activities definitions should be resolved – refer yellow highlighting below. Note that in the other parts of NOISE-S5, it is the “habitable space” within the “noise sensitive activity” that requires the sound insulation. The airport provision turns this clause around, which makes less sense. FNDC should fully review this terminology to make it fit for purpose across NOISE-S5.

A ventilation system is generally regarded as not sufficient to allow dwellings to close window while remaining thermally comfortable. Air-conditioning is normally required. This approach is used in the other areas where reverse sensitivity is considered a potential risk.

Noise sensitive activity within the outer control boundary should be made discretionary. It is inappropriate to locate noise sensitive activity within the 55 dB L_{dn} noise contour and discretion over land use there should be provided for,

Noise sensitive activity should be prohibited (or at the very least made non-complying – requires planning analysis) within the air-noise boundary.

26 NOISE-S5 (outer control boundary) requires only a ventilation system to be provided.
Noise sensitive use and habitable spaces within the outer control boundary should not be permitted
It is not clear if noise sensitive activity within air-noise boundary is **prohibited**.

The noise insulation standard should read as follows:

1. Any noise sensitive activity with a habitable room in a new building or alteration or addition to an existing building, that is located between the outer control boundary and the air noise boundary shown on the planning maps shall be designed, constructed, and maintained to meet an internal noise level of:
 - a. 40 dB L_{dn}.
2. Compliance with (1) above shall be achieved if, prior to the construction of any building containing a habitable room, an acoustic design certificate from a suitably qualified acoustic engineer is provided to the Council which certifies that the proposed design and construction of the building, alterations or additions will achieve the internal sound levels. The building shall be designed, constructed, and maintained in accordance with the design certificate; or
 3. Where the noise level specified in (1) above cannot be met with ventilating windows open, a ventilation system shall be installed.

Note:

- i. For the purpose of this standard, ventilation system means a system complying with the Acceptable Solutions and Verification



Issue	Problem	Recommended solution	Risk	Example submission reference
		<p>Methods for New Zealand Building Code Clause G4 Ventilation. This standard will ensure a minimum level of mechanical ventilation with ventilating windows closed.</p> <p>The following alternative provisions would be suitable for ventilation:</p> <p>3. A ventilation and cooling system shall be provided to enable occupants to remain comfortable within the habitable room of the noise sensitive activity without having to open doors or windows for ventilation or cooling. Compliance with this clause shall be achieved if, prior to the construction, a ventilation and HVAC design certificate from a suitably qualified and experienced practitioner is provided to the Council.</p> <p>OR</p> <p>3. The habitable rooms of the noise sensitive activity must be designed, constructed and maintained with cooling and mechanical ventilation system(s) that achieves the following requirements:</p> <ul style="list-style-type: none"> i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and ii. provides cooling that is controllable by the occupant and can maintain the inside temperature to below 25°C <p>We also recommend mechanical services noise levels are designed to be reasonable, however we recommend that the design requirements are not so onerous that they cannot be achieved by good quality standard proprietary split system heat pump units. We recommend the following:</p> <p>4. Noise levels from ducted ventilation and cooling systems must be designed to within the design sound level range of NZS2107:2016 when measured as a time and space average over the room beyond 1 metre from any diffuser or outlet. If split system air-conditioning systems are used, an HVAC design</p>		

Issue	Problem	Detail of problem	Recommended solution	Risk	Example submission reference
			certificate must confirm these are of good quality, suitable for noise sensitive applications, and include a "low noise" or "quiet" operation mode.		
26	<p>NOISE-56 Explosives only states that noise shall comply with the noise limits set in NOISE – Table 2 – Explosives. It does not refer to vibration.</p> <p>The provision only requires the limits to be met in certain zones.</p>	<p>Although the RMA defines noise as including vibration, it would still be useful to explicitly state that "noise and vibration" is required to achieve the "noise and vibration" limits.</p> <p>Consider requiring the limits to be met in all zones (there are specific limits for commercial and industrial buildings in NOISE – Table 2 - Explosives)</p>	<p>Update the clause to require vibration to comply.</p> <p>Expand the clause to cover all zones.</p>	LOW – MED	
27	<p>NOISE-Table 1 does not provide design levels for the Orongo Bay zone and there is a typo</p>	<p>The Orongo Bay zone is required to comply with sound insulation provisions by NOISE-55, but there is no design spectrum given.</p>	<p>The Mixed Use and Orongo Bay zone limits are similar so the Mixed Use façade design noise levels should apply to the Orongo Bay zone also.</p> <p>Note that there are mistakes in the drafting of the Orongo Bay zone noise limits in Noise S1. Refer to the broad issues with NOISE-S1 discussed above</p>	LOW	S516.077

4.0 SUBMISSIONS

We have been provided with a summary of provisions by FNDC. These are set out in the following table together with our response and recommendations. We have not responded to the further submissions, unless it is appropriate to do so.

Table 1: Submissions and response

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S454.014	Transpower New Zealand Ltd	BEST PRACTICABLE OPTION	Support	Transpower supports the inclusion of this definition in the FNDCP.	Retain the definition of BEST PRACTICABLE OPTION.	"Best practicable option" (BPO) is used in the matters of discretion. If a noise standard is potentially exceeded, Council have discretion to consider whether the BPO has been applied to any mitigation (other matters of discretion are also included). We do not consider there are issues associated with including BPO mitigation as a matter of discretion. We agree that if BPO mitigation forms a matter of discretion, it should be clearly defined. We agree the definition should be retained. This is also a planning and legal matter.
FS369.035	Top Energy		Support	Top Energy also supports the retention of this definition.	Allow	Allow the original submission
S159.009	Horticulture New Zealand	BIRD SCARING DEVICE	Support in part	The definition includes firearms which are not devices used primarily for scaring birds. Rule NOISE-R8 refers to audible bird scaring devices. The definition should be amended to be consistent with the rule.	Amend the definition of bird scaring devices as follows: Audible bird scaring devices means a gas gun, avian distress alarm, firearm or other such device used primarily for the purposes of scaring birds.	The removal of "firearm" from the definition of NOISE-R8 would potentially still mean that firearms that are specifically being used for bird scaring would still need to comply with the permitted activity rules (time of day, number of shots per hour, noise level). This is because a firearm used primarily for that purpose would be an "other such device used primarily for the purposes of scaring birds". This has the potential to become a more difficult enforcement issue if, say, the firearm used for bird scaring is "primarily used" for other purposes. The concern of Horticulture New Zealand potentially relates to any firearm use falling under the bird scaring provisions. We would agree that occasional firearm use that is necessary for rural production activity (e.g. hunting pests) should not be required to comply with the NOISE-R8 provisions for bird scaring devices. However, we note that under the Proposed Plan, there do not appear to be exclusions for firearm use in the Rural Production zone for rural production related purposes. That may mean that firearm use is required to comply with NOISE-S1 regardless (which may also not be appropriate) We believe that the best approach, on balance, is to remove firearms from the definition of bird scaring device. We consider it would be appropriate if the definition is updated to replace the word "primarily" with "specifically" (or to delete the word altogether). The definition would read: "Audible bird scaring devices means a gas gun, avian distress alarm or other such device used for the purposes of scaring birds." Although not covered in this submission point, we note that the proposed rule NOISE-R8 has required noise to comply with 65 dB L_{AE} AND NOISE-S1 . This is unnecessary, and we prefer a single noise limit to be applied to bird scaring devices. The reference to NOISE-S1 is not helpful in our view and should be removed. There are also some minor issues with formatting / syntax of NOISE-R8 as follows: - "7.00am and 7.00pm on any calendar year" should probably read "on any day" - "A maximum noise level/frequency" should read "Noise shall not exceed 65 dB L _{AE} within the notional....."
FS96.001	Northland Fish and Game Council		Oppose	Oppose the proposed amendment to exclude firearms from the definition of bird scaring device. Firearms are commonly used as bird scaring devices and the permits NFGC issue under the crop depredation SOP include the use of firearms as a method of dispersal.	Disallow	Retain the reference to firearms in the definition of bird scaring device (inferred)
FS151.161	Ngāi Tukairangi No.2 Trust		Support	Oppose the proposed amendment to exclude firearms from the definition of bird scaring device. Firearms are commonly used as bird scaring devices and the permits NFGC issue under the crop depredation SOP include the use of firearms as a method of dispersal.	Allow	
FS570.171	Vision Kerikeri 3		Oppose	Oppose the proposed amendment to exclude firearms from the definition of bird scaring device. Firearms are commonly used as bird scaring devices and the permits NFGC issue under the crop depredation SOP include the use of firearms as a method of dispersal.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS666.165	Kapiro Conservation Trust 2		Oppose	Oppose the proposed amendment to exclude firearms from the definition of bird scaring device.	Disallow	Disallow to the extent that the submission is inconsistent with

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				Firearms are commonly used as bird scanning devices and the permits NFGC issue under the crop deprecation SOP include the use of firearms as a method of dispersal.	our original submission	
FS5665.207	Vision Kerikeri 2		Oppose	Oppose the proposed amendment to exclude firearms from the definition of bird scanning device. Firearms are commonly used as bird scanning devices and the permits NFGC issue under the crop deprecation SOP include the use of firearms as a method of dispersal.	Disallow that the submission is inconsistent with our original submission	
SI569.011	Horticulture New Zealand	FROST FANS OR HORTICULTURAL WIND MACHINES	Support	Definition is consistent with explanation of frost fans	Retain the definition of frost fan	The definition of FROST FANS OR HORTICULTURAL WIND MACHINES "means a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost". We do not take a view on this matter – the practical definition of this should be resolved by others. The definition would also likely cover helicopters if used to mitigate frost. We have not found frost fans to be an issue in the Far North District. In other areas (typically the South Island) noise issues have arisen where static and portable frost fans are used. The definition would cover those machines.
FS151.163	Ngā Tukairangi No.2 Trust		Support		Allow	
FS570.173	Vision Kerikeri 3		Oppose		Disallow that the submission is inconsistent with our original submission	
FS5665.187	Kapiro Conservation Trust.2		Oppose		Disallow that the submission is inconsistent with our original submission	
FS5665.209	Vision Kerikeri 2		Oppose		Disallow that the submission is inconsistent with our original submission	
S333.002	P.S.Yates Family Trust	New Definition	Not Stated	See submission point in this submission on rule NOISES4 Helicopter landing areas	Insert the following new definition: "Helicopter landing areas means an identified landing area for helicopter landing, loading and take-off but does not include refuelling, servicing, a hangar, or a freight handling facility".	Declaration: Marshall Day Acoustics have provided advice to P.S.Yates Family Trust on resource consent matters related to helicopter noise. There are identified problems with the helicopter noise provisions in the proposed District Plan. For instance, the helicopter noise rule states "Noise generated from the movements and landing of helicopters shall comply with the following noise limits ...". But then does not provide any noise limits. There are also issues with the intended application of noise limits to emergency helicopter uses, and the potential working of NOISE-R7 which could be interpreted as ONLY permitting "medical emergencies, search and rescue or firefighting purposes" (provided they comply with the helicopter noise rule). Our original report recommended a different set of provisions to those proposed. Our recommended approach was to provide a low noise limit (40 dB L ₉₀) as a permitted standard, and then provide a 50 dB L ₁₀ discretionary standard provided other matters of mitigation and management were considered. The intention of this approach was to allow a limited amount of helicopter activity to remote sites without needing resource consent, and to allow for private or public landing pads closer to dwellings provided the ongoing noise effects were considered. Our expectation was that this would limit cumulative helicopter effects in areas such as the Bay of Islands but would allow helicopters to be consented and used. Our expectation is that our helicopter noise rule would apply to all helicopter landing areas but NOT for rescue or emergency services activity. We expected that this would potentially include private dwelling landing areas or new private commercial heliports or servicing workshops. We agree that a well-considered definition could be helpful, but we do not recommend the submission is accepted as drafted. The definition needs to be drafted in conjunction with a mistake-free noise rule to ensure that helicopter noise is suitably managed in the Far North. We have discussed this later in this report.
FS109.4	NZ Agricultural Aviation Association		Oppose	Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing"	Disallow	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS184.8	Richard Milner		Support in part	includes refuelling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases. Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing" includes refuelling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Allow in part	
S168.002	Seair Thirty Six Limited	New Definition	Oppose	Standard Noise-S4 would benefit from a definition of 'Helicopter landing areas'	Insert the following new definition for 'Helicopter landing areas': Helicopter landing areas means an identified landing area for helicopter landing, loading and take-off but does not include refuelling, servicing, a hangar, or a freight handling facility.	As per response to S333.002 above
FS109.5	NZ Agricultural Aviation Association		Oppose	Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing" includes refuelling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow	
FS184.9	Richard Milner		Support in part	Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing" includes refuelling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow in part	
S243.003	Matauri Trustee Limited	New Definition	Oppose	'Helicopter landing areas' are presumably dedicated landing areas, rather than simply the	Insert the following new definition for helicopter landing areas: Helicopter landing areas	As per response to S333.002 above

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS109.6	NZ Agricultural Aviation Association		Oppose	Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing" includes refuelling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	means an identified landing area for helicopter landing, loading and take-off but does not include refuelling, servicing, a hangar, or a freight handling facility.	
FS184.10	Richard Milner		Support in part	Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing" includes refuelling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow in part	
FS570.561	Vision Kerikeri 3		Oppose	Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing" includes refuelling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow to the extent that the submission is inconsistent with our original submission	
FS666.575	Kapiro Conservation Trust 2		Oppose	Refuelling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refuelling and servicing (it is assumed that the term "servicing" includes refuelling). Further, the definition sought relates to	Disallow	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS665,537	Vision Kerikeri 2		Oppose	helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases. Refueling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refueling and servicing (it is assumed that the term 'servicing' includes refueling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow Disallow to the extent that the submission is inconsistent with our original submission	
S187,002	The Shooting Box Limited	New Definition	Oppose	Refer to submission point in this submission on rule NOISE-S4 Helicopter landing areas.	Amend to add the following new definition: "Helicopter landing areas means an identified landing area for helicopter landing, loading and take-off but does not include refuelling, servicing, a hangar, or a freight handling facility".	Declaration: Marshall Day Acoustics have provided advice to The Shooting Box Limited on resource consent matters related to helicopter noise. As per response to S3333.002 above
FS109.7	NZ Agricultural Aviation Association		Oppose	Refueling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refueling and servicing (it is assumed that the term "servicing" includes refueling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow	
FS184,11	Richard Milner		Support in part	Refueling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refueling and servicing (it is assumed that the term "servicing" includes refueling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow in part	
S222,002	Wendover Two Limited	New Definition	Oppose	See submission point in this submission on rule NOISE-S4 Helicopter landing areas.	Insert the following new definition Helicopter landing areas means an identified landing areas for helicopter landing, loading and take-off but does not include refuelling, servicing, a hangar, or a freight	As per response to S3333.002 above

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS109.8	NZ Agricultural Aviation Association		Oppose	Refueling and servicing are critical functional elements when operating helicopters from helicopter landing areas undertaking agricultural aviation activities therefore NZAAA seeks to have the definition submitted by NZAAA in S182.006 accepted to include refueling and servicing (it is assumed that the term "servicing" includes refueling). Further, the definition sought relates to helicopter landing areas used on an infrequent, intermittent basis NOT fixed location bases.	Disallow handling facility.	
S167.002	Bentzen Farm Limited	New Definition	Oppose	There is a lack of specificity as to what comprises a helicopter landing area. There is a disconnect between "helicopter landing areas" (presumably dedicated areas for this purpose) and the content of rules which apply to the movements and landing of helicopters. If the intent is to apply to dedicated helicopter landing areas, then a definition of that landuse is warranted to give the rule specificity.	Insert the following new definition: "Helicopter landing areas means an identified landing area for helicopter landing, loading and take-off but does not include refueling, servicing, a hangar, or a freight handling facility".	As per response to S333.002 above
FS184.3	Richard Milner		Support in part	A Helicopter landing area should allow or fuelling of the aircraft especially if a temporary landing area Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large Also Agricultural Aircraft will suffer from the same restriction if this is allowed entirely.	Allow in part	
FS354.039	Horticulture New Zealand		Oppose	A Helicopter landing area should allow or fuelling of the aircraft especially if a temporary landing area Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large Also Agricultural Aircraft will suffer from the same restriction if this is	Disallow in part include a definition for helicopter landing area. <i>means any area of land, building or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</i>	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS566.364	Kapiro Conservation Trust 2		Oppose	<p>allowed entirely.</p> <p>A Helicopter landing area should allow of fuelling of the aircraft especially if a temporary landing area</p> <p>Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large</p> <p>Also Agricultural Aircraft will suffer from the same restriction if this is allowed entirely.</p>	Disallow	
S182.006	NZ Agricultural Aviation Association	New Definition	Not Stated	<p>Seek a definition of Helicopter landing area in the Plan</p>	Insert a new definition of Helicopter landing area means any area of land, building or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing	<p>Declaration: Marshall Day Acoustics have provided general advice to NZ Agricultural Aviation Association during their annual meeting. This definition would appear to cover helicopter movements to an area of land or building. It does not exclude any uses. It includes "servicing". Presumably that definition is included for engine testing run-ups as may be required at a maintenance facility.</p> <p>We consider the definition covers the activities that were intended to be captured by the helicopter noise rule. We are in support of a clear definition. However the definition needs to be drafted in conjunction with a mistake-free noise rule to ensure that helicopter noise is suitably managed in the Far North.</p>
FS184.6	Richard Milner		Support	Fully support	Allow	
S399.071	Te Hiku Iwi Development Trust	Overview	Not Stated	The Overview does not consider adverse effects of noise on indigenous fauna.	Amend the third sentence of the first paragraph of the Overview as follows: Noise can be the cause of annoyance, impacting community health, wellbeing and the quality of living environments and adversely affecting fauna.	<p>Noise can affect fauna. It is often more difficult to address the effects of noise on fauna than it is on people. There are no specific noise rules in the District Plan NOISE-S that relate specifically to fauna, although in broad terms the zone standards that provide for human activity will also provide for a reasonable protection of many other species.</p> <p>A We consider that the District Plan should provide for the effects of noise on fauna to be considered, provided this is targeted and is done efficiently. A reference to fauna in the "overview section" seems reasonable.</p> <p>The wording of the proposed amendment is considered overly strong. Our preference would be for an amendment to be drafted as follows "Noise can be the cause of annoyance, impacting community health, wellbeing, the quality of living environments and fauna"</p>
S399.073	Te Hiku Iwi Development Trust	Objectives	Not Stated	The objectives do not provide for adverse effects due to noise on indigenous fauna.	Amend Objective NOISE-O1 as follows: 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 or ecological values.	<p>NOISE-O1 is relatively clear and targeted. It required noise to have an effect that is compatible with the zone, provided it does not compromise community health, safety and wellbeing. Those matters can generally be addressed through consideration of objective noise standards. The introduction of "ecological values" is perhaps more nebulous and broad – it is not clear exactly whose "ecological values" should not be "compromised".</p> <p>In our view, ecological values are broadly covered by "community wellbeing", although we recognise this is not explicit.</p> <p>We note this is very much a planning matter that needs to be considered by others.</p>
S182.019	NZ Agricultural Aviation Association	Objectives	Not Stated	New objective as existing noise generating activities should be able to continue functioning	Insert new objective: Lawfully established and permitted noise generating activities can continue to function and operate	<p>We would of course support "lawfully established and permitted noise generating activities" to be able to continue to operate. However lawfully established and permitted activities can presumably continue to operate without this being an objective of the District Plan.</p> <p>This is largely a planning and legal matter and should be considered by others</p>
FS374.048	Waipapa Pine Limited		Support	The submission provides for and recognises that existing uses such as those undertaken by Waipapa Pine Limited. These lawfully established activities should be formally recognised through an Objective in the Proposed District Plan	Allow allow the original submission	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S516.064	Ngā Tai Ora - Public Health Northland	Objectives	Not Stated	Objectives NOISE-O1 and NOISE-O2 are currently both framed as relating to activities generating noise. Based on evidence from the World Health Organisation, existing environmental noise causes significant harm to the health of communities. This public health matter warrants action as an important resource management issue to be addressed in the Noise chapter, and not just as a corollary to polluting activities.	Insert a new objective as follows: NOISE-O3 The health and wellbeing of people and communities are protected from significant levels of noise.	NOISE-O1 covers health and wellbeing in relation to noise. We consider this objective would protect people and communities from 'significant noise'. Ngā Tai Ora - Public Health Northland appear to want an objective that requires action on existing noise levels where these are causing significant harm. This is a reasonable objective, however in our view, the proposed objective is not significantly different to NOISE-O1. We do not recommend this specific change is adopted. However we recognise that there may be benefit in an alternative overarching objective that recognizes the importance of noise impacts on public health in the District.
FS354.172	Horticulture New Zealand		Oppose	The submitter seeks a new objective: NOISE-O3 The health and wellbeing of people and communities are protected from significant levels of noise. HortNZ does not support an objective of 'protection' but rather that noise is managed consistent with the function of the zone to not cause significant adverse effects on people.	Disallow Disallow S516.064	
S45.019	Puketona Business Park Limited	NOISE-O1	Support	The noise chapter of the PDP as notified is generally acceptable	Retain the objectives in the Noise chapter.	No comment
S143.007	Balance Agr-Nutrients Limited	NOISE-O1	Support	Balance supports the recognition of noisy activities that are compatible with the role, function and character of the General Rural Zone such as agricultural aviation and the operation of rural airstrips.	Retain the objective NOISE-O1	No comment
S356.105	Waka Kotahi NZ Transport Agency	NOISE-O1	Support	not stated	Retain NOISE-O1 as notified	No comment
S399.072	Te Hiku Iwi Development Trust	NOISE-O1	Not Stated	The objectives do not provide for adverse effects due to noise on indigenous fauna.	Amend Objective NOISE-O1 as follows: 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 or ecological values. Alternatively, a separate objective relating to fauna could be inserted.	See response to S399.073 above
S159.084	Horticulture New Zealand	NOISE-O1	Support	The noise should reflect the underlying character of the zone	Retain Objective NOISE-O1	No comment
FS151.253	Ngā Tukairangi No.2 Trust		Support		Allow	
FS534.045	Waiau Bay Farm Limited		Support		Allow	retain as notified
FS570.246	Vision Kerikeri 3		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS566.260	Kapiro Conservation		Oppose		Disallow	Disallow to the extent that the submission

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
	Trust 2				is inconsistent with our original submission	
FS665.282	Vision Kerikeri 2		Oppose		Disallow	
S342.010	Waipapa Pine Limited and Adrian Broughton Trust	NOISE-O1	Oppose	<p>The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect.</p> <p>A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s 16 RMA 1991 requirements.</p> <p>To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites and beyond.</p> <p>To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.</p>	Not stated	<p>Declaration: Marshall Day Acoustics have provided advice to Waipapa Pine Limited on matters relating to the Waipapa Pine sawmill. Marshall Day Acoustics have also provided advice to Far North District Council regarding noise emissions from the Waipapa Pine site previously.</p> <p>This part of the submission does not specifically relate to NOISE-O1. The submission point is broad in nature in regard to the objectives. No alternative objective is proposed.</p> <p>The current objective, in our view, would recognize that the heavy industrial zone will make noise ('... compatible with the role function and character of each zone...') in regard to noise received at other zones. However, there is no specific objective that favours heavy industrial activity at the expense of residential or rural amenity – instead the objective aims to balance these matters.</p> <p>We note that the NOISE-S1 provisions for the heavy industrial zone have set lower noise limits than we recommended in our report (the Proposed Plan sets 40 dB L₉₀ at night at General Residential, Rural Lifestyle, or Māori Purpose, whereas we recommended 45 dB L₉₀ at night for noise from the Heavy Industrial site). The NOISE-S1 provisions appear to favour night-time amenity of these zones over increased flexibility of heavy industrial use.</p>
FS374.024	Waipapa Pine Limited		Support		Allow	
S143.008	Ballance Agri-Nutrients Limited	NOISE-O2	Support	<p>The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.</p> <p>Balance supports the recognition that existing noisy activities especially in the General Rural Zone, should be protected from reverse sensitivity effects.</p>	retain the objective NOISE -O2	No comment
FS129.15	Waste Management New Zealand Limited		Support		Allow	
FS109.14	NZ Agricultural Aviation Association		Support		Allow	
FS369.486	Top Energy		Oppose		Disallow in part	
S159.085	Horticulture New Zealand	NOISE-O2	Support	<p>Minimising potential reverse sensitivity effects is supported.</p>	Retain Objective NOISE-O2	No comment
FS109.15	NZ Agricultural Aviation		Support	<p>It is important to ensure that new sensitive activities are located and designed to avoid reverse</p>	Allow	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
	Association			sensitivity effects.		
FS151.254	Ngāi Tukairangi No.2 Trust		Support	It is important to ensure that new sensitive activities are located and designed to avoid reverse sensitivity effects.	Allow	
FS570.247	Vision Kerikeri 3		Oppose	It is important to ensure that new sensitive activities are located and designed to avoid reverse sensitivity effects.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS565.261	Kapiro Conservation Trust.2		Oppose	It is important to ensure that new sensitive activities are located and designed to avoid reverse sensitivity effects.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS565.263	Vision Kerikeri 2		Oppose	It is important to ensure that new sensitive activities are located and designed to avoid reverse sensitivity effects.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS365.487	Top Energy		Oppose	It is important to ensure that new sensitive activities are located and designed to avoid reverse sensitivity effects.	Disallow in part	
S483.181	Top Energy Limited	NOISE-O2	Oppose	The wording of this objective is inconsistent with the approach required in the RPS (see Policy 5.1.1, RPS) which is to "avoid" the potential for reverse sensitivity effects. The District Plan is required to give effect to the RPS and use of the word "manage" does not give effect to the "avoid" directive in the RPS.	Amend Objective NOISE - O2 as follows: New noise sensitive activities are designed and/or located to minimise conflict with (and avoid reverse sensitivity effects on) existing lawfully established noise generating activities.	Reverse sensitivity effects from noise sensitive activities located in noisier zones cannot be avoided entirely, unless the noise sensitive landuse is not permitted or is prohibited. In the Far North District, it is proposed to allow some noise sensitive activities to be located near noise sources (roads, mixed use zone, light industry) provided suitable facade sound insulation measures are provided. If the objective was to "avoid" reverse sensitivity effects, the objective would be at odds with those provisions. This would affect the amount of land available for residential development. This matter requires planning and legal advice, but for the reasons stated above our view is that the proposed change should not be adopted.
FS196.223	Joe Carr		Support		Allow	
FS354.174	Horticulture New Zealand		Support in part		Allow	Allow S483.181
FS345.232	Ngawha Generation Limited		Support		Allow	Allow all of the relief sought by Top Energy Limited in its submission (S483).
S416.037	KiwiRail Holdings Limited	NOISE-O2	Support	Specific recognition of the need to manage the effects of noise particularly through the design and placement of noise sensitive activities is supported.	Retain Objective NOISE-O2	No comment
FS36.063	Waka Kotahi NZ Transport Agency		Support	Supports recognition of the need to manage the effects of noise particularly through the design and placement of noise sensitive activities.	Allow	Allow the original submission.
FS365.492	Top Energy		Oppose	Supports recognition of the need to manage the effects of noise particularly through the design and placement of noise sensitive activities.	Disallow in part	
S342.023	Waipapa Pine Limited and Adrian Broughton Trust	NOISE-O2	Oppose	The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and	Delete the objectives (inferred)	Declaration: Marshall Day Acoustics have provided advice to Waipapa Pine Limited on matters relating to the Waipapa Pine sawmill. Marshall Day Acoustics have also provided advice to Far North District Council regarding noise emissions from the Waipapa Pine site previously.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect.</p> <p>A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements.</p> <p>To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.</p>		<p>See comments in S342.010 above.</p> <p>This part of the submission does not specifically relate to NOISE-O2. The submission point is broad in nature, in regard to the objectives. No alternative objective is proposed.</p> <p>The submitter would be unlikely to benefit from the removal of an objective that minimizes conflict and reverse sensitivity effects. We do not recommend change is made based on this submission.</p>
FS374.037	Waipapa Pine Limited		Support	<p>The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.</p>	<p>Allow</p>	
FS369.490	Top Energy		Oppose	<p>The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.</p>	<p>Disallow in part</p>	
S366.106	Waka Kotahi NZ Transport Agency	NOISE-O2	Support in part	<p>As per the attached s32 report, Waka considers that this objective should be reworded to focus on protecting health and wellbeing rather than reverse sensitivity</p>	<p>Amend as follows: New noise sensitive activities are designed and/or located to minimise conflict and reverse sensitivity effects; protect health and wellbeing.</p>	<p>This proposed change would essentially result in the same outcome. Protecting health and wellbeing would likely result in few reverse sensitivity effects arising. However a reader of the objective would have to infer that if health and wellbeing are not protected then reverse sensitivity effects could arise – this is not explicit. We are neutral on this change. An alternative could be to expand the amendment to state “New noise sensitive activities are designed and/or located to minimise conflict and reverse sensitivity effects and to protect health and wellbeing.”</p>
FS243.090	Kainga Ora Homes and Communities		Support	<p>Kainga Ora supports the proposed amendment.</p>	<p>Allow</p> <p>Amend NOISE-O2 as follows: New noise sensitive activities are designed and/or located to minimise conflict and reverse sensitivity effects protect health and wellbeing.</p>	
FS364.173	Horticulture New Zealand		Oppose	<p>Kainga Ora supports the proposed amendment.</p>	<p>Disallow</p>	
FS369.491	Top Energy		Oppose	<p>Kainga Ora supports the proposed amendment.</p>	<p>Disallow in part</p>	
FS369.496	Top Energy		Oppose	<p>Kainga Ora supports the proposed amendment.</p>	<p>Disallow</p>	
S436.040	Northland Fish	NOISE-O2	Support	<p>Existing game bird hunting</p>	<p>Retain Objective NOISE-O2.</p>	<p>No comment in relation to retaining NOISE-O2.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
	and Game Council			<p>activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites.</p> <p>Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimal used during the game bird hunting season.</p>		<p>Firearm noise from recreational use does not appear to be exempt from the noise standards, unless it is covered by the exemption contained in note 11: <i>impulsive sounds (such as hammering and bangs) and dog barking noise which are poorly assessed by reference to NZS 6602:2006, Acoustics Environmental Noise;</i></p> <p>Note that we have concerns about this exemption. It is likely too broad for other reasons. It is unclear whether this clause might mean that dog kennels are not required to meet the district plan noise rules (which would be inappropriate). We consider that if firearms used for general rural purposes are to be exempt from the noise rules then a specific exemption should likely replace note 11. However, this should not permit shooting ranges to be established without a consent or adequate assessment</p> <p>If recreation hunting firearm use is required to comply with the night-time noise limits (before 7am) then distances of 200 to 300 metres may need to be maintained to comply with the L_{Aeq} noise levels – although this will vary considerably depending on orientation to shooting. Compliance with the L_{Aeq} noise levels could also be an issue if a large number of shots are fired.</p>
FS570.1504	Vision Kerikeri 3		Oppose	<p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites.</p> <p>Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimal used during the game bird hunting season.</p>	<p>Disallow to the extent that the submission is inconsistent with our original submission</p>	
FS346.126	Royal Forest and Bird		Support	<p>Existing game bird hunting activities are often constrained by</p>	<p>Allow</p>	<p>Allow the original</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
	Protection Society of New Zealand Inc.			<p>surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites; Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.</p>	<p>submission</p>	
FS566.1518	Kapiro Conservation Trust 2		Oppose	<p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites; Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.</p>	<p>Disallow</p>	<p>Disallow to the extent that the submission is inconsistent with our original submission</p>
FS566.1540	Vision Kerikeri 2		Oppose	<p>Existing game bird hunting activities are often constrained by surrounding land use, and</p>	<p>Disallow</p>	<p>Disallow to the extent that the submission is inconsistent with</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of/maimai used during the game bird hunting season.</p>	our original submission	
FS369.493	Top Energy		Oppose	<p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of/maimai used during the game bird hunting season.</p>	Disallow in part	
S45.037	Puketona Business Park Limited	NOISE-O2	Support	<p>The Noise chapter of the PDP as notified is generally acceptable</p>	Retain the objectives in the Noise chapter.	No comment

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS369,485	Top Energy		Oppose	Top Energy seeks to amend this objective to ensure consistency with policy 5.1.1 of the RPS.	Disallow in part	
S182,018	NZ Agricultural Aviation Association	NOISE-O2	Support	support the objective that new sensitive activities are located and designed to avoid reverse sensitivity effects	retain NOISE-O2	No comment
FS369,488	Top Energy		Oppose	Top Energy seeks to amend this objective to ensure consistency with policy 5.1.1 of the RPS.	Disallow in part	
S331,050	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-O2	Support	The submitter supports objective NOISE-O2 and acknowledges the importance of reducing reverse sensitivity effects through the design and/or location of noise sensitive activities. The Ministry can design educational facilities to a high standard with insulation to minimise reverse sensitivity effects without needing to consider the location.	Retain objective NOISE-O2, as proposed.	<p>Declaration: Marshall Day Acoustics have provided advice to the Ministry of Education on a range of matters.</p> <p>No comment in regard to retaining the objective NOISE-O2</p> <p>We disagree with the Ministry's statement that they can design educational facilities to a high standard with insulation to minimise reverse sensitivity effects without needing to consider the location. In some noisy areas, the design of buildings to achieve this is cost prohibitive or impractical. Furthermore the effects of noise go further than just noise levels indoors – outdoor noise on education facilities is a matter that requires equal consideration. However, this does not appear to be material to the submission point, which is to retain the objective in relation to noise sensitive activity.</p>
FS369,489	Top Energy		Oppose	Top Energy seeks to amend this objective to ensure consistency with policy 5.1.1 of the RPS.	Disallow in part	
FS369,495	Top Energy		Oppose	Top Energy seeks to amend this objective to ensure consistency with policy 5.1.1 of the RPS.	Disallow in part	
S416,038	KiwiRail Holdings Limited	Policies	Support in part	The proposed Plan policies are supported but don't specifically cover railway corridor noise in all zones where rail is located in the district and a new policy is provided	Insert a new policy, Policy NOISE-P4, as follows: Ensure buildings for noise sensitive activities near railway corridors are designed and constructed to minimise the level of noise received within buildings.	<p>Declaration: Marshall Day Acoustics have provided advice to KiwiRail in the past on various matters.</p> <p>NOISE-P2 addresses how noise sensitive activities are to be managed where they are proposed to be constructed within the Mixed Use or Light Industrial zone or within an Air-Noise Boundary.</p> <p>In our view, if a reverse sensitivity provision for rail noise were required, it should also cover road traffic (as there are noise standards for road traffic in the plan). NOISE-P2 would best serve as a base for any such rail-centric policies, rather than a stand-alone policy specific to rail.</p> <p>Any consequential noise rules need to be carefully considered. There are currently few rail movements north of Whangarei at present (although rail lines are being revived). Any rules would need to ensure that unreasonable cost is not placed on development near rail lines where there is no realistic likelihood that appreciable rail movements could occur within the life of the building.</p>
FS243,095	Kainga Ora Homes and Communities		Oppose	Kainga Ora opposes the requested 5m setback, a considerably reduced set back would provide adequate space for maintenance activities within sites adjacent to the rail network. In doing so, it will continue to protect the safe, efficient, and effective operation of the rail infrastructure while balancing the cost on landowners. The amendments are unnecessary.	Disallow Insert a new policy, Policy NOISE-P4, as follows:	
S342,011	Waipapa Pine Limited and Adrian Broughton Trust	NOISE-P1	Oppose	The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect.	Not stated	<p>Declaration: Marshall Day Acoustics have provided advice to Waipapa Pine Limited on matters relating to the Waipapa Pine sawmill. Marshall Day Acoustics have also provided advice to Far North District Council regarding noise emissions from the Waipapa Pine site previously.</p> <p>See comments in S342,010 above.</p> <p>This part of the submission does not specifically relate to NOISE-P1. The submission point is broad in nature in regard to the policies. No alternative policy is proposed.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements.</p> <p>To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.</p> <p>The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.</p>	<p>Allow</p> <p>allow the original submission</p>	<p>NOISE-P1 would presumably be somewhat favorable to Waipapa Pine, as it should avoid noise sensitive activities being developed on adjacent Heavy Industrial sites which would minimize reverse sensitivity (FNDC should check the District Plan does in fact prohibit this). The policy "upholds the character and amenity of each zone" which means that Waipapa Pine could not generate unreasonable character and amenity effects on nearby Rural Production land.</p> <p>In our view the policy is suitable and should remain. Council should check the provisions for zones such as the Heavy Industry and Horticultural processing zone to ensure that noise sensitive activities are suitably controlled and restricted in those zones. It is generally inappropriate to allow people to live in heavy industry zones.</p>
FS374.025	Waipapa Pine Limited		Support		Allow	
S516.065	Ngā Tai Ora - Public Health Nonland	NOISE-P1	Not Stated	<p>To protect public health it is essential to control types of activities and noise levels. However, in this proposed policy these actions are only listed in terms of upholding character and amenity, which are secondary issues to the protection of health.</p>	<p>Amend Policy NOISE-P1 as follows: Protect public health and uphold the character and amenity of each zone by controlling the types of activities and noise levels that are permitted in each zone.</p>	<p>This is a reasonable amendment in regard to the "living" type zones (residential, rural, etc). In those zones, the protection of public health would be strongly correlated with suitable character and amenity values.</p> <p>Protecting public health (in regard to noise) is of less relevance in the Light Industrial, Heavy Industrial and similar type zones. In those zones, controlling the type of activities that occur in the zone allows the "character and amenity of industry" to be unaffected by adjacent noise sensitive land use. This is less about public health, and more about maintaining a functional business area where people can work and productivity can be maintained (although avoiding residential development in zones where noise can be high would also be a beneficial public health benefit).</p> <p>Our view is that the reference to public health weights the policy too much in favour of reducing noise overall, rather than balancing the effects of productive work on character and amenity. We recommend the specific change sought is not accepted. However noise effects on public health is agreed to be an important matter and an overarching objective or policy could be considered. Refer to comments on S516.064 above.</p>
FS354.175	Horticulture New Zealand		Oppose	<p>The submitter seeks a new policy to protect public health HortNZ does not support a policy of "protection" but rather that noise is managed consistent with the function of the zone to not cause significant adverse effects on people.</p>	<p>Disallow</p> <p>Disallow S516.065</p>	
S45.020	Puketona Business Park Limited	NOISE-P1	Support	<p>The Noise chapter of the PDP as notified is generally acceptable</p>	<p>Retain the policies in the Noise chapter.</p>	No comment
FS403.165	Te Whātū Ora - Ngā Tai Ora		Oppose	<p>Te Whātū Ora seek to amend this policy to protect public health.</p>	<p>Disallow in part</p> <p>Te Whātū Ora seek to amend this policy to protect public health.</p>	
S331.051	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-P2	Support in part	<p>The submitter supports in part policy NOISE-P2 and acknowledges the importance of reducing reverse sensitivity effects through the design and location of noise sensitive activities. However, both design and location are not needed to achieve this. The</p>	<p>Amend policy NOISE-P2 as follows: Ensure noise sensitive activities proposing to locate within the Mixed Use, Light Industrial and Air Noise Boundary are located, and/or designed,</p>	<p>Declaration: Marshall Day Acoustics have provided advice to the Ministry of Education on a range of matters. We disagree with this point. Some environments are not suitable for education facilities. For instance, the Ministry of Education requires outdoor play areas at early childhood education centers to meet 55 dB L_{eq} to obtain a license. In some situations (e.g. within an airport inner control boundary or near a particularly busy road), it may be impossible to achieve that outcome through design. We consider AND is the appropriate wording for this policy recommend the amendment sought is rejected.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				Ministry can design educational facilities to a high standard with insulation to minimise reverse sensitivity effects without needing to consider the location.	constructed and operated in a way which will minimise adverse noise on community health, safety and wellbeing by having regard to: a) any existing noise generating activities and the level of noise that will be received within any noise sensitive building; b) the primary purpose and the frequency of use of the activity; and c) the ability to design and construct buildings accommodating noise sensitive activities with sound insulation and/or other mitigation measures to ensure the level of noise received within the building is minimised particularly at night.	
S483.182	Top Energy Limited	NOISE-P2	Oppose	Top Energy seeks amendments to this policy to achieve better alignment with the RPS	Amend Policy NOISE - P2 as follows, to achieve better alignment with the RPS objective 3.6 and policy 5.1.1: Ensure noise sensitive activities ... a. any existing lawfully established noise generating activities and the level of noise that will be received within any noise sensitive building; b. the need to avoid any reverse sensitivity effects on lawfully established noise generating activities. c. the primary purpose ... d. the ability to design ...	Declaration: Marshall Day Acoustics has provided advice to this submitter previously. These are reasonable amendments. It may be sensible to explicitly consider only lawfully established noise generating activities. Note however the that proposed definition of NOISE GENERATING ACTIVITIES is: "... high levels of noise generated from activities that are nationally significant or regionally significant infrastructure." This is a high bar to achieve and not all activities that generate noise will fall under this definition. It would also be unusual for a regionally or nationally significant piece of infrastructure not to be lawfully established. The proposed amendment b. the need to avoid any reverse sensitivity effects on lawfully established noise generating activities would place a further requirement on a proposed noise sensitive activity establishing in the nominated zones. This is a technical planning matter that needs to be considered by planning and legal advice. It would not be appropriate for a proposed dwelling within, say, an airport outer control boundary, to meet all the required provisions of the noise rule NOISE-S5 but still need to "avoid" any reverse sensitivity effects. The provisions of NOISE-S5 would be deemed to meet the policy as proposed but would be unlikely to meet the amendments proposed by Top Energy. It is our view that the amendment should likely be rejected or rewarded, but further advice from others should be considered.
FS109.16	NZ Agricultural Aviation Association		Support	Existing lawfully established noise generating activities should be protected from reverse sensitivities	Allow	
FS196.224	Joe Carr		Support	Existing lawfully established noise generating activities should be protected from reverse sensitivities	Allow	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS345.233	Ngawha Generation Limited		Support	Existing lawfully established noise generating activities should be protected from reverse sensitivities	Allow	
S342.021	Waipapa Pine Limited and Adriani Broughton Trust	NOISE-P2	Support	<p>The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect.</p> <p>A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements.</p> <p>To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.</p>	<p>Allow all of the relief sought by Top Energy Limited in its submission (S483).</p> <p>Not stated</p>	<p>Declaration: Marshall Day Acoustics have provided advice to Waipapa Pine Limited on matters relating to the Waipapa Pine sawmill. Marshall Day Acoustics have also provided advice to Far North District Council regarding noise emissions from the Waipapa Pine site previously.</p> <p>See comments in S342.010 above.</p> <p>This part of the submission does not specifically relate to NOISE-P2. The submission point is broad in nature in regard to the policies. No alternative policy is proposed.</p> <p>This policy is likely beneficial to Waipapa Pine as it requires sound insulation of noise sensitive activities (although Waipapa Pine may prefer noise sensitive activities to be simply prohibited in the Light Industrial area)</p>
FS374.035	Waipapa Pine Limited		Support	The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.	Allow	
S356.107	Waka Kotahi NZ Transport Agency	NOISE-P2	Support in part	Waka Kotahi considers that land near state highways need to also be considered in this policy.	<p>Amend as follows: Ensure noise sensitive activities proposing to locate within the Mixed Use, Light Industrial, on land near state highways and Air Noise Boundary are located, designed, constructed and operated in a way which will minimise adverse noise on community health, safety and wellbeing by having regard to:</p> <p>Allow Amend NOISE-P2 as follows:</p>	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously</p> <p>There are rules proposed to control state highway noise (NOISE-S5). These noise rules will increase the cost of dwelling construction near state highways somewhat. However as there are rules proposed, there should likely be policies that support this. Waka Kotahi NZ Transport Agency's proposed amendment is reasonable given the noise standards proposed and we recommend it be included.</p> <p>Note also S416.038 above in regard to KiwiRail's submission for an additional policy, and our response suggesting that NOISE-P2 may be more appropriate. In our view, the noise issues relating to road and rail traffic are very similar and should likely be covered by the same policy (both are to be included as policies).</p>
FS243.091	Kainga Ora Homes and Communities		Support in part	Kainga Ora supports the proposed amendment, to the extent that the land near state highways is properly mapped and identified in the District Plan. Otherwise, this may be open to interpretation, if the land near state highways is not	Allow	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				identified or mapped. Any such controls should be informed by evidential noise modelling.		
S45.038	Puketona Business Park Limited	NOISE-P2	Support	The Noise chapter of the PDP as notified is generally acceptable	Retain the policies in the Noise chapter.	No comment
FS369.494	Top Energy		Oppose	Top Energy seeks to amend this objective to ensure consistency with policy 5.1.1 of the RPS.	Disallow in part	
S217.009	New Zealand Defence Force	NOISE-P3	Support	This policy seeks to ensure that noise effects are of a type, scale and level appropriate for the character of the receiving environment, while having regard to the temporary or permanent nature of adverse effects, which is appropriate.	Retain policy as drafted.	Declaration: Marshall Day Acoustics has provided advice to this submitter previously No comment
S399.074	Te Hiku Iwi Development Trust	NOISE-P3	Not Stated	The policies as written do not provide for management of adverse effects due to noise on indigenous fauna.	Insert new point e. in Policy NOISE-P3 as follows: e. Any adverse effects on indigenous fauna and habitats	This policy would require consideration of noise effects on indigenous fauna and habitats, presumably for any non-complying activity applications. These matters may be challenging to address. Noise effects on indigenous fauna can be difficult to consider objectively, given the general lack of species-specific data. There are Environment Court cases where noise effects on certain NZ specific species have been the subject of much debate and uncertainty, leading to potentially precautionary findings. We are neutral on this matter. It requires consideration by others given the potential planning constraints it could create.
S45.039	Puketona Business Park Limited	NOISE-P3	Support	The Noise chapter of the PDP as notified is generally acceptable	Retain the policies in the Noise chapter.	No comment
S159.086	Horticulture New Zealand	NOISE-P3	Support	The noise should reflect the underlying character of the zone	Retain Policy NOISE-P3	No comment
FS151.255	Ngāi Tukairangi No.2 Trust		Support		Allow	
FS534.046	Waiau Bay Farm Limited		Support		Allow	Retain as notified.
FS570.248	Vision Kerikeri 3		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS566.262	Kapiro Conservation Trust.2		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS566.264	Vision Kerikeri 2		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission
S342.022	Waipapa Pine Limited and Adrian Broughton Trust	NOISE-P3	Oppose	The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect. A balance needs to be struck between enabling heavy industrial activities to be able to	Not stated	Declaration: Marshall Day Acoustics have provided advice to Waipapa Pine Limited on matters relating to the Waipapa Pine sawmill. Marshall Day Acoustics have also provided advice to Far North District Council regarding noise emissions from the Waipapa Pine site previously. See comments in S342.010 above. This part of the submission does not specifically relate to NOISE-P3. The submission point is broad in nature in regard to the policies. No alternative policy is proposed. Policy NOISE-P3 would require noise effects from the Waipapa Pine site to be of a "type, scale and level that are appropriate for the predominant role, function and character of the receiving environment" by having regard to various matters such as "the ability of to internalise and/or minimize any

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements. To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.		<i>conflict with adjacent activities.</i> " We are not convinced that the noise limits applying between the <i>Heavy Industrial and Rural Production</i> and other similar zones comply with this policy. A higher night time noise limit was originally recommended by us and should be considered.
FS374.036	Waipapa Pine Limited		Support	The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.	Allow	
S148.040	Summit Forests New Zealand Limited	Rules	Not Stated	While the chapter on noise states that the noise rules and effects standards do not apply to noise generated by "...forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture processing zones" (point 5), the chapter fails to reference that noise and vibration associated with all plantation forestry activities is a permitted activity subject to the provisions of regulation 98 of the NES-PF.	Amend the chapter to make it clear that noise and vibration associated with all plantation forestry activities is a permitted activity subject to the provisions of regulation 98 of the NES-PF.	This is a planning matter. The NES-PF has specific noise limits that apply to forestry.
FS108.19	Manulife Forest Management		Support	As described by the original submitter and provides consistency with the NES-PF.	Allow	
FS85.35	PF Olsen Ltd		Support	As described by the original submitter and provides consistency with the NES-PF.	Allow	
FS346.546	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	As described by the original submitter and provides consistency with the NES-PF.	Disallow the original submission	
FS565.152	Kapiro Conservation Trust 2		Oppose	As described by the original submitter and provides consistency with the NES-PF.	Disallow	
S281.001	Northern Rescue Helicopter Limited	Rules	Support in part	The rules are confusing and should be reviewed.	Insert rule to allow emergency rescue helicopters to be unconstrained and exempt from any noise rules.	Declaration: Marshall Day Acoustics have provided advice to NEST previously. We broadly agree that the rules must be improved and that operations of helicopters for emergency and rescue purposes should largely be exempt from noise rules. Helicopter noise rules must allow free and unconstrained use of rescue and emergency helicopters when operating away from the base. We also consider that noise from operation around hospitals should be unconstrained by District Plan noise rules. However, we consider that noise from potential new rescue or emergency helicopter bases in noise sensitive areas must be considered before consent is granted (unless a designation already provides for rescue and emergency aircraft use, e.g. at an airport). If a new helicopter base was required to be constructed in (say) a residential area in the Far North, the noise effects should be given consideration. Overall, the helicopter noise rule must be improved so that it is unambiguous. See comments and recommendations later in this report.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS184.13	Richard Milner		Support	Support	Allow	
FS404.006	Penny Nelson, Director-General of Conservation		Support in part	Support	Allow	
S143.009	Balance Agri-Nutrients Limited	Rules	Not Stated	Balance seeks to have a specific Permitted Activity rule for agricultural aviation to ensure these activities are adequately provided for in the District Plan. Agricultural aircraft landing and taking off from rural airstrips is a vital activity for support of agricultural production as well as conservation. Agricultural aircraft movements of fixed-wing aircraft spreading fertiliser for example, are governed by the volume of product that can be safely held in the aircraft's hopper; weather conditions; and seasonal requirements for fertiliser as well as pesticide spraying etc). It is important for the district's agricultural production that agricultural aviation is appropriately provided for within the District Plan.	Insert a new rule: NOISE-RX Agricultural aviation activities Rural production zone ZoneOpen Space and Recreation Zone Open Space ZoneAgricultural aviation activities for the purpose of farming, forestry or conservation on a seasonal, temporary or intermittent basis meets the relevant requirements of standard NOISE-S1.	<p>Declaration: Marshall Day Acoustics have provided advice to Balance Agri-Nutrients on other projects around Northland.</p> <p>We agree with the reasoning for the requested change set out in the submission. Our view is that:</p> <ul style="list-style-type: none"> No provisions have appeared to be made for fixed wing agricultural landing strips. Aviation for seasonal agricultural purposes in the <i>Rural Production</i> zone should be an expected activity for those who chose to live in that environment. While noise from helicopter operations and fixed wing aircraft on landing strips causes temporary elevated noise, it is typically short in duration and the effects are largely limited to a few days per annum. Our understanding is that even rural sites that require "regular" chemical applications (e.g. potato farms) would typically require less than 12 days of agricultural work per annum (one application per month). Fertiliser applications by helicopter may require several days of application on a large farm, however the staging points (temporary helicopter landing areas) will often be moved around the site as works progress over that farm which will limit the noise at any one dwelling. We seldom, if ever, are engaged to work on complaints that relate to temporary agricultural work. This suggests that noise from temporary aviation work is largely acceptable, without controls. We agree that it is inappropriate for farmers or fruit growers (or other such rural landowners) to need to obtain consents to carry out short term or limited duration aviation activities where these relate to agricultural works that are necessary for productive agriculture. We consider that new helicopter bases or fixed wing bases in the rural Production environment (even if on a seasonal, temporary or intermittent basis) should require consent, even if their primary role is to service surrounding farms or horticulture. This is because any such bases can be used daily, often during the early morning, and because they would risk real noise effects. The appropriate location for such permanent bases is typically an airport, and new bases elsewhere do require assessment. Because of this risk, Councils often prefer to impose a limit on the number of days that temporary agricultural activities can occur on one site. While this is perhaps unnecessary in most situations where aircraft are honestly used for the purpose of completing temporary agricultural work (such as crop dressing), a limit provides more certainty for enforcement. <p>We consider the specific decision requested by Balance is possibly too broad. Rather than a rule that states agricultural aviation rules would meet NOISE-S1 (which they may technically not do), we would support clear and well drafted noise rules. We support clear rules that allow true temporary rural aviation work to occur while being unencumbered by consenting requirements. Any such rules must not permit permanent helicopter or fixed wing bases in areas that are not suitable for them.</p>
S182.022	Richard Milner NZ Agricultural Aviation Association	Rules	Support Not Stated	Seek a new rule for agricultural aviation activities to ensure they are adequately provided for in the Plan	Allow Insert new rule NOISE-RXX Agricultural aviation activities Rural production zone Horticulture zone Open Space and Recreation zone Natural Open Space zone Agricultural aviation activities for the purpose of farming, forestry or conservation on a seasonal, temporary or intermittent basis for a period up to 30 days in any 12 month period or 315 aircraft hours (whichever is greater).	<p>Declaration: Marshall Day Acoustics have provided advice to NZ Agricultural Aviation Association during a meeting on noise and how to manage it. See comments above in S143.009.</p> <p>The rule proposed in S182.022 potentially resolves some of the issues associated with the rule sought by Balance above. By limiting activity to 30 days of 315 hours in any period, it is more likely that a permanent base could not be established as a permitted activity without a noise assessment. However, the proposed rule does not resolve the risk entirely. A permanent helicopter base could potentially be established and operated with 30 nights where early morning helicopter flights occurred, and this could potentially create unreasonable noise if it occurred close to dwellings.</p> <p>We do not expect that NZ Agricultural Aviation Association's intention is to provide for permanent helicopter or fixed wing bases to be permitted as a permanent activity. Rather, we expect that their intention is to provide for the use of farmers and horticulturalists (and others) to utilize aviation on their rural farms / orchards forests.</p> <p>We consider that this rule could be appropriate, however we would prefer it being made clear that it does not provide for permanent helicopter or fixed wing bases. Refer to comments later in the report.</p>
FS184.46	Richard Milner		Support	Support	Allow	
FS354.176	Horticulture New Zealand		Support	Support	Allow	
S342.012	Waipapa Pine Limited and Adrian Broughton Trust	Rules	Oppose	The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some	Not stated	<p>Declaration: Marshall Day Acoustics have provided advice to Waipapa Pine Limited on matters relating to the Waipapa Pine sawmill. Marshall Day Acoustics have also provided advice to Far North District Council regarding noise emissions from the Waipapa Pine site previously.</p> <p>See comments in S342.010 above.</p> <p>The submission is broad in relation to the noise limits.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations			
				<p>objectionable effects in this respect. A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements.</p> <p>To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.</p>		<p>Waipapa Pine states: 'A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements. We agree that this is appropriate. The submission does not provide specific recommendations for improvement. Our review is as follows:</p> <ul style="list-style-type: none"> The site would be zoned Heavy Industry and would be subject to noise limits of 75 dB L_{Aeq} at the site boundaries within the same zone. This is a relatively unrestrictive noise limit, and many heavy industrial sites will readily comply with it. In some cases where high noise is generated near to a site boundary, there may not be a noise effect arising (as the adjacent site may be insensitive to noise). The noise limits in the Proposed Plan allow for a high, but not unrestricted level of noise for permitted activities. The purpose of having a noise limit is to avoid the risk of hearing damage on adjacent heavy industrial sites. The site would be required to meet a daytime noise limit of 55 dB L_{Aeq} (day) and 40 dB L_{Aeq} (75 dB L_{Aeq}) at any noise sensitive receiver within the Rural Production, Rural Lifestyle, Settlement, Horticulture or Maori Purpose zones. These limits are only slightly more liberal than what the Proposed Plan would require is met for non-Heavy Industrial zones. <p>In our original assessment, we recommended that more liberal limits were applied to the Heavy Industrial zone when received at 'any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Maori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone'. We recommended the following noise limits apply:</p>			
						<table border="1"> <tr> <td style="background-color: #e0f0e0;"> <p>(2)</p> <p>Heavy Industrial Zone</p> <p>Horticultural Processing</p> </td> <td style="background-color: #e0f0e0;"> <p>Matters of discretion if compliance not achieved:</p> <p>2. Those set out in NOISE-RI</p> </td> </tr> </table> <p>The above noise limits provide for a higher level of noise from heavy industry. This reduces the amenity of the adjacent zones, at the benefit of the heavy industry who may have constraints on how much noise they can reasonably control. We still consider this appropriate and to be the best way to achieve the policy outcomes sought.</p>	<p>(2)</p> <p>Heavy Industrial Zone</p> <p>Horticultural Processing</p>	<p>Matters of discretion if compliance not achieved:</p> <p>2. Those set out in NOISE-RI</p>	
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						<table border="1"> <tr> <td style="background-color: #e0f0e0;"> <p>Heavy Industrial zone</p> <p>Horticulture Processing zone</p> </td> <td style="background-color: #e0f0e0;"> <p>1. Noise generated by any activity shall not exceed the following limits at any point within the zone:</p> <p>a. All times - 75 dB L_{Aeq} (5 min)</p> <p>2. Noise generated by any activity shall not exceed the following limits at any point within the boundary of any sites in the General Residential zone, or the notional boundary of any noise sensitive activity within the Rural Production, Rural Lifestyle, Rural Residential, Settlement, Horticulture, or Maori Purpose zones:</p> <p>a. 7:00 am to 10:00 pm - 55 dB L_{Aeq} (15 min)</p> <p>b. 10:00 pm to 7:00 am - 45 dB L_{Aeq} (15 min)</p> <p>c. 10:00 pm to 7:00 am - 75 dB L_{Amax}</p> </td> <td style="background-color: #e0f0e0;"> <p>Matters of discretion if compliance not achieved:</p> <p>a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</p> <p>b. type, scale and location of the activity in relation to any noise sensitive activities;</p> <p>c. hours of operation and duration of activity;</p> <p>d. the ability to internalise or otherwise reduce the effects of adjacent activities;</p> <p>e. the ability to internalise and/or minimise any conflict with adjacent activities;</p> <p>f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation); and</p> <p>g. the effects on any existing noise sensitive activities.</p> </td> </tr> </table>	<p>Heavy Industrial zone</p> <p>Horticulture Processing zone</p>	<p>1. Noise generated by any activity shall not exceed the following limits at any point within the zone:</p> <p>a. All times - 75 dB L_{Aeq} (5 min)</p> <p>2. Noise generated by any activity shall not exceed the following limits at any point within the boundary of any sites in the General Residential zone, or the notional boundary of any noise sensitive activity within the Rural Production, Rural Lifestyle, Rural Residential, Settlement, Horticulture, or Maori Purpose zones:</p> <p>a. 7:00 am to 10:00 pm - 55 dB L_{Aeq} (15 min)</p> <p>b. 10:00 pm to 7:00 am - 45 dB L_{Aeq} (15 min)</p> <p>c. 10:00 pm to 7:00 am - 75 dB L_{Amax}</p>	<p>Matters of discretion if compliance not achieved:</p> <p>a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</p> <p>b. type, scale and location of the activity in relation to any noise sensitive activities;</p> <p>c. hours of operation and duration of activity;</p> <p>d. the ability to internalise or otherwise reduce the effects of adjacent activities;</p> <p>e. the ability to internalise and/or minimise any conflict with adjacent activities;</p> <p>f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation); and</p> <p>g. the effects on any existing noise sensitive activities.</p>
<p>Heavy Industrial zone</p> <p>Horticulture Processing zone</p>	<p>1. Noise generated by any activity shall not exceed the following limits at any point within the zone:</p> <p>a. All times - 75 dB L_{Aeq} (5 min)</p> <p>2. Noise generated by any activity shall not exceed the following limits at any point within the boundary of any sites in the General Residential zone, or the notional boundary of any noise sensitive activity within the Rural Production, Rural Lifestyle, Rural Residential, Settlement, Horticulture, or Maori Purpose zones:</p> <p>a. 7:00 am to 10:00 pm - 55 dB L_{Aeq} (15 min)</p> <p>b. 10:00 pm to 7:00 am - 45 dB L_{Aeq} (15 min)</p> <p>c. 10:00 pm to 7:00 am - 75 dB L_{Amax}</p>	<p>Matters of discretion if compliance not achieved:</p> <p>a. ambient noise levels and any special character noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</p> <p>b. type, scale and location of the activity in relation to any noise sensitive activities;</p> <p>c. hours of operation and duration of activity;</p> <p>d. the ability to internalise or otherwise reduce the effects of adjacent activities;</p> <p>e. the ability to internalise and/or minimise any conflict with adjacent activities;</p> <p>f. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operation); and</p> <p>g. the effects on any existing noise sensitive activities.</p>							
FS374.026	Waipapa Pine Limited		Support	The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.	Allow	allow the original submission			
S436.026	Northland Fish and Game Council	Rules	Not Stated	Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes, for example, when urban and lifestyle	Insert provisions for the associated discharge of noise of firearms for all informal and legitimate purposes, such as recreational hunting, pest control and slight adjustment, as	<p>We agree that legal hunting and associated firearms activity should be exempt from compliance with the District Plan noise limits. However, any change to the limits should not allow the establishment of rifle ranges, pistol clubs or other such permanently established firearms ranges, without a noise assessment being carried out. We would recommend a specific exclusion in the rules section to replace exclusion:</p> <p>#11 impulsive sounds (such as hammering and bangs) and dog barking noise which are poorly assessed by reference to NZS 6802:2008 - Acoustics</p>			

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS570.1490	Vision Kerikeri 3		Oppose	<p>encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.</p> <p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.</p>	<p>permitted activities</p> <p>Disallow to the extent that the submission is inconsistent with our original submission</p>	<i>Environmental Noise.</i>
FS546.112	Royal Forest and Bird Protection Society of New Zealand Inc.		Support	<p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near</p>	<p>Allow</p> <p>Allow the original submission</p>	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS566,1504	Kapiro Conservation Trust 2		Oppose	<p>traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noises. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.</p> <p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noises. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.</p>	<p>Disallow</p> <p>Disallow to the extent that the submission is inconsistent with our original submission</p>	
FS566,1526	Vision Kerikeri 2		Oppose	<p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites.</p>	<p>Disallow</p> <p>Disallow to the extent that the submission is inconsistent with our original submission</p>	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S91.018	PF Olsen Limited	Rules	Oppose	<p>Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season.</p> <p>The chapter on noise states that the noise rules and effects standards do not apply to noise generated by "... forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture processing zones". However, the chapter does not recognise that noise and vibration associated with all plantation forestry activities is a permitted activity subject to the provisions of regulation 98 of the NES-PF. There is no direction for plantation forestry to follow the NES-PF rather than the rules in the plan.</p>	<p>Insert a "note #2" in the rules section of the noise section that directs plantation forestry activities to the NES-PF (regulation 98).</p>	<p>The reference to the NES within the District Plan is a planning matter. The noise standards within Regulation 98 of the Forestry NES are relatively high and are unlikely to be problematic for most remote forestry work (that occurs Monday to Saturday). The rules are based on the construction noise rules (NZS8803) but are required to be assessed using NZS8802. It appears to use that, rather than forestry being exempt from the zone limits, the rules in the NES would need to be met. It is probable that forestry should be removed from the exemptions given the national standards requirement.</p>
FS566.107	Kapiro Conservation Trust 2		Oppose	<p>Oppose to the extent that the submission is inconsistent with our original submission</p>	<p>Disallow</p>	
S416.039	KiwiRail Holdings Limited	Notes	Support	<p>KiwiRail support the clarification provided under point 4 in the introduction that trains on rail lines and crossing bells, including at railway yards, railway sidings or stations are exempt from the noise standards within this chapter.</p>	<p>Retain point 4 of the NOTES.</p>	<p>No comment</p>
S512.037	Fire and Emergency New Zealand	Notes	Support	<p>Emergency sirens play a crucial role in facilitating a prompt emergency response and provide a critical backup to the pager system used by Fire and Emergency. A siren can also be the most effective means of communication in alerting volunteers as well as providing assurance to the people who have made the call that help is on the way. Fire and Emergency support FNDC's approach of noise standards not applying to</p>	<p>retain note</p>	<p>We agree that sirens play an important role in the community and that while they can generate loud and inconvenient noise at times, the loudness is a necessary part of their use. We note that Section 16 of the RMA likely still applies to sirens, and Fire and Emergency NZ may still need to ensure their sirens do not exceed a reasonable level. We recommend that the definition of "emergency services" captures the parties involved in tsunami warning sirens to ensure that these are not constrained by any zone noise limits. Consideration should also be given to any other warning sirens that may be established throughout the Far North in the future.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S516.066	Ngā Tai Ora - Public Health Northland	Notes	Oppose	emergency response activities; Noise limits associated with plantation forestry are set in the National Environmental Standards for Plantation Forestry (this appears to have been omitted from consideration in 3.2.3 of the s32 report). If reference is made to forestry, it should be clarified that noise limits do apply.	Amend point 5 of the exclusions (third paragraph) to delete the words 'forestry planting and forestry harvesting' as follows: 5. agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis; forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture Processing zones;	The reference to the NES within the District Plan should be resolved by planners. The noise standards within Regulation 98 of the Forestry NES are relatively high and are unlikely to be problematic for most remote forestry work (that occurs Monday to Saturday). The rules are based on the construction noise rules (NZS6803) but are required to be assessed using NZS6602. We consider that the proposed changes to the rule sought by the submitter likely represent a suitable improvement. However, we recommend considering whether it is appropriate to exclude seasonal work occurring within the Horticultural Processing zone given we understood this zone was intended to cover packing, cool stores, processing, storage, refrigeration and distribution of produce. Even though somewhat seasonal, those activities are more aligned with industrial landuse and are often located near to rural/ rural living type zones. Our original report did not recommend including these zones within this exclusion clause.
S159.087	Horticulture New Zealand	Notes	Support	The Plan provides an exemption of horticulture activities of a limited duration, but the exemption is not included in the rules or standards. Therefore, the status is questioned. It would be more appropriate to provide a permitted activity rule for the matters to which exemptions apply	Amend exemptions 1-14 under the Note to a new permitted rule with no condition	This is a planning matter.
FS151.256	Ngāi Tukairangi No.2 Trust		Support		Allow	
FS151.257	Ngāi Tukairangi No.2 Trust		Support		Allow	
FS570.249	Vision Kerikeri 3		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS866.263	Kapiro Conservation Trust.2		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS866.285	Vision Kerikeri 2		Oppose		Disallow	Disallow to the extent that the submission is inconsistent with our original submission
S483.183	Top Energy Limited	Notes	Not Stated	Top Energy seeks to ensure that an exemption from the noise rules is provided in all zones for emergency use of generators required to ensure continued supply of electricity and that the exemption for use of generators for this purpose is not limited to operation by emergency services or lifeline utilities. Note 8 provides an exemption, but the 48 hour restriction is arbitrary and unnecessary. There is no guarantee that the requirement to utilise generators in an emergency will be less than 48 hours, and having to apply the rules of the Noise Chapter and potentially	Amend Note 8 as follows: 8. the use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 48 hours in duration where they are operated by emergency services or lifeline utilities	Declaration: Marshall Day Acoustics has provided advice to this submitter previously We agree that limiting the use of generators in an emergency situation to 48 hours is arbitrary and unnecessary. We consider that the rule was intended to allow testing and maintenance to 48 hours per year as an exclusion. However, this is not clear in the rule. Testing and maintenance typically requires emergency generators to be operated for short periods (typically less than an hour for each test) 12 times per year. It is not unreasonable to exclude this testing from noise rules even though there is risk that testing of noisy generators can be inconvenient / intrusive to receivers. Having no limit on emergency generator testing makes it more likely that lifeline and emergency utilities providers will locate permanent generators closer to dwellings, and be less likely to consider noise reduction measures when installing them. However we note that the specific refer sought by Top Energy does not relate to that part of the proposed clause – rather the proposal simply aims to remove the 48 hour limit. We are broadly supportive of the change. We would expect testing and maintenance to occur over at least twelve separate occasions per year, but not longer than 12 hours (cumulative) per year. The provision of a “48-hour limit” does not serve to provide any real benefit, and is expected to create unnecessary confusion. Note that the clause should not permit generators used for load shedding or peak topping to be located on a site without an evaluation of noise levels (even if those generators are proposed to be used in an emergency also). In our view the proposed clause amendment would not allow for this as peak topping / load shedding is not an ‘emergency operation’.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				apply for consents in emergency is impractical and inefficient		
FS196.225	Joe Carr		Support		Allow	
FS345.234	Ngawha Generation Limited		Support		Allow	Allow all of the relief sought by Top Energy Limited in its submission (S483).
S436.041	Northland Fish and Game Council	Notes	Not Stated	Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy, any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimal used during the game bird hunting season. Noise generated by recreational hunting should be made a permitted activity.	Insert a further point within the notes in the Noise Chapter stating that the noise rules and effects standards do not apply to noise generated by hunting	We agree that legal hunting and associated firearms activity should be exempt from compliance with the District Plan noise limits. However, any change to the limits should not allow the establishment of rifle ranges, pistol clubs or other such permanently established firearms ranges without a noise assessment being carried out. Refer to S436.026 above
FS570.1505	Vision Kerikeri 3		Oppose	Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For	Disallow	Disallow to the extent that the submission is inconsistent with our original submission

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season. Noise generated by recreational hunting should be made a permitted activity.</p>		
FS346.127	Royal Forest and Bird Protection Society of New Zealand Inc.		Support	<p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season. Noise generated by recreational hunting should be made a permitted activity.</p>	Allow	Allow the original submission
FS566.1519	Kapiro Conservation Trust 2		Oppose	<p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season.</p>	Disallow	Disallow to the extent that the submission is inconsistent with our original submission

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS669.1541	Vision Keirikeri 2		Oppose	<p>Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season. Noise generated by recreational hunting should be made a permitted activity.</p> <p>Existing game bird hunting activities are often constrained by surrounding land use, and generally becomes untenable when this land use changes; for example, when urban and lifestyle encroachment occurs near traditionally hunted sites. Recreational game bird hunting is a very popular activity in the rural environment. The game bird season involves the discharge of shotgun noise. This is not like other constant noises rather it is very brief in duration. Game bird hunting begins at 6:30am in the morning and concludes at 6:30pm at night for the length of the season. Introducing new dwelling areas near areas of recreational significance to hunters can have implications on the future of hunting in these areas. For example, complaints can be made under the Arms Act 1983 which makes clear that anyone discharging a firearm in a public place so as to deliberately endanger, frighten or annoy any other person is guilty of an offence. Shotgun noise may also be a particular issue for public places such as any equestrian arena in the vicinity of maimai used during the game bird hunting season. Noise generated by recreational hunting should be made a permitted activity.</p>	<p>Disallow</p> <p>Disallow to the extent that the submission is inconsistent with our original submission</p>	
S45.017	Puketona Business Park Limited	NOISE-R1	Support	<p>The Noise chapter of the PDP as notified is generally acceptable.</p>	<p>Retain the rules in the Noise chapter.</p>	<p>No comment</p>
S182.020	NZ Agricultural Aviation Association	NOISE-R1	Oppose	<p>Seek a separate rule for agricultural aviation activities</p>	<p>Insert new rule: NOISE-FXX Agricultural aviation activities</p>	<p>See our response above to S182.022</p>
S331.052	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-R1	Support	<p>The submitter supports rule NOISE-R1 Emission of noise (not otherwise provided for in this chapter), subject to compliance with NOISE-S1 Maximum noise</p>	<p>Retain rule NOISE-R1 Emission of noise (not otherwise provided for in this chapter), as proposed.</p>	<p>No comment</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S356.108	Waka Kotahi NZ Transport Agency	NOISE-R2	Support in part	levels. It is considered that this rule needs to be amended to apply to all spaces containing noise sensitive activities; not solely habitable spaces (i.e., healthcare, places of worship etc).	Amend as follows: All spaces containing noise sensitive activities and habitable rooms comply with the noise insulation for noise sensitive activities effect standards which are relevant to the underlying zone or specific area identified: NOISE-S5 Noise insulation.	<p>Marshall Day Acoustics Recommendations</p> <p>NOISE-R2 in the Proposed District Plan would require only "habitable rooms" (living room, dining room, bedroom, office, teaching rooms) to be designed to achieve the internal noise levels as set out in NOISE-S5 (e.g. 40 dB $L_{Aeq,24h}$ near major highways, 40 dB L_{Aeq} near airports, etc.). NOISE-R1 would not require rooms such as operating theatres, church congregational areas, marae, meeting rooms or other spaces that are not defined as "habitable rooms" to meet NOISE-S5. The clause may be drafted this way to avoid placing costs onto health and community facilities, or for some other reason.</p> <p>We note that the NOISE-S5 rules would only require habitable rooms within buildings containing noise sensitive activities to be sound insulated. The way the proposed rules and standards are drafted would mean only specific rooms would require sound insulation, even if the building contains a noise sensitive activity. For example, in a health facility (a "noise sensitive activity") only offices would definitively require sound insulation. Overnight wards (which could be considered bedrooms) and consulting rooms (which could be considered offices) could potentially require sound insulation, but this is not certain. The District Plan would not require operating theatres to be sound insulated.</p> <p>We note that it is common for the list of spaces requiring sound insulation to be longer. For instance near roads and rail, it is common for the following to require sound insulation to:</p> <ul style="list-style-type: none"> Residential: living spaces and sleeping spaces Education: Assembly halls, conference rooms, drama studios, lecture rooms and theatres, music studios, libraries, sleeping areas and teaching areas Health: Overnight medical care, wards, clinics, consulting rooms, theatres and nurses stations Cultural buildings: places of worship and marae <p>Near airports it is common for new residential, schools, hospitals and "other noise sensitive areas" to require sound insulation.</p> <p>We do not necessarily agree with the change proposed by W/KNZTA. The change proposed would potentially mean that even non sensitive rooms within "spaces containing noise sensitive activities" would be subject to NOISE-S5 (for instance, janitor closets in hospitals could be made subject to NOISE-S5)</p> <p>We believe the intention of W/KNZTA is to include other noise sensitive spaces within the definition. If that was considered necessary, we believe a better way would be to refine the definitions to ensure that all appropriate sensitive spaces were suitably captured.</p>
S331.053	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-R2	Support	The submitter supports rule NOISE-R2 New buildings, alterations and/or additions to an existing building for a noise sensitive activity, subject to compliance of all habitable rooms with the noise insulation for noise sensitive activities effect standards which are relevant to the underlying zone or specific area identified - NOISE-S5 Noise insulation.	Retain rule NOISE-R2 New buildings, alterations and/or additions to an existing building for a noise sensitive activity.	<p>NOISE-R2 All zones New buildings, alterations and/or additions to an existing building for a noise sensitive activity</p> <p>Activity status: Permitted Restricted Discretionary</p> <p>Where: PER-1 All habitable rooms comply with the noise insulation for noise sensitive activities effect standards which are relevant to the underlying zone or specific area identified: NOISE-S5 Noise insulation.</p> <p>NOISE SENSITIVE ACTIVITIES DEFINITION</p> <p>means buildings or land that may be affected by noise and requires a higher standard of amenity. These include: a. residential or living activities; b. education facilities; c. health facilities; d. community facilities, and e. visitor accommodation.</p> <p>HABITABLE ROOMS DEFINITION NATIONAL STANDARDS</p> <p>means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.</p> <p>Refer to comments above in S356.108</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S45.040	Puketona Business Park Limited	NOISE-R2	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the rules in the Noise chapter.	Refer to comments above in S356.108
S344.025	Pahia Properties Holdings Corporate Trustee Limited and UP Management Ltd	NOISE-R2	Oppose	The requirement to attenuate 40m from the State Highway is onerous, given the nature of the use of the road. PP/CTL are concerned that the MUZ and State Highway setback noise attenuation rules have different standards.	Not stated (Amend NOISE-R2 inferred)	Refer to comments above in S356.108 . There are currently no State Highways in the Far North that carry 15,000 vehicles per day. NOISE-S5 would only apply to roads carrying 15,000 vehicles per day or more, which may not occur for some time in the Far North. It is not unusual to have somewhat different noise standards for road, aircraft, and general sound insulation provisions for mixed use zones. Provided each rule is well considered and crafted, this is not necessarily an issue. It may become an issue when more than one limit applied, e.g. if a dwelling was proposed in a mixed use zone that was within the outer noise control boundary. In that situation, both standards would apply and the most conservative sound insulation requirements would be applied. We do not recommend changing the NOISE-S5 provisions to refer to the exact same standards. Instead, the provisions of each standard should be well crafted and utilitarian. However we do recommend that the language and structure of the noise standards be made as consistent as possible. Note that the ventilation and cooling provisions of the proposed NOISE-S5 provisions do not appear adequate. We recommended the following in our original review.
FS36.064	Waika Kotahi NZ Transport Agency		Oppose	Supports the protection of human health and noise sensitive activities through the provision of noise insulation standards within buffer zones adjacent to the State Highway network. However, as per Waika Kotahi's original submission the preference is to map the area of interest with a (modelled) noise contour line (NCBO) being established. Activities 'inside' the NCBO are a permitted activity (for the purposes of noise) if specific requirements are met.	Disallow	<p>4. A ventilation and cooling system shall be provided to enable occupants to remain comfortable within the dwelling without having to open doors or windows for ventilation or cooling. Compliance with this clause shall be achieved if, prior to the construction of any building containing a noise sensitive room, a ventilation and HVAC design certificate from a suitably qualified practitioner is provided to the Council.</p>
FS396.046	Ed and Inge Amisler		Support	Supports the protection of human health and noise sensitive activities through the provision of noise insulation standards within buffer zones adjacent to the State Highway network. However, as per Waika Kotahi's original submission the preference is to map the area of interest with a (modelled) noise contour line (NCBO) being established. Activities 'inside' the NCBO are a permitted activity (for the purposes of noise) if specific requirements are met.	Allow	
S416.040	KiwiRail Holdings	NOISE-R2	Support	KiwiRail support that where mitigation is provided new	Retain Rule NOISE-R2	Refer to comments above in S356.108

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
	Limited			buildings, alterations and/or additions to an existing building for a noise sensitive activity is a permitted activity. The rule refers to Noise-S5 Noise insulation to which KiviRail seeks to add a new railway standard.		
FS548.126	Northland Federated Farmers of New Zealand Inc		Oppose	The proposed controls are overly restrictive and impose additional costs which may not be able to met by our members at a time of economic downturn and a cost-of-living crisis.	Disallow	Decline the relief sought.
FS243.096	Kainga Ora Homes and Communities		Oppose	The proposed controls are overly restrictive and impose additional costs which may not be able to met by our members at a time of economic downturn and a cost-of-living crisis.	Disallow	Insert a standard (as outlined in the submission) to apply in all zones to built development at any point within 100 metres from the legal boundary of any railway network
S45.041	Puketona Business Park Limited	NOISE-R3	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the rules in the Noise chapter.	No comment
S45.042	Puketona Business Park Limited	NOISE-R4	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the rules in the Noise chapter.	No comment
S217.010	New Zealand Defence Force	NOISE-R5	Support	NZDF supports a specific permitted activity rule for TMTA noise in the District Plan.	Retain rule with amendments as listed in points 11 to 13	Declaration: Marshall Day Acoustics has provided advice to this submitter previously NZDF propose to retain NOISE-R5. This rule permits temporary military noise that meets limits for stationary sources and permits mobile sources that comply with NZS6803:1999. NZDF propose to introduce permitted standards for helicopters to this rule, and to make some activities controlled rather than discretionary. We are generally supportive of the helicopter provisions sought by NZDF, but note that the helicopters rule NOLISE-R7 may be a suitable location for this rule.
S217.012	New Zealand Defence Force	NOISE-R5	Oppose	NZDF requests a Controlled Activity status for noise from TMTA that does not meet the Permitted Activity noise standards. NZDF considers that this activity status is appropriate where the effects are known, as is the case with noise effects.	Amend to Controlled Activity status for TMTA where the activity does not comply with the permitted activity standards.	This is a planning matter.
S217.013	New Zealand Defence Force	NOISE-R5	Support in part	The matters of discretion listed under Rule Noise-R5 for PER-2 are considered appropriate in relation to the potential noise effects from TMTA, however as noted above NZDF requests that the activity status is amended to Controlled. The matters currently listed are also appropriate for matters of control.	Amend the matters of discretion listed under Rule NOISE-R5 to become matters of control for a Controlled Activity status.	This is a planning matter.
S45.043	Puketona Business Park Limited	NOISE-R5	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the rules in the Noise chapter.	No comment
S217.011	New Zealand Defence Force	NOISE-R5	Support in part	TMTA may at times include the use of helicopters, which is not recognised under Rule NOISE-R7 as drafted. NZDF requests that provision for helicopter landing areas associated with TMTA are included in NOISE-R5.	Insert a new Standard PER-3 to provide for helicopter landings areas associated with TMTA, in accordance with the NZDF noise limits request in Attachment 3 to this feedback, and shown below for completeness: NOISE-R3 PER-3-Helicopter landing areas shall comply with	Declaration: Marshall Day Acoustics has provided advice to this submitter previously It is acceptable for temporary military helicopter use to meet NZS6807:1994. The permitted activity status proposed by NZDF is acceptable and would be unlikely to introduce regular risks of noise effects arising. We recommend these provisions are provided as a permitted activity within NOISE-R7 rather than within NOISE-R5. The purpose of this is to keep all helicopter provisions within the same rule. We note that either rule location can likely serve, however.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
					NZ56807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas. Noise levels shall be measured in accordance with NZS6801:2008 Acoustics - Measurement of Sound.	
FS184.14	Richard Milner		Support in part		Disallow in part	
S217.014	New Zealand Defence Force	NOISE-R6	Support in part	<p>Providing for TMTA involving weapons firing and/or the use of explosives in the Rural Production zone only is overly restrictive and not reflective of the varied real-world situations which NZDF must train across.</p> <p>In order for NZDF to maintain its ability to deploy, it needs to be able to undertake training in both urban and rural environments. It is therefore vital that activities can be undertaken in all zones within the District.</p>	Amend Rule NOISE-R6 so that it applies to All zones.	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously. The noise limits (or separation distances) given apply at the notional boundary of any noise sensitive zone. These would still apply to if any military training activity occurring in an urban, rural, residential, or other zone. We therefore do not have concern at the relief sought. We note that activity occurring within urban zones is likely to be restricted by the noise provisions in NOISE-R6 that require minimum separation distances or noise limits.</p> <p>The rule requires an introduction of an AND clause to make it clear that all clauses need to be met.</p>
S217.015	New Zealand Defence Force	NOISE-R6	Support	<p>NZDF has developed bespoke noise standards with respect to TMTA, including those that involve weapons firing and/or the use of explosives, that NZDF is seeking to be included in every district plan throughout the country.</p> <p>The standards have been specifically developed to manage the particular noise characteristics of TMTA and include a separation distances or peak sound pressure where the activity does not meet the separation distances. The advantage of this approach is that separation distances are easy to comply with and monitor. This approach has been recognised in PER-1 and PER-2 of NOISE-R6 and NZDF supports the inclusion of PER-1 and PER-2.</p>	Retain PER-1 and PER-2 as notified.	No comment.
S217.016	New Zealand Defence Force	NOISE-R6	Oppose	<p>PER-3 requires that the activity comply with standard NOISE-S6 Explosives. However, this relates to quarrying activities and is not applicable to explosive use by NZDF. Having regard to PER-1 and PER-2, PER-3 should be deleted.</p>	Delete NOISE-R6 PER-3	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously</p> <p>We accept this but we recommend the ground borne vibration limits in NOISE-R6 PER-3 are retained (the reference to the airblast limits can be removed if desired by NZDF as these are covered in PER-2). It would not be acceptable to exceed these ground borne vibration limits as these are intended to protect against building damage from explosives. We expect combat engineers will be able to predict ground borne vibration from any high mass explosive use during training and ensure that the ground borne limits are not exceeded. We do not expect this will represent a constraint on operation.</p> <p>NOTE that the vibration limits in NOISE-Table 2 are incorrect. These should be in mm/s, not m/s (or "mm/s"). This is a clear mistake that requires revision.</p>
S217.017	New Zealand Defence Force	NOISE-R6	Oppose	<p>NZDF requests a Controlled Activity status for noise from a TMTA that involves weapons firing and/or the use of explosives that does not meet the Permitted Activity noise standards. NZDF considers that this activity status is appropriate where the effects are</p>	Amend to Controlled Activity status where the activity does not comply with the permitted activity standards.	This is a planning matter.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S217.018	New Zealand Defence Force	NOISE-R6	Support in part	known, as is the case with noise effects. Include matters for control for Rule NOISE-R6, in keeping with those listed under Rule Noise-R5 for PER-2.	Include matters for control for Rule NOISE-R6 as follows: 1. the level, hours of operation, duration and nature of the noise; 2. proximity and nature of nearby activities and the adverse effects they may experience from the noise; 3. the existing noise environment; 4. effects on character and amenity values on the surrounding environment; 5. effects on the health and wellbeing of people; and 6. any noise reduction measures.	Declaration: Marshall Day Acoustics has provided advice to this submitter previously. This is a planning matter. The listed matters of control appear acceptable to us.
S516.067	Nga Tai Ora - Public Health Northland	NOISE-R6	Support	The three permitted activity conditions should all apply in conjunction and not as alternatives. In accordance with the Noise and Vibration Metrics National Planning Standard and in turn NZS 6801, the peak sound levels should be expressed in "dB LCpeak"	Amend Rule NOISE-R6 as follows: Where: PER-1 1. At least 5 working days prior to the commencement of the activity, notify the Council of the activity, including details of the nature, duration and scale of activity, and any consultation that has been undertaken; and PER-2 2. The activity complies with the following: i. 4 —occurs between the hours of 7.00am to 7.00pm, and achieves either a 500m minimum separation distance to, or peak sound pressure level of 95 dBC LCpeak when measured within the notional boundary of any noise sensitive activity; and/or ii. 2 —occurs between 7.00pm to 7.00am, and achieves either a 1250m minimum separation distance to, or peak sound pressure level of 85 dBC LCpeak when measured within, the notional	We agree the standards should all apply. We read them as such under the proposed provisions – however FNDC should confirm. We can see value in the correct use of "OR" / "AND" in all permitted standards to make it clear that either all apply, or only one applies. Without this, the permitted standards read as if all must be met. We agree that the correct convention is to use "dB LCpeak," rather than "peak sound pressure level of XX dBC".

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
					boundary of any noise sensitive activity, and PER-3 3. The activity complies with standard: NOISE-S6 Explosives.	
S45.044	Pukekohe Business Park Limited	NOISE-R6	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the rules in the Noise chapter.	No comment
S337.001	Ironwood Trust Limited	NOISE-R7	Support in part	Supports in principle the inclusion of provisions for helicopter landing areas set out in the proposal but considers that these need to be amended to remove potential ambiguity and provide greater clarity.	Amend Rule NOISE-R7 to provide for landing areas that do not meet the standard referred to in PER-2 to be identified as restricted discretionary activities instead of discretionary.	We agree, the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. Refer to our comments later in the report regarding helicopter noise.
FS67.89	The Shooting Box Limited		Support	The proposed RDA activity class sought where the standards are not met appropriately targets the matters under consideration, which should relate to noise effects.	Allow	
FS68.88	P S Yates Family Trust		Support	The proposed RDA activity class sought where the standards are not met appropriately targets the matters under consideration, which should relate to noise effects.	Allow	
FS69.86	Setar Thirty Six Limited		Support	The proposed RDA activity class sought where the standards are not met appropriately targets the matters under consideration, which should relate to noise effects.	Allow	
FS66.158	Benizen Farm Limited		Support	The proposed RDA activity class sought where the standards are not met appropriately targets the matters under consideration, which should relate to noise effects.	Allow	
FS184.20	Richard Milner		Oppose	The proposed RDA activity class sought where the standards are not met appropriately targets the matters under consideration, which should relate to noise effects.	Disallow	
S167.087	Benizen Farm Limited	NOISE-R7	Oppose	It would serve a better resource management purpose, if flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes are exempt from the standard NOISE-S4. That would also be consistent with note 10 in this section that the noise rules and standards do not apply to helicopters used for an emergency and as an air ambulance. As drafted there would appear there is no provision for helicopters other than flight movements for emergency purposes. The intent of the rule might be better served by	Amend Rule Noise-R7 as follows (adding "Or"): Activity status: Permitted Where: PER-1 Flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes Or PER-2 The helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas. This standard does not	We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We also note that the associated NOISE-S4 has errors that must be revised. Both the rule and associated standard must be fit for purpose. We note that the errata memorandum issues by Council ² does not suggest there are errors in this section of the District Plan, nor is it proposed to revise them. However in assessing recent resource consent reports on helicopters, Council have noted that there was an error in the Proposed Plan and have advised that it was intended to be fixed. There are many submissions on the helicopter provisions. We summarise each point below, together with our recommendations: - Emergency and rescue helicopters as a permitted activity. We agree that rescue and emergency helicopter movements when operating away from an established base should be a permitted activity. No resource consent should ever be required for rescue and emergency purposes. - Note 10 states that the noise rules and effects standards do not apply to noise generated by helicopters used for an

² RECTIONS TO FAR NORTH PROPOSED DISTRICT PLAN PURSUANT TO CLAUSE 16 (2), FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991 dated 19 January 2024

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>allowing helicopter landing site complying with standard: NOISE-S4 Helicopter landing areas, irrespective of the use of the helicopter.</p> <p>The rule lacks specificity as to what comprises a helicopter landing area.</p>	<p>apply to:</p> <p>i. Emergency or rescue helicopter operation occurring to or from Bay of Islands, Rawene or Kaitiaki Hospital (excludes established helicopter bases on hospital land).</p> <p>ii. Emergency or rescue helicopter landings, departures, overflights or activity during operations that occur away from the permanently established helicopter base.</p> <p>iii. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12 month period.</p>	<p>emergency and as an air ambulance. This is appropriate for such helicopters operating in the field during missions, although we recommend that an assessment of noise effects should still be necessary for any proposed new rescue / emergency bases (where these are proposed in areas that are not designated for them, e.g. in rural, residential zones). We note that the exclusion of these activities may in fact be better served by clearly providing for these activities as permitted activities.</p> <ul style="list-style-type: none"> - Use of "OR" within NOISE-R7. We agree that "OR" could be added to any PER clauses to show that only one clause needs to be met to be a permitted standard. As discussed above, it is not appropriate for emergency helicopter operations away from base to need to meet a noise limit – but proposed new bases should ideally be designed to meet reasonable noise levels. - Lack of specificity of what constitutes a helicopter landing area. A helicopter landing area is any location where a helicopter is landed. A definition of this within the District Plan Definitions section may be helpful. Further definitions to address the issues raised in the helicopter section may also be useful. - Exemption of some activities from PER-2 of NOISE-R7 being problematic. We agree that the exceptions to the permitted standards are potentially problematic – as it is not clear if they are "exceptions to being permitted" (and are therefore not permitted), or exemptions from complying with NOISE-S4. In our original report, we intended to make them exempt from compliance with the recommended noise standard (which is where they were proposed to be placed). To resolve this, we favour making these exemptions permitted activities. <p>We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.</p>
FS109.17	NZ Agricultural Aviation Association		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS184.15	Richard Milner		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS354.177	Horticulture New Zealand		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow S167.087 but amend as sought in S159.088	
FS666.449	Kapiro Conservation Trust 2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow to the extent that the submission is inconsistent with our original submission	
FS403.168	Te Whatu Ora - Nga Tai Ora		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow in part	Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S333.077	P S Yates Family Trust	NOISE-R7	Oppose	<p>As drafted, Rule Noise-R7 only permits Helicopter landing areas where flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes and the helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas. In other words, both PER-1 and PER-2 need to be met in order to comply with the rule (consistent with the structure of other rules in the Plan). Given the nature of the activity, it would serve a better resource management purpose, if flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes are exempt from the standard NOISE-S4 Helicopter landing areas. That would also be consistent with note 10 in this section that the noise rules, and standards do not apply to helicopters used for an emergency and as an air ambulance. As drafted there would appear to be no provision for helicopters other than flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes. The intent of the rule might be better served by allowing helicopter landing site complying with standard: NOISE-S4 Helicopter landing areas, irrespective of the use of the helicopter.</p> <p>Redrafting of the rule to make PER-1 and PER-2 separately applicable would meet the above issues (ie the addition of an 'or') In addition, the rule lacks specificity as to what comprises a helicopter landing area, although there is a disconnect between the title of the rule which applies to 'helicopter landing areas' (presumably dedicated areas for this purpose) and the content of the rule which applies to the movements and landing of helicopters. If the intent is to apply to dedicated helicopter landing areas, then a definition of that land use is warranted to give the rule specificity. The following definition is proposed to be included by this submission: "Helicopter landing areas means an identified landing area for helicopter landing, loading and take-off but does not include refuelling, servicing, a hangar, or a freight handling facility".</p>	<p>Amend Rule Noise-R7 as follows: Activity status: Permitted Where: PER-1 Flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes; Or PER-2 The helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas. This standard does not apply to: i. Emergency or rescue helicopter operation occurring to or from Bay of Islands, Rawene or Kaitiaki Hospital (excludes established helicopter bases on hospital land), ii. Emergency or rescue helicopter landings, departures, overflights or activity during operations that occur away from the permanently established helicopter base. iii. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on seasonal, temporary, or intermittent basis for a period up to 30 days in any 12 month period.</p>	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously</p> <p>See S168.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.</p>
FS105.18	NZ Agricultural Aviation Association		Support in part	<p>Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021</p>	<p>Allow in part</p>	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations				
FS184.17	Richard Wilner		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	<table border="1"> <tr> <td>Allow in part</td> <td></td> </tr> <tr> <td>Disallow in part</td> <td>Te Whatu Oia seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.</td> </tr> </table>	Allow in part		Disallow in part	Te Whatu Oia seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.	
Allow in part										
Disallow in part	Te Whatu Oia seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.									
FS403.175	Te Whatu Oia - Nga Tai Oia		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021						
S159.088	Horticulture New Zealand	NOISE-R7	Oppose	The rules exempt some activities from PER-2 of Rule NOISE-R7 and Standard NOISE-S4. However, these should be included as a permitted activity within the rule.	<p>Amend Rule PER-2 of NOISE-R7 as follows: PER-2 The helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> Emergency or rescue helicopter operation occurring to or from Bay of Islands, Rawene or Kaitiaki Hospital (excludes established helicopter bases on hospital land). Emergency or rescue helicopter landings, departures, overflights or activity during operations that occur away from the permanently established helicopter base. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary or intermittent basis for a period up to 30 days in any 12 month period. 	See S165.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.				

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
					Insert: PER-3 Cropping, topdressing and spraying and the use of drones for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones or within Significant Natural areas on a seasonal, temporary or intermittent basis for a period up to 30 days in any 12-month period. Activity status where compliance does not achieve with PER-3: Restricted discretionary	
FS108.19	NZ Agricultural Aviation Association		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS151.258	Ngāi Tukairangi No.2 Trust		Support	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow	
FS184.18	Richard Milner		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS70.250	Vision Kerikeri 3		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS865.264	Kapiro Conservation Trust.2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS865.266	Vision Kerikeri 2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS403.167	Te Whatu Ora - Nga Tai Ora		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.
S243.105	Matauri Trustee Limited	NOISE-R7	Oppose	As drafted, Rule Noise-R7 only permits Helicopter landing areas where flight movements are for	Amend Rule Noise-R7 as follows: Activity status: Permitted Where:	See S168.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>emergency purposes such as medical emergencies, search and rescue or firefighting purposes and the helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas. In other words, both PER-1 and PER-2 need to be met in order to comply with the rule (consistent with the structure of other rules in the Plan).</p> <p>Given the nature of the activity, it would serve a better resource management purpose, if flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes are exempt from the standard NOISE-S4 Helicopter landing areas. That would also be consistent with note 10 in this section that the noise rules and standards do not apply to helicopters used for an emergency and as an air ambulance. As drafted there would appear to be no provision for helicopters other than flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes. The intent of the rule might be better served by allowing helicopter landing site complying with standard: NOISE-S4 Helicopter landing areas, irrespective of the use of the helicopter.</p> <p>Redrafting of the rule to make PER-1 and PER-2 separately applicable would meet the above issues (i.e. the addition of an 'or'). In addition, the rule lacks specificity as to what comprises a helicopter landing area, although there is a disconnect between the title of the rule which applies to "helicopter landing areas" (presumably dedicated areas for this purpose) and the content of the rule which applies to the movements and landing of helicopters. If the intent is to apply to dedicated helicopter landing areas, then a definition of that land use is warranted to give the rule specificity.</p>	<p>PER-1 Flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes; Or PER-2</p> <p>The helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas.</p> <p>This standard does not apply to:</p> <p>i. Emergency or rescue helicopter operation occurring to or from Bay of Islands, Rawene or Kaitia Hospital (excludes established helicopter bases on hospital land).</p> <p>ii. Emergency or rescue helicopter landings, departures, overflights or activity during operations that occur away from the permanently established helicopter base.</p> <p>iii. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12 month period.</p>	
FS109.20	NZ Agricultural Aviation Association		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS184.22	Richard Milner		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS570.663	Vision Keiheri 3		Oppose	Agricultural aviation activities that include fixed wing and helicopters	Disallow	Disallow to the extent that the submission

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS566.677	Kapiro Conservation Trust.2		Oppose	and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	is inconsistent with our original submission	
FS569.699	Vision Kerikeri.2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow	
FS403.174	Te Whatu Ora - Nga Tai Ora		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow in part	
S187.076	The Shooting Box Limited	NOISE-R7	Oppose	Refer to submission for detailed reasons for decision(s) requested relating, but not limited to, to the following: it would serve a better resource management purpose, if flight movements for emergency purposes such as medical emergencies, search and rescue are exempt from the standard NOISE-S4 Helicopter Landing Areas: there would appear to be no provision for helicopters other than flight movements for emergency purposes - the intent of the rule might be better served by allowing helicopter landing site complying with standard NOISE-S4 Helicopter landing areas irrespective of the use of the helicopter; re-rating of the rule to make PER-1 and PER2 separately applicable would meet the above issues; and the rule lacks specificity as to what comprises a helicopter landing area - include the following definition: "Helicopter landing areas means an identified landing area for helicopter landing and take-off but does not include retailing, servicing, a hanger, or a freight handling facility".	Amend Rule Noise-R7 as follows: Activity status: Permitted Where: PER-1 Flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes; Or PER-2 The helicopter landing site complies with standard NOISE-S4 Helicopter landing areas. This standard does not apply to: i. Emergency or rescue helicopter operation occurring to or from Bay of Islands, Rauene or Kaitiaki Hospital (excludes established helicopter bases on hospital land). ii. Emergency or rescue helicopter landings, departures, overflights or activity during operations that occur away from the permanently established helicopter base. iii. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12 month period.	Declaration: Marshall Day Acoustics has provided advice to this submitter previously See S165.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.
FS109.21	NZ Agricultural Aviation Association		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS184.23	Richard Milner		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS403.171	Te Whatu Ora -		Oppose	Agricultural aviation activities that	Disallow	Te Whatu Ora seek

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S421.198	Nga Tai Ora Northland Federated Farmers of New Zealand	NOISE-R7	Support in part	include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021 Federated Farmers supports the intent of rule Noise - R7. However, we seek clarification on the exceptions listed in performance standard PER-2. PER-2 states that the rule does not apply to cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12-month period. The exception is broad in its application in that it does not say what state what scale is applicable. Is the exception to be applied on a site-by-site basis so that it is intended to cover the land of a farm owned by one person. Alternatively, is it meant to apply on a larger scale so that if a person owned land in more than one title, the 30 days apply to all of that land regardless of it being in different certificates or titles. The district plan needs to provide for the continuance of existing, lawfully established activities such as farming. The rule as currently drafted is confusing, particularly when regard is had to the text under the heading 'Rules' and before the rules themselves. The text states that the noise rules and standards do not apply for agriculture, horticulture and pastoral farming activities undertaken for a limited duration, including using agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis, forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture Processing zones.	in part amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls. Amend PER-2 of Rule NOISE-R7 to clarify the third exception and how Council intends to apply and enforce exception	See S168.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.
FS109.22	NZ Agricultural Aviation Association		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS196.124	Joe Carr		Support	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow	
FS354.179	Horticulture New Zealand		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow	Allow S421.198 by including a separate permitted activity rule for agricultural aviation

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS570.1430	Vision Kerikeri 3		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow Disallow to the extent that the submission is inconsistent with our original submission	
FS346.432	Royal Forest and Bird Protection Society of New Zealand Inc.		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow Disallow the original submission	
FS565.1444	Kapiro Conservation Trust 2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow Disallow to the extent that the submission is inconsistent with our original submission	
FS565.1466	Vision Kerikeri 2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow Disallow to the extent that the submission is inconsistent with our original submission	
FS403.176	Te Whatu Ora - Nga Tai Ora		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow in part Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.	
S222.079	Wendover Two Limited	NOISE-R7	Support in part	As drafted, Rule Noise-R7 only permits Helicopter landing areas where flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes and the helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas. In other words, both PER-1 and PER-2 need to be met in order to comply with the rule (consistent with the structure of other rules in the Plan). Given the nature of the activity, it would serve a better resource management purpose, if flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes are exempt from the standard NOISE-S4 Helicopter landing areas. That would also be consistent with note 10 in this section that the noise rules and standards do not apply to helicopters used for an emergency and as an air ambulance. As drafted there would appear to be no provision for helicopters other than flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes. The intent of the rule might be better served by allowing helicopter landing site complying with standard: NOISE-S4 Helicopter landing areas, irrespective of the use of the helicopter.	Amend Rule Noise-R7 as follows: Activity status: Permitted Where: PER-1 Flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes Or PER-2 The helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas. This standard does not apply to: i. Emergency or rescue helicopter operation occurring to or from Bay of Islands, Rawene or Kaitaia Hospital (excludes established helicopter bases on hospital land). ii. Emergency or rescue helicopter landings, departures, overflights or activity during operations that occur away from the permanently established helicopter base.	See S165.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				Redrafting of the rule to make PER-1 and PER-2 separately applicable would meet the above issues (ie the addition of an 'or' In addition, the rule lacks specificity as to what comprises a helicopter landing area, although there is a disconnect between the life of the rule which applies to "helicopter landing areas" (presumably dedicated areas for this purpose) and the content of the rule which applies to the movements and landing of helicopters.	iii. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within Significant Natural Area on a seasonal, temporary, or intermittent basis for a period up to 30 days in any 12 month period.	
FS108.23	NZ Agricultural Aviation Association		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS184.24	Richard Milner		Support in part	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Allow in part	
FS403.173	Te Whatu Ora - Nga Tai Ora		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow in part	Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.
S516.068	Nga Tai Ora - Public Health Northland	NOISE-R7	Oppose	The drafting of the rule is not clear. There is a list under: "This standard does not apply to..." which might have been with the intention of making the listed activities permitted, but actually is excluding them from being permitted. Regardless, these activities have adverse effects on public health so should have controls. To avoid ambiguity the activities should be deleted.	Delete the following text from Rule NOISE-R7: This standard does not apply to: i. Emergency or rescue helicopter operations occurring to or from Bay of Islands; Rawene or Kaitiaki Hospital (excludes established helicopter bases on hospital land); ii. Emergency or rescue helicopter landings; departures, overflights or activity during operations that occur away from the permanently established helicopter base; iii. Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production;	See S168.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
					Heretiake zones, of which Significant Natural Areas are seasonal, temporary or intermittent basis for a period up to 30 days in any 12 month period.	
FS108.24	NZ Agricultural Aviation Association		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow	
FS184.26	Richard Milner		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow	
FS354.180	Horticulture New Zealand		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021	Disallow	
S217.019	New Zealand Defence Force	NOISE-R7	Support in part	TMTA may at times include the use of helicopters, which is not recognised under Rule NOISE-R7 as drafted. NZDF requests that helicopter landings associated with TMTA are excluded from NOISE-R7 and instead addressed under NOISE-R5.	Amend NOISE-R7 as follows: This standard does not apply to iv. helicopter operation or landings associated with temporary military training activities which are addressed in NOISE-R5.	Declaration: Marshall Day Acoustics has provided advice to this submitter previously The NZDF proposes this under the temporary military training section of the plan NOISE-R6. We have recommended a change to NOISE-R7 to provide for it there. Providing for this in Rule R6 would likely serve also.
FS184.16	Richard Milner		Support		Allow	
FS403.172	Te Whatu Ora - Nga Tai Ora		Oppose		Disallow in part	Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.
S168.085	Seter Thirty Six Limited	NOISE-R7	Oppose	Rule Noise-R7 only permits Helicopter landing areas where flight movements are for emergency purposes such as medical emergencies, search and rescue or firefighting purposes and the helicopter landing site complies with standard: NOISE-S4 Helicopter landing areas. In other words, both PER-1 and PER-2 need to be met in order to comply with the rule (consistent with the structure of other rules in the Plan). Given the nature of the activity, it would serve a better resource management purpose, if flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes are exempt from the standard NOISE-S4 Helicopter landing areas. That	Amend Rule NOISE-R7 as follows: Activity status: Permitted Where: PER-1 ... Or PER-2 ...	See S168.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>would also be consistent with note 10 in this section that the noise rules and standards do not apply to helicopters used for an emergency and as an air ambulance. As drafted there would appear to be no provision for helicopters other than flight movements for emergency purposes such as medical emergencies, search and rescue or firefighting purposes. The intent of the rule might be better served by allowing helicopter landing site complying with standard: NOISE-S4 Helicopter landing areas, irrespective of the use of the helicopter. Redrafting of the rule to make PER-1 and PER-2 separately applicable would meet the above issues (ie the addition of an 'or') In addition, the rule lacks specificity as to what comprises a helicopter landing area, although there is a disconnect between the title of the rule which applies to helicopter landing areas" (presumably dedicated areas for this purpose) and the content of the rule which applies to fire movements and landing of helicopters. If the intent is to apply to dedicated helicopter landing areas, then a definition of that land use is warranted to give the rule specificity.</p>		
FS184.19	Richard Milner		Support in part	<p>Agree with the addition of OR but also Non Air transport commercial aviation should be added to R7 PER 2 as Item IV for the use of Helicopter Operations conducted for Utility, Maintenance, Inspection or Survey purposes such as but not limited to: lifting of equipment, water tanks, machinery, gravel, livestock etc. Removal of trees, maintaining or constructing infrastructure such as Powerlines, Cell towers etc. Maintaining or developing tracks, roads, slips, Survey operations, flight training and utility work like survey or agricultural activities or frost protection. All of these activities would require a helicopter landing site of a temporary nature and it should be Permitted Activity A Helicopter landing area should allow of fuelling of the aircraft especially if a temporary landing area Field Maintenance should also be allowed as a temporary operation may require some inspection and routine maintenance during operations – Transits to</p>	Allow in part	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS403,169	Te Whatu Ora - Nga Tai Ora		Oppose	<p>maintenance at larger airports is not practical in Northland with Whangerei and Auckland as closest airports with helicopter maintenance facilities</p> <p>Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large</p> <p>Agree with the addition of OR but also</p> <p>Non Air transport commercial aviation should be added to R7 PER 2 as Item IV for the use of Helicopter Operations conducted for Utility, Maintenance, Inspection or Survey purposes such as but not limited to:</p> <p>lifting of equipment, water tanks, machinery, gravel, livestock etc. Removal of trees, maintaining or constructing infrastructure such as Powerlines, Cell towers etc. Maintaining or developing tracks, roads, slips. Survey operations, flight training and utility work like survey or agricultural activities or frost protection. All of these activities would require a helicopter landing site of a temporary nature and it should be Permitted Activity</p> <p>A Helicopter landing area should allow of fuelling of the aircraft especially if a temporary landing area</p> <p>Field Maintenance should also be allowed as a temporary operation may require some inspection and routine maintenance during operations -- Transits to maintenance at larger airports is not practical in Northland with Whangerei and Auckland as closest airports with helicopter maintenance facilities</p> <p>Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large</p>	<p>Disallow in part</p> <p>Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.</p>	
S337,003	Ironwood Trust Limited	NOISE-R7	Support in part	<p>Supports in principle the inclusion of provisions for helicopter landing areas set out in the proposal but considers that these need to be</p>	<p>Amend the exclusion provisions in Rule NOISE-R7 to clarify that the exclusions relate to PER-2, and delete sub-clauses i and ii of the</p>	<p>See S165,087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS184.21	Richard Milner		Support in part	<p>amended to remove potential ambiguity and provide greater clarity.</p> <p>Non Air transport commercial aviation should be added to R7 PER 2 as Item IV (as it currently reads) for the use of Helicopter Operations conducted for Utility, Maintenance, Inspection or Survey purposes such as but not limited to:</p> <p>lifting of equipment, water tanks, machinery, gravel, livestock etc. Removal of trees, maintaining or constructing infrastructure such as Powerlines, Cell towers etc. Maintaining or developing tracks, roads, slips, Survey operations, flight training and utility work like survey or agricultural activities or frost protection. All of these activities would require a helicopter landing site of a temporary nature and it should be Permitted Activity</p> <p>A Helicopter landing area should allow of fuelling of the aircraft especially if a temporary landing area</p> <p>Field Maintenance should also be allowed as a temporary operation may require some inspection and routine maintenance during operations – Transits to maintenance at larger airports is not practical in Northland with Whangerei and Auckland as closest airports with helicopter maintenance facilities</p> <p>Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large</p>	<p>exclusions</p> <p>Allow in part</p>	
S463.082	Waiaua Bay Farm Limited	NOISE-R7	Support	<p>WBR supports the enablement of general helicopter flights as a permitted activity under sub-clause PER-2 of this rule. It suggests a minor amendment to reflect that helicopter movements are the source of the effect, not the helicopter landing site.</p>	<p>Amend PER-2 of Rule NOISE-R7 as follows: PER-2: Helicopter movements and landings at the helicopter landing areasite complies with standard: NOISE-S4 Helicopter landing areas.</p>	<p>See S168.087 above. We agree the permitted standard requires amendment to avoid ambiguity. The proposed helicopter noise rule is not fit for purpose and must be revised. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.</p>
FS184.25	Richard Milner		Oppose	<p>Does not seek change to existing wording however</p> <p>Non Air transport commercial aviation should be added to R7</p>	<p>Disallow</p>	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS403.177	Te Whatu Ora - Nga Tai Ora		Oppose	<p>PER 2 as Item IV for the use of Helicopter Operations conducted for Utility, Maintenance, Inspection or Survey purposes such as but not limited to:</p> <ul style="list-style-type: none"> Lifting of equipment, water tanks, machinery, gravel, livestock etc. Removal of trees, maintaining or constructing infrastructure such as Powerlines, Cell towers etc. Maintaining or developing tracks, roads, slips, Survey operations, flight training and utility work like survey or agricultural activities or frost protection. All of these activities would require a helicopter landing site of a temporary nature and it should be Permitted Activity <p>A Helicopter landing area should allow or fuelling of the aircraft especially if a temporary landing area</p> <p>Field Maintenance should also be allowed as a temporary operation may require some inspection and routine maintenance during operations – Transits to maintenance at larger airports is not practical in Northland with Whangarei and Auckland as closest airports with helicopter maintenance facilities</p> <p>Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large</p> <p>Does not seek change to existing wording however</p> <p>Non Air transport commercial aviation should be added to R7 PER 2 as Item IV for the use of Helicopter Operations conducted for Utility, Maintenance, Inspection or Survey purposes such as but not limited to:</p> <ul style="list-style-type: none"> Lifting of equipment, water tanks, machinery, gravel, livestock etc. Removal of trees, maintaining or constructing infrastructure such as Powerlines, Cell towers etc. Maintaining or developing tracks, roads, slips, Survey operations, flight training and utility work like survey or agricultural activities or frost protection. All of these activities would require a helicopter landing site of a temporary nature and it should be Permitted Activity 	<p>Disallow in part</p> <p>Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.</p>	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S182.021	NZ Agricultural Aviation Association	NOISE-R7	Oppose	<p>A Helicopter landing area should allow of fuelling of the aircraft especially if a temporary landing area</p> <p>Field Maintenance should also be allowed as a temporary operation may require some inspection and routine maintenance during operations - Transits to maintenance at larger airports is not practical in Northland with Whangarei and Auckland as closest airports with helicopter maintenance facilities</p> <p>Example would be for Powerlines assessment and maintenance - on site fuelling should be allowed as the dead leg to and from a fuelling station could be many miles adding unnecessary cost to the community and economy - Northland does not have many airports so the transit (dead leg) to and from fuel is possibly large</p> <p>Seek a separate permitted activity rule for agricultural aviation therefore the exemption in NOISE-R7 is not needed</p>		
S182.021					<p>Delete NOISE-R7 PER-2 iii Cropping, top dressing, and spraying for the purpose of farming or conservation carried out in the Rural Production, Horticulture zones, or within significant natural Area on a seasonal temporary or intermittent basis for a period up to 30 days in any 12 month period.</p>	<p>See S165.087 above. We have recommended a revised helicopter noise rule to address the issues raised in submissions in Appendix A.</p>
FS354.178	Horticulture New Zealand		Support	The submitter seeks to delete the exemption in NOISE-R7 (iii) as they seek a separate permitted activity rule for agricultural aviation so the exemption is not needed.	Allow	
FS403.170	Te Whatu Ora - Nga Tai Ora		Oppose	The submitter seeks to delete the exemption in NOISE-R7 (iii) as they seek a separate permitted activity rule for agricultural aviation so the exemption is not needed.	Disallow in part	
S45.045	Puketona Business Park Limited	NOISE-R7	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the rules in the Noise chapter.	No comment
FS403.166	Te Whatu Ora - Nga Tai Ora		Support in part	Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.	Allow in part	Te Whatu Ora seek amendment of this rule to improve clarity and activities which potentially have adverse effects on public health should have controls.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S159,089	Horticulture New Zealand	NOISE-R8	Oppose	A limitation of 7am - 7pm is not appropriate for audible bird scaring devices as the main activity is prior to sunrise and after sunset.	Amend PER-1 of Rule NOISE-R8: Audible bird scaring devices must only be used between 7:00am and 7:00pm every calendar year ½ before sunrise and ½ hour after sunset	Our original report recommended that audible bird scaring devices should not operate between "sunset and sunrise". We note that many districts do permit operation half an hour before sunrise and half an hour after sunrise. Operation prior to sunrise (or after sunrise) increases the effects of noise, as it is more likely to result in sleep disturbance. The rule must be fit for purpose and to balance the needs of the rural zones. Where Horticulture New Zealand can demonstrate this is necessary, we would accept the change.
FS151,259	Ngāi Tukairangi No.2 Trust		Support		Allow	
FS570,251	Vision Kerikeri 3		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
FS566,265	Kaparo Conservation Trust.2		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
FS565,287	Vision Kerikeri 2		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
FS403,179	Te Whātu Ora - Nga Tai Ora		Oppose		Disallow in part Te Whātu Ora seek amendment of this rule to ensure that the three permitted activity consideration apply in conjunction and not as alternatives.	
FS403,181	Te Whātu Ora - Nga Tai Ora		Oppose		Disallow in part Te Whātu Ora seek amendment of this rule to ensure that the three permitted activity consideration apply in conjunction and not as alternatives. The term "maximum noise level" should be avoided.	
S516,069	Ngā Tai Ora - Public Health Northland	NOISE-R8	Support	The three permitted activity conditions should all apply in conjunction and not as alternatives. The term "maximum noise level frequency" is erroneous and could lead to incorrect interpretation.	Amend Rule NOISE-R8 as follows: PER-11. ...; and (inferred) PER-22. ... ii. A maximum noise level frequency of sound levels not exceeding 65 dB LAE within the notional boundary of any noise sensitive activity not owned by the operator of the device; and PER-33...	We agree with the proposed use of AND. We do not recommend PER-3 is retained as it conflicts with PER-2. PER-2 provides a suitable control. We agree that "maximum noise levels frequency" is erroneous and should be deleted. Note that the rule refers to firearms. It may be preferable to simply state: "Not more than 6 events per hour where an event includes clusters of up to three shots from percussing type devices or three individual shots from a firearm in quick succession; and"
FS364,181	Horticulture New Zealand		Oppose	PER-3 should not be in conjunction with PER 3 as the maximum noise level is set in PER2 so NOISE-S1 should not apply.	Disallow Allow S516,069 to amend PER 2 but delete PER 3.	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S45.046	Puketona Business Park Limited	NOISE-R8	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the rules in the Noise chapter.	No comment
FS403.178	Te Whatu Ora - Nga Tai Ora		Oppose	Te Whatu Ora seek amendment of this rule to ensure that the three permitted activity consideration apply in conjunction and not as alternatives.	Disallow in part Te Whatu Ora seek amendment of this rule to ensure that the three permitted activity consideration apply in conjunction and not as alternatives.	
FS403.180	Te Whatu Ora - Nga Tai Ora		Oppose	Te Whatu Ora seek amendment of this rule to ensure that the three permitted activity consideration apply in conjunction and not as alternatives.	Disallow in part Te Whatu Ora seek amendment of this rule to ensure that the three permitted activity consideration apply in conjunction and not as alternatives. The term maximum noise should be avoided.	
S159.090	Horticulture New Zealand	NOISE-R9	Oppose	The inclusion of multiple frost fans should apply to fans located on the same site. A grower cannot control the noise from fans on other sites	Amend PER-3 of Rule NOISE-R9 as follows: The maximum noise generated by a single or multiple frost fans shall not exceed 55 dB LAeq(15min) at any time when assessed within the notional boundary of any noise sensitive activity on another site.	We do not agree with the change sought. We do not believe the rule would apply cumulatively to frost fans operating on multiple different farms, rather it would apply to single or multiple frost fans operating within the same site. We note that it may be clearer to apply the noise control to "associated rural sites" if that can be suitably defined. This is because the rule would ideally apply to operation within single farms or orchards, even if the frost fans are located across several different titles.
FS151.260	Ngāi Tukairangi No.2 Trust		Support		Allow	
FS570.252	Vision Kerikeri 3		Oppose		Disallow Disallow to the extent that the submission is inconsistent with our original submission	
FS566.266	Keapiro Conservation Trust 2		Oppose		Disallow Disallow to the extent that the submission is inconsistent with our original submission	
FS566.288	Vision Kerikeri 2		Oppose		Disallow Disallow to the extent that the submission is inconsistent with our original submission	
S516.070	Nga Tai Ora - Public Health Northland	NOISE-R9	Support	The three permitted activity conditions should all apply in conjunction and not as alternatives. The term "maximum noise" should be avoided as maximum noise level is a specific acoustics metric. The note regarding special audible characteristics could be misinterpreted and should be rephrased and included in the main clause.	Amend Rule NOISE-R9 as follows: PER-11 ...; and PER-22 ...; and PER-33. The maximum noise generated by a single or multiple frost fans shall not exceed 55 dB LAeq(15min) at any time when assessed within the	We agree and recommend these changes are implemented.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations			
				To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.		<p>The site would be required to meet a daytime noise limit of 55 dB L_{day} (day) and 40 dB L_{even} / 75 dB L_{even} at any noise sensitive receiver within the Rural Production, Rural Lifestyle, Settlement, Horticulture or Māori Purpose zones. These limits are only slightly more liberal than what the Proposed Plan would require is met for non-Heavy/Industrial zones.</p> <p>In our original assessment, we recommended that more liberal limits were applied to the Heavy Industrial zone when received at "any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Māori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone". We recommended the following noise limits applied:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>(2) Heavy Industrial Zone</p> <p>Noise generated by any activity within the Horticultural Processing or Heavy Industrial zone shall not exceed the following limits when measured at any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Māori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone:</p> <ol style="list-style-type: none"> 7 am to 10 pm - 55 dB L_{day} (3 min) 10 pm to 7 am - 45 dB L_{day} (3 min) 10 pm to 7 am - 75 dB L_{even} </td> <td style="width: 50%; vertical-align: top;"> <p>Matters of discretion if compliance not achieved:</p> <ol style="list-style-type: none"> Those set out in NOISE-RI </td> </tr> </table> <p>The above noise limits provide for a higher level of noise from heavy industry. This reduces the amenity of the adjacent zones, at the benefit of the heavy industry who may have constraints on how much noise they can reasonably control. We still consider this appropriate and to be the best way to achieve the policy outcomes sought.</p>	<p>(2) Heavy Industrial Zone</p> <p>Noise generated by any activity within the Horticultural Processing or Heavy Industrial zone shall not exceed the following limits when measured at any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Māori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone:</p> <ol style="list-style-type: none"> 7 am to 10 pm - 55 dB L_{day} (3 min) 10 pm to 7 am - 45 dB L_{day} (3 min) 10 pm to 7 am - 75 dB L_{even} 	<p>Matters of discretion if compliance not achieved:</p> <ol style="list-style-type: none"> Those set out in NOISE-RI 	
<p>(2) Heavy Industrial Zone</p> <p>Noise generated by any activity within the Horticultural Processing or Heavy Industrial zone shall not exceed the following limits when measured at any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Māori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone:</p> <ol style="list-style-type: none"> 7 am to 10 pm - 55 dB L_{day} (3 min) 10 pm to 7 am - 45 dB L_{day} (3 min) 10 pm to 7 am - 75 dB L_{even} 	<p>Matters of discretion if compliance not achieved:</p> <ol style="list-style-type: none"> Those set out in NOISE-RI 								
						<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; vertical-align: top;"> <p>Heavy Industrial zone</p> <p>Noise generated by any activity shall not exceed the following limits at any point within another site in the zone:</p> <ol style="list-style-type: none"> All times of day: 40 dB L_{day} (3min) 7:00 am to 10:00 pm: 55 dB L_{day} (3 min) 10:00 pm to 7:00 am: 45 dB L_{day} (3 min) and 10:00 pm to 7:00 am - 75 dB L_{even} </td> <td style="width: 33%; vertical-align: top;"> <p>Horticulture Processing zone</p> <p>Noise generated by any activity shall not exceed the following limits at any point within the boundary of any sites in the General Residential zone, or the notional boundary of any noise sensitive activity within the Rural Production, Rural Lifestyle, Rural Residential, Settlement, Horticulture, or Māori Purpose zones:</p> <ol style="list-style-type: none"> 7:00 am to 10:00 pm - 55 dB L_{day} (3 min); 10:00 pm to 7:00 am - 40 dB L_{day} (3 min); and 10:00 pm to 7:00 am - 75 dB L_{even} </td> <td style="width: 33%; vertical-align: top;"> <p>Matters of discretion if compliance not achieved:</p> <ol style="list-style-type: none"> ambient noise levels and any special character noises from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; type, scale and location of the activity in relation to any noise sensitive activities; hours of operation and duration of activity; the temporary or permanent nature of any adverse effects; the ability to internalise and/or minimise any conflict with any other activities; any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings, and equipment and the timing of operation); and the effects on any existing noise sensitive activities. </td> </tr> </table>	<p>Heavy Industrial zone</p> <p>Noise generated by any activity shall not exceed the following limits at any point within another site in the zone:</p> <ol style="list-style-type: none"> All times of day: 40 dB L_{day} (3min) 7:00 am to 10:00 pm: 55 dB L_{day} (3 min) 10:00 pm to 7:00 am: 45 dB L_{day} (3 min) and 10:00 pm to 7:00 am - 75 dB L_{even} 	<p>Horticulture Processing zone</p> <p>Noise generated by any activity shall not exceed the following limits at any point within the boundary of any sites in the General Residential zone, or the notional boundary of any noise sensitive activity within the Rural Production, Rural Lifestyle, Rural Residential, Settlement, Horticulture, or Māori Purpose zones:</p> <ol style="list-style-type: none"> 7:00 am to 10:00 pm - 55 dB L_{day} (3 min); 10:00 pm to 7:00 am - 40 dB L_{day} (3 min); and 10:00 pm to 7:00 am - 75 dB L_{even} 	<p>Matters of discretion if compliance not achieved:</p> <ol style="list-style-type: none"> ambient noise levels and any special character noises from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; type, scale and location of the activity in relation to any noise sensitive activities; hours of operation and duration of activity; the temporary or permanent nature of any adverse effects; the ability to internalise and/or minimise any conflict with any other activities; any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings, and equipment and the timing of operation); and the effects on any existing noise sensitive activities.
<p>Heavy Industrial zone</p> <p>Noise generated by any activity shall not exceed the following limits at any point within another site in the zone:</p> <ol style="list-style-type: none"> All times of day: 40 dB L_{day} (3min) 7:00 am to 10:00 pm: 55 dB L_{day} (3 min) 10:00 pm to 7:00 am: 45 dB L_{day} (3 min) and 10:00 pm to 7:00 am - 75 dB L_{even} 	<p>Horticulture Processing zone</p> <p>Noise generated by any activity shall not exceed the following limits at any point within the boundary of any sites in the General Residential zone, or the notional boundary of any noise sensitive activity within the Rural Production, Rural Lifestyle, Rural Residential, Settlement, Horticulture, or Māori Purpose zones:</p> <ol style="list-style-type: none"> 7:00 am to 10:00 pm - 55 dB L_{day} (3 min); 10:00 pm to 7:00 am - 40 dB L_{day} (3 min); and 10:00 pm to 7:00 am - 75 dB L_{even} 	<p>Matters of discretion if compliance not achieved:</p> <ol style="list-style-type: none"> ambient noise levels and any special character noises from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; type, scale and location of the activity in relation to any noise sensitive activities; hours of operation and duration of activity; the temporary or permanent nature of any adverse effects; the ability to internalise and/or minimise any conflict with any other activities; any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings, and equipment and the timing of operation); and the effects on any existing noise sensitive activities. 							
FS374.027	Waipapa Pine Limited		Support	The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.	Allow				
S51.009	Jeff and Robby Kemp	NOISE-S1	Support	The rule as it applies to the Rural Production Zone is supported.	Retain NOISE-S1				
S213.024	Timothy and Dion Spicer	NOISE-S1	Support in part	In Dion and Timothy Spicer's opinion, there is no logical reason to reduce noise limits between the hours of 7am to 10pm.	amend Rule NOISE-S1 Maximum Noise Levels (RRZ) to be consistent with current noise limits under the ODP.	In principle the noise rules that would apply to the Rural Production zone are fair but note our later comment about the issues with the overall drafting of this section. The Operative District Plan noise limits for the Rural Production zone are problematic as they bear little relationship to the noise effects in many cases. The main issue with the Operative District Plan noise limits is that they apply at the site boundary and provide for a high noise limit there. The site boundary of the Rural Production land unit is an arbitrary location for the assessment of effects and can result in perverse outcomes (such as the Rural Production site being unreasonably constrained in terms of operation, or the receiving site being unreasonably affected by permitted noise).			
S316.003	FNR Properties Limited	NOISE-S1	Support in part	It is noted that the maximum noise limits in the Rural Production zone and Mineral Extraction overlay, specifically those that apply to the period of 10pm to 7am, are conflicting. Given the Mineral Extraction overlay largely applies to sites with an underlying zone of Rural Production, specifying different noise limits essentially defeats the	Amend Rule NOISE-S1 so that noise limits in the Rural Production zone are consistent with those in the Mineral Extraction overlay.	The issue is largely a planning matter. We expect that the Mineral Extraction Overlay would have been intended to allow for higher noise limits on land within the Rural Production Environment. Note that in our original report we recommended the following noise limits for the Minerals Zone. The night-time noise limit for the minerals zone in the Proposed District Plan has been set at a lower 40 dB L _{day} limit.			

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations		
				purpose of having such limits in the Mineral Extraction overlay. This could lead to confusion and interpretation issues.		<table border="1"> <tr> <td>(3) Mineral Zone</td> <td> <p>Matters of discretion if compliance not achieved:</p> <p>1. Those set out in NOISE-R1</p> <p>1. Quarrying and mining activities within the Mineral zone shall not exceed the following limits when measured at any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Māori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone:</p> <ul style="list-style-type: none"> a. 7 am to 10 pm - 55 dB L_{Aeq} (15 min) b. 10 pm to 7 am - 45 dB L_{Aeq} (15 min) c. 10 pm to 7 am - 75 dB L_{Amax} <p>2. Explosives use within the mineral zone must comply with Activity Specific rule NOISE-S2 (9).</p> </td> </tr> </table> <p>In a rural production environment, it is unusual for activity to be limited by a 70 or 75 dB L_{Aeqmax} limit at night. It is more typical for a 70 dB L_{Aeqmax} limit to apply at night in a rural production zone, however a 75 dB L_{Aeqmax} limit could also largely serve. We would not expect much difference in outcomes regardless of which limit is set.</p>	(3) Mineral Zone	<p>Matters of discretion if compliance not achieved:</p> <p>1. Those set out in NOISE-R1</p> <p>1. Quarrying and mining activities within the Mineral zone shall not exceed the following limits when measured at any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Māori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone:</p> <ul style="list-style-type: none"> a. 7 am to 10 pm - 55 dB L_{Aeq} (15 min) b. 10 pm to 7 am - 45 dB L_{Aeq} (15 min) c. 10 pm to 7 am - 75 dB L_{Amax} <p>2. Explosives use within the mineral zone must comply with Activity Specific rule NOISE-S2 (9).</p>
(3) Mineral Zone	<p>Matters of discretion if compliance not achieved:</p> <p>1. Those set out in NOISE-R1</p> <p>1. Quarrying and mining activities within the Mineral zone shall not exceed the following limits when measured at any point within the boundary of any site in the Residential zone, or within the notional boundary of any noise sensitive activity within the Māori Purpose zone, Horticultural zone, Rural Living zone, Rural Production zone or Rural Lifestyle zone:</p> <ul style="list-style-type: none"> a. 7 am to 10 pm - 55 dB L_{Aeq} (15 min) b. 10 pm to 7 am - 45 dB L_{Aeq} (15 min) c. 10 pm to 7 am - 75 dB L_{Amax} <p>2. Explosives use within the mineral zone must comply with Activity Specific rule NOISE-S2 (9).</p>							
S331.056	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-S1	Support	The submitter supports standard NOISE-S1 Maximum noise levels - zone specific, as educational facilities are noise sensitive activities and often established in residential zones. The Ministry therefore supports the matters of discretion, specifically to consider the location of the noise generation activity in relation to any noise sensitive activities (b).	Retain standard NOISE-S1 Maximum noise levels - zone specific, as proposed.	We disagree – we do not consider the noise rules are fit for purpose due to the way they are drafted. The underlying noise limits are broadly appropriate, but the section must be reorganized so that it covers all zones with clear noise limits.		
S331.057	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-S1	Support	The submitter supports standard NOISE-S1 Maximum noise levels - zone specific, in the Rural Production zone, Rural Lifestyle zone, Māori Purpose zone, Moturoa Island zone, Kauri Cliffs zone, Ngawha Innovation and Enterprise Park zone, as educational facilities are noise sensitive activities and often established in rural zones. The Ministry therefore support the matters of discretion, specifically to consider the location of the noise generation activity in relation to any noise sensitive activities (b).	Retain standard NOISE-S1 Maximum noise levels - zone specific, in the Rural Production zone, Rural Lifestyle zone, Māori Purpose zone, Horticulture zone, Moturoa Island zone, Kauri Cliffs zone, Ngawha Innovation and Enterprise Park zone.	We disagree – we do not consider the noise rules are fit for purpose due to the way they are drafted. The underlying noise limits are broadly appropriate, but the section must be reorganized so that it covers all zones with clear noise limits.		
S331.058	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-S1	Support	The submitter supports standard NOISE-S1 Maximum noise levels - zone specific, in the Settlement zone, Carrington Estate zone, as educational facilities are noise sensitive activities and often established in rural zones. The Ministry therefore support the matters of discretion, specifically to consider the location of the noise generation activity in relation to any noise sensitive activities (b).	Retain standard NOISE-S1 Maximum noise levels - zone specific, in the Settlement zone, Carrington Estate zone, as proposed.	We disagree – we do not consider the noise rules are fit for purpose due to the way they are drafted. The underlying noise limits are broadly appropriate, but the section must be reorganized so that it covers all zones with clear noise limits.		
S331.059	Ministry of Education Te Tāhuhu o Te Mātauranga	NOISE-S1	Support	The submitter supports standard NOISE-S1 Maximum noise levels - zone specific, in the Mixed Use zone, as educational facilities are noise sensitive activities and often established in mixed use zones. The Ministry therefore support the matters of discretion, specifically to consider the ability to design and	Retain standard NOISE-S1 Maximum noise levels - zone specific, in the Mixed Use zone, as proposed.	We disagree – we do not consider the noise rules are fit for purpose due to the way they are drafted. The underlying noise limits are broadly appropriate, but the section must be reorganized so that it covers all zones with clear noise limits.		

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				construct buildings accommodating noise sensitive activities with sound insulation and/or other mitigation measures to ensure the level of noise received within the building is minimised (d).		
S463.083	Waiau Bay Farm Limited	NOISE-S1	Support	With specific regard to Kauri Cliffs, WBF considers the permitted noise limited to be compatible with the general range of activities undertaken in the KCZ.	Retain Standard NOISE-S1	The permitted noise limits may be suitable, however the drafting of NOISE-S1 needs rework.
S463.084	Waiau Bay Farm Limited	NOISE-S1	Support	Applying the noise rules for the NOSZ to the Natural Heritage subzone at Kauri Cliffs is inappropriate, given the NOSZ in this location is contained entirely in a private landholding.	Amend Standard NPOISE-S1 as follows: Noise generated by any activity shall not exceed the following noise limits at any point within any other site in the Natural Open Space (excluding the Kauri Cliffs Natural Heritage subzone) , Open Space, and Sport and Active Recreation zone...	This is a planning matter.
S516.071	Ngā Tai Ora - Public Health Northland	NOISE-S1	Oppose	The term "maximum noise levels" has a defined meaning in acoustics standards relating to one specific noise metric. An alternative term should be used for referring to noise limits in general.	Amend the title of Standard NOISE-S1 (and all references to it in other provisions) to read Maximum noise levels Noise limits - zone specific	Agree, recommend this change is adopted.
S159.091	Horticulture New Zealand	NOISE-S1	Support	The levels for the Rural Production and Horticulture zones are supported.	Retain Standard NOISE-S1 as relates to the Rural Production and Horticulture zones	No comment, other than elsewhere.
FS151.261	Ngāi Tukairangi No.2 Trust		Support		Allow	
FS570.253	Vision Kerikeri 3		Oppose		Disallow that the submission is inconsistent with our original submission	
FS566.267	Keapiro Conservation Trust 2		Oppose		Disallow that the submission is inconsistent with our original submission	
FS566.289	Vision Kerikeri 2		Oppose		Disallow that the submission is inconsistent with our original submission	
S516.072	Ngā Tai Ora - Public Health Northland	NOISE-S1	Oppose	The s32 appendix report recommended a comprehensive set of zone noise limits including limits within zones and between zones. It recommended an overarching provision that, unless otherwise specified, emissions from any zone have to comply with the "within zone" noise limits for the receiving zone. In the notified proposed plan, those	Delete Standard NOISE-S1 and insert a table containing noise limits for each zone, applying to noise received in sites in each zone, regardless of whether the noise originated from other sites in that zone or sites in another zone. Only set airport noise limits at one boundary (outer control or air noise) for each airport.	THE SUBMISSION MAKES A VERY IMPORTANT POINT. There are no "catch all" or "overarching" provisions to resolve any issues which may arise where no noise limit is specified within the District Plan. This must be resolved, as it is essential that every zone has a suitable noise limit. It appears to us that there have been several omissions to the drafting of the rules which would likely mean that no noise rules will apply in some zones. The noise standards are confusing due to a lack of adequate column headers or clear logic in the wording of the rules. For example, in the table below, it is unclear if the noise limits apply only to noise generated within the General Residential, Kororareka Russell Township Zone and Hospital zones (which are the zones specified in the left hand column) or whether the rules apply to "noise generated by any activity (in any zone)". Because the noise rule says, "Noise generated by any activity, ..." and there is no reference to the left hand column at all (or adequate heading), we would read this provision as applying to any noise generated in any zone. However if the noise limits are intended to apply to "any activity in any zone", then it would be much clearer for the left hand column to say "activity in any zone, unless otherwise specified".

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS184.47 FS243.097	Richard Milner Kainga Ora Homes and Communities		Support Oppose	<p>recommendations from the s32 report appendix have not been implemented. It appears an attempt has been made to simplify and combine the "within" and "between" zone noise limits, but in this process it has created numerous gaps where noise emissions between zones are not controlled. As such, the notified provisions are inadequate to protect public health. With the current structure of NOISE-S1 there is not a simple remedy and therefore specific wording has not been proposed here as comprehensive redrafting is required to address this issue.</p> <p>For airport noise, inclusion of both outer control boundaries and air noise boundaries is often appropriate for land use planning purposes. However, as a "noise limit", only one control line should apply to each airport. By default, this should be the air noise boundary, unless for a small airport this line does not extend far enough to be practical.</p> <p>In accordance with the Noise and Vibration Metrics National Planning Standard and in turn NZS 6802, engine testing noise (that is not otherwise included in aircraft operations noise), should be subject to noise limits using the metric LAeq(15 min) and not with a 9 hour average.</p>	<p>If separate noise limits are maintained for aircraft engine testing, amend the metric to read: "...dB LAeq(15 min) (9 hour) ..."</p>	<p>Maximum noise levels - zone specific</p> <p>NOISE-S1</p> <p>Residential, Kororareka, Russell Township zone or Rural Residential zone:</p> <p>a. 7.00 am to 10.00 pm - 50 dB LAeq(15min)</p> <p>b. 10.00 pm to 7.00 am - 40 dB LAeq(15 min) and</p> <p>c. 10.00 pm to 7.00 am - 70 dB LAeq(9hr)</p> <p>NOISE-S2</p> <p>Rural Residential zone</p> <p>Kororareka</p> <p>Russell Township zone</p> <p>Hospital zone</p> <p>Standards</p> <p>NOISE-S1</p> <p>Maximum noise levels - zone specific</p> <p>Noise generated by any activity shall not exceed the following noise limits at any point within any other zone in the General Residential, Kororareka, Russell Township zone or Rural Residential zone:</p> <p>a. 7.00 am to 10.00 pm - 50 dB LAeq(15min)</p> <p>b. 10.00 pm to 7.00 am - 40 dB LAeq(15 min) and</p> <p>c. 10.00 pm to 7.00 am - 70 dB LAeq(9hr)</p> <p>The same issue exists in the following table. No noise limits are given for the <i>Horiculture, Motorola Island zone, Kauri Cliffs zones, or Ngawha Innovation and Enterprise zones</i> in the noise standard. These zones are not covered elsewhere and there is no "catch all" provision to cover them.</p> <p>Noise generated by any activity shall not exceed the following limits within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle or Maori Purpose zone:</p> <p>a. 7.00 am to 10.00 pm - 55 dB LAeq(15min)</p> <p>b. 10.00 pm to 7.00 am - 40 dB LAeq(15 min) and</p> <p>c. 10.00 pm to 7.00 am - 70 dB LAeq(9hr)</p> <p>Rural Production zone</p> <p>Rural Lifestyle zone</p> <p>Maori Purpose zone</p> <p>Horiculture zone</p> <p>Motorola Island zone</p> <p>Kauri Cliffs zone</p> <p>Ngawha Innovation and Enterprise Park zone</p> <p>There are several other similar issues throughout NOISE-S1 where zones have been missed.</p> <p>In the <i>Mixed Use</i> zone provisions, the noise standard DOES appear to be intended only to relate to noise generated within the landuse specified within the left hand column (the <i>Mixed Use zone</i>). However, the wording of this section is unclear overall, as there is no direct reference to the <i>Mixed Use zone</i> in the text. The text could be taken to read that any noise generated in any zone is required to meet the limits specified in it, though it would probably be taken to apply only to activity occurring within the <i>Mixed Use zone</i>.</p> <p>A specified noise limit is given for noise received in the <i>General Residential, Rural Production, Rural Lifestyle, Rural Residential, Horiculture and Maori Purpose zones</i>. Presumably, this is intended to apply to noise generated in the <i>Mixed Use zone</i> only and the limits are higher than the zone provisions given earlier in NOISE-S1. There is no provision for zones such as <i>Kororareka Russell Township, Hospital, Motorola Island, Kauri Cliffs, Settlement, Carrington Estate, or other zones that may be noise sensitive</i>. Without a catch all clause the rule could be read to mean that no noise limit applies to noise generated in a <i>Mixed Use zone</i> when received in these zones.</p> <p>The same issues apply to the rules for the <i>Light Industrial, Heavy Industrial, Horiculture Zone, and Orongo Bay zones</i>.</p> <p>Mixed Use zones</p> <p>1. Noise generated by any activity shall not exceed the following limits at any point within another zone in the zone:</p> <p>Sunday to Thursday</p> <p>a. 7.00 am to 10.00 pm - 60 dB LAeq(15min)</p> <p>b. 10.00 pm to 7.00 am - 40 dB LAeq(15 min) and</p> <p>c. 10.00 pm to 7.00 am - 80 dB LAeq(9hr)</p> <p>Friday and Saturday</p> <p>a. 7.00 am to midnight - 60 dB LAeq(15min)</p> <p>b. midnight to 7.00 am - 55 dB LAeq(15 min) and</p> <p>c. midnight to 7.00 am - 60 dB LAeq(9hr)</p> <p>2. Noise generated by any activity shall not exceed the following limits at any point within the boundary of any zone in the Rural Production, Rural Lifestyle, Rural Residential, Horiculture, or Maori Purpose zones:</p> <p>a. 7.00 am to 10.00 pm - 55 dB LAeq(15min) and</p> <p>b. 10.00 pm to 7.00 am - 40 dB LAeq(15 min) and</p> <p>c. 10.00 pm to 7.00 am - 75 dB LAeq(9hr)</p> <p>Matters of discretion if compliance not achieved:</p> <p>a. ambient noise levels and any special character noise from any existing activities, the nature and location of the noise sensitive activity, the nature and location of the noise generating site and the degree to which such sounds are compatible with the surrounding activities.</p> <p>b. any existing noise generating activities and the level of noise that will be received within any zone.</p> <p>c. the primary purpose and the frequency of use of the activity.</p> <p>d. the ability to design and construct buildings accommodating noise sensitive activities with sound insulation and other passive measures to ensure the level of noise received within the zone is acceptable.</p> <p>e. any mitigation proposed, in accordance with the best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of the operations).</p> <p>f. the effects on any existing noise sensitive activities.</p>
			Allow Disallow	Delete Standard NOISE-S1 and insert a table		<p>We strongly agree with the issues raised by the submitter and we strongly recommend the NOISE-S1 provisions are redrafted so that they are clear and are fit for purpose.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS354.183	Horticulture New Zealand		Oppose		Disallow	
S561.054	Kāinga Ora Homes and Communities	NOISE-S1	Support	Providing for an increased noise level during daytime activities within the Māori Purpose zones is enabling for the economic growth and development of Māori within the District.	Retain Noise-S1 as notified.	We disagree – we do not consider the noise rules are fit for purpose due to the way they are drafted. The underlying noise limits for the Māori Purpose zone are broadly appropriate, but the section must be reorganized so that it covers all zones with clear noise limits (including ensuring that noise received at the Māori Purpose zone is covered by suitable noise limits).
FS32.108	Jeff Kemp		Oppose	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes. The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework, away from an effects-based district plan, and is essentially reallocating the goal posts. The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.	Disallow	Disallow the original submission.
FS402.014	Te Whatu Ora - Health New Zealand		Oppose	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes. The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework, away from an effects-based district plan, and is	Disallow in part	Seek provision detail as above.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				essentially reallocating the goal posts. The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.		
FS23.326	Des and Lorraine Morrison		Support	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes. The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts. The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.	Allow	Allow the relief sought to the extent consistent with our primary submission
FS47.068	Our Keikeri Community Charitable Trust		Oppose	The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes. The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.	Disallow	Disallow the entire original submission

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS348,141	Alec Brian Cox		Oppose	<p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p> <p>The original submission seeks to amend the FNDC in a way which changes how the FNDC has previously managed the district's natural and physical resources. The nature and scale of the outcomes sought have no supporting documents which address the appropriateness of the changes such as the costs and benefits involved. As a minimum, the submitter should have provided a s32 analysis of the proposed changes.</p> <p>The amenity, values and character of the district's urban areas have developed over time through various district plans. The wider community and applicants have an understanding of and have appreciated the consenting process. The original submission seeks a completely different planning framework away from an effects-based district plan and is essentially reallocating the goal posts.</p> <p>The original submission heralds the application for a private plan change which would provide the opportunity for those most affected to be involved.</p>	<p>Disallow</p> <p>I seek that the whole of the submission be disallowed</p>	
S464,104	Transpower New Zealand Ltd	NOISE-S1	Not Stated	<p>Night time noise limits in these zones are set at 40dBA LAeq between 10pm and 7am. The night time noise limit in many of the equivalent zones in the Operative Far North District Plan is 45dBA LAeq. It is unclear that a reduction in the night time noise limit is necessary to address adverse effects or maintain amenity in these zones. A night time noise limit of 45dBA LAeq is consistent with similar environments in other districts. The National Grid traverses the entire country and to have these types of limits applied inconsistently to the same type of infrastructure is problematic. Transpower therefore considers that the night time noise limits in these zones should be retained at 45dBA LAeq.</p>	<p>Amend the PDP where the night time noise limit is set at 40dBA LAeq (15 min) in any of the zones in the Far North District, change the limit to 45dBA LAeq</p>	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously. A night-time noise limit of 45 dB LAeq is relatively high. It can still provide for an acceptable level of amenity in some zones, but in zones where the amenity of people is the key factor, a lower noise limit is normally suitable. Note that the operative District Plan limit was previously set using the LA10 parameter, not the LAeq parameter. An LAeq noise limit of 40 dB LAeq is not quite the same limit as 40 dB LA10 in some cases.</p> <p>We do not consider that Transpower's suggested relief is generally appropriate. It may be appropriate for some sites near substations to have a 45 dB LAeq night-time noise rule, but it is not an appropriate district wide provision for all noise sensitive zones.</p>
FS243,088	Kainga Ora Homes and Communities		Oppose	<p>Kainga Ora opposes the proposed amendment, as it is inconsistent with its primary submission. Kainga Ora supports the retention of the standard as notified. The amendment is unnecessary.</p>	<p>Disallow</p> <p>Amend the PDP where the night time noise limit is set at 40dBA LAeq (15 min) in any of the zones in the Far North District, change the limit to</p>	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S45.018	Puketona Business Park Limited	NOISE-S1	Support	The Noise chapter of the PDP as notified is generally acceptable	45dBA LAeq Retain the standards in the Noise chapter.	We disagree – we do not consider the noise rules are fit for purpose due to the way they are drafted. The underlying noise limits for the Māori Purposes zone are broadly appropriate, but the section must be reorganized so that it covers all zones with clear noise limits (including ensuring that noise received at the Māori Purpose zone is covered by suitable noise limits.
FS402.012	Te Whatu Ora - Health New Zealand		Oppose	Te Whatu Ora seek to amend NOISE-S1 to provide for hospitals to operate as Regionally Significant Infrastructure, along with recognising their prominence in the existing environment.	Disallow in part Seek provision detail as above.	
S45.050	Puketona Business Park Limited	NOISE-S1	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the standards in the Noise chapter.	We disagree – we do not consider the noise rules are fit for purpose due to the way they are drafted. The underlying noise limits for the Māori Purposes zone are broadly appropriate, but the section must be reorganized so that it covers all zones with clear noise limits (including ensuring that noise received at the Māori Purpose zone is covered by suitable noise limits.
FS402.013	Te Whatu Ora - Health New Zealand		Oppose	Te Whatu Ora seek to amend NOISE-S1 to provide for hospitals to operate as Regionally Significant Infrastructure, along with recognising their prominence in the existing environment.	Disallow in part Seek provision detail as above.	
S42.015	Te Whatu Ora - Health New Zealand, Te Tai Tokerau	NOISE-S1	Support in part	The Hospital is an existing use, located on the current sites for a number of years. Therefore, the Hospital is not new to the surrounding environment and its status as Regionally Significant Infrastructure, along with its long tenure in this environment, must be recognised. As such it must be ensured that any new development and/or redevelopment of the Hospital is not treated as though it is entirely new, rather recognising the Hospital and the adjacent landuses including residential land uses in the immediate environment have successfully coexisted for a significant period of time and the Hospital must be enabled to operate, expand and redevelop over time.	Amend the noise provisions in the chapter to ensure that the zone provisions don't constrain hospital activities nor the design and future expansion of the facilities	We agree that any hospital zones should not constrain hospital activities nor the design and future expansion of the facilities. Noise from hospital activities should not affect the health and well being of the adjacent neighbour. The best way to control this is by careful zoning and ensuring that the hospital is protected by neighbours by distance. In residential zones, it is normally unacceptable to allow for noise limits of above 55 dB LAeq daytime or 45 dB LAeq nighttime. To protect the use of the hospital without allowing unreasonable noise to arise, the following noise limits would likely form suitable limits to any noise sensitive activities within the noise sensitive zones: a. 7 am to 10 pm - 55 dB LAeq (15 min) b. 10 pm to 7 am - 45 dB LAeq (15 min) c. 10 pm to 7 am - 75 dB LAeq (15 min) Noise from hospitals when received within other zones (such as light industrial or mixed use, etc) should be subject to the higher noise limits permitted in those zones. NOISE-S1 must be updated to provide for suitable limits between zones throughout the District.
FS570.032	Vision Kerikeri 3		Oppose	The Hospital is an existing use, located on the current sites for a number of years. Therefore, the Hospital is not new to the surrounding environment and its status as Regionally Significant Infrastructure, along with its long tenure in this environment, must be recognised. As such it must be ensured that any new development and/or redevelopment of the Hospital is not treated as though it is entirely new, rather recognising the Hospital and the adjacent landuses including residential land uses in the immediate environment have successfully coexisted for a significant period of time and the Hospital must be enabled to operate, expand and redevelop over time.	Disallow Disallow to the extent that the submission is inconsistent with our original submission	
FS566.046	Kapiro Conservation		Oppose	The Hospital is an existing use, located on the current sites for a	Disallow Disallow to the extent that the submission	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
	Trust 2			number of years. Therefore, the Hospital is not new to the surrounding environment and its status as Regionally Significant Infrastructure, along with its long tenure in this environment, must be recognised. As such, it must be ensured that any new development and/or redevelopment of the Hospital is not treated as though it is entirely new, rather recognising the Hospital and the adjacent landuses including residential land uses in the immediate environment have successfully coexisted for a significant period of time and the Hospital must be enabled to operate, expand and redevelop over time.	is inconsistent with our original submission	
FS669.068	Vision Kerikeri 2		Oppose	The Hospital is an existing use, located on the current sites for a number of years. Therefore, the Hospital is not new to the surrounding environment and its status as Regionally Significant Infrastructure, along with its long tenure in this environment, must be recognised. As such it must be ensured that any new development and/or redevelopment of the Hospital is not treated as though it is entirely new, rather recognising the Hospital and the adjacent landuses including residential land uses in the immediate environment have successfully coexisted for a significant period of time and the Hospital must be enabled to operate, expand and redevelop over time.	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
S516.073	Ngā Tai Ora - Public Health Northland	NOISE-S2	Support	There is a typographical error for two noise metrics.	Amend Standard NOISE-S2 as required to correct the reference as follows: dB LAeq(1 min)	<p>We agree. The NOISE-S2 (ii) should read as follows:</p> <ul style="list-style-type: none"> • 70 dB $L_{Aeq}(1 \text{ hour})$ • 85 dB $L_{Aeq}(1 \text{ min})$ at 63 Hz • 75 dB $L_{Aeq}(1 \text{ min})$ at 126 Hz <p>Or</p> <p>And (iii) should read as:</p> <ul style="list-style-type: none"> • 60 dB $L_{Aeq}(1 \text{ hour})$ • 75 dB $L_{Aeq}(1 \text{ min})$ at 63 Hz • 65 dB $L_{Aeq}(1 \text{ min})$ at 126 Hz <p>We note that the noise rule potentially does not cover all noise sensitive zones.</p>
S45.051	Puketona Business Park Limited	NOISE-S2	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the standards in the Noise chapter	No comment
S454.105	Transpower New Zealand Ltd	NOISE-S2	Not Stated	These noise limits apply to temporary activities such as the use of generators to provide power for lifeline utilities. This type of activity may not always be able to comply with the noise limits specified and the emergency nature of the activity means that it	Amend the first sentence of NOISE-S2 as follows: 1. The noise generated from any temporary activities (excluding temporary military training activities and temporary activities providing lifeline	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously. The definitions section states that TEMPORARY ACTIVITIES means an activity that is temporary and limited in duration. It may include carnivals; concerts; fairs; festivals and events; markets and exhibitions; public meetings; parades; special events; sporting events; temporary structures; temporary military training activities; temporary motorport activities; and emergency response training by ambulances, Civil Defence, Coast Guard New Zealand, Fire and Emergency New Zealand, New Zealand Police, Land Search and Rescue, or Surf Life Saving New Zealand. It also includes buildings or structures accessory to temporary activities, temporary car parking areas, and the ancillary activities associated with the temporary activities.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS369.497	Top Energy		Support	<p>is unlikely that a resource consent could be applied for to authorise the exceedance in a timely way to ensure that the lifeline utilities can be provided when required. Transpower therefore considers that temporary activities providing lifeline utilities should be excluded from the standard.</p> <p>Top Energy supports the provision for temporary activities providing lifeline utilities.</p>	<p>utilities and emergency management training activities, shall not exceed the following limits at any point:</p> <p>Allow</p>	<p>We agree that the definition could be inferred to include emergency generator use. We do not have concern about it being removed from the rule, as the rule was not strictly intended to cover it.</p>
S217.020	New Zealand Defence Force	NOISE-S3	Support in part	<p>NZDF has developed a bespoke set of noise standards that are realistic and appropriate for the type of noise generated. These standards are based on professional acoustic advice and NZDF seeks their inclusion in proposed plans nation-wide. NZDF seeks that the noise levels specified in NOISE-S3 are amended to reflect the NZDF standards.</p>	<p>Amend NOISE - S3 as follows:</p> <ol style="list-style-type: none"> 7am to 7pm - 550 dB LAeq(15min) 7pm to 10pm -5045 dB LAeq(15min) 10pm to 7am - 450 dB LAeq(15min) 10pm to 7am - 750 dB LAmax 	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously</p> <p>We agree with the changes sought as they are in line with our original recommendations.</p>
S45.052	Puketona Business Park Limited	NOISE-S3	Support	<p>The Noise chapter of the PDP as notified is generally acceptable.</p>	<p>Retain the standards in the Noise chapter.</p>	<p>No comment</p>
S463.085	Waiau Bay Farm Limited	NOISE-S4	Support in part	<p>WBF supports the provision for helicopter movements to/from Kauri Cliffs. It suggests a minor amendment to this rule to clarify where noise measurements are to be taken.</p>	<p>Amend Standard NOISE-S4 as follows: Noise generated from the movements and landing of helicopters shall comply with the following noise limits when measured at any point within a site in separate ownership in any General Residential and Rural Residential zones, or within the notional boundary of any noise sensitive activity on a site in separate ownership in the Rural Production, Rural Lifestyle, Settlement, Horticulture or Māori Purpose zones when assessed in accordance with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas.</p>	<p>The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report. We are not averse to this change (within the context of the other changes recommended), however we question whether it is required. Helicopter operation would never be assessed at a dwelling on the same site as a proposed helicopter landing area.</p>
S516.074	Ngā Tai Ora - Public Health Northland	NOISE-S4	Support	<p>The text explicitly refers to "the following noise limits" but none are given.</p>	<p>Amend Standard NOISE-S4 to add noise limits from Table 1 of NZS 6807.</p>	<p>The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.</p>
S159.092	Horticulture New Zealand	NOISE-S4	Support in part	<p>It should be clear that there are exemptions in the rules so Standard NOISE-S4 does not apply. In particular NZS6807:1994 is not appropriate for the</p>	<p>Amend Standard NOISE-S4 to clarify that it does not apply to activities exempted in Rule NOISE-R7</p>	<p>The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS109.25	NZ Agricultural Aviation Association		Support in part	intermittent use for horticultural activities. Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021. Further, NOISE-S4 should include the note sought by the submitter relating to the new rule sought in S182.021	Allow in part	
FS151.262	Ngāi Tukairangi No.2 Trust		Support	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021. Further, NOISE-S4 should include the note sought by the submitter relating to the new rule sought in S182.021	Allow	
FS570.254	Vision Keniken 3		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021. Further, NOISE-S4 should include the note sought by the submitter relating to the new rule sought in S182.021	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS566.266	Kepero Conservation Trust.2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021. Further, NOISE-S4 should include the note sought by the submitter relating to the new rule sought in S182.021	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
FS565.290	Vision Keniken 2		Oppose	Agricultural aviation activities that include fixed wing and helicopters and ALL agricultural aviation activities should be provided for in the plan as sought in S182.021. Further, NOISE-S4 should include the note sought by the submitter relating to the new rule sought in S182.021	Disallow	Disallow to the extent that the submission is inconsistent with our original submission
S42.016	Te Whatu Ora - Health New Zealand, Te Tai Tokerau	NOISE-S4	Support in part	The Hospital is an existing use, located on the current sites for a number of years. Therefore, the Hospital is not new to the surrounding environment and its status as Regionally Significant Infrastructure, along with its long tenure in this environment, must be recognised. As such it must be ensured that any new development and/or redevelopment of the Hospital is not treated as though it is entirely new, rather recognising the Hospital and the adjacent landuses including residential land uses in the immediate environment have successfully coexisted for a significant period of time and the Hospital must be enabled to operate, expand and redevelop	Amend the noise provisions in the chapter to ensure that the zone provisions don't constrain hospital activities nor the design and future expansion of the facilities; protect the rights of helicopters to operate on the hospital sites.	Declaration: Marshall Day Acoustics has provided advice to Health NZ and the NDHB previously The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report. The right to operate helicopters to and from all Far North Hospitals must be protected, even if noise levels exceed NZS6807.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS184.27	Richard Milner		Support	over time.	Allow	
FS570.033	Vision Kerikeri 3		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
FS566.047	Kapiro Conservation Trust 2		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
FS569.069	Vision Kerikeri 2		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
S182.023	NZ Agricultural Aviation Association	NOISE-S4	Support	NZS6607:2994 (NZS6607:1994 inferred) is not an appropriate standard for temporary and intermittent use of helicopters for agricultural aviation activities	Amend NOISE-S4 Note by adding NZS6607:1994 does not apply to agricultural aviation activities	Declaration: Marshall Day Acoustics has provided advice to this submitter previously The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.
FS184.28	Richard Milner		Support		Allow	
FS184.29	Richard Milner		Support in part		Allow in part	
FS354.185	Horticulture New Zealand		Support		Allow S182.023	
S167.088	Benizen Farm Limited	NOISE-S4	Oppose	The rule NOISE-S4 does not specify the noise standard to be complied with, referring to 'the following noise limits', without specifying what that is (with only reference to being 'assessed' in accordance with NZS 6607:1994; Noise Management and Land Use Planning for Helicopter Landing Areas, rather than any noise limit contained therein or otherwise expressing a noise limit). That lacks measurability as a rule. In addition, the rule ostensibly applies to 'helicopter landing areas' which presumably is the land use as proposed to be defined by this submission (ie dedicated landing areas), rather than simply the landing and take off of helicopter areas per se. If this is the case, then this would appropriately link with NZS6607:1994: Noise Management and Land Use Planning for Helicopter Landing Areas.	Delete NOISE-S4 Helicopter landing areas and replace with a rule that: 1. Applies the rule to helicopter landing areas only as sought to be defined by this submission. 2. References an appropriate noise limit to be complied with (for example 50 dB Ldn at the notional boundary of a vulnerable activity).	The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.
FS184.30	Richard Milner		Oppose		Disallow	
FS354.184	Horticulture New Zealand		Oppose		Disallow S167.088 and amend as sought in S159.092	
FS566.450	Kapiro Conservation Trust 2		Oppose		Disallow	
S333.078	P S Yates Family Trust	NOISE-S4	Oppose	The rule NOISE-S4 does not specify the noise standard to be complied with, referring to 'the	Delete NOISE-S4 Helicopter landing areas and replace with a rule that:	Declaration: Marshall Day Acoustics has provided advice to this submitter previously

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				following noise limits', without specifying what that is (with only reference to being 'assessed' in accordance with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas, rather than any noise limit contained therein or otherwise expressing a noise limit). That lacks measurability as a rule. In addition, the rule ostensibly applies to 'helicopter landing areas' which presumably is the land use as proposed to be defined by this submission (ie dedicated landing areas), rather than simply the landing and take off of helicopter areas per se. If this is the case, then this would appropriately link with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas.	1. Applies the rule to helicopter landing areas only as sought to be defined by this submission. 2. References an appropriate noise limit to be complied with (for example 50 dB Ldn at the notional boundary of a vulnerable activity).	The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.
FS184.31	Richard Milner		Oppose		Disallow	
S168.086	Setai Thirty Six Limited	NOISE-S4	Oppose	Standard NOISE-S4 does not specify the noise standard to be complied with, referring to 'the following noise limits', without specifying what that is (with only reference to being 'assessed' in accordance with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas, rather than any noise limit contained therein or otherwise expressing a noise limit). That lacks measurability as a rule. In addition, the rule ostensibly applies to 'helicopter landing areas' which presumably is the land use as proposed to be defined by this submission (ie dedicated landing areas), rather than simply the landing and take off of helicopter areas per se. If this is the case, then this would appropriately link with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas.	Delete standard NOISE-S4 Helicopter landing areas and replace with a rule that: 1. Applies the rule to helicopter landing areas only as sought to be defined by this submission. 2. References an appropriate noise limit to be complied with (for example 50 dB Ldn at the notional boundary of a vulnerable activity).	The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.
FS184.32	Richard Milner		Oppose		Disallow	
S337.002	Ironwood Trust Limited	NOISE-S4	Support in part	Supports in principle the inclusion of provisions for helicopter landing areas set out in the proposal but considers that these need to be amended to remove potential ambiguity and provide greater clarity.	Amend Standard NOISE-S4 to clarify that noise generated from helicopter movements complies with the limits set out standard NZS 6807:1994 when measured at any point within the boundary of the General Residential and Rural Residential zones, or within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle, Settlement, Horticulture or Maori Purposes zones	The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.
FS184.33	Richard Milner		Oppose		Disallow	
S243.106	Matauri Trustee Limited	NOISE-S4	Oppose	The rule NOISE-S4 rule does not specify the noise standard to be complied with, referring to 'the	Delete NOISE-S4 Helicopter landing areas and replace with a rule that:	The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
				<p>following noise limits', without specifying what that is (with only reference to being 'assessed' in accordance with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas, rather than any noise limit contained therein or otherwise expressing a noise limit). That lacks measurability as a rule.</p> <p>In addition, the rule ostensibly applies to 'helicopter landing areas' which presumably is the land use as proposed to be defined by this submission (i.e. dedicated landing areas), rather than simply the landing and take-off of helicopter areas per se. If this is the case, then this would appropriately link with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas.</p>	<p>1. Applies the rule to helicopter landing areas only as sought to be defined by this submission.</p> <p>2. References an appropriate noise limit to be complied with (for example 50 dB Ldn at the notional boundary of a vulnerable activity).</p>	
FS184.34	Richard Milner		Oppose		Disallow	
FS570.664	Vision Kerikeri 3		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
FS566.678	Kapiro Conservation Trust.2		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
FS569.700	Vision Kerikeri 2		Oppose		Disallow to the extent that the submission is inconsistent with our original submission	
S187.077	The Shooting Box Limited	NOISE-S4	Oppose	<p>The rule NOISE-S4 rule does not comply with, referring to the following noise limits', without specifying what that is (with only reference to being 'assessed' in accordance with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas, rather than any noise limit contained therein or otherwise expressing a noise limit). That lacks measurability as a rule.</p> <p>In addition, the rule ostensibly applies to 'helicopter landing areas' which presumably is the land use as proposed to be defined by this submission (i.e. dedicated landing areas), rather than simply the landing and take off of helicopter areas per se. If this is the case, then this would appropriately link with NZS 6807:1994; Noise Management and Land Use Planning for Helicopter Landing Areas.</p>	<p>Delete NOISE-S4 Helicopter landing areas and replace with a rule that:</p> <p>1. Applies the rule to helicopter landing areas only as sought to be defined by this submission.</p> <p>2. References an appropriate noise limit to be complied with (for example 50dB at the notional boundary of a vulnerable activity).</p>	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously</p> <p>The helicopter noise rule NOISE-S4 is not fit for purpose and must be updated as discussed elsewhere in this report.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S516.075	Neā Tai Ora - Public Health Northland	NOISE-S5	Support	zone. For all parts of this provision, if residents need to close windows to maintain reasonable indoor noise levels then adequate alternative ventilation and cooling need to be provided. Clause G4 of the New Zealand Building Code only requires minimal ventilation and no cooling.	Amend Standard NOISE-S5 to replace existing ventilation requirements in all three rows with the following: If windows are required to be closed to achieve the internal noise limit the building must be designed, constructed and maintained with a mechanical ventilation system that for habitable rooms: provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and; is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and; provides relief for equivalent volumes of spill air; and; provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and; does not generate more than 35 dBLAeq (30s) when measured 1m away from any grille or diffuser.	design certificate is provided by a suitably qualified practitioner showing that windows can remain closed while suitable comfort levels are achieved. We recommend the standard is revised The submitter is correct that there are no provisions for ventilation and cooling. We agree this should be rectified. The clause recommended is prescriptive and requires up to six air changes per hour. While we are not experts in mechanical design, we are concerned that this is not a practical way to design cooling and ventilation systems and potentially extends well beyond the requirements for a "healthy home". Advice from a mechanical engineer could be sought. We are of the view that a suitable provision would be: "[X] Compliance with [1] above requires that prior to construction of any habitable room, a ventilation and HVAC design certificate is provided by a suitably qualified practitioner showing that windows can remain closed while suitable comfort levels are achieved." The advice of a suitably qualified and experienced mechanical engineer could be useful in determining the right approach to ventilation within these areas.
S45.054	Puketona Business Park Limited	NOISE-S5	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the standards in the Noise chapter.	The Standard is problematic in that there are mistakes and omissions. Refer to S516.075 above
S344.026	Palitia Properties Holdings Corporate Trustee Limited and UP Management Ltd	NOISE-S5	Oppose	The requirement to attenuate 40m from the State Highway is onerous, given the nature of the use of the road. PPHCTL are concerned that the MUAZ and State Highway setback noise attenuation rules have different standards.	Delete Standard NOISE-S5	There are no highways in the Far North that carry 15,000 vehicles per day and the rule would be unlikely to apply to development at present, or for a number of years. The reference to "15,000 daily one-way vehicles is somewhat ambiguous. The best interpretation of this is likely to be 30,000 total daily (two way) vehicle movements. It is very unlikely that such high volumes of road traffic will occur in the Far North as this represents a significant motorway. The end result will likely be that no dwellings near state highways will be required to sound insulate. While the costs of development need to be weighed against health and reverse sensitivity effects, this does not appear to be a balanced approach to community health. Living within 40 metres of a road that carries up to 30,000 vehicles is likely to result in health effects. We are of the view that a balanced and appropriate sound insulation requirement for the District is appropriate and that a suitable sound insulation requirement should be provided.
FS36.065	Waka Kotahi NZ Transport Agency		Oppose	Supports the protection of human health and noise sensitive activities through the provision of noise insulation standards within buffer	Disallow Disallow the original submission.	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS396.047	Ed and Inge Amisler		Support	<p>zones adjacent to the State Highway network. However, as per Waka Kotahi's original submission the preference is to map the area of interest with a (modelled) noise contour line (NCBO) being established. Activities 'inside' the NCBO are a permitted activity (for the purposes of noise) if specific requirements are met.</p> <p>Supports the protection of human health and noise sensitive activities through the provision of noise insulation standards within buffer zones adjacent to the State Highway network. However, as per Waka Kotahi's original submission the preference is to map the area of interest with a (modelled) noise contour line (NCBO) being established. Activities 'inside' the NCBO are a permitted activity (for the purposes of noise) if specific requirements are met.</p>	Allow	Allow the original submission
S356.109	Waka Kotahi NZ Transport Agency	NOISE-S5	Oppose	<p>There are no State Highways in the district that exceed 15,000vpd. It is recommended the rule is reworded to apply to all areas within 100m of state highways, this distance may be reduced according to a mapped area that Waka Kotahi will provide to the Council in due course.</p>	Delete reference to vpd and reword to apply to all areas within 100m of state highways.	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously. We agree that there are no roads in the Far North that approach 15,000 vehicles.</p> <p>The approach recommended by Waka Kotahi is the approach that was recently implemented in the Whangarei District via a protracted appeal. We would expect a similar appeal may occur in the Far North, unless the rules are modified to accord with the submission relief.</p> <p>We agree that the 15,000 vehicle provision does not serve to protect potential residents from existing or future road traffic noise.</p> <p>If the Waka Kotahi provisions are accepted and the rule is to be improved, rather than a global conservative "buffer" approach of 100m, our preference would be for the noise levels to be mapped and provided to Council for implementation as a noise overlay. The reason for this is that there are several State Highways in the Far North which carry fewer than 2000 vehicles and it would be inappropriate for these roads to have a 100m buffer where sound insulation will be provided. Based on existing traffic movements, the buffer distances are likely to be in the order of the following:</p> <ul style="list-style-type: none"> <2,000 vpd (e.g SH12, SH1 north of Waipapakauri, SH15): 30 to 60m 5,000 vpd (e.g. parts of SH10, SH11) 60 to 90m 8,000 to 10,000 vpd (e.g. parts of SH10, SH1) 80 to 100m <p>Waka Kotahi should consider providing the maps during the hearing and making their case as to the appropriateness of the rule change.</p> <p>We are of the view that a balanced and appropriate road traffic sound insulation requirement for the District is appropriate and that a suitable sound insulation requirement should be provided. It must be accurate and not unnecessarily conservative to avoid unnecessary costs being imposed. We do not agree with the 100m buffer, as it is much too conservative for many Far North roads and it would impose unnecessary costs on development. Should Waka Kotahi want to refine the rule, they must provide noise maps of proposed buffers based on realistic traffic volumes together with the methodology used to determine the noise levels.</p> <p>Pragmatically Council should also consider the costs of appeal and mediation if a suitable limit is not agreed with Waka Kotahi via the hearings process.</p>
FS243.092	Kainga Ora		Oppose		Disallow	Amend NOISE-S5 to

NOISE-S5

All zones within 40m of a State Highway that exceed an average of 15,000 vpd daily one-way vehicle movements

Noise insulation standards for all noise sensitive activities

- Any habitable room in a new building, used for a noise sensitive activity, or an alteration to an existing building that changes its use to a noise sensitive activity, must be designed, constructed, and maintained to achieve a maximum internal noise limit of 40dB Leq,eq,1h.
- Where a noise limit of 40dB Leq,eq,1h cannot be achieved, a noise limit of 42dB Leq,eq,1h shall be achieved based on an existing noise level with a 2 decibel addition allowing for future traffic increase.
- Compliance with (1) above shall be achieved if, prior to the construction of any building containing a habitable room, an acoustic design certificate from a suitably qualified acoustic engineer is provided to the Council stating the design will achieve compliance with this standard. The building shall be designed, constructed, and maintained in accordance with the design certificate. The design certificate shall also state the required HVAC design noise levels that are to be included in the ventilation design as well as any relevant assumptions, or (2) above are greater than 55 dBA Leq,eq,1h.
- Where a noise limit of 40dB Leq,eq,1h cannot be achieved, a noise limit of 42dB Leq,eq,1h shall be achieved based on an existing noise level with a 2 decibel addition allowing for future traffic increase. Compliance with this clause shall be achieved if, prior to construction of any habitable room, a ventilation and HVAC design certificate is provided by a suitably qualified practitioner.

Matters of discretion are restricted to:

- effects in the ability of existing or permitted activities to operate or establish without undue constraint;
- any noise sensitive activity that is not a noise sensitive activity;
- mitigation of noise achieved through other means;
- any topographical or other site constraints;
- any alternative solutions proposed by a suitably qualified acoustic engineer to achieve appropriate amenity for present and future residents of the site;
- any existing noise generating activities and the level of noise that will be received within any noise sensitive building;
- the primary purpose and the frequency of use of the activity; and
- the design of any building, including any sound insulation and/or other mitigation measures to ensure the level of noise received within the building is minimised particularly at night.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations																										
S356.110	Waka Kotahi NZ Transport Agency Homes and Communities	NOISE-S5	Support in part	<p>sought. Kāinga Ora considers that effects should only be mitigated by noise sensitive activities in the receiving environment following adopting of the Best Practicable Option ("BPO") to minimise and mitigate at source and in the vicinity of the corridor the off-site effects as far as possible. Restrictions on neighbouring noise sensitive activities should be no more stringent than necessary. Any such controls should be informed by evidential noise modelling.</p> <p>Part 1 – Amend to include criteria for other noise sensitive activities as per the default provision in the attached s32 report. Part 2 – Amend the 2dB to 3dB and to change the explanation 'allowing for future traffic increase' to 'allowing for uncertainty and routine changes' Part 3 - It is considered that ventilation should be addressed separately so last sentence should be deleted. Part 4 - It is considered that this partly duplicates Part 3. It is also considered this Part does not make sense. Waka Kotahi also seeks for a new clause to be added that states if windows need to be closed to achieve 1, then mechanical ventilation is to be provided.</p>	<p>delete reference to vpd and reword to apply to all areas within 100m of state highway</p>	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously</p> <p>The Waka Kotahi noise sensitive activity list is as following. The Proposed District Plan definition for habitable space is given below. The habitable space definition in the District Plan relates mainly to spaces within dwellings but also includes teaching spaces and offices. By comparison, the list of spaces requested to be included by Waka Kotahi would encompass many other rooms, such as marae, churches, assembly halls, wards, consulting rooms, nurses stations, operating theatres, libraries.</p> <p>c. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1)(a)(i) and (ii) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.</p> <table border="1"> <caption>Table 1 Maximum road noise level (Leq,6h)</caption> <thead> <tr> <th>Occupancy/Activity</th> <th>Maximum road noise level (Leq,6h)</th> </tr> </thead> <tbody> <tr> <td>Building type: Residential</td> <td></td> </tr> <tr> <td>Sleeping spaces</td> <td>40 dB</td> </tr> <tr> <td>All other habitable rooms</td> <td>40 dB</td> </tr> <tr> <td>Building type: Education</td> <td></td> </tr> <tr> <td>Lecture rooms/theatres, music studios, assembly halls</td> <td>35 dB</td> </tr> <tr> <td>Teaching areas, conference rooms, drama studios, sleeping areas</td> <td>40 dB</td> </tr> <tr> <td>Libraries</td> <td>45 dB</td> </tr> <tr> <td>Building type: Health</td> <td></td> </tr> <tr> <td>Overnight medical care, wards</td> <td>40 dB</td> </tr> <tr> <td>Clinics, consulting rooms, theatres, nurses' stations</td> <td>45 dB</td> </tr> <tr> <td>Building type: Cultural</td> <td></td> </tr> <tr> <td>Places of worship, marae</td> <td>35 B</td> </tr> </tbody> </table> <p>Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.</p>	Occupancy/Activity	Maximum road noise level (Leq,6h)	Building type: Residential		Sleeping spaces	40 dB	All other habitable rooms	40 dB	Building type: Education		Lecture rooms/theatres, music studios, assembly halls	35 dB	Teaching areas, conference rooms, drama studios, sleeping areas	40 dB	Libraries	45 dB	Building type: Health		Overnight medical care, wards	40 dB	Clinics, consulting rooms, theatres, nurses' stations	45 dB	Building type: Cultural		Places of worship, marae	35 B
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				<p>Amend as follows: 1. Add criteria for other noise sensitive activities. 2. Amend wording as follows: "Compliance with (1) above shall be achieved based on an existing noise level with a 2.3 decibel addition allowing for future traffic increase uncertainty and routine changes;" 3. Amend wording as follows: "Compliance with (1) above shall be achieved if, prior to the construction of any building containing a habitable room, an acoustic design certificate from a suitably qualified acoustic engineer is provided to the Council stating the design will achieve compliance with this standard. The building shall be designed, constructed, and maintained in accordance with the design certificate. The design certificate shall also state the required HVAC design noise levels that are to be included in the ventilation design as well as any relevant assumptions." 4) Clarification is sought by Waka Kotahi as it is unclear what it sets to achieve. 5) Add new clause to</p>	<p>HABITABLE ROOM DEFINITION NATIONAL STANDARDS</p> <p>means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.</p>																											

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS243.083	Kainga Ora Homes and Communities		Oppose	Kainga Ora opposes the relief sought. Kainga Ora considers that effects should only be mitigated by noise sensitive activities in the receiving environment following adopting of the Best Practicable Option (BPO) to minimise and mitigate at source and in the vicinity of the corridor the off-site	require mechanical ventilation to be required if windows need to be closed to achieve (1.)	<p>NOISE SENSITIVE ACTIVITY DEFINITION</p> <p>means buildings or land that may be affected by noise and require a higher standard of amenity. These include:</p> <ul style="list-style-type: none"> a. residential or living activities; b. education facilities; c. health facilities; d. community facilities; and e. visitor accommodation. <p>Our view is that the definition of spaces that require sound insulation should be clearly defined, consistent between the sound insulation provisions for road, rail, airport, and mixed-use type zones, and cover only spaces where noise effects are of concern to the wider district. This should certainly include the spaces already covered by the definition (dwelling living areas, dwelling bedrooms and teaching spaces). The definition should also likely cover critical health spaces such as educational sleeping spaces, overnight medical wards, consulting rooms and operating theatres. Whether rooms such as churches, mosques, dance spaces, gymsnasiums and assembly spaces requires sound insulation is perhaps less clear – a lower level of intrusive noise is of course preferable requiring these rooms to be sound insulated will increase costs of construction. We recommend the definition section is updated to clearly state which habitable rooms require sound insulation.</p> <p>The recommendation to increase the "safety factor" by 2 to 3 dB is consistent with Waka Kotahi's approach elsewhere. We do not consider the requested change from "future traffic increase" to "uncertainty and routine changes" is a helpful or particularly accurate change. An increase in road traffic noise is most likely to occur based on gradual increases in road traffic noise rather than "routine changes". A compromise could be to use the terms "future traffic increases and uncertainty".</p> <p>We agree with the requested deletion of part of provision 3.</p> <p>We agree that clause 4 is not well written. It has likely been abbreviated in error. Our original recommendation was for this clause to read: <i>Where design external noise levels in (2) above are greater than 55 dB LAeq(24 hour), a ventilation and cooling system shall be provided to enable occupants to remain comfortable within the dwelling without having to open doors or windows for ventilation or cooling. Compliance with this clause shall be achieved if, prior to the construction of any building containing a noise sensitive room, a ventilation and HVAC design certificate from a suitably qualified practitioner is provided to the Council.</i></p> <p>We consider that the above ventilation clause provides greater flexibility in the construction of the dwellings and habitable rooms rather than the prescriptive condition favoured by Waka Kotahi. A prescriptive condition can work to ensure occupants can remain cool while keeping windows closed, but the clause favoured by Waka Kotahi is too . We consider our recommendation could result in cost savings for people developing land and could potentially be more practicable in smaller dwellings.</p> <p>Note that the following clause is used in Districts elsewhere. It has much more reasonable air change requirements, but the noise provisions would likely preclude high wall heat pumps from being used in bedrooms.</p> <ul style="list-style-type: none"> i. Providing internal temperatures in habitable rooms not greater than 25 degrees Celsius at 5% ambient design conditions as published by the National Institute of Water & Atmospheric Research ("NIWA") (NIWA Design Temperatures for Air Conditioning (degrees Celsius) Data Period 1991 –2000), with all external doors and windows of the habitable rooms closed; ii. Providing 0.5 air changes (plus or minus 0.1) of outdoor air per hour in all habitable rooms; iii. Each of the air conditioning and mechanical ventilation systems shall be capable of being individually switched on and off by the building occupants; and iv. Creating no more than 40dB L_{W,eq} in the principal living room, no more than more than 30dB L_{W,eq} in the other habitable rooms, and no more than 40dB L_{W,eq} in any hallway, in each building. Noise levels from the mechanical system(s) shall be measured at least 1 metre away from any diffuser; and v. A mechanical kitchen extractor fan ducted directly to the outside to serve any cooking hob, if such extractor fan is not already installed and in sound working order.

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S366.111	Waka Kotahi NZ Transport Agency	NOISE-S5	Oppose	effects as far as possible. Restrictions on neighbouring noise sensitive activities should be no more stringent than necessary. Any such controls should be informed by evidential noise modelling. Kāinga Ora opposes the amendment which is overly prescriptive.	Amend as follows: Matters of discretion are restricted to: a. effects in the ability of existing or permitted activities to operate or establish without undue constraint; b. any legal instruments proposed; mitigation of noise achieved through other means; any topographical or other site constraints; any alternative solutions proposed by a suitably qualified acoustic engineer to achieve appropriate amenity for present and future residents of the site; any existing noise generating activities and the level of noise that will be received within any noise sensitive buildings; the primary purpose and the frequency of use of the activity; and the ability to design and construct buildings accommodating noise sensitive activities with sound insulation and/or other mitigation measures to ensure the level of noise received within the building is minimised particularly at night;	Declaration: Marshall Day Acoustics has provided advice to this submitter previously. This is a planning matter.
FS243.094	Kāinga Ora Homes and Communities		Oppose	Kāinga Ora opposes the relief sought. Kāinga Ora considers that noise sensitive activities in the receiving environment following adopting of the Best Practicable Option ("BPO") to minimise and mitigate at source and in the	Disallow Amend NOISE-S5 to delete matters of discretion b. through	

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S416.041	KiwiRail Holdings Limited	NOISE-S5	Support in part	<p>vicinity of the corridor the off-site effects as far as possible. Restrictions on neighbouring noise sensitive activities should be no more stringent than necessary. Any such controls should be informed by evidential noise modelling.</p> <p>KiwiRail seeks the inclusion of noise and vibration controls requiring acoustic insulation and ventilation to be installed in new (or altered) sensitive uses within 100m of the railway corridor.</p> <p>Noise and Vibration from rail corridors can potentially give rise to adverse health and amenity effects on noise sensitive activities located nearby if not properly addressed and provided for. The proposed standard provides options for developers in achieving an appropriate level of amenity for residents who live within 100m of the rail corridor.</p> <p>The rail network is a 24 hour a day, seven day a week operation, and the frequency, length and weight of trains can change without community consultation. Noise and vibration can have an impact on the internal amenity of a building. Appropriate mitigation, installed to ensure that the health and wellbeing of those living and working near to the rail network are not adversely affected, is pivotal to ensure that undue restrictions are not placed on the operation of the rail network.</p> <p>Rail activities not only generate noise, but also vibration effects. KiwiRail seek amendment to require acoustic and vibration treatment for sensitive activities within identified corridors adjacent to the railway networks to ensure an appropriate level of internal amenity is achieved in buildings adjacent to the rail corridor. The proposed standard includes the requirement for feedback from KiwiRail. As the railway and network utility operator, KiwiRail's feedback about any effects or non-compliance is required to ensure that any proposed mitigation is appropriate.</p> <p>KiwiRail also seeks controls within 60m of the railway corridor, for buildings containing new (or altered) sensitive uses to be constructed to manage the impacts of vibration. These controls are important to ensure new development is undertaken in a way that achieves a healthy living environment for people located within proximity to the railway corridor, minimising the potential for complaints about the effects of</p>	<p>Insert a standard (as outlined in the submission) to apply in all zones to built development at any point within 100 metres from the legal boundary of any railway network</p>	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously</p> <p>We recommend the provision is simplified and rolled into the road traffic noise provisions.</p>

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
FS534.047	Waiau Bay Farm Limited		Oppose	the railway network. WBFL appreciates the intent of the relief sought but considers it irrelevant to the Kauri Cliffs Special Purpose Zone, given the location and discrete extent of the zone and the absence of rail designations in the area.	Disallow disallow the original submission	
S45.055	Puketona Business Park Limited	NOISE-S6	Support	The Noise chapter of the PDP as notified is generally acceptable.	Retain the standards in the Noise chapter.	No comment
S342.024	Waipapa Pine Limited and Adrian Broughton Trust	NOISE-Table 1	Oppose	The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect. A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements. To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.	Not stated	Declaration: Marshall Day Acoustics has provided advice to this submitter previously Noise sensitive activities must be prohibited from establishing in the heavy industrial zone to avoid reverse sensitivity effects on land users like Waipapa Pine.
FS374.038	Waipapa Pine Limited		Support	The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.	Allow allow the original submission	
S516.076	Ngā Tai Ora - Public Health Nonriland	NOISE-Table 1	Oppose	There are no design noise levels specified by NOISE-S5.	Insert design noise levels within NOISE-Table 1 for the Orongo Bay zone	Declaration: Marshall Day Acoustics has provided advice to this submitter previously Agree – this omission must be fixed
FS398.008	Waitoto Developments Limited		Oppose	It is not provided in the submission why noise levels are required in the Orongo Bay Special Zone	Disallow disallow the original submission	
S516.077	Ngā Tai Ora - Public Health Nonriland	NOISE-Table 2	Support	There are two typographical errors in the vibration limits. All limits should be with units of mm/s. The number of blasts per year is erroneously stated as "all hours" and value of peak airblast sound limit is stated as "all" in two rows.	Amend NOISE-Table 2 as follows: <ul style="list-style-type: none">Amend two instances so that all vibration limits are in units of mm/sAmend the number of blasts and peak	Declaration: Marshall Day Acoustics has provided advice to this submitter previously Agree – this must be fixed

Submission Point	Submitter (S)/ Further Submitter (FS)	Provision	Position	Reasons	Summary of Decision Requested	Marshall Day Acoustics Recommendations
S342.025	Waipapa Pine Limited and Adrian Broughton Trust	NOISE-Table 2	Oppose	<p>The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect.</p> <p>A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements.</p> <p>To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond. To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.</p>	<p>airblast sound limit to delete and replace entries of "all hours" and "all" respectively.</p> <p>Not stated</p>	<p>Declaration: Marshall Day Acoustics has provided advice to this submitter previously. These are unlikely to affect Waipapa Pine as Waipapa Pine is a wood mill, not a quarry.</p>
FS374.039	Waipapa Pine Limited		Support	<p>The original submission reflects the position of Waipapa Pine Limited of support for the Heavy Industrial Zone with proposed changes to rules that would better support heavy industrial activities.</p>	<p>allow the original submission</p> <p>Allow</p>	

APPENDIX A RECOMMENDED CHANGES TO HELICOPTER RULES

Proposed Change for consideration

Helicopter Noise Provisions

1 Note 10 in the rules chapter

- Consider deleting Note 10 and providing for this activity as a permitted activity
- ~~10. Helicopters used for an emergency and as an air ambulance~~
- If the exclusion in Note 10 is kept, revise it as follows:
 - 10. Helicopters used for an emergency and/or as an air ambulance when operating away from an established base

2 Insert definitions in the Definitions Chapter:

- **EMERGENCY HELICOPTER** means helicopters that are in operation for emergency purposes such as medical emergencies, search and rescue, firefighting. Emergency helicopter operation may include (but is not limited to) landings, departures, hover, overflights, taxiing, lifting, ground operations and any other activity necessary for emergency purposes and training for emergency purposes.
- **HELICOPTER LANDING AREA** means any location where helicopters land or depart. A helicopter landing area includes permanently established helicopter bases.
- **PERMANENTLY ESTABLISHED HELICOPTER BASE** is a location outside of an airport/airfield/aerodrome which contains a helicopter hangar and/or where helicopters are based and operate from commercially.
- **ASSOCIATED RURAL SITES** means sites that are associated for a single farming, forestry or conservation purpose, such as a collection of titles forming a single farm, orchard or forest operation.

3 Revise NOISE-R7 as follows:

NOISE-R7 Helicopters landing areas

All zones

Activity status: Permitted

Where:

PER-1

The use of a helicopter landing area complies with standard: NOISE-S4 Helicopter landing areas. OR

PER-2

Emergency helicopter operation associated with Bay of Islands, Rawene or Kaitiā Hospital, or any other emergency helicopter activity that occurs away from a permanently established helicopter base. OR

PER-3

Agricultural aviation activities for the purpose of farming, forestry or conservation on a seasonal, temporary or intermittent basis on associated rural sites within the Rural Production or Horticulture zones, or within a Significant Natural Area for a period up to 30 days in any 12 month period or 315 aircraft hours

Additional Notes for FNDC

Excluding emergency helicopters from the rule (NOISE-R7) that makes them permitted could be a conflict.

We recommend adding the provision for operation away from a base to avoid a situation arising where an emergency helicopter operation is established without an adequate noise assessment being provided.

The definition for “emergency helicopter operations” is intended to cover the broad use of helicopters that are necessary to provide critical community services in a range of uncertain situations.

“Helicopter landing areas” are intended to broadly cover any potential helicopter uses. The definition is intended to cover general use (e.g. landings on the lawn near a dwellings) and new helicopter bases for commercial purposes.

“Permanently established helicopter bases” are intended to describe locations where helicopters would arrive and depart from quite often, perhaps on a daily basis. This definition is more concise than the definition we previously recommended.

“Associated rural sites” are intended to describe farms, orchards or forests that operate under the same coordinated use and will often be owned by a single party. The intention of this definition is to resolve the issue associated with agricultural aviation activities where it is uncertain how the limitation on the number of days or hours of use would apply (i.e. would it apply within the zone, or would it apply on a single title?). The purpose is to clarify this and to make it clear that helicopter operation can temporarily occur as a permitted activity on a single farm, but avoid a situation where a helicopter could be used for 30 days on each of the individual titles within that farm.

NOISE-S4 must be a robust noise standard as compliance with that standard will make helicopter a permitted activity under PER-1. Our view is that a stringent limit should be set for permitted activities, with a higher limit provided for discretionary or restricted discretionary activities, which could also be subject to reasonable limits on use.

PER-2 should provide for all emergency helicopter operation in the field, but will not make new emergency services bases a permitted activity. We consider that new emergency helicopter bases should be considered as a discretionary or restricted discretionary activity (unless they occur in a designation that already provides from them of course).

PER-3 is a longwinded provision, but should broadly provide for helicopter use within a farm, orchard or forest. The permitted standard should avoid new helicopter bases being established without consent in the rural zones (unless they comply with PER-1)

(whichever is greater) where these activities occur away from a permanently established helicopter base

OR

PER-4
Temporary military training helicopter activity that complies with the guidelines of NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas. OR

PER-5
Temporary helicopter landing areas established for the purpose of construction and used for a period of up to 14 consecutive days where these are located at least 50 metres from any noise sensitive activities.

which is appropriate as the noise effects from permanent helicopter bases are more likely to occur than from temporary use. FNDC should check the provisions for significant natural areas and also consider widening the use to some other zones (e.g. rural lifestyle?)

PER-4 provides for the use of military helicopters during temporary training. The condition references NZS6807 as requested by NZDF. Note that this limitation could significantly limit night use during training, but would likely permit daytime helicopter use provided temporary landing areas were a few hundred meters from dwellings.

PER-5 is intended to provide for construction works that may require a helicopter. It is typical for these to be required only for short periods (e.g. lifting of chimneys, lifting of power poles, removal of mangroves) and it is appropriate to provide for them. We have used a period of 14 days which is relatively permissive but relates to the short-term definition of NZS6803. Often construction activity involving helicopters can be completed in a few days.

Consideration must be given to ensuring that operation to the airports remains unaffected by this noise rule.

3 Revise NOISE-S4 as follows:

Activity occurring in:

All zones
Noise generated from the operation of helicopters complies with the following noise limits when assessed in accordance with NZS 6807:1994: *Noise Management and Land Use Planning for Helicopter Landing Areas*:

- **40 dB L_{dn}** when measured at any point within any General Residential and Rural Residential zones, or within the notional boundary of any noise sensitive activity in the Rural Production, Rural Lifestyle, Settlement, Horticulture or Māori Purpose zones [note: include any other noise sensitive zones here, e.g. Carrington Estate zone, Kororareka Russell Township zone, Moturoa Island zone, Kauri Cliffs zone, Ngawhia Innovation and Enterprise Park zone]
- **50 dB L_{dn}** when measured within any Mixed Use Zone, or within any other zone not otherwise listed in NOISE-S4.
- **60 dB L_{dn}** when measured at any point within any Light Industrial zone
- **70 dB L_{dn}** within any Heavy Industrial or Horticultural Processing zone.

Note: Section 4.3 of NZS 6807:1994 shall not apply to any assessment.

This NOISE standard is intended to provide for some helicopter landing areas to be used as permitted activities where they are unlikely to affect the local amenity.

The noise limits are intentionally set at a low level. This does not mean that helicopter noise is required to comply with these limits to be reasonable and applications for helicopter activity that exceed the permitted standard may be **entirely reasonable**. For this reason, a 50 dB L_{dn} noise threshold is given in the matters of discretion, along with other matters of discretion that council should consider when any helicopter application is made.

This approach is considered to be a balanced way of managing future helicopter activity. It may permit helicopter operations to occur on large or remote sites in the Bay of Islands, or on large farms in other areas around the Far North. It may permit helicopter activity within industrial zones. It may allow a gradual increase in general helicopter noise to occur in some areas (e.g. the Bay of Islands) due to a proliferation of permitted and discretionary helicopter operations over time.

It would constrain helicopter operation in built up areas (such as Rural Lifestyle and some Rural Production areas), and consent would probably need to be applied for in most of those situations.

Note that we have included the requirement for Section 4.3 of NZS6807:1994 to be excluded as per the requirements of the National Planning Standards. We do not like this provision and would prefer it not to be included, but understand it is a requirement. If it is not a requirement, it should be excluded from this rule.

Matters of discretion if compliance not achieved:

i. That compliance with a helicopter noise limit of **50 dB L_{dn}** will occur at noise sensitive activities, or that compliance with the guidelines of NZS6807:1994 will be achieved at non-noise sensitive receivers
Section 4.3 of NZS 6807:1994 shall not apply

ii. The potential for cumulative helicopter noise levels to exceed **50 dB L_{dn} (7 day)** at noise sensitive activities.

iii. Any restrictions on any weekly, monthly or annual helicopter movements proposed.

iv. Any potential wider social or community benefits from the operation of the helicopter.

Note: The restricted discretionary noise rule of 50 dB L_{dn} is the same as that recommended in NZS6807:1994 as the "limit of acceptability" for rural or residential landuse. The 40 dB L_{dn} permitted standard is intentionally set at a much lower level. Compliance with the permitted standard will typically have an insignificant effect on amenity.