

## LIGHT

### Introduction

Artificial outdoor lighting enables work, recreation, and entertainment activities to occur beyond normal daylight hours. It also enables night-time activities to be conducted safely and provides for site security. However, if outdoor lighting is poorly designed, controlled, located or orientated, it may adversely affect the amenity of neighbouring properties and ~~Light Sensitive Areas; result in a loss or reduction of views of the night sky~~<sup>1</sup>; and potentially disturb wildlife. It may also affect human health and/or safety.

The provisions of the Light Chapter provide for adequate lighting to support night time activities and site security, while minimising potential adverse effects.

The Port Zone, recognises the industrial nature and scale of the port, its strategic importance and 24-hour operation. Due to the nature of operations at the port, a Light Management Plan (LMP) has been prepared by PrimePort, the managers and operators of the port, in collaboration with Council. It is envisaged that the LMP will act as a tool to minimise adverse effects of light spill on adjoining areas, while recognising the operational requirements of the port, many of which are existing. The Port Zone is therefore exempted from some of the provisions of this Chapter, but with some protection to neighbouring residential properties and a reliance on the LMP to minimise effects, ~~particularly where outdoor artificial lighting is adjoining light sensitive areas~~<sup>2</sup>. While the PrimePort Lighting Management Plan 2022 does not form part of the District Plan, it can be downloaded from Council website.

### Objectives

#### LIGHT-O1 Artificial outdoor lighting

Artificial outdoor lighting provides for the safe and efficient use of the outdoors for a range of night-time activities, while:<sup>3</sup>

1. is being designed and located to minimise its adverse effects;<sup>4</sup>
2. is being compatible with the character and qualities of the surrounding area; and
3. protects the values and characteristics of light sensitive areas<sup>4</sup> minimising adverse effects on long-tailed bats<sup>5</sup>; and
4. not compromising the health and safety of people and communities, including road safety.<sup>6</sup>

#### LIGHT-O2 Benefits of artificial lighting<sup>7</sup>

~~The benefits of artificial lighting are recognised while any adverse effects generated do not compromise the health and safety of people and communities, including road safety.~~

### Policies

#### LIGHT-P1 Appropriate artificial outdoor lighting

Provide for artificial outdoor lighting ~~appropriate to its environment~~<sup>8</sup> that:

<sup>1</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>2</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>3</sup> Synlait [163.5]

<sup>4</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>5</sup> Dir. General Conservation [166.8]

<sup>6</sup> Synlait [163.5]

<sup>7</sup> Synlait [163.5]

<sup>8</sup> Clause 10(2)(b) relating to Synlait [163.5]

1. provides for the safe and efficient use of the outdoors for a range of activities, including for night-time working, primary production<sup>9</sup>, recreation and entertainment activities; and
2. ~~maintains the character and qualities of the surrounding area; and~~<sup>10</sup>
3. ~~supports the social, cultural, and economic wellbeing and health and safety of people and communities, including road safety~~<sup>11</sup>; and
4. ~~minimises sky glow and light spill, and~~<sup>12</sup>
5. ~~protects the identified values and qualities of light sensitive areas~~<sup>13</sup>.

#### **LIGHT-P2 Intensity, location and direction of artificial outdoor lighting**

Control the intensity, location and direction of any outdoor lighting in order to:

- 1A. maintain the character and qualities of the surrounding area<sup>14</sup>
  1. ~~ensure that any artificial outdoor lighting~~<sup>15</sup> avoids adverse effects on ~~existing light sensitive areas,~~<sup>16</sup> other established uses and the safety of the<sup>17</sup> transport network; and
  2. ~~achieve the internalisation of light spill within the site where the artificial outdoor lighting is located, and~~<sup>18</sup> minimise any light spill onto adjoining sites; and
  3. ~~minimise adverse effects on views of the night sky and intrinsically dark landscapes; and~~<sup>19</sup>
  4. avoid adverse effects on the health and safety of people and communities in the surrounding area, including sleep disturbance; and
  5. minimise adverse effects on long-tailed bats<sup>20</sup>.

#### **LIGHT-P3 Health and safety**

~~Avoid all artificial outdoor lighting that does not meet the intensity, type, and direction requirements for light sensitive areas unless it is critical for health and safety reasons.~~<sup>21</sup>

### Rules

**Note:** Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

#### **LIGHT-R1 Artificial outdoor lighting outside light sensitive areas**<sup>22</sup>

<sup>9</sup> Federated Farmers [182.178], Hort NZ [245.88]

<sup>10</sup> Shifted to LIGHT-P2. Clause 10(2)(b) relating to Synlait [163.5]

<sup>11</sup> Shifted to LIGHT-P2.1. Clause 10(2)(b) relating to Synlait [163.5]

<sup>12</sup> Clause 10(2)(b) relating to Synlait [163.5]

<sup>13</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>14</sup> Shifted from LIGHT-P1.2. Clause 10(2)(b) relating to Synlait [163.5]

<sup>15</sup> Clause 10(2)(b) relating to Synlait [163.5]

<sup>16</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>17</sup> Shifted from LIGHT-P1.3. Clause 10(2)(b) relating to Synlait [163.5]

<sup>18</sup> Clause 10(2)(b) relating to Synlait [163.5]

<sup>19</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>20</sup> Dir. General Conservation [166.8, 166.122]

<sup>21</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>22</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<p><b>1.</b> All zones other than Port Zone outside Light Sensitive Areas the Long-tailed Bat Habitat Protection Area Overlay<sup>23</sup></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> LIGHT-S1 and LIGHT-S2 are complied with; and</p> <p><b>PER-2</b> Outdoor artificial lighting that is visible from a Light Sensitive Area must not exceed the illuminance limits for the Light Sensitive Areas stated in Table 22; and<sup>24</sup></p> <p><b>PER-3</b> If the outdoor artificial light is located adjoining a Light Sensitive Area, it must:</p> <ol style="list-style-type: none"> <li>1. be fully shielded (see Figure 18 – Lighting Fixtures); and</li> <li>2. have a colour corrected temperature of no greater than 3000K (warm white); and</li> <li>3. be installed in a manner that precludes operation between 10pm and 7am the following day; and</li> <li>4. meet the illumination levels set out in Table 22, when measured at boundary of the Light Sensitive Area.<sup>25</sup></li> </ol>	<p><b>Activity status when compliance not achieved with PER-1: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard</li> </ol> <p><del><b>Activity status where compliance not achieved with PER-2 or PER-3: Non-complying<sup>26</sup></b></del></p>
<p><b>2.</b> Port Zone</p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> All exterior lighting must be oriented so that light is emitted away from any adjoining and adjacent <del>properties zones</del><sup>27</sup>; and</p> <p><b>PER-2</b> LIGHT-S-2<sup>28</sup> is complied with; and</p> <p><b>PER-3</b> The horizontal and vertical illuminance levels (above the background level) at the</p>	<p><b>Activity status when compliance not achieved with<sup>29</sup>: Discretionary</b></p>

<sup>23</sup> Dir. General Conservation [166.8]

<sup>24</sup> Waka Kotahi [143.113], Silver Fern Farms [172.101]

<sup>25</sup> Rooney Holdings [174.69], Rooney, GJH [191.69], Rooney Group [249.69], Rooney Farms [250.69], Rooney Earthmoving [251.69], TDL [252.69]

<sup>26</sup> Waka Kotahi [143.113], Silver Fern Farms [172.101], Rooney Holdings [174.69], Rooney, GJH [191.69], Rooney Group [249.69], Rooney Farms [250.69], Rooney Earthmoving [251.69], TDL [252.69]

<sup>27</sup> Fonterra [165.102]

<sup>28</sup> Clause 16(2)

<sup>29</sup> Clause 16(2)

	<p>boundary of a residential zone between 10pm — 7am do not exceed 5 lux; and</p> <p><b>PER-4</b> The vertical illuminance level at a window of an adjoining property in a residential zone between 10pm and 7am does not exceed 5 lux.</p>	
<p><b>3. Long-tailed Bat Habitat Protection Area Overlay<sup>30</sup></b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> <u>LIGHT-S1 and LIGHT-S2 are complied with; and</u></p> <p><b>PER-2</b> <u>The artificial outdoor lighting is for a temporary activity<sup>31</sup>; or</u></p> <p><b>PER-3</b> <u>In any Rural Zone or Open Space and Recreation Zone, the exterior artificial outdoor lighting must:</u></p> <ol style="list-style-type: none"> <li><u>1. be fully shielded (see Figure 18 — Lighting Fixtures); and</u></li> <li><u>2. have a colour corrected temperature of no greater than 2700K (warm white).</u></li> </ol>	<p><b>Activity status when compliance not achieved with PER-1: Restricted Discretionary<sup>32</sup></b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li><u>1. the matters of discretion of any infringed standard</u></li> </ol> <p><b>Activity status when compliance not achieved with PER-2 or PER-3: Discretionary</b></p>
<p><b>LIGHT-R2 Outdoor artificial lighting for health and safety<sup>33</sup></b></p>		
<p><b>Light Sensitive Areas</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> <del>The lighting is for health and safety purposes; and</del></p> <p><b>PER-2</b> <del>The lighting is for:</del></p> <ol style="list-style-type: none"> <li><del>1. a permitted temporary activity; or</del></li> <li><del>2. any other temporary activity that has a duration of no longer than six months;<sup>34</sup></del></li> </ol> <p><del>and</del></p>	<p><b>Activity status when compliance not achieved: Non-complying</b></p>

<sup>30</sup> Dir. General Conservation [166.8]

<sup>31</sup> Clause 10(2)(b) relating to Bonifacio, P [36.13], Rooney Holdings [174.70], Rooney, GJH [191.70], Rooney Group [249.70], Rooney Farms [250.70], Rooney Earthmoving [251.70], TDL [252.70]

<sup>32</sup> Clause 10(2)(b) relating to Alliance Group [173.102, 173.103]

<sup>33</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>34</sup> Bonifacio, P [36.13], Rooney Holdings [174.70], Rooney, GJH [191.70], Rooney Group [249.70], Rooney Farms [250.70], Rooney Earthmoving [251.70], TDL [252.70]

	<b>PER-3</b> LIGHT-S1 and LIGHT-S2 are complied with.	
<b>LIGHT-R3</b>	<b>Outdoor artificial lighting within Light Sensitive Areas not listed in LIGHT-R2<sup>35</sup></b>	
<b>Light Sensitive Areas</b>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> LIGHT-S1 and LIGHT-S2 are complied with; and</p> <p><b>PER-2</b> The outdoor artificial lighting must:</p> <ol style="list-style-type: none"> <li>1. be fully shielded (see Figure 18 — Lighting Fixtures); and</li> <li>2. have a colour corrected temperature of no greater than 3000K (warm white); and</li> <li>3. be installed in a manner that precludes operation between 10pm and 7am the following day.<sup>36</sup></li> </ol>	<p><b>Activity status when compliance not achieved: Non-complying</b></p>

Standards		
<b>LIGHT-S1</b>	<b>General lighting standards</b>	
<b>All zones (excluding Port Zone)</b>	<ol style="list-style-type: none"> <li>1. All exterior lighting must be oriented so that light is emitted away from any adjoining and adjacent properties; and</li> <li>2. all artificial outdoor lighting must comply with:                             <ol style="list-style-type: none"> <li>a. the horizontal and vertical illuminance levels for the relevant Zone or Area set out in Table 22 — Horizontal and vertical illuminance levels; and</li> </ol> </li> <li>3. where conformance with the limits set in Table 22 — Horizontal and vertical illuminance levels is to be determined by calculation, the calculation must be undertaken by a person who is professionally qualified and competent in the discipline of illumination engineering and be based upon:</li> </ol>	<p><b>Matters of discretion restricted to:</b></p> <ol style="list-style-type: none"> <li>1. whether the artificial outdoor lighting is necessary, suitably designed and adequately mitigates the effects on the character and amenity of the surrounding area.</li> <li>2. the number, type, placement, design, height, correlated colour temperature (CCT), orientation and screening of any lighting minimises light spill, glare, and artificial sky glow; and</li> <li>3. the extent to which the amount of light emitted beyond the site between sunset and sunrise is minimised to control effects on indoor amenity values and sleep quality; and</li> <li>4. whether it is consistent with best practice.</li> </ol>

<sup>35</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>36</sup> Bonifacio, P [36.12, 36.14], Alliance Group [173.103], Rooney Holdings [174.71], Rooney, GJH [191.71], Rangitata Island Dairy [221.4], Rooney Group [249.71], Rooney Farms [250.71], Rooney Earthmoving [251.71], TDL [252.71]

	<ul style="list-style-type: none"> <li>a. a maintenance factor of 1.0 (i.e., no depreciation); and</li> <li>b. the horizontal plane be calculated for a series of points along the property boundary at no greater than 2m spacings; and</li> <li>c. the vertical plane be calculated for a series of points along the property boundary at no greater than 2m spacings horizontally and vertically from ground level to a height equal to the height of 10m; and</li> </ul> <p>4. where conformance with the limits set in Table 22 — Horizontal and vertical illuminance levels is to be determined by measurement, illuminance measurements must take place at the boundary at a height of 1.5m; and</p> <p>5. where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the artificial lighting cannot be turned off, measurements may be made in areas of a similar nature that are not affected by the artificial lighting. The result of these measures may be used for determining the effect of the artificial lighting.</p> <p><i>Note: Where a development is located on a site, which adjoins or is directly across a road from a different lighting category, the most sensitive classification of the two categories will apply when measured at their common boundary.</i></p>	
<b>LIGHT-S2</b>	<b>Traffic safety on roads</b>	
<b>All zones</b>	<ul style="list-style-type: none"> <li>1. Outdoor artificial lighting operating on any site between sunset and sunrise must not exceed the threshold increment limit stated in Table 23, on any state highway, arterial or principal road, calculated within each traffic lane in the direction of travel; and</li> <li>2. All exterior lighting must be oriented so that light is emitted away from any state highway or arterial or principal roads, or any oncoming traffic.</li> </ul>	<p><b>Matters of discretion restricted to:</b></p> <ul style="list-style-type: none"> <li>1. any adverse effects of artificial outdoor lighting, including glare and light spill on the safety of road users.</li> </ul>

**Table 22 — Horizontal and vertical illuminance levels**

	Zones and Areas <sup>37</sup>				
	Rural Lifestyle Zone; <sup>38</sup> Natural Open Space Zone; Light Sensitive Areas <sup>39</sup>	General Rural Zone <sup>40</sup>	General Rural Lifestyle <sup>41</sup> Zone; Settlement Zone; Open Space Zone; Māori Purpose Zone	General Residential Zone; Medium Density Residential Zone; Neighbourhood Centre Zone	Town Centre Zone; Local Centre Zone; Large Format Retail Zone; City Centre Zone; Sports and Active Recreation Zone; General industrial Zone
Horizontal and vertical illuminance above the background level at a site boundary Times: 7am — 10pm	2 lux	<u>10 lux</u>	5 lux	10 lux	25 lux
Horizontal and vertical illuminance above the background level at a site boundary Times: 10pm — 7am	0.5 lux	<u>5 lux</u>	1 lux	2 lux	5 lux
Vertical illuminance at a window of an adjoining property in a residential zone Times: 7am — 10pm	1 lux	<u>2 lux</u>	2 lux	5 lux	15 lux

<sup>37</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>38</sup> HortNZ [245.89]

<sup>39</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>40</sup> HortNZ [245.89]

<sup>41</sup> HortNZ [245.89]

<b>Vertical illuminance at a window of an adjoining property in a residential zone Times: 10pm – 7am</b>	0 lux	<u>1 lux</u>	1 lux	2 lux	3 lux
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**Table 23 — Threshold Increment**

	<b>Zones and Areas</b>			
	<b>Rural Lifestyle Zone; Natural Open Space Zone; Light Sensitive Areas<sup>42</sup></b>	<b>General Rural Zone; Settlement Zone; Open Space Zone; Māori Purpose Zone</b>	<b>General Residential Zone; Medium Density Residential Zone; Neighbourhood Centre Zone</b>	<b>Town Centre Zone; Local Centre Zone; Large Format Retail Zone; City Centre Zone; Sports and Active Recreation Zone; General Industrial Zone; Port Zone</b>
<b>Threshold increment</b>	15 percent (based on adaption luminance of 0.1 cd/m <sup>2</sup> )	15 percent (based on adaption luminance of 0.1 cd/m <sup>2</sup> )	15 percent (based on adaption luminance of 1 cd/m <sup>2</sup> )	15 percent (based on adaption luminance of 2 cd/m <sup>2</sup> )

<sup>42</sup> Clause 10(2)(b) relating to Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]



Figure 18 — Lighting Fixtures

Examples of Acceptable / Unacceptable Lighting Fixtures

### Unacceptable / Discouraged

Fixtures that produce glare and light trespass

Unshielded Floodlights or Poorly-shielded Floodlights

Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures

Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

Unshielded Streetlight

Unshielded Bollards

Unshielded Barn Light

Louvered 'Marine' style Fixtures

Unshielded 'Period' Style Fixtures

Unshielded PAR Floodlights

Drop-Lens Canopy Fixtures

### Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

Full Cutoff Fixtures

Fully Shielded Wallpack & Wall Mount Fixtures

Fully Shielded Fixtures

Full Cutoff Streetlight

Fully Shielded Barn Light

Fully Shielded Walkway Bollards

Fully Shielded Decorative Fixtures

Fully Shielded 'Period' Style Fixtures

Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

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**Definitions**

<p>LIGHT SENSITIVE AREAS<sup>43</sup></p>	<p>Includes land in the following areas outside of the Port Zone:</p> <ul style="list-style-type: none"> <li>a. <del>Wāhi tapu, Wāhi taoka and Wai taoka Overlays</del></li> <li>b. <del>Significant Natural Areas Overlay</del></li> <li>c. <del>Outstanding Natural Landscapes Overlay</del></li> <li>d. <del>Visual Amenity Landscape Overlay</del></li> <li>e. <del>the Rural Lifestyle Zone; and</del></li> <li>f. <del>the Natural Open Space Zone.</del></li> </ul>
<p>OUTDOOR LIGHTING</p>	<p>means any <u>fixed</u><sup>44</sup> exterior or interior lighting that emits directly into the outdoor environment.</p>

<sup>43</sup> Rangitata Dairies [44.1], Dairy Holdings [89.4], Fonterra [165.15], Fenlea Farms [171.2, 171.4], Rooney, A J [177.6], Hort NZ [245.12]

<sup>44</sup> Fenlea Farms [171.5], Rooney Holdings [174.9], Rooney, A J [177.6] Rooney, GJH [191.9], Rooney Group [249.9], Rooney Farms [250.9], Rooney Earthmoving [251.9], TDL [252.9]

### **Map Changes**

Delete the Light Sensitive Area Overlay.

## NOISE

### Introduction

The generation of noise is often a necessary part of many activities undertaken within the District. While it is important that such activities are able to operate, noise can result in potential adverse effects on people's health and wellbeing, and their enjoyment of the environment. Adverse effects associated with noise can vary depending on a number of factors, including scale, frequency, timing, duration and characteristics of the noise, the distance between the source and receiver, and any reduction measures. The background sound level can influence the acceptability or annoyance of noise, and this can also vary throughout the District.

Where noise sensitive activities are established near existing noise-generating activities, or areas where higher noise levels are to be expected, reverse sensitivity effects can arise, potentially resulting in the existing noise-generating activities being constrained, in terms of their ongoing operation or expansion. This is a particular concern for Regionally Significant Infrastructure and community facilities, including the Airport, Raceway, State Highway, railway line and the Port, which could be constrained if reverse sensitivity effects arise.

This Chapter controls the nature and timing of noise-generating activities, and manages new noise sensitive activities where these are located close to established noise-generating activities or zones which have or are expected to have elevated noise levels. However, there are a number of noise generating activities that this chapter does not manage including noise associated with residential activities, agricultural, emergency services, traffic, trains and aircraft. In addition to the provisions in this chapter, Section 16 of the RMA also imposes a requirement to ensure that noise levels are kept at a reasonable level by adopting the best practicable option. Part 12 of the RMA contains enforcement provisions including excessive noise directions, which are often used to manage excessive residential noise.

The provisions in this chapter apply to all other chapters within this Plan, unless otherwise specified.

### Objectives

#### NOISE-O1      Activities that generate noise

Noise effects generated by activities are compatible with the purpose, character and qualities of each receiving<sup>1</sup> zone and do not compromise the health and well-being of people and communities.

#### NOISE-O2      Reverse sensitivity

The Airport, Raceway, State Highway, railway lines and the Port and existing and anticipated activities located<sup>2</sup> within commercial, mixed use and Industrial zones are not constrained by reverse sensitivity effects arising from noise sensitive activities.

### Policies

#### NOISE-P1      Maintenance of zone character and qualities

Enable the generation of noise when it is of a type, character and level that is appropriate, having regard to:

1. the purpose, character and qualities of the zone that the activity is located in;
2. the nature, scale, frequency and duration of the noise generating activity;
3. methods of mitigation; and
4. the sensitivity of the surrounding environment.

<sup>1</sup> Silver Fern Farms [172.102] and Alliance Group [173.104]

<sup>2</sup> Synlait [163.6]

**NOISE-P2 Noise from Temporary Military Training Activities**

Ensure that any noise effects from temporary military training activities are appropriately mitigated by managing their proximity to noise sensitive activities.

**NOISE-P3 Noise from temporary events**

Limit the frequency, character, scale and duration of noise generated by temporary events so that any noise effects are:

1. compatible with the level of amenity anticipated by the surrounding environment; or
2. within a range that can be tolerated within the surrounding environment given the temporary nature of the activity.

**NOISE-P4 Aircraft operations and engine testing**

Require the noise generated by aircraft operations and engine testing at Timaru/Richard Pearse Airport to be limited so that any adverse amenity effects on noise sensitive activities and health and safety of occupants (including sleep disturbance) are minimised as far as practicable.

**NOISE-P5 Reverse sensitivity**

Require noise sensitive activities located in higher noise environments to be located and designed so as to minimise adverse effects on the amenity values and health and safety of occupants and minimise sleep disturbance from noise, while taking into account:

1. the type of noise generating activity; and
2. other noise sources in the area; and
3. the nature and occupancy of the noise sensitive activity; and
4. mitigation measures, including acoustic insulation, screening and topography.

For the purpose of this Policy, higher noise environments include:

1. Commercial and Mixed Use Zones; and
2. Residential zones in close proximity to any General industrial zone and areas within the Port Noise Outer Control Boundary and within that part of the Medium Density Residential Zone and City Centre Zone located within the Port Noise Inner Control Boundary; and
3. locations in close proximity to a State Highway or the railway line; and
4. land within 300m of an existing or consented frost fan<sup>3</sup>.

**NOISE-P6 Noise and vibration from blasting**

Only allow blasting where adverse noise and vibration effects can be avoided or mitigated, as far as practicable, taking into account:

1. the type, character, scale and level of adverse noise effects; and
2. the character and sensitivity of the receiving environment; and
3. any recommendations made by a suitably qualified professional

**NOISE-P7 Noise sensitive activities within noise control boundaries**

Within the Airport Noise Control Boundary Overlay, Port Noise Inner Control Boundary Overlay (excluding areas within the City Centre Zone and Medium Density Residential Zone) and the Raceway Noise Control Boundary Overlay, avoid:

1. subdivision, unless it will not facilitate the establishment of additional noise sensitive activities; and
2. noise sensitive activities, unless noise mitigation measures are implemented that avoid sleep disturbance and minimise other adverse effects on the amenity values of occupants.

**Rules**

<sup>3</sup> HortNZ [245.98], NZ Fans [255.8]

**Note:** Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

NOISE-R1	Activities generating noise not otherwise specified in the Rules section	
All zones	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> NOISE-S1 is complied with; and</p> <p><b>PER-2</b> NOISE-S2 is complied with.</p> <p>This rule does not apply to noise generated by:</p> <ol style="list-style-type: none"> <li>1. activities of a limited duration required for normal seasonal agricultural, horticultural and forestry activities, such as harvesting; and</li> <li>2. normal residential activities, excluding ‘fixed plant’ such as heat pumps; and</li> <li>3. light passenger vehicle movements, as defined by the Ministry of Transport vehicle type category dated 25.07.2018, on a site associated with residential use; and</li> <li>4. vehicles operating on public roads, or trains operating on rail lines (including at railway yards, railway sidings or stations and level crossing warning devices); and</li> <li>5. aircraft using airstrips and helicopter landing sites for activities in the rural zone that complies with GRUZ-R14; and</li> <li>6. activities taking place within the Coastal Marine Area when assessing compliance with NOISE-R8 Noise from activities within the Port Zone; and</li> <li>7. any warning device used by emergency services for emergency purposes; and</li> <li>8. fixed plant that is solely used for emergency or training purposes, including standby generator sets used to supply electricity only at times of electrical supply failure, and plant used during life threatening</li> </ol>	<p><b>Activity status when compliance not achieved with PER-2: Restricted Discretionary</b></p> <p><b>Where:</b></p> <p><b>RDIS-1</b> The noise limit in Table 24 — Noise Performance Standards is not exceeded by more than 10dB.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard</li> </ol> <p><b>Activity status when compliance not achieved with PER-1 or RDIS-1: Non-complying</b></p>

	<p>situations such as smoke fans or sprinkler pumps; and</p> <p>9. testing of fixed plant that is solely used for emergency purposes providing such testing occurs only for periods not exceeding 2 hours within any 30 day period, and only during the hours of 7am to 7pm; and</p> <p>10. <u>aircraft used for park management activities, using airstrips and helicopter landing sites in the NOSZ<sup>4</sup>.</u></p>	
<b>NOISE-R2</b>	<b>Noise from temporary events</b>	
<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> NOISE-S1 is complied with; and</p> <p><b>PER-2</b> Where the duration of the temporary event does not exceed six hours and the noise level generated does not exceed 75dB LAeq (15min) and 85 LAFmax within any residential zone between the hours of 10am and 10pm in any one calendar day, excluding noise from fireworks displays; and</p> <p><b>PER-3</b> Where the duration of the temporary event exceeds six hours, or when the noise occurs between the hours of 10pm and 10am in any one calendar day, NOISE-S2 is complied with; and</p> <p><b>PER-4</b> A Management Plan must be submitted to the Council no less than 30 days prior to the event setting out the methods that will be used to achieve compliance with PER-2 and PER-3; and</p> <p><b>PER-5</b> Firework displays associated with temporary events must:</p> <ol style="list-style-type: none"> <li>1. not exceed one hour in duration; and</li> </ol>	<p><b>Activity status when compliance not achieved with PER-3: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status when compliance not achieved with PER-2, PER-4 or PER-5: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the level, duration and character of the noise being generated; and</li> <li>2. proximity and nature of nearby activities and the adverse effects they may experience from the noise; and</li> <li>3. the existing noise environment; and</li> <li>4. effects on amenity values and anticipated character of the receiving environment; and</li> <li>5. effects on health and well-being of people; and</li> </ol>

<sup>4</sup> Helicopters Sth Cant. [53.18], NZAAA [132.22]



	<p>2. occur between the hours of 10am and 10pm, except for New Year’s Eve when they may take place up until 1am on New Year’s Day.</p>	<p>6. any noise reduction measures; and 7. the practicality of mitigating noise or utilising alternative sites.</p> <p><b>Activity status when compliance not achieved with PER-1: Non-complying</b></p>
<b>NOISE-R3</b>	<b>Noise from temporary military training activities</b>	
<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> NOISE-S1 is complied with <u>excluding the requirement to assess noise from weapons firing and/or the use of explosives using NZS 6802:2008 Acoustics – Environmental noise</u><sup>5</sup>; and</p> <p><b>PER-2</b> For fixed noise sources, NOISE-S2 is complied with; and</p> <p><b>PER-3</b> Any mobile noise sources must comply with the noise limits set out in Tables 2 and 3 of NZS6803:1999 Acoustics — Construction Noise, with reference to ‘construction noise’ taken to refer to a mobile noise source; and</p> <p><b>PER-4</b> Weapons firing and/or the use of explosives must:</p> <ol style="list-style-type: none"> <li>1. occur between 7am and 7pm, and achieve either a 500m minimum separation distance to, or a peak sound pressure level of 95 dBC when measured within the notional boundary of, any building containing a noise sensitive activity; and</li> <li>2. occur between 7pm and 7am, and achieve either a 1250m minimum separation distance to, or a peak</li> </ol>	<p><b>Activity status when compliance not achieved with PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> </ol> <p><b>Activity status when compliance not achieved with PER-3, PER-4 or PER-5: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the level, duration and nature of the noise being generated; and</li> <li>2. proximity and nature of nearby activities and the adverse effects they may experience from the noise; and</li> <li>3. the existing noise environment; and</li> <li>4. effects on amenity values and anticipated character of the receiving environment; and</li> <li>5. effects on health and well-being of people; and</li> <li>6. any noise reduction measures; and</li> </ol>

<sup>5</sup> NZDF [151.13]



	<p>sound pressure level of 85 dBC when measured within the notional boundary of, any building containing a noise sensitive activity; and</p> <p>3. be notified to the Council, including details of the nature, duration and scale of activity, and any consultation that has been undertaken, at least 5 working days prior to the activity occurring; and</p> <p><b>PER-5</b> Helicopter landing areas must comply with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.</p>	<p>7. the practicality of mitigating noise or utilising alternative sites.</p> <p><b>Activity status when compliance not achieved with PER-1: Non-complying</b></p>
<b>NOISE-R4 Construction noise</b>		
<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> The noise from construction activities undertaken on a site must be measured, assessed, managed and controlled to comply with the requirements of New Zealand Standards NZS 6803:1999 Acoustics — Construction Noise.</p>	<p><b>Activity status when compliance not achieved: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the level, hours of operation, duration and characteristics of the noise; and</li> <li>2. proximity and nature of nearby activities and the adverse effects they may experience from the noise; and</li> <li>3. the existing noise environment; and</li> <li>4. effects on amenity values and anticipated character of the receiving environment; and</li> <li>5. effects on health and well-being of people; and</li> <li>6. any noise reduction measures; and</li> <li>7. the practicality of mitigating noise.</li> </ol>
<b>NOISE-R5 Noise from bird scaring devices</b>		

<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b>          NOISE-S1 is complied with <u>excluding the requirement to assess impulsive noise from bird scaring devices using NZS 6802:2008 Acoustics – Environmental noise</u><sup>6</sup>; and</p> <p><b>PER-2</b>          Noise from any bird scaring device either:          1. must not exceed a <del>70dBC peak or un-weighted level</del> <u>weighted SEL 55dB</u><sup>7</sup> measured within the notional boundary of any noise sensitive activity on any adjoining site under different ownership, and the device must not be used at a frequency of more than 12 times per hour; or          2. must not exceed an <del>85dBC peak or un-weighted level</del> <u>a weighted SEL 65dB</u><sup>8</sup> within the notional boundary of any adjoining noise sensitive activity on any site under different ownership, and the device must not be used at a frequency of more than 6 times per hour; <u>and</u></p> <p><b>PER-3</b>  <u>Unless located at least 500m from any building housing a noise sensitive activity on an adjoining site under different ownership</u> <del>b</del>Bird<sup>9</sup> scaring devices must be oriented with the direction of fire facing away from any noise sensitive activity on any adjoining site under different ownership; and</p> <p><b>PER-4</b>          Bird scaring devices must only be used between 7am and <del>8pm</del> <u>half an hour after</u><sup>10</sup> <u>sunset</u> on any calendar day.</p>	<p><b>Activity status when compliance not achieved with PER-2, PER-3 or PER-4: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the level, hours of operation, duration and character of the noise; and</li> <li>2. proximity and nature of nearby activities and the adverse effects they may experience from the noise; and</li> <li>3. the existing noise environment; and</li> <li>4. effects on amenity values and anticipated character of the receiving environment; and</li> <li>5. effects on health and well-being of people; and</li> <li>6. any noise reduction measures; and</li> <li>7. the practicality of mitigating noise.</li> </ol>
<p><b>NOISE-RX</b></p>	<p><b>Installation and operation of frost fans</b><sup>11</sup></p>	

<sup>6</sup> Clause 10(2)(b) relating to NZDF [151.16]

<sup>7</sup> Hort NZ [245.93]

<sup>8</sup> Hort NZ [245.93]

<sup>9</sup> Hort NZ [245.93]

<sup>10</sup> Hort NZ [245.93]

<sup>11</sup> HortNZ [245.98], NZ Fans [255.9]

<p><b><u>General Rural Zone</u></b></p>	<p><b><u>Activity status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>PER-1</u></b>  <u>Noise from the frost fan must not exceed 55dB L<sub>Aeq</sub> (15mins) when measured at a distance of 300m, or within the notional boundary of any existing a building used for a noise sensitive activity on a site in different ownership, or at any zone boundary; and</u></p> <p><b><u>PER-2</u></b>  <u>Frost fans are only used for:</u></p> <ol style="list-style-type: none"> <li><u>1. the protection of crops from frost from bud break to harvest; or</u></li> <li><u>2. maintenance purposes, undertaken only between 8am and 6pm Monday to Friday.</u></li> </ol> <p><b><u>PER-3</u></b>  <u>Frost fans are only operated when the air at canopy height is 2°C or less</u></p> <p><b><u>PER-4</u></b>  <u>Evidence of installation of a frost fan meeting this standard shall be provided to Council including certification from an appropriately qualified and experienced acoustic engineer that the noise limits in 1 (above) are met and providing the location of the frost fan.</u></p> <p><b><u>PER-5</u></b>  <u>Records shall be kept stating the date, temperature, times and length of use of each frost fan and made available to Council on request. Records may include telemetry records.</u></p>	<p><b><u>Activity status when compliance not achieved: Restricted Discretionary</u></b></p> <p><b><u>Matters of discretion are restricted to:</u></b></p> <ol style="list-style-type: none"> <li><u>1. the level, duration, frequency and character of the noise; and</u></li> <li><u>2. the proximity and nature of nearby noise sensitive activities and the adverse effects they may experience from the noise; and</u></li> <li><u>3. the existing noise environment; and</u></li> <li><u>4. effects on amenity values and anticipated character of the receiving environment; and</u></li> <li><u>5. effects on health and well-being of people; and</u></li> <li><u>6. any noise reduction measures; and</u></li> <li><u>7. operational requirements of frost fans; and</u></li> <li><u>8. monitoring and reporting.</u></li> </ol>
<p><b>NOISE-R6</b></p>	<p><b>Noise from aircraft engine testing at Timaru/Richard Pearse Airport</b></p>	
<p><b>Timaru Airport Designation TDC-52</b></p>	<p><b><u>Activity status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>PER-1</u></b>  <u>NOISE-S1 is complied with; and</u></p> <p><b><u>PER-2</u></b>  <u>NOISE-S5 is complied with.</u></p>	<p><b><u>Activity status when compliance not achieved with PER-2: Discretionary</u></b></p> <p><b><u>Activity status when compliance not achieved with PER-1: Non-complying</u></b></p>
<p><b>NOISE-R7</b></p>	<p><b>Noise from aircraft operations at Timaru/Richard Pearse Airport, other than aircraft engine test listed in NOISE-R6</b></p>	

<b>Timaru Airport Designation TDC-52</b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> Noise from aircraft operations must be measured and assessed in accordance with NZS6805:1992 Airport Noise Management and Land Use Planning; and  <b>PER-2</b> NOISE-S6 is complied with.	<b>Activity status when compliance not achieved with PER-2: Discretionary</b>  <b>Activity status when compliance not achieved with PER-1: Non-complying</b>
<b>NOISE-R8</b>	<b>Noise from activities within the Port Zone</b>	
<b><u>1. Port Zone within Precinct 7</u></b>	<b>Activity status: Permitted</b>  <b>Where:</b>  <b>PER-1</b> The maximum noise generated from activities is measured and assessed <sup>12</sup> in accordance with NZS 6809:1999 Acoustics Port Noise Management and Land Use Planning; and  <b>PER-2</b> When measured <del>at any point at or on any site not located within the Port Zone and</del> <sup>13</sup> landward of the Port Noise Inner control boundary shown on the planning maps, the following noise limits apply: <ol style="list-style-type: none"> <li>1. the 5 day Ldn noise limit must not exceed 65 dB Ldn;</li> <li>2. LA<sub>eq</sub> 'night' (10pm to 7am) must not exceed 60 dB LA<sub>eq</sub> (9hours) provided that no single 15 minute measurement will exceed 65 dB LA<sub>eq</sub> and 85dBA LA<sub>max</sub></li> </ol> <b>PER-3</b> When measured <del>at any point at or on any site not located within the Port Zone and</del> <sup>14</sup>	<b>Activity status when compliance not achieved: Discretionary</b>

<sup>12</sup> PrimePort [175.66], TDHL [186.38]

<sup>13</sup> PrimePort [175.66], TDHL [186.38]

<sup>14</sup> PrimePort [175.66], TDHL [186.38]

	<p>landward of the Port noise outer control boundary shown on the planning maps, the following noise limit applies:</p> <ol style="list-style-type: none"> <li>on any day between 10pm to 7am the following day, noise generated must not exceed 52 dB LAeq (9hours) provided that no single 15 minute sound measurement level must not exceed 57 dB LAeq and 77 dB LAmax;</li> </ol> <p><b>Note:</b> For the purpose of Port Noise, daytime is defined as 7am to 10pm on any day, and night time is defined as 10pm to 7am the following day.</p>	
<p><b><u>2. Port Zone outside Precinct 7<sup>15</sup></u></b></p>	<p><b><u>Activity Status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>PER-1</u></b> <b><u>NOISE-S1 is complied with; and</u></b></p>	<p><b><u>Activity status when compliance not achieved with PER-2: Discretionary</u></b></p>

<sup>15</sup> Property Income [56.1] and Fonterra [165.112], PrimePort [175.66], TDHL [186.38]

	<p><b>PER-2</b>  <u>On any day between 10pm to 7am the following day, noise generated must not exceed 45 dB LAeq (9 hours) when measured at or within any residentially zoned site, provided that any single 15 minute sound measurement level must not exceed 50 dB LAeq and 75 dB LMax.</u></p> <p><u>Note: For the purpose of Port Noise, daytime is defined as 7am to 10pm on any day, and night time is defined as 10pm to 7am the following day.</u></p>	<p><b><u>Activity status when compliance not achieved with PER-1: Non-complying</u></b></p>
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<b>NOISE-R9</b>	<b>Any new building for use by a noise sensitive activity and alterations to existing buildings for use by a noise sensitive activity (not listed in NOISE-R12)</b>	
<p><b>Any site w<sup>16</sup> Within 40m of a State Highway with a posted speed limit of 50 km/hr or less</b></p> <p><b>Any site w<sup>17</sup> Within 80m of a State Highway with a posted speed limit greater than 50 km/hr</b></p> <p><b>Any site w<sup>18</sup> Within 40m of the railway line</b></p> <p><b>Neighbourhood Centre Zone</b></p> <p><b>Local Centre Zone</b></p> <p><b>Large Format Retail Zone</b></p> <p><b>Mixed Use Zone</b></p> <p><b>Town Centre Zone</b></p> <p><b>City Centre Zone</b></p> <p><b>General Residential zone within 20m of the boundary</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b>                  The building is acoustically insulated and ventilated in accordance with:</p> <ol style="list-style-type: none"> <li>1. NOISE-S3 and NOISE-S4; and</li> <li>2. the acoustic insulation must be assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation; or</li> </ol> <p><b>PER-2</b>                  An acoustic design certificate signed by a suitably qualified acoustic engineer demonstrates either:</p>	<p><b>Activity status when compliance not achieved with PER-1.1 or PER-2: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. the matters of discretion of any infringed standard.</li> <li>2. for activities in breach of <sup>f20</sup> <b>PER-2</b>, the matters of discretion of <sup>in</sup> <sup>21</sup> <b>NOISE-S3</b></li> </ol> <p><b>Activity status when compliance not achieved with PER-1.2: Non-complying</b></p>

<sup>16</sup> Clause 16(2)

<sup>17</sup> Clause 16(2)

<sup>18</sup> Clause 16(2)

<sup>20</sup> Clause 16(2)

<sup>21</sup> Clause 16(2)

<p><b>with an Industrial zone</b></p> <p><b>Medium Residential zone within 20m of the boundary with an Industrial zone</b></p> <p><b>Outer Control boundary of the Port Noise Control Overlay</b></p> <p><b><u>General Rural Zone within 300m of any frost fan (including any frost fan for which a resource or building consent has been issued)</u></b><sup>19</sup></p>	<p>a. the level of noise incident on the most exposed part of the exterior of any habitable room can be shown under a reasonable maximum use scenario to not exceed the following noise limits at all points 1.5m above ground level, and any part of the floor levels above ground;</p> <ul style="list-style-type: none"> <li>i. less than 55 dB L<sub>Aeq</sub>(1h) for rail noise; or</li> <li>ii. Less than 57 dB L<sub>Aeq</sub>(1h) for road noise; or</li> <li>iii. Less than 57 dB L<sub>Aeq</sub>(1 hr) for port noise; or</li> </ul> <p>b. the building is at least 20 metres from all roads subject to the standard and/or the railway line and there is a solid building, fence, wall or landform that completely blocks the line-of-sight from all parts of all windows and doors to all parts of any road surface subject to the standard, or all points above 3.8 metres for railway track.</p> <p><i>Note: This standard applies in addition to, and does not affect the requirements of, the Building Act 2004.</i></p>	
<p><b>NOISE-R10 Helicopter landing sites not addressed by GRUZ-R14</b></p>		
<p><b>All zones</b></p>	<p><b>Activity status: Permitted</b></p> <p><b>Where:</b></p> <p><b>PER-1</b> Flight movements must be for emergency purposes only such as medical emergencies, search and rescue or firefighting; or</p> <p><b>PER-2</b></p>	<p><b>Activity status when compliance not achieved with: Restricted Discretionary</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>1. the extent of non-compliance with <b>PER-3</b> and <b>PER-4</b>; and</li> <li>2. the extent to which helicopter noise limits specified within Table 1 of</li> </ul>

<sup>19</sup> HortNZ [245.97], NZ Fans [255.10]

	<p>The helicopter landing site must not be located within any residential zone; and</p> <p><b>PER-3</b> Take offs from any site must not exceed 10 per month; and</p> <p><b>PER-4</b> Noise from flight movements measured in accordance with NZS 6801:2008 Acoustics — Measurement of environmental sound must not exceed 70 dB LAF<sub>Max</sub> between 10pm and 7am or 90 dB LAF<sub>Max</sub> between 7am and 10pm at any residential zone or within the notional boundary of a building containing a noise sensitive activity.</p>	<p>NZS6807:1994 are complied with; and</p> <ol style="list-style-type: none"> <li>3. the level, duration and character of the noise; and</li> <li>4. proximity and nature of nearby activities and the adverse effects they may experience from the noise; and</li> <li>5. the existing noise environment; and</li> <li>6. effects on amenity values and anticipated character of the receiving environment; and</li> <li>7. effects on health and well-being of people; and</li> <li>8. noise mitigation measures; and</li> <li>9. the practicality of utilising alternative sites.</li> </ol>
<b>NOISE-R11</b>	<b>Noise from blasting</b>	
All zones	<b>Activity status: Discretionary</b>	<b>Activity status where compliance not achieved: Not applicable</b>
<b>NOISE-R12</b>	<b>New noise sensitive activities, alterations to existing buildings for use by a noise sensitive activity or subdivision to accommodate a noise sensitive activity</b>	
1. <b>Port Noise Inner Control Boundary Overlay</b>	<p><b>Activity status: Restricted Discretionary</b></p> <p><b>Where:</b></p> <p><b>RDIS-1</b> The activity is carried out within the Medium Density Residential Zone or City Centre Zone.</p> <p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. proximity and nature of noise generating activities in the Port Zone and the adverse effects they may experience from the noise; and</li> <li>2. the existing noise environment; and</li> <li>3. noise mitigation measures; and</li> </ol>	<b>Activity status where compliance not achieved: Non-complying</b>



	<ul style="list-style-type: none"> <li>4. the extent to which reverse sensitivity from noise can be mitigated; and</li> <li>5. effects on amenity values and anticipated character of the receiving environment; and</li> <li>6. effects on health and well-being of people.</li> </ul>	
<p>2.  <b>Airport Noise Control Boundary Overlay</b>   <b>Raceway Noise Control Boundary Overlay</b></p>	<p><b>Activity status: Non-complying</b></p>	<p><b>Activity status where compliance not achieved: Not applicable</b></p>

Standards		
<b>NOISE-S1</b>	<b>Noise measurement</b>	
<p><b>All zones</b></p>	<p>Noise must be measured in accordance with NZS 6801:2008 Acoustics — Measurement of environmental sound and assessed in accordance with NZS 6802:2008 Acoustics — Environmental noise, unless otherwise specified by this District Plan.</p>	<p><b>Matters of discretion are restricted to: Not applicable</b></p>
<b>NOISE-S2</b>	<b>Noise limits</b>	
<p><b>All zones</b></p>	<p>Any activity must comply with the noise limits set out in Table 24 — Noise Performance Standards, at any site in separate ownership.</p>	<p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>1. the level, duration and characteristics of the noise; and</li> <li>2. proximity and nature of nearby activities and the adverse effects they may experience from the noise; and</li> <li>3. the existing noise environment; and</li> <li>4. effects on amenity values and anticipated character of the receiving environment; and</li> <li>5. effects on health and well-being of people; and</li> <li>6. any noise reduction measures; and</li> </ul>

		7. the practicality of mitigating noise or utilising alternative sites.
<b>NOISE-S3</b>	<b>Acoustic insulation</b>	
<p>1.  <b>Within 40m of a State Highway with a posted speed limit of 50 km/hr or less</b></p> <p><b>Within 80m of a State Highway with a posted speed limit greater than 50 km/hr</b></p> <p><b>Within 40m of a railway line</b></p> <p><b>Large Format Retail Zone</b></p> <p><b>Town Centre Zone</b></p> <p><b>City Centre Zone</b></p> <p><b><u>General Rural Zone within 300m of any frost fan (including any frost fan for which a resource or building consent has been issued)</u></b> <sup>22</sup></p>	<p>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, <u>or where the floor area of a habitable room within an existing building is increased by 20% or more,</u> <sup>23</sup> must be designed, constructed and maintained to achieve a minimum external to internal noise reduction for habitable rooms of not less than 35 dB <math>D_{tr,2m,nT,w} + C_{tr}</math>.</p> <p>2. Compliance with this standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with:</p> <ul style="list-style-type: none"> <li>a. Table 25 — Minimum construction requirements for external building elements of habitable rooms to achieve an advanced level of acoustic insulation; or</li> <li>b. an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design proposed will achieve compliance with this standard.</li> </ul> <p><i>Note: This standard applies in addition to, and does not affect the requirements of, the Building Act 2004.</i></p>	<p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>1. effects on the ability of existing or permitted activities to operate or establish without undue constraint; and</li> <li>2. any legal instrument proposed; and</li> <li>3. mitigation of noise achieved through other means; and</li> <li>4. the amenity of present and future residents of the site.</li> </ul>

<sup>22</sup> HortNZ [245.97], NZ Fans [255.12]

<sup>23</sup> Rooney Holdings [174.72], Rooney, GJH [191.72], Rooney Group [249.72], Rooney Farms [250.72], Rooney Earthmoving [251.72], TDL [252.72]

<p><b>2. General Residential zone within 20m of the boundary with an Industrial zone</b></p> <p><b>Medium Residential Zone within 20m of the boundary with an Industrial zone</b></p> <p><b>Neighbourhood Centre Zone</b></p> <p><b>Local Centre Zone</b></p> <p><b>Mixed Use Zone</b></p> <p><b>All zones within the Outer Control boundary of the Port Noise Control Overlay</b></p>	<p>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, <u>or where the floor area of a habitable room within an existing building is increased by 20% or more.</u><sup>24</sup> must be designed, constructed and maintained to achieve a minimum external to internal noise reduction for habitable rooms of not less than 30 dB Dtr,2m,nT,w + Ctr.</p> <p>2. Compliance with this standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with:</p> <ul style="list-style-type: none"> <li>a. Table 26 — Minimum construction requirements for external building elements of habitable rooms to achieve a moderate level of acoustic insulation; or</li> <li>b. an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design proposed will achieve compliance with this standard.</li> </ul> <p><i>Note: This standard applies in addition to, and does not affect the requirements of, the Building Act 2004.</i></p>	<p><b>Matters of discretion are restricted to:</b></p> <ol style="list-style-type: none"> <li>1. effects on the ability of existing or permitted activities to operate or establish without undue constraint; and</li> <li>2. any legal instrument proposed; and</li> <li>3. mitigation of noise achieved through other means; and</li> <li>4. the amenity of present and future residents of the site.</li> </ol>
<p><b>NOISE-S4 Ventilation requirements</b></p>		
<p><b>All zones<sup>25</sup></b></p>	<p>1. The <u>requirements of minimum external to internal noise reduction levels in</u><sup>26</sup></p>	<p><b>Matters of discretion are restricted to:</b></p>

<sup>24</sup> Rooney Holdings [174.72], Rooney, GJH [191.72], Rooney Group [249.72], Rooney Farms [250.72], Rooney Earthmoving [251.72], TDL [252.72]

<sup>25</sup> Clause 16(2)

<sup>26</sup> KiwiRail [187.79]

<p><u>Within 40m of a State Highway with a posted speed limit of 50 km/hr or less</u></p> <p><u>Within 80m of a State Highway with a posted speed limit greater than 50 km/hr</u></p> <p><u>Within 40m of the railway line</u></p> <p><u>Neighbourhood Centre Zone</u></p> <p><u>Local Centre Zone</u></p> <p><u>Large Format Retail Zone</u></p> <p><u>Mixed Use Zone</u></p> <p><u>Town Centre Zone</u></p> <p><u>City Centre Zone</u></p> <p><u>General Residential zone within 20m of the boundary with an Industrial zone</u></p> <p><u>Medium Residential zone within 20m of the boundary with an Industrial zone</u></p> <p><u>Outer Control boundary of the Port Noise Control Overlay</u></p>	<p>NOISE-S3 must be achieved at the same time as the ventilation requirements of the New Zealand Building Code. An alternative means of ventilation must be provided within any study or bedroom unless an acoustic design certificate signed by a suitably qualified acoustic engineer is provided that states the design of any bedroom or any study as proposed will comply with the NOISE-S3 acoustic insulation standards with windows open.</p> <p>2. Ventilation systems where installed must generate sound levels not exceeding:</p> <ol style="list-style-type: none"> <li>generate sound levels not exceeding<sup>27</sup> 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser; and</li> <li>provide an adjustable airflow rate of up to at least 6 air changes per hour.</li> </ol> <p><i>Note: This standard applies in addition to, and does not affect the requirements of, the Building Act 2004.</i></p>	<ol style="list-style-type: none"> <li>effects on the ability of existing or permitted activities to operate or establish without undue constraint; and</li> <li>the effects of the non-compliance; and</li> <li>the ability to provide the appropriate levels of ventilation through other means; and</li> <li>the amenity of present and future residents of the site.</li> </ol>
<p><b>NOISE-S5</b> <b>Noise from aircraft engine testing</b></p>		
<p><b>Timaru Airport Designation TDC-52</b></p>	<ol style="list-style-type: none"> <li>Noise generated by aircraft engine testing must not exceed 55dB LAeq (16 hours) between the hours of 7am and 11pm on any calendar day, when measured within the notional boundary of any noise sensitive activity in the General Rural Zone that is outside the Airport Designation.</li> <li>All aircraft engine testing, other than testing</li> </ol>	<p><b>Matters of discretion are restricted to: Not Applicable</b></p>

<sup>27</sup> KiwiRail [187.79]

	<p>associated with essential unscheduled aircraft engine maintenance, must take place between 7am and 11pm.</p> <p>3. Any aircraft engine testing associated with essential unscheduled aircraft maintenance that takes place between 11pm and 7am must not exceed 55dB LAeq (8 hours) and 80dB LAFmax within the notional boundary of any noise sensitive activity in the General rural zone outside the Airport Designation, and is limited to no more than 20 occasions per year.</p> <p>4. Where practical, all aircraft engine maintenance and testing associated with essential unscheduled aircraft must take place between the hours of 7.00am and midnight, and the total duration of engine testing must not exceed 1 hour in any 11pm to 7am period. On each occasions the date, time, duration and reason for the engine testing must be recorded and made available to the Timaru District Council within 10 days upon request.</p> <p>5. The Airport operator must maintain a register of any complaints received relating to noise from any activities within the Airport, that records the date, time, duration and cause of the complaint, together with the name and address of the complainant. A copy of this Register must be made available to the Timaru District Council within 10 days upon request.</p>	
<p><b>NOISE-S6</b></p>	<p><b>Noise from aircraft operations</b></p>	

<p><b>Timaru Airport Designation TDC-52</b></p>	<ol style="list-style-type: none"> <li>1. The Timaru Airport must be operated so that noise from aircraft operations (aircraft landing and taking off, aircraft taxiing and aircraft flying along any flight path within the Airport Noise control boundary overlay) do not exceed 65dB L<sub>dn</sub> outside the airport noise control boundary overlay. Aircraft noise must be calculated as a 3-month rolling logarithmic average in accordance with NZS 6805:1992 using records of actual aircraft operations.</li> <li>2. Standard 1 above does not apply to: <ol style="list-style-type: none"> <li>a. aircraft landing or taking off in an emergency; and</li> <li>b. aircraft using the Airport as a planned or essential alternative to landing at another scheduled airport; and</li> <li>c. emergency flights required to rescue persons from life threatening situations or to transport patients, human organs or medical personnel in medical emergency situations; and</li> <li>d. flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983; and</li> <li>e. flights certified by the Minister of Defence as necessary for reasons of National Security in accordance with Section 4 of the Act; and</li> <li>f. aircraft undertaking firefighting duties; and</li> <li>g. military aircraft movements; and</li> </ol> </li> </ol>	<p><b>Matters of discretion are restricted to: Not Applicable</b></p>
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	<p>h. aircraft using the Airport in preparation for and participation in air shows.</p> <p>3. A report detailing the calculated noise levels at the Airport Noise Control Boundary Overlay must be prepared by the airport operator and forwarded to the Council every five years or on request. The first such report must be forwarded to the Council within six months of this standard becoming operative.</p> <p>4. In order to audit compliance with this standard, noise level monitoring must be carried out for a minimum of three months every five years with the resulting report forwarded to the Council within one month of that monitoring being completed.</p>	
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Table 24 — Noise performance standards

Receiving zone and assessment location	Time period	Noise limit
1. a. Within the notional boundary of a building used for a noise sensitive activity in the following zones: i. General Rural Zone ii. Rural Lifestyle Zone iii. Settlement Zone iv. Natural Open Space Zone v. Open Space Zone vi. Sport and Active Recreation Zone vii. Māori Purpose Zone; and b. Within any part of a site in the General Residential Zone	7.00am — 7.00pm	50 dB L <sub>Aeq</sub> (15 min)
	7.00pm — 10.00pm	45 dB L <sub>Aeq</sub> (15 min)
	10.00pm — 7.00am	40 dB L <sub>Aeq</sub> (15 min) 70 dB L <sub>AFmax</sub>
2.	7.00am — 7.00pm	55 dB L <sub>Aeq</sub> (15 min)
	7.00pm — 10.00pm	50 dB L <sub>Aeq</sub> (15 min)

Within any part of a site in the Medium Density Residential Zone, <u>except where otherwise specific in 4. below</u> <sup>28</sup> <del>but, where noise is generated from within the Port Zone, excluding those sites located between the Terrace and the Main South Railway Line</del> <sup>29</sup> .	10.00pm — 7.00am	45 dB L <sub>Aeq</sub> (15 min) 75 dB L <sub>AFmax</sub>
3. Within any part of a site in the following zones: a. Large Format Retail Zone b. Town Centre Zone c. City Centre Zone d. <u>General Industrial Zone</u> , <sup>30</sup> <del>excluding those sites located to the east of the Main South Railway Line and forming part of, or adjoining the Port of Timaru</del> <sup>31</sup> .	7.00am — 10.00pm	65 dB L <sub>Aeq</sub> (15 min)
	10.00pm — 7.00am	65 dB L <sub>Aeq</sub> (15 min) 75 dB L <sub>AFmax</sub>
4. Within any part of a site in the following zones: a. Neighbourhood Centre Zone b. Local Centre Zone c. Mixed Use Zone d. <u>Medium Density Residential Zone at 18A Hobbs Street within 30m of the boundary of the adjacent Local Centre Zone.</u> <sup>32</sup>	7.00am — 10.00pm	60 dB L <sub>Aeq</sub> (15 min)
	10.00pm — 7.00am	60 dB L <sub>Aeq</sub> (15 min) 75 dB L <sub>AFmax</sub>
5. <u>Within any part of a site a site in the General Industrial Zone, excluding any adjacent site in the General Industrial Zone held under common ownership.</u> <sup>33</sup>	<u>7.00am — 10.00pm</u>	<u>75 dB L<sub>Aeq</sub> (15 min)</u>
	<u>10.00pm — 7.00am</u>	<u>75 dB L<sub>Aeq</sub> (15 min)</u>

<sup>28</sup> Clause 10(2)(b) relating to Foodstuffs [193.9]

<sup>29</sup> Clause 16(2).

<sup>30</sup> Southern Proteins [140.19], Barkers [179.23], Hilton Haulage [168.9], North Meadows [190.13], J R Livestock [241.31]

<sup>31</sup> PrimePort [175.69], TDHL [186.39]

<sup>32</sup> Foodstuffs [193.9]

<sup>33</sup> Southern Proteins [140.19], Barkers [179.23], Hilton Haulage [168.9], North Meadows [190.13], J R Livestock [241.31]



**Table 25 — Minimum construction requirements for external building elements of habitable rooms to achieve an advanced level of acoustic insulation**

Building Element	Minimum Construction Requirements		
<p><b>External walls</b></p>	<p>1. Wall cavity infill of fibrous insulation, batts or similar, with a minimum density of 9kg/m<sup>3</sup>; and                      2. cladding and internal wall lining complying with either Option A, B or C below:</p>		
	<p><b>Option A</b></p>	<p>Light cladding: timber weatherboard or sheet materials with surface mass between 8kg/m<sup>2</sup> and 30kg/m<sup>2</sup> of wall cladding</p>	<p>Internal lining of minimum 17kg/n plasterboard, such as two layers of 10mm thick high density plasterboard, on resilient/isolating mountings</p>
	<p><b>Option B</b></p>	<p>Medium cladding: surface mass between 30 kg/m<sup>2</sup> and 80kg/m<sup>2</sup> of wall cladding</p>	<p>Internal lining of minimum 17kg/n plasterboard, such as two layers of 10mm thick high density plasterboard</p>
	<p><b>Option C</b></p>	<p>Heavy cladding: surface mass greater than 80kg/m<sup>2</sup> of wall cladding</p>	<p>No additional requirements</p>
<p><b>Roof/ceiling</b></p>	<p>1. Ceiling cavity infill of fibrous insulation, batts or similar, with a minimum density of 7kg/m<sup>3</sup>; and                      2. ceiling penetrations, such as for recessed lighting or ventilation, must not allow additional noise break-in; and                      3. roof type and internal ceiling lining complying with either Option A, B or C below:</p>		
	<p><b>Option A</b></p>	<p>Skillion roof with light cladding: surface mass up to 20kg/m<sup>2</sup> of roof cladding</p>	<p>Internal lining of minimum 25kg/n plasterboard, such as two layers of 13mm thick high density plasterboard</p>

	<table border="1"> <tr> <td><b>Option B</b></td> <td>Pitched roof with light cladding: surface mass up to 20kg/m<sup>2</sup> of roof cladding</td> <td>Internal lining of minimum 17kg/m<sup>2</sup> plasterboard, such as two layers of 10mm thick high density plasterboard</td> </tr> <tr> <td><b>Option C</b></td> <td>Heavy roof cladding: surface mass greater than 20kg/m<sup>2</sup> of roof cladding</td> <td>No additional requirements</td> </tr> </table>	<b>Option B</b>	Pitched roof with light cladding: surface mass up to 20kg/m <sup>2</sup> of roof cladding	Internal lining of minimum 17kg/m <sup>2</sup> plasterboard, such as two layers of 10mm thick high density plasterboard	<b>Option C</b>	Heavy roof cladding: surface mass greater than 20kg/m <sup>2</sup> of roof cladding	No additional requirements
<b>Option B</b>	Pitched roof with light cladding: surface mass up to 20kg/m <sup>2</sup> of roof cladding	Internal lining of minimum 17kg/m <sup>2</sup> plasterboard, such as two layers of 10mm thick high density plasterboard					
<b>Option C</b>	Heavy roof cladding: surface mass greater than 20kg/m <sup>2</sup> of roof cladding	No additional requirements					
<b>Glazed areas</b>	<ol style="list-style-type: none"> <li>1. Timber or aluminium frames with full compression seals on opening panes (excludes glazed sliding doors or windows)</li> <li>2. glazed areas shall be less than 35% of each room floor area</li> <li>3. double-glazing with:             <ol style="list-style-type: none"> <li>a. a laminated pane of glass at least 6mm thick; and</li> <li>b. a cavity between the two panes of glass at least 12mm deep; and</li> <li>c. a second pane of glass at least 4mm thick; or</li> <li>d. any other glazing with a minimum performance of Rw 33dB.</li> </ol> </li> </ol>						
<b>Exterior doors to any habitable room</b>	Solid core exterior door, minimum surface mass 20kg/m <sup>2</sup> , with compression seals; or other door sets with minimum performance of Rw 30dB						

**Table 26 — Minimum construction requirements for external building elements of habitable rooms to achieve a moderate level of acoustic insulation**

Building Element	Minimum Construction Requirements	
<b>External Walls of Habitable Rooms</b>	<b>Stud Walls</b>	
	Exterior cladding	20mm timber or 9mm compressed fibre cement sheet over timber frame (100mm x 50mm).
	Cavity infill	Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m <sup>3</sup> ) required in cavity for all exterior walls. Minimum 90mm wall cavity.
	Interior lining	One layer of 12mm gypsum plasterboard; or

		Where exterior walls have continuous cladding with a mass of greater than 25kg/m <sup>2</sup> (e.g. brick veneer or minimum 25mm stucco plaster), internal wall linings need to be no thicker than 10mm gypsum plasterboard.
	Combined superficial density	Minimum not less than 25kg/m <sup>2</sup> being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10kg/m <sup>2</sup> on each side of structural elements.
	<b>Mass Walls</b>	
	Wall construction & lining	190mm concrete block, strapped and lined internally with 10mm gypsum plaster board, or 150mm concrete wall.
<b>Glazed Areas of Habitable Rooms</b>	<b>Glazed areas</b>	
	Glazed areas up to 10% of floor area	6mm glazing single float.
	Glazed areas between 10% and 35% of floor area	6mm laminated glazing.
	Glazed areas greater than 35% of floor area	Require a specialist acoustic report to show conformance with the insulation rule.
	<b>Frames of glazed areas</b>	
	Frames:	Frames shall be aluminum window frames with compression seals.
<b>Roof over Habitable Rooms</b>	<b>Skillion Roof</b>	
	Cladding	0.5mm profiled steel or 6mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking	17mm plywood (no gaps).
	Frame	Minimum 100mm gap with fibrous acoustic blanket (batts or similar of a mass of 9kg/m <sup>3</sup> ).
	Ceiling	Two layers of 10mm gypsum plaster board (no through ceiling lighting penetrations unless

		correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of $9\text{kg/m}^3$ ).
	Combined superficial density	Combined mass of cladding and lining of not less than $25\text{kg/m}^2$ with no less than $10\text{kg/m}^2$ on each side of structural elements.
	<b>Pitched Roof (all roofs other than skillion roofs)</b>	
	Cladding	0.5mm profiled steel or tiles, or membrane over 15mm thick ply.
	Frame	Timber truss with 100mm fibrous acoustic blanket (batts or similar of a minimum mass of $9\text{kg/m}^3$ ) required for all ceilings.
	Ceiling	12mm gypsum plaster board.
	Combined superficial density	Combined mass with cladding and lining of not less than $25\text{kg/m}^2$ .
<b>Floor of habitable room</b>	<b>Floor areas open to outside</b>	
	Cladding	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12mm ply.
	Combined superficial density	Floors to attain a combined mass not less than $25\text{ kg/m}^2$ for the floor layer and any external cladding (excluding floor joists or bearers).
<b>Doors of Habitable Rooms</b>	<b>External Door to Habitable Rooms</b>	
	Superficial density & perimeter seals	Solid core door (min $25\text{ kg/m}^2$ ) with compression seals (where the door is exposed to exterior noise).

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**Definitions**

BIRD SCARING DEVICE	Means a device used for the purpose of disturbing or scaring birds including gas guns <u>and</u> <sup>34</sup> avian distress alarms when being used specifically for bird scaring.
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<sup>34</sup> Hort NZ [245.7]

**General Rural Zone Chapter – GRUZ-S4**

GRUZ-S4	Setbacks for sensitive activities	
<p><b>General Rural Zone</b></p>	<ol style="list-style-type: none"> <li>1. No new sensitive activity may be established within 500m from:                             <ol style="list-style-type: none"> <li>a. the closest outer edge of any paddocks, hard-stand areas, structures or buildings used to house stock, or treatment systems, used for an intensive primary production activity; and</li> <li>b. an existing farm effluent disposal area; and</li> <li>c. a lawfully established quarry or mine.</li> </ol> </li> <li>2. No new building for a sensitive activity may be erected <u>and no new sensitive activity may be established in an existing residential unit</u><sup>35</sup> within 20m from any other site boundary in a different ownership where a primary production activity is being conducted, unless the site existed prior to 22 September 2022, in which case a 10m setback applies;</li> <li>3. No new building for a sensitive activity may be erected within <del>23</del><sup>36</sup>0m of an existing shelter belt.</li> <li>4. <u>No new sensitive activity may be established within 250m from the boundary of any area used for the discharge of industrial trade waste generated by the Clandeboye Dairy Manufacturing Precinct at Fonterra Clandeboye site.</u><sup>37</sup></li> <li>5. <u>No new noise sensitive activity may be established within 100m of an existing or consented frost fan.</u><sup>38</sup></li> </ol>	<p><b>Not applicable</b></p>

<sup>35</sup> Hort NZ [245.127], NZ Pork [247.28] as recommended in Hearing B Interim reply for GRUZ

<sup>36</sup> Consequential amendment to HortNZ [245.118] as recommended in Hearing B Interim reply for GRUZ

<sup>37</sup> Fonterra [165.129] as recommended in Hearing B Interim reply for GRUZ

<sup>38</sup> NZ Fans [255.27]

Except that these setbacks do not apply to a new sensitive activity being established within the same site on which a lawfully established: intensive primary production activity; effluent disposal; shelterbelt;<sup>39</sup> quarry or mine; is located.

**Note:** *The Canterbury Regional Council regulates the discharge of contaminants into air from animal effluent in the Canterbury Air Regional Plan.*

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<sup>39</sup> Clause 16(2) RMA as recommended in Hearing B Interim reply for GRUZ