



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

**REPORT OF HEARING
PANEL**

Independent Hearing Commissioners:

Robert Schofield (Chair)
Loretta Lovell
Roger Maaka
Kate Taylor
Pip Burne

TOPIC 2C

General District-Wide Matters: Noise and Signs

REPORT DATED

4 May 2023

DATE OF HEARING

30 March 2022

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List of Submitters and Further Submitters addressed in this Report

1. Noise

Submitter Name	Submission Number(s)
Aerospread Ltd (Aerospread)	S38
Bill MacGregor	S74
Federated Farmers of New Zealand (Federated Farmers)	S121
Fire and Emergency New Zealand (FENZ)	S57
Horticulture New Zealand (Hort NZ)	S81
Kāinga Ora - Homes and Communities (Kāinga Ora)	S129
Ministry of Education	S73
New Zealand Defence Force (NZDF)	S29
New Zealand Pork Industry Board (Pork Industry Board)	S42
Waka Kotahi NZ Transport Agency (Waka Kotahi)	S78

Further Submitter Name	Further Submission Number(s)
Kāinga Ora - Homes and Communities (Kāinga Ora)	FS23
NZDF	FS12
Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest & Bird)	FS9
Silver Fern Farms Limited (Silver Fern Farms)	FS8
Waka Kotahi	FS16

2. Signs

Submitter Name	Submission Number(s)
Chorus New Zealand Limited (Chorus)	S117
Federated Farmers	S121
FENZ	S57
Heritage New Zealand Pouhere Taonga (HNZPT)	S55
Spark New Zealand Trading Limited (Spark)	S118
Vodafone New Zealand Limited (Vodafone)	S119
Waka Kotahi	S78

Further Submitter Name	Further Submission Number(s)
Hort NZ	FS17
Forest & Bird	FS9

PART A – PRELIMINARY MATTERS

1 Introduction

1.1 Scope of this report

- 1.1.1 This document details the evaluation and recommended decisions of the Proposed Central Hawke’s Bay District Plan Hearings Panel on the submissions and evidence relating to the topics of Noise and Signs considered in Hearing Stream 2 at the Urban Environment, Sustainability, and General District Wide Matters topic hearing, held on 30 March 2022 at the Central Hawke’s Bay District Council Chambers, Waipawa.
- 1.1.2 The recommendations in this report, together with all the other recommendations of the Hearing Panel on submissions on the PDP, will all go before the full Council following the end of the hearings, who will make the formal decisions.
- 1.1.3 Our report focuses on the key issues in contention. Where there is no contention, such as submitter support for certain provisions, or where there are only minor proposed changes are recommended in response to submissions, we have adopted the s42A report’s recommendations and the underlying evaluation behind such changes.

1.2 Statutory considerations

- 1.2.1 The Panel’s Report on Preliminary Matters and Statutory Requirements sets out the statutory framework and requirements for preparing a District Plan, as well as case law guidance for our consideration and recommendations. This framework is not repeated in this report. This report should be read in conjunction with the Report on Preliminary Matters and Statutory Requirements.
- 1.2.2 This report will refer to the s42A report ‘Officer’s Report: General District-Wide Matters: Noise and Signs’, prepared by Stella Morgan.
- 1.2.3 Noise and Signs are both addressed in the ‘Remaining District Wide Chapters and Relocated Buildings Provisions Section 32 Topic Report’.
- 1.2.4 As submissions on particular aspects of the PDP are considered through hearing reports, officers are required to consider any alternative provisions put forward in the context of what s 32 requires, and when changes are recommended, a further assessment under s 32AA will be provided if the change is a material departure from what was notified. That same obligation to make a further assessment under s 32AA also applies to the Panel if it decides to recommend changes as a result of submissions which materially depart from the notified version.
- 1.2.5 Through Minute #5, the Panel urged submitters to provide the hearings with a further assessment under s 32AA for any changes to the PDP they were seeking. Where these have been provided, they are noted in the summary of evidence to the hearing sections of this report.
- 1.2.6 Where the Panel has made amendments to the PDP that are consistent with the recommendations contained within the reporting planners’ s42A and / or rights-of-reply (and where there are relevant joint witness statements) we have adopted the s32AA analysis contained within those reports (unless expressly stated otherwise). Those reports are part of the public record and are available on the CHBDC website.
- 1.2.7 Where the Panel has made amendments to the PDP that are not contained within the reporting planner’s recommendations, we have undertaken the required s32AA analysis and have

incorporated it into the body of our report, with the required assessment forming part of our evaluation. We are satisfied that the required substantive assessment has been undertaken.

1.3 Submissions

- 1.3.1 As stated, this Panel Report addresses submissions received on the ‘General District-Wide Matters: ‘NOISE – Noise’ and ‘SIGN – Signs’ chapter of the PDP. Submissions were received as follows:

Noise

- 1.3.2 There were 10 submitters and 5 further submitters with submission points across the whole ‘General District-Wide Matters: NOISE – Noise’ topic. There were 41 original submission points and 23 further submission points on the provisions relating to noise.
- 1.3.3 Of the 41 original submission points, 26 submission points were in support.
- 1.3.4 Submissions in opposition can generally be summarised as follows:
- Amendments sought to Objective NOISE-O1 including a request to a) delete or b) broaden this objective.
 - Points of clarification requested in relation to Objectives NOISE-O2, NOISE-O3 and NOISE-O4.
 - Opposition to Policy NOISE-P2 and Standard NOISE S3 relating to noise sensitive activities within 100m of State Highways and the Rail Network.
 - Minor amendment sought to Standard NOISE-S5(6) relating to educational facilities.
 - Opposition to annual aircraft movement thresholds triggering compliance requirements (Standard NOISE-S5(21)).
 - Amendment sought to include ‘agricultural aviation movements’ to the list of exemptions for Waipukurau Aerodrome (Standard NOISE-S5(22)).

Signs

- 1.3.5 There were 6 submitters and 5 further submitters across the whole ‘General District-Wide Matters: SIGNS – Signs’ topic.
- 1.3.6 There were 9 original submission points and 5 further submission points on the provisions relating to signs.
- 1.3.7 Of the 9 original submission points, 5 submission points were in support.
- 1.3.8 The remaining 4 submission points sought amendments to Rule SIGN-R2 (official signs).

1.4 Procedural matters

- 1.4.1 There were no pre-hearing meetings or meetings undertaken in accordance with cl 8AA of Schedule 1, on the submissions relating to the General District-Wide Matters: ‘NOISE – Noise’ and ‘SIGN – Signs’ chapters of the PDP prior to the finalisation of the s42A report.
- 1.4.2 No procedural matters were raised in respect of hearing these two topics.
- 1.4.3 No matters of trade competition were raised.

1.5 Hearing

- 1.5.1 The Urban Environment, Sustainability, and General District Wide Matters topic hearing was held 30 March 2022 at the Central Hawke’s Bay District Council Chambers, Waipawa. The hearing was adjourned at 5pm on that same day.
- 1.5.2 Submitters who appeared at the hearing in relation to the Noise and Signs topics, and the key issues under which their evidence is discussed, are shown below in Table 1. All evidence and information provided by submitters can be found on the PDP Hearing Schedule webpage under the relevant Hearing Topic [<https://www.chbdc.govt.nz/services/district-plan/proposed-district-plan/hearings/hearing-stream-2/>].

Table 1. Submitters who appeared at Hearing Stream 2: Urban Environment, Sustainability and General District Wide Matters in relation to Noise and Signs topics

Submitter (Submitter Number)	Represented by/ experts called	Nature of evidence	Key Issue under which evidence is discussed
Bill MacGregor (S74)	Bill MacGregor	Verbal statement Supplementary submitter evidence	Key Issue 1 (Noise)
Kāinga Ora (S129, FS23)	Michael Campbell (Planning) Jon Styles (Noise) Brendon Scott Liggett (Corporate) Nick Whittington (Legal) Nicholas Rae (Urban Design)	Submitter evidence Legal submissions Supplementary submitter evidence	Key Issue 1 (Noise)
Waka Kotahi (S78, FS16)	Natasha Reid (Planning) Andrew Sowersby (Planning) Dr Stephen Chiles (Acoustics Engineer – Noise and Vibration Specialist)	Submitter evidence and statement Supplementary submitter evidence	Key Issue 1 (Noise)
Hort NZ (S81, FS17)	Jordyn Landers	Submitter statement	Key Issue 2 (Signs)
NZDF (S29, FS12)	Rebecca Davies	Submitter statement	Key Issue 1 (Noise)

- 1.5.3 Appearances for the CHBDC were:

- Ms Stella Morgan, reporting planner; and
- Mr Damian Ellerton (Council Noise Expert, Marshall Day Ltd).

- 1.5.4 Evidence provided by Ms Morgan included:

- Officer’s Report: General District-Wide Matters: Noise and Signs (“the s42A report”), including appended details and technical information from Steve Peakall of Marshall Day Acoustics; and

- Opening statement (verbal).
- 1.5.5 Mr Ellerton did not present evidence, but was available for questioning and took part via Zoom in discussions at the hearing with other noise experts.
- 1.5.6 Following the adjournment of the hearing on 30 March 2022, a written right-of-reply from the Council's reporting planner was received and circulated on 6 May 2022. A supplementary reply on the 'Noise' chapter was received and circulated on 27 May 2022.
- 1.5.7 The seventh Memorandum and Direction of the Hearings Panel was issued on 12 April 2022 following Hearing 2. In relation to this report, the Panel requested that the following activities be undertaken in relation to Policy NOISE-P2 and Rule NOISE-S3 relating to noise sensitive activities within 100m of state highways and the rail network:
- The reporting planner was to prepare draft wording for the setback rule and provide it to Kāinga Ora, and Waka Kotahi NZ, together with a draft recommendation as to whether and how the setback would be included in the PDP planning maps, by 29 April 2022;
 - Kāinga Ora and Waka Kotahi would have the opportunity to provide comment on the draft by 13 May 2022; and
 - The reporting planner was to take any comments from Kāinga Ora and Waka Kotahi into account when finalising their recommendation for inclusion in the right-of-reply to be filed on 27 May 2022. The reply should detail whether there was agreement, and to the extent that there was not, should provide sufficient detail to enable the commissioners to have a clear understanding of the areas and extent of, and reasons for disagreement.
- 1.5.8 In relation to certain matters raised in the evidence of Jon Styles, the Panel requested that legal counsel for Kāinga Ora advise his view as to whether the matters were within scope of the submission, identifying the part of the submission relied on, and set out the precise amendments sought.
- 1.5.9 The Panel also sought additional information from Waka Kotahi NZ, about how many local authorities had used noise modelling as the basis for District Plan provisions defining setbacks for managing sensitive land uses along road corridors.

1.6 Structure of this report

- 1.6.1 Given the number, nature and extent of the submissions and further submissions received, we have structured this Panel report according to the key issues identified in the s42A report, rather than present a submission-point-by-submission-point evaluation. There are two key issues addressed in this report:
- Key Issue 1: Noise; and
 - Key Issue 2: Signs.
- 1.6.2 We have structured our evaluation and recommendations on a hierarchical basis, firstly reviewing the overarching issues relating to the topic and those submissions that made general points about the topic, including those seeking a binary relief such as complete withdrawal of relevant plan provisions. This initial evaluation includes submissions on definitions.
- 1.6.3 We then turn our evaluation to the higher-level provisions of the District Plan relating to the topic: the objectives and policies and associated matters.
- 1.6.4 Thereafter we consider the associated rules and standards, and, where relevant, methods and anticipated environmental results.
- 1.6.5 Finally, we consider whether there were any minor errors that should be rectified or consequential amendments that may be needed as a result of our recommendations.

1.6.6 The Panel’s recommendations for each submission point are listed in the table in Appendix B.

PART B – EVALUATION

2 Key Issue 1 – Noise

2.1 Proposed Plan provisions

- 2.1.1 The noise provisions are contained within the General District-Wide Matters ‘NOISE – Noise’ chapter of the PDP. The purpose of the noise provisions is to recognise and provide for activities with associated noise to operate, while controlling the effects of that noise to a reasonable level in order to protect the amenity of the environment.

2.2 Submissions

- 2.2.1 There were 41 original submission points and 23 further submission points received to the NOISE chapter of the PDP.

- 2.2.2 In summary, matters raised by submitters included:

- The need (or otherwise) for Objective NOISE-O1 (S121.104 Federated Farmers), or the need to broaden the scope of Objective NOISE-O1 (S129.128 Kāinga Ora);
- Delete the term ‘predominant character’ from Objective NOISE-O2 (S129.129 Kāinga Ora),
- Additional wording sought: ‘where practicable’ in Objective NOISE-O3 (S129.130 Kāinga Ora) and ‘to where appropriate’ in Objective-NOISE-O4 (S129.131 Kāinga Ora);
- Policy NOISE-P2 and Standard NOISE S3 relating to noise sensitive activities within 100m of State Highways and the Rail Network;
- Noise exemptions for activities within the ground of an educational facility (Standard NOISE-S5(6));
- Annual aircraft movements thresholds triggering compliance requirements (Standard NOISE-S5(21)); and
- Inclusion of ‘agricultural aviation movements’ to the list of exemptions for Waipukurau Aerodrome (Standard NOISE-S5(22)).

2.3 Reporting planner’s recommendations (s42A report)

Objectives

- 2.3.1 Objective NOISE-O1. In relation to Objective NOISE-O1, the reporting planner recommended rejecting submission points S121.104 Federated Farmers (to delete Objective NOISE-O1) and S129.128 Kāinga Ora (to replace the wording of Objective NOISE-O1). The reporting planner did not consider, when read as a whole, Objective NOISE-O1 to be superfluous. The reporting planner considered the requested rewording by Kāinga Ora could be less effective in addressing reverse sensitivity effects.
- 2.3.2 Objective NOISE-O2. The reporting planner recommended rejecting Kāinga Ora’s submission (S129.129) which sought to delete the words ‘predominant character’ from Objective NOISE-O2. The reporting planner considered the reference to ‘predominant character’ was used to reflect the differences in character across the range of zones in the PDP and appropriately acknowledged the different type of noise generating activities that were anticipated within the respective zones.

- 2.3.3 Objective NOISE-O3 and Objective NOISE-O4. The reporting planner recommended rejecting Kāinga Ora’s submissions which sought to add the words ‘where practicable’ to Objective NOISE-O3 (S129.130) and ‘where appropriate’ to Objective NOISE-O4 (S129.131). The reporting planner’s view was that the consideration of what is ‘practicable’ or the appropriateness of a situation could be addressed through the specifics of a resource consent process.

Policies

- 2.3.4 Policy NOISE-P1. The reporting planner recommended that Kāinga Ora’s submission (S129.132) which sought to delete the words ‘predominant character’ from Policy NOISE-P1 be rejected, for the same reasons as outlined in relation to NOISE-O2 (see paragraph 2.3.2).
- 2.3.5 Policy NOISE-P2. Waka Kotahi (S78.011) supported retaining NOISE-P2, while Kāinga Ora opposed this submission point (FS23.176) and opposed NOISE-P2 (S129.133). The reporting planner considered it appropriate to have a policy that specifically related to noise associated with transport networks, and that required mitigation for new or extended noise sensitive activities that developed in proximity to such, and recommended Waka Kotahi’s submission be accepted, and Kāinga Ora’s submission be rejected.
- 2.3.6 Policy NOISE-P5. The reporting planner did not recommend a change to add ‘effects’ to the term ‘unreasonable noise’ in Policy NOISE-P5 as sought by Kāinga Ora, noting the wording was consistent with RMA s16, but suggested Kāinga Ora could address this point at the hearing.
- 2.3.7 Submission points on Policies NOISE-P3, NOISE-P4, NOISE-P6, NOISE-P7 and NOISE-P8 supported retaining these provisions and the reporting planner recommended these submissions be accepted.

Standards

- 2.3.8 Standard NOISE-S1. NOISE-S1(2) identifies the noise assessment position for houses, dwellings and habitable buildings in the General Rural Zone and Rural Production Zone is within the ‘notional boundary’. The reporting planner recommended accepting Hort NZ’s submission that this standard should also apply to the Rural Lifestyle Zone. The planner recommended the following wording:

NOISE-S1 Measurement and Assessment of Noise	
General	<ol style="list-style-type: none">1. Noise will be measured and assessed using the following standards:<ol style="list-style-type: none">a. NZS 6801:2008 Acoustics – Measurement of Environmental Soundb. NZS 6802:2008 Acoustics – Environmental Noisec. NZS 6803:1999 Acoustics – Construction Noised. NZS 6805:1992 Airport Noise Management and Land Use Planninge. NZS 6806: 2010 Acoustics – Road Traffic Noise: New and altered roadsf. NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areasg. NZS 6808: 2010 Acoustics – Wind farm noiseh. NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning

	<p>2. Noise levels will be measured and assessed within the site boundary of the noise receiver unless specified otherwise. The assessment position for houses, dwellings and habitable buildings in the General Rural Zone, and the Rural Production Zone, and the Rural Lifestyle Zone is within the notional boundary as defined in NZS6801.</p> <p><i>Note: When it becomes evident a measurement location is not suitable, Council may, through the resource consent process, agree to the use of an alternative measurement location.</i></p>
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2.3.9 Standard NOISE-S3. Standard NOISE-S3 sets out requirements for noise mitigation for habitable spaces within 100 m of the State Highway or Rail Network. As with the response to Policy NOISE-P2, the reporting planner considered the PDP approach was appropriate and did not recommend changes.

2.3.10 Standard NOISE-S5. Standard NOISE-S5 provides for a range of activities that are specifically exempt from the Noise Limits. Kāinga Ora's submission was concerned about ambiguity, particularly in relation to NOISE-S5(24) and sought the entire standard be deleted. The reporting planner identified that it would be helpful for Kāinga Ora to provide evidence on this point at the hearing, with preferred wording, and in the interim did not recommend the deletion of the whole or part of the standard.

2.3.11 In relation to the Ministry of Education's submission to remove the words 'during the school term' from NOISE-S5(6), the reporting planner recommended this change be accepted. Noting that Standard NOISE-S5(5) excludes 'recreational activities' (including sporting events and playgrounds), from the noise limits, the reporting planner considered the same approach should be applied to sporting events within school facilities. The planner recommended the following amendment:

NOISE-S5 Specific Activities exempt from the Noise Limits in NOISE-S4. <i>Note: Regardless of the exemptions below, all land uses are subject to section 16 and Part 12 of the RMA.</i>	
All Specific Activities listed under this standard	1. Noise shall be measured within the site boundary of a receiving site, or within the notional boundary of rural dwellings or habitable buildings (where stated).
...	
Activities within the grounds of an Educational Facility	Exempt, providing the noise generated is through use of grounds and facilities during events associated with the educational facility concerned, and by students who live on site. Examples include use of school facilities for sport during term time and by student boarders who live on site.

2.3.12 Aerospread and Bill MacGregor both opposed the threshold limits on aircraft movements proposed in Standard NOISE-S5(21). Both submitters sought an increase in the thresholds or that these be deleted entirely. Marshall Day Acoustics considered those submission points and provided a response appended to the s42A report. Based on this expert advice, the reporting planner considered the annual aircraft movement threshold of 6,500 before any compliance monitoring was required was appropriate. In relation to NOISE-S5(22) relating to Waipukurau Aerodrome, the reporting planner did not consider agricultural aviation movements fit with the exemptions in the standard and considered it would be inappropriate to exempt such air movements as sought by Aerospread and Bill MacGregor.

Other matters

- 2.3.13 The reporting planner recommended accepting the submission points in support of NOISE-AM1, NOISE-AER3 and NOISE-AER4.

2.4 Evidence to the hearing

- 2.4.1 Mr Andrew Sowersby tabled planning evidence for Waka Kotahi in relation to the additional wording sought by Kainga Ora: 'where practicable' in Objective NOISE-O3 and 'where appropriate' in Objective NOISE-O4, and Policy NOISE-P2 and Standard NOISE-S3 relating to noise sensitive activities within 100m of State Highways.
- 2.4.2 In relation to NOISE-P2 and NOISE-S3 Mr Sowersby stated "Waka Kotahi is unable to internalise all noise and vibration effects associated with existing state highways. Creating buffer areas (setbacks from the state highway) and acoustic treatment on new and altered buildings, are the most common means of protecting new noise sensitive activities from state highway noise". Mr Sowersby's evidence outlined that, in the absence of modelling (which was not expected to be available in Central Hawke's Bay in the near future), a 100m distance had been adopted based on a simplified equation to determine the approximate buffer and effects area. He stated that the Building Act did not provide requirements for management of noise generated from outside a building and as such was not an appropriate means in itself to manage the effects from road noise.
- 2.4.3 Ms Natasha Reid appeared at the hearing on behalf of Waka Kotahi and presented a statement. In relation to modelling she stated noise contours would soon be available for the Central Hawke's Bay region, perhaps later in 2022. Ms Reid stated that "*in many areas our proposed 100m setback is shown to be reasonably accurate in some townships where the modelling is complete.*"
- 2.4.4 Subsequent to the hearing, Waka Kotahi provided the following supplementary information in response to questions from the Panel (this information was posted to the Hearing portal):
- Waka Kotahi, *Guide to the management of effects on noise sensitive land use near to the state highway network*, September 2015
 - Waka Kotahi, *Assessment of Plan Provisions to Provide for Human Health and Amenity in accordance with section 32 of the Resource Management Act*, October 2021
 - Waka Kotahi, *Toitū Te Taiao Our Sustainability Action Plan*, April 2020
 - Spreadsheet containing information on noise setback rules in NZ district plans, May 2020, and
 - Response to Panel's Minute #7 question regarding use of modelling for noise standards – confirming there were currently no district plans (operative or proposed) with district wide land use controls for sensitive activities near state highways defined by modelled noise contours.
- 2.4.5 Mr Bill MacGregor spoke at the hearing regarding aerodromes and the reporting of aircraft movements. Mr MacGregor subsequently provided supplementary submitter evidence in the form of links to information relating to potential future developments in general aviation, particularly around electric planes (this information was also posted to the Hearing portal).
- 2.4.6 Mr Michael Campbell presented planning evidence on behalf of Kāinga Ora. Mr Campbell's evidence addressed requested wording amendments to NOISE- O1, NOISE-O2 and NOISE-O4. Mr Campbell provided a s32 evaluation for the topics that his evidence covered. In relation to the proposed approach to managing noise effects near the roading network and rail corridor Mr Campbell was of the view that the approach had not been justified in terms of s32 and s32AA RMA.
- 2.4.7 Mr Jon Styles presented noise evidence for Kāinga Ora. Mr Styles' view was that adverse noise effects from land transport needed to be managed at the source as the priority. In relation to the 100m setback distance his view was that the distance was based on a "worst-case" scenario and did not take into account various factors that influenced the propagation of noise across the

receiving environment and the method for defining the extent of the effects beyond the designation boundaries should be based on modelled setbacks. In relation to noise from the railway network, Mr Styles did not think that it had been established that there were enough trains on the District's railway network to warrant a mitigation response. Mr Styles also identified a number of additional issues with the NOISE chapter that did not necessarily relate to Kāinga Ora's submission which the Panel did not have scope to consider.

- 2.4.8 Mr Nick Whittington presented legal submissions on behalf of Kāinga Ora, particularly relating to the adequacy of the s32 analysis, and submitted that the Panel must determine the most appropriate provisions based on the information before it.
- 2.4.9 NZDF submitted a statement noting its support for the recommendations in the s42A report on its points relating to NOISE-O4, NOISE-P6, NOISE-R1.1, NOISE-S5(9), NOISE-S5(16) – (18) and NOISE-S5(31) – (34).

2.5 Post Hearing Information

- 2.5.1 As outlined in paragraph 1.3.18 of this report the Panel issued Minute #7 on 12 April 2022 containing several directions, including in relation to several questions about specific noise matters, expert conferencing on NOISE-S3 and seeking clarification on scope in relation to additional matters raised in Jon Styles' evidence for Kāinga Ora.
- 2.5.2 Subsequently the reporting planner issued a right-of-reply of 6 May 2022, followed by a supplementary right-of-reply on 27 May 2022, both addressed matters in relation to noise issues.

Right-of-Reply

- 2.5.3 The 6 May 2022 right-of-reply provided information in relation to Napier and Hastings District Plan noise provisions, the mapping of a 100m setback from the state highway and rail corridors, the timing of availability of noise modelling for State Highways in Central Hawke's Bay, and on stakeholder engagement.
- 2.5.4 After reconsidering Kāinga Ora's submission, the reporting planner recommended amended wording for Objective NOISE-O1, to align more closely with s16 of the RMA.
- 2.5.5 In relation to Standard NOISE-S5(21), the reporting planner considered advice from Steve Peakall of Marshall Day in relation to the annual aircraft movement threshold, and remained of the view that a threshold of 6,500 before compliance monitoring is required was appropriate.

Supplementary Right-of-Reply

- 2.5.6 The 27 May 2022 right-of-reply addressed the outcomes of expert conferencing on NOISE-S3, which was directed to occur by the Panel's Minute #7. Draft wording for an amended setback rule was provided to Kāinga Ora and Waka Kotahi for feedback. Kāinga Ora advised that its view remained unchanged, and contended that a modelled outcome was the most efficient and effective method for addressing noise buffers, and did not support a 'staggered buffer rule' (that depended on the speed limit on the particular section of State Highway). Waka Kotahi concurred that the proposed wording was generally fit for purpose and requested definitions of 'habitable space' and 'habitable room' be aligned.
- 2.5.7 The reporting planner noted that noise modelling for the State Highway in Central Hawke's Bay was not currently available and also that there were relatively limited areas of residentially zoned land within the 100m setback. The reporting planner recommended a revised Standard NOISE-S3 with a 'staggered setback':

NOISE-S3 Noise Sensitive Activities within: 100m of State Highways and the Rail Network within - <u>50 m of a State Highway with a speed limit of less than 70km/h; or</u> - <u>100m of a State Highway with a speed limit of 70km/h or more (measured from the nearest painted edge of the carriageway); or</u> - <u>100m of the Rail Network Boundary</u>	
General	1. The following Minimum External Sound Insulation Level Standards applies to all habitable spaces <u>rooms</u> within any building that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary , either: a. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spaces <u>rooms</u> , demonstrating that road-traffic/rail network sound levels will not exceed 40 dB $L_{Aeq(24hr)}$ inside all habitable spaces; or b. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spaces <u>rooms</u> , demonstrating that road-traffic/rail network sound levels will not exceed 57 dB $L_{Aeq(24hr)}$ outside the most affected part of the building exterior. 2. The following applies to all buildings that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary : a. Where new habitable spaces <u>rooms</u> with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve compliance with the Building Act to ensure adequate ventilation and fresh air.

2.5.8 A question the Panel had about the scope of relief for some amendments to the noise provisions sought by Kāinga Ora was addressed in legal submissions by Mr Nick Whittington, legal counsel for Kāinga Ora. Taking this information into account, the reporting planner made additional and amended recommendations in their 27 May 2022 right-of-reply to address matters that were within the scope of Kāinga Ora's submission. These were to correct technical noise references to refer to $L_{Aeq(15min)}$ rather than L_{Aeq} and to shift the relevant zone noise limit standard within Standard NOISE-S4. The reporting planner's recommended change to NOISE-S4 was:

NOISE-S4 Noise Limits – Zone Specific

Receiving Zone(s):

Commercial Zone	4. Noise from any activity (other than <u>residential units/ occupancies/ habitable spaces</u> or those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: a. 0700 - 2200 hours – 65 $L_{Aeq(15min)}$ b. All other times – 60 $L_{Aeq(15min)}$ / 75 L_{Amax} c. Octave band noise levels shall not exceed: i. 75dB $L_{eq(1minute)}$ at 63Hz ii. 65dB $L_{eq(1minute)}$ at 125Hz 5. <u>Residential units/ occupancies/ habitable spaces:</u> a. <u>Internal noise level in any habitable room must not exceed 35 dB $L_{Aeq(24Hours)}$ while at the same time complying with the ventilation requirements of clause G4 of the New Zealand Building Code. The total noise level must include all intrusive noise and mechanical services.</u>
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	<p>b. <u>In determining the external noise level, an assumption that the noise incident upon the noise sensitive façade is from at least 3 separate activities simultaneously generating the maximum allowable noise level for that zone.</u></p> <p>6. <u>Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.</u></p>
General Industrial Zone	<p>7. Noise from any activity (other than <u>residential units/ occupancies/ habitable spaces or</u> those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone:</p> <p>a. 0700 - 2200 hours – 70 L_{Aeq (15 min)}</p> <p>b. All other times – 60 L_{Aeq (15 min)} / 75 L_{Amax}</p> <p>8. <u>Residential units/ occupancies/ habitable spaces:</u></p> <p>a. <u>Internal noise level in any habitable room must not exceed 35 dB L_{Aeq (24 Hours)} while at the same time complying with the ventilation requirements of clause G4 of the New Zealand Building Code. The total noise level must include all intrusive noise and mechanical services.</u></p> <p>b. <u>In determining the external noise level, an assumption that the noise incident upon the noise sensitive façade is from at least 3 separate activities simultaneously generating the maximum allowable noise level for that zone.</u></p> <p>c. <u>Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.</u></p>

...

NOISE-S5 Specific Activities exempt from the Noise Limits in NOISE-S4

Note: Regardless of the exemptions below, all land uses are subject to section 16 and Part 12 of the RMA.

Residential units/ occupancies/ habitable spaces in Commercial and General Industrial Zones	<p>24. Provided the total internal noise level in any habitable room does not exceed 35 dB L_{Aeq (24 hours)} while at the same time complying with the ventilation requirements of clause G4 of the New Zealand Building Code. The total noise level must include all intrusive noise and mechanical services.</p> <p>25. In determining the external noise level, an assumption that the noise incident upon the noise sensitive facade is from at least 3 separate activities simultaneously generating the maximum allowable noise level for that zone.</p> <p>26. Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.</p>
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2.6 Evaluation and findings

Objectives

- 2.6.1 The Panel agrees with the reporting planner that the four objectives should be read as a whole and in this context NOISE-O1 is not superfluous and the alternative wording sought by Kāinga Ora would essentially make NOISE-O2 and NOISE-O3 redundant. In relation to the wording of NOISE-O1, the Panel agrees with the reporting planner's recommendation in their 6 May 2022 right-of-reply that the wording could be amended to align with s16 of the RMA more closely. The Panel therefore recommends Kāinga Ora's submission (S129.128) be accepted in part, with the following amendment:

NOISE-O1 Ensure residents of the District are not exposed to ~~an appropriate~~ unreasonable level of noise for the zone in which they reside/live/work.

- 2.6.2 The Panel agrees with the reporting planner that it is appropriate to retain the reference to 'predominant character' in NOISE-O2 and accordingly recommends rejecting Kāinga Ora's submission. The reference to 'predominant character' is used to reflect the differences in character across the range of zones in the PDP and appropriately acknowledges the different type of noise generating activities that are anticipated within the respective zones (for example, in anticipating that primary production activities creates noise consistent with the character of the rural environment).
- 2.6.3 The Panel recommends that Kāinga Ora's submissions which sought to add the words 'where practicable' to Objective NOISE-O3 (S129.130) and 'where appropriate' to Objective NOISE-O4 (S129.131) should be rejected. Consideration of what is 'practicable' or the appropriateness of a situation can be addressed through the specifics of a resource consent process.

Policies

- 2.6.4 In relation to the words 'predominant character' in Policy NOISE-P1, the Panel recommends this be retained and Kāinga Ora's submission (S129.132) be rejected, for the same reasons as outlined in relation to NOISE-O2 (para 2.6.2).
- 2.6.5 With respect to Policy NOISE-P2, Waka Kotahi sought to retain NOISE-P2 as notified (S78.011), while Kāinga Ora sought to delete NOISE-P2 (S129.133). The Panel agrees with the reporting planner that it is appropriate to have a policy that specifically requires mitigation for new or extended noise sensitive activities that develop in proximity to such critical networks.
- 2.6.6 The Panel heard evidence in relation to the 100m distance and the method for determining an appropriate distance within which provisions should apply to mitigate noise from state highways and the rail network. Evidence on behalf of Kāinga Ora asserted that the method for defining the extent of the effects beyond the designation boundaries should be based on modelled setbacks. However, as we were informed, modelling data for Central Hawke's Bay District is not presently available. The Panel therefore considers that a transitional approach would be an appropriate method, based on a 'staggered setback' standard that takes into account speed limit of different sections of State Highways (discussed further in paragraphs 2.6.11 - 2.6.12). Accordingly, the Panel recommends the following amendment to remove specific reference to a 100m distance in Policy NOISE-P2:

NOISE-P2 To ensure that noise sensitive activities and the addition of habitable ~~space~~ rooms to existing noise sensitive activities in the Commercial and General Industrial Zones, within ~~100m~~ specified setbacks of state highways and the rail network, and within identified air noise boundaries for the Waipukurau Aerodrome shown on the Planning Maps, are acoustically designed and constructed to mitigate noise arising from legitimately established activities.

- 2.6.7 Accordingly, we recommend accepting in part Waka Kotahi's submission (S78.011) and rejecting Kāinga Ora's submission (S129.133).
- 2.6.8 In relation to Policy NOISE-P5, the Panel agrees with the reporting planner that the addition of 'effects' to the term 'unreasonable noise' would not add anything or provide any clarification and that the wording in the PDP is consistent with RMA s16 which uses the term 'unreasonable noise'. Therefore, the Panel recommends rejecting Kāinga Ora's submission (S129.136).

Standards

- 2.6.9 The Panel agrees with the reporting planner that it is reasonable to apply a notional boundary for noise to sites within the Rural Lifestyle Zone as sought by Hort NZ (S81.098). The Rural Lifestyle Zone has a minimum net site area of 4000m², and, like the General Rural Zone and Rural Production

Zone, comprises larger sites where one or more noise sensitive activities may be contained within the same site. The Panel therefore recommends the following amendment to NOISE-S1:

NOISE-S1 Measurement and Assessment of Noise	
General	<ol style="list-style-type: none"> 1. Noise will be measured and assessed using the following standards: <ol style="list-style-type: none"> a. NZS 6801:2008 Acoustics – Measurement of Environmental Sound b. NZS 6802:2008 Acoustics – Environmental Noise c. NZS 6803:1999 Acoustics – Construction Noise d. NZS 6805:1992 Airport Noise Management and Land Use Planning e. NZS 6806: 2010 Acoustics – Road Traffic Noise: New and altered roads f. NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas g. NZS 6808: 2010 Acoustics – Wind farm noise h. NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning 2. Noise levels will be measured and assessed within the site boundary of the noise receiver unless specified otherwise. The assessment position for houses, dwellings and habitable buildings in the General Rural Zone, and the Rural Production Zone, <u>and the Rural Lifestyle Zone</u> is within the notional boundary as defined in NZS6801. <i>Note: When it becomes evident a measurement location is not suitable, Council may, through the resource consent process, agree to the use of an alternative measurement location.</i>

- 2.6.10 Standard NOISE-S3 was the subject of joint discussions at the hearing between the planning and acoustic advisors for the Council, Kāinga Ora and Waka Kotahi. Following the hearing, a revised draft standard was circulated but agreement was not ultimately reached between the parties, with Waka Kotahi supporting the change (noting that the PDP defines “habitable room” but not “habitable space”) and Kāinga Ora reserving its position as originally submitted that this rule should be deleted.
- 2.6.11 As discussed in paragraph 2.6.6 above, the Panel considers that, in the absence of available modelling to provide more site-specific distances from the state highway and rail corridor, it is effective and efficient to include a ‘staggered setback’ taking into account speed limit of state highways, as recommended by the reporting planner in their 27 May 2022 right-of-reply. The application of distance setback thresholds from major transport routes, with associated provisions for acoustic design for noise sensitive activities within these setbacks, is a common method used in District Plans across the country to ensure appropriate sensitive activities have protection from the noise associated with the operation of major transport routes (e.g., Waipa District, New Plymouth District)¹. The staggered setback approach is based on the speed limits applying to the relevant sections of state highway on the basis (as was accepted in discussions at the hearing

¹ A comparison table of different district plan examples was provided by Waka Kotahi as supplementary evidence.

between the planning and acoustic advisors for the Council, Kāinga Ora and Waka Kotahi) that lower speeds generally generate less noise.

2.6.12 The Panel therefore recommends the following amendments to Standard NOISE-S3:

NOISE-S3 Noise Sensitive Activities within: 100m of State Highways and the Rail Network	
<ul style="list-style-type: none"> - <u>50 m of a State Highway with a speed limit of less than 70km/h; or</u> - <u>100m of a State Highway with a speed limit of 70km/h or more (measured from the nearest painted edge of the carriageway); or</u> - <u>100m of the Rail Network Boundary</u> 	
General	<ol style="list-style-type: none"> 1. The following Minimum External Sound Insulation Level Standards applies to all habitable spaces rooms within any building that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary, either: <ol style="list-style-type: none"> a. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spaces rooms, demonstrating that road-traffic/rail network sound levels will not exceed 40 dB $L_{Aeq}(24hr)$ inside all habitable spaces; or b. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spaces rooms, demonstrating that road-traffic/rail network sound levels will not exceed 57 dB $L_{Aeq}(24hr)$ outside the most affected part of the building exterior. 2. The following applies to all buildings that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary: <p>Where new habitable spaces rooms with openable windows are proposed <u>in a building that contains a noise sensitive activity</u>, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve compliance with the Building Act to ensure adequate ventilation and fresh air.</p>

2.6.13 In relation to the Ministry of Education’s submission (S73.012) to remove the words ‘during the school term’ from NOISE-S5(6), the Panel agrees with the reporting planner’s recommendation that this be accepted. School facilities may be used for ‘education purposes’ throughout the year and this would be unreasonably limited by restricting the exemption to term time. NOISE-S5(5) excludes ‘recreational activities’ (including sporting events and playgrounds), from the noise limits and it is reasonable to apply the same approach to sporting events within school facilities. The Panel therefore recommends the following amendment:

NOISE-S5 Specific Activities exempt from the Noise Limits in NOISE-S4. <i>Note: Regardless of the exemptions below, all land uses are subject to section 16 and Part 12 of the RMA.</i>	
All Specific Activities listed under this standard	1. Noise shall be measured within the site boundary of a receiving site, or within the notional boundary of rural dwellings or habitable buildings (where stated).
...	
Activities within the grounds of an Educational Facility	6. Exempt, providing the noise generated is through use of grounds and facilities during events associated with the educational facility concerned, and by students who live on site. Examples include use of school facilities for sport during term time and by student boarders who live on site.

- 2.6.14 The evidence of Mr Jon Styles for Kāinga Ora identified a number of additional issues with the NOISE chapter that did not necessarily relate to Kāinga Ora's submission or come within the scope of the relief sought by the organisation. Mr Nick Whittington provided legal submissions on behalf of Kāinga Ora on whether there is scope to address these issues. These matters were addressed by the reporting planner in their 27 May right-of-reply. In summary:
- **Issue 1 NOISE-S2 Vibration:** Kāinga Ora legal submissions agreed there is no scope to address the issue raised in para 12.3 (iv) of Mr Styles' evidence. The reporting planner accordingly made no recommendation for changes and the Panel makes no recommendation for changes;
 - **Issue 2 All Noise Standards:** While there is no specific submission point addressing the matter raised in para 12.3(v) of Mr Styles' evidence, the amendments are a technical correction and a requirement of the National Planning Standards. The reporting planner recommended the NOISE chapter be amended to correct technical noise references. Council's acoustic advisor recommended the use of LA_{eq} (15min). The Panel concurs and recommends the amendments set out in Appendix A.
 - **Issue 3 NOISE-AM3:** Kāinga Ora legal submissions agreed there is no scope to address the issues identified in para 12.3(vii) of Mr Styles' evidence. Accordingly, the reporting planner made no recommendation for changes and the Panel makes no recommendation for changes.
 - **Issue 4 NOISE S5** lists the specific activities that are exempt from the noise limits in NOISE-S4. Kāinga Ora legal submissions considered there is scope to make the changes proposed by Mr Styles in his evidence at para 12.3(vi). The Panel recognizes that the list includes a mix of activities exempt from noise limits in addition to listing activities managed by noise performance standards that vary from the underlying zone standards. However, the Panel does not consider that this is best dealt with by separating the section into two. The Panel recommends some wording changes to make the distinction clearer, as set out in Appendix A.
- 2.6.15 In relation to the specific issues raised the Panel agrees with the recommendations of the reporting planner in their 27 May 2022 right-of-reply. Reference to NZS 6803:1999 is common practice and appropriate in this context. Prospecting and Exploration (quarrying activities) and Temporary Events (other than temporary military training activities) are not exempt but the standard lists specific exemptions. The rewording that the Panel recommends makes this distinction clearer.
- 2.6.16 There is a specific definition in the PDP for "Emergency Aviation Movements", and therefore no amendment is required to additionally define emergency in this context. With respect to residential units/ occupancies/ habitable spaces in Commercial and General Industrial Zones the Panel agrees with the reporting planner's recommendation to shift this to Standard NOISE-S4 as it is more akin to a noise limit than an exemption.
- 2.6.17 In terms of the approach with respect to noise sensitive activities in the Commercial and General Industrial Zones, the Panel agrees with the reporting planner that the standard is appropriate in the context.
- 2.6.18 Submissions by Mr Bill MacGregor (S74.001) and Aerospread (S38.005) sought amendments to NOISE-S5(21) to amend the annual aircraft movements that would trigger compliance contouring. The Panel heard from the submitters about their concerns about the potential burden on a voluntary group of having to keep records of aircraft movements. The Panel notes that the threshold is a trigger value at which compliance assessment commences. It is not a limit on the number of movements at the airfield and exceedance of the number of aircraft movements does not necessarily mean non-compliance with the noise limits. The intention is to limit the burden on the operator in terms of compliance reporting, compared to that which occurs elsewhere. The Panel therefore considers that accepting the submissions in part and increasing the limit from 6500 to 7500 would be within the range of growth for the Aerodrome and would provide an appropriate balance in reducing the administrative burden on the Aerodrome operators and managing

compliance with noise limits. The Panel therefore recommends the following amendment to Standard NOISE-S5(21):

Waipukurau Aerodrome/ Airport	<p>19. Must comply with the provisions of NZS 6805:1992 Airport Noise Management and Land Use Planning.</p> <p>20. The Waipukurau Aerodrome must be managed so that the noise from aircraft operations does not exceed 65 dB L_{dn} outside the Air Noise Boundary (ANB) or 55 dB L_{dn} outside the Outer Control Boundary (OCB) as shown on the Planning Maps.</p> <p>21. Compliance with the ANB and OCB will be determined on the basis of the following:</p> <ul style="list-style-type: none"> a. A log of annual aircraft movements will be provided to the Council by 1 February each year, detailing the total number of fixed-wing and helicopter movements for the previous calendar year. b. Where the total number of annual aircraft movements are less than 65007500 per year no compliance contouring is required. c. Where the total number of annual aircraft movements is greater than 65007500, the operators of Waipukurau Aerodrome must produce 55 dB, and 65 dB Annual Aircraft Noise Contours (AANC), using airport noise prediction software and records of actual aircraft movements for the busiest 3 consecutive months of the previous year. These AANC are to be submitted to the Council to show compliance or otherwise with the OCB and ANB. The preparation of AANC will be required every 2 years thereafter. d. Where the AANC show that the calculated noise level exceeds 64 dB at any point on the ANB, noise measurements using infield monitoring are required for a minimum of 1 month (at one measurement location) to demonstrate compliance with the noise limit of the ANB, as shown on the Planning Maps. <p>22. Exemptions to these noise rules are provided for:</p> <ul style="list-style-type: none"> a. Aircraft operating in an emergency for medical or national / civil defence reasons. b. Air shows. c. Military operations. d. Aircraft using the airfield as a necessary alternative to an airfield elsewhere. e. Aircraft taxiing. f. Aircraft engine testing.
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- 2.6.19 Aerospread (S38.006) also sought to add agricultural aviation movements to the list of exemptions to the noise rules in NOISE-S5(22). The Panel agrees with the reporting planner that agricultural aviation movements do not fit with the exemptions in NOISE-S5(22) and it would be inappropriate to exempt them.

3 Key Issue 2 – Signs

3.1 Proposed Plan provisions

- 3.1.1 The provisions for signs are contained within the General District-Wide Matters: ‘SIGN – Signs’ chapter of the PDP. The purpose of the signs provisions is to address the potential safety and visual effects of signage on the environment.

3.2 Submissions

- 3.2.1 There were 9 original submission points and 5 further submission points on the SIGNS chapter of the PDP.
- 3.2.2 In summary, the key amendments sought to the SIGNS chapter relate to the rules as follows:
- Amendment sought to Rule SIGN-R2 to reference network utilities,
 - Additional permitted activity rule sought for signs in relation to health and safety.

3.3 Reporting planner’s recommendations (s42A report)

Policies

- 3.3.1 The reporting officer recommended accepting the Federated Farmers (S121.116) and FENZ (S57.095) submissions in support of Policy SIGN-P4.

Rules

- 3.3.2 Rule SIGN-R2 provides for ‘Official signs or signs for any public purpose or in connection with any public or network utility, community facility or public reserve’ located on the ‘site’ to which they relate (Rule SIGN-SR2 condition (a)). Chorus, Vodafone and Spark (S117.067, S119.067, S118.067), sought an amendment to clarify that condition a), also provides for official signs within the road network by including the words ‘or, in the case of signs for network utilities, are placed within legal road’. This is on the basis that ‘roads’ do not fall within the PDP definition for ‘site’. The network utility submitters also acknowledged that the placement of a sign in legal road must be approved by the Road Controlling Authority via Corridor Access Requests, that ensures such signs are placed in safe and appropriate locations.
- 3.3.3 The reporting planner observed that, as any operator seeking to erect signage (official or otherwise) within a road corridor required the consent of the relevant Road Controlling Authority, it may not always be necessary to control signs in roads via the PDP. To clarify this situation for this rule, the reporting planner recommended amending the rule and adding an advisory note as follows:

SIGN-R2 Official signs or signs for any public purpose or in connection with any public or network utility, community facility or public reserve	
All Zones	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none">Signs are located on the site to which they relate-, <u>or within a legal road.</u>A sign must not exceed 3m² in area where it is visible from any public road, public land or adjacent property.Signs must not contain lights or illumination which flash, move, rotate, vary in intensity, colour or size.

- d. Signs must not visibly move, revolve, rotate, create an optical illusion of movement or change colour, whether by electrical or other means.

Note: Official signs within any road reserve are not controlled by these rules where they have the consent of the relevant Road Controlling Authority (RCA), or Waka Kotahi NZ Transport Agency in the case of State Highways.

- 3.3.4 In relation to Federated Farmers' submission (S121.117) which sought additional provision within Rule SIGN-R2 relating to health and safety signage to provide additional clarity for these types of signs, the reporting planner considered that health and safety signs, if required in response to legislation such as the HSA, would be an official sign. Signs denoting property entrances or security messaging would not be considered official signs and should not be included under this rule but would more appropriately be considered under Rule SIGN-R7. Federated Farmers proposed a permitted activity rule be provided for a sign to be 'no larger than reasonably necessary to convey the information'. Proposed Rule SIGN-R2 limits official signs to 3m². The reporting planner considered that if a sign for official purposes needed to be larger than 3m², it was appropriate that it was scrutinized through the restricted discretionary consent process. The reporting planner considered that a second permitted activity status under this rule would be confusing as it would be unclear which provisions would apply. The reporting planner did not consider the additional provisions as sought by Federated Farmers necessary and recommended this submission be rejected.

3.4 Evidence to the hearing

- 3.4.1 Hort NZ tabled a written statement accepting the s42A commentary in relation to FS17.74, provided it was clear that signs required to meet health and safety legislative requirements were considered 'official signs' (an undefined term).

3.5 Post hearing information

- 3.5.1 No additional comments regarding this key issue were noted in the reporting planner's written right-of-reply dated 6 May 2022.

3.6 Evaluation and findings

Rules

- 3.6.1 The Panel agrees with the reporting officer's recommendation to amend SIGN-R2 to provide clarification in relation to signs within a legal road as sought by Chorus, Vodafone and Spark (S117.067, S119.067, S118.067). The Panel recommends the following amendment to SIGN-R2:

SIGN-R2 Official signs or signs for any public purpose or in connection with any public or network utility, community facility or public reserve

All Zones

1. Activity Status: PER

Where the following conditions are met:

- a. Signs are located on the site to which they relate, **or within a legal road.**
- b. A sign must not exceed 3m² in area where it is visible from any public road, public land or adjacent property.

- c. Signs must not contain lights or illumination which flash, move, rotate, vary in intensity, colour or size.
- d. Signs must not visibly move, revolve, rotate, create an optical illusion of movement or change colour, whether by electrical or other means.

Note: Official signs within any road reserve are not controlled by these rules where they have the consent of the relevant Road Controlling Authority (RCA), or Waka Kotahi NZ Transport Agency in the case of State Highways.

- 3.6.2 The Panel agrees with the reporting planner that it is not necessary and could be potentially confusing to add another permitted activity rule relating to health and safety signage as sought by Federated Farmers (S121.117). Health and safety signage falls under the rule relating to official signs which is permitted subject to the stated conditions. The Panel therefore recommends this submission be rejected.

PART C – SUMMARY OF RECOMMENDATIONS

4 Summary of recommendations

- 4.1.1 A summary table of recommended decisions for each submission point is included as Appendix B.
- 4.1.2 A tracked changes version of recommended amendments is included as Appendix A.

5 Consequential amendments and minor errors

- 5.1.1 Schedule 1, cl16(2), allows minor and inconsequential amendments to be made to the Plan.

5.2 Consequential amendments

- 5.2.1 There are no consequential amendments associated with this topic, other than to the numbering of some standards as shown in the tracked changes version in Appendix A.

5.3 Minor errors

- 5.3.1 In relation to Key Issue 1 – Noise, as noted under that key issue, some minor errors are recommended to be corrected, namely the replacement of L_{Aeq} with $L_{Aeq(15\text{ min})}$ as shown in tracked changes in Appendix A, in order to comply with the National Planning Standards.
- 5.3.2 There are no minor errors associated with Key Issue 2 - Signs.

Appendix A – Chapters SIGNS and NOISE as amended

NOISE – Noise

Introduction

It is almost inevitable that any activity undertaken in the environment will produce some noise effects. The RMA defines 'noise' as including vibration. Often noise has minimal effects (e.g. everyday household noises) or are of limited duration (e.g. lawn mowing). But in some cases, the effects of noise can become more significant, causing annoyance and having an impact on physical well-being and appreciation of amenity (such as sleep disturbance and noise-induced stress). Noise is often identified as a nuisance and the major cause of complaints and ongoing conflicts between neighbouring property owners.

Sensitivity to noise and expectations around what is acceptable noise varies depending on the character of the area, the duration of the noise, the distance and other buffering between the noise and the receiver, as well as the sensitivities of the individual.

The District Plan can minimise the risks and consequences of excessive noise through controls on the activity source of noise or on development near inherently noisy activities. Noise standards in the District Plan are consistent with the types of daily activities which occur within each zoned area. For example, the noise limit for noise received in the General Residential Zone is consistent with the types of daily activities which occur in an urban backyard, and the need for uninterrupted sleep. Similarly, commercial and industrial zones require noise limits which allow intended activities to take place, but with appropriate control of noise effects on more sensitive surrounding zones. Limits are also placed on noise associated with the operation of the Waipukurau Aerodrome.

The purpose of the noise standards in the District Plan is therefore to enable those activities with noise associated with them to operate, while controlling noise to a reasonable level in order to protect the amenity of the receiving environment.

The primary duty relating to noise under the RMA is contained in section 16. Section 16 imposes an overarching general duty on every person to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level. Enforcement of the section 16 duty is generally through the issuing of an enforcement order or abatement notice.

Temporary noise issues are dealt with under sections 326 and 327 of the RMA, which provide for intervention through the issuing of an excessive noise direction. The meaning of 'excessive noise' does not apply to any noise emitted by any:

- Aircraft being operated during, or immediately before or after, flight; or
- Vehicle being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998); or
- Train, other than when being tested (when stationary), maintained, loaded, or unloaded.

Issues

NOISE-I1 Exposure to excessive noise can adversely affect amenity values and the health and wellbeing of people and communities.

Explanation

Excessive noise can unreasonably interfere with people's peace and comfort, and their health and well-being. It is therefore important that the emission of noise is appropriately controlled, and the effects of noise mitigated, and that excessive noise is avoided, where the noise is under human control.

Objectives

NOISE-O1 Ensure residents of the District are not exposed to an appropriate unreasonable levels of noise for the zone in which they reside/live/work

Commented [A1]: S129.128 Kainga Ora, Report 2C Noise and Signs, Key Issue 1

NOISE-O2 Activities generate noise effects that are compatible with the role, function and predominant character of each receiving zone

NOISE-O3 Avoid, remedy or mitigate conflict and reverse sensitivity effects arising for existing lawfully established activities as a result of new noise sensitive activities establishing in close proximity to them.

NOISE-O4 Where the locational, functional or operational needs are such that activities of importance to the community could not otherwise meet noise and vibration standards, enable these activities by allowing a whole or partial exemption from those noise standards.

Policies

NOISE-P1 To maintain the predominant character and amenity of each zone by controlling the level of noise and vibration received in each zone, particularly at night.

NOISE-P2 To ensure that noise sensitive activities and the addition of habitable space rooms to existing noise sensitive activities in the Commercial Town Centre and General Industrial Zones, within 100m specified setbacks of state highways and the rail network, and within identified airnoise boundaries for the Waipukurau Aerodrome shown on the Planning Maps, are acoustically designed and constructed to mitigate noise arising from legitimately established activities.

Commented [A2]: Kāinga Ora (S129.241) - Urban Environment Report 2A - key issue 8

NOISE-P3 To recognise that noise associated with agricultural, viticultural and horticultural activities is appropriate for the working nature of the rural environment by exempting it from the noise limits. The operation of noisy equipment (in particular, rural airstrips, audible bird scaring

Commented [A3]: S78.011, Report 2C Noise and Signs, Key Issue 1

devices and frost fans) is provided for, subject to appropriate controls.

NOISE-P4	To manage the emission of noise associated with the Waipukurau Aerodrome through identification of airnoise boundaries on the Planning Maps and accompanying noise limits.
NOISE-P5	To allow noisy construction and demolition activities subject to ensuring the protection of the community from unreasonable noise.
NOISE-P6	To allow noisy activities of limited duration and frequency which are of importance to the community, such as noise associated with the operation of emergency services and temporary military training activities, subject to appropriate controls.
NOISE-P7	To allow noise arising from temporary events subject to controls in terms of frequency, duration, timing and maximum noise limits.
NOISE-P8	To allow noise arising from recreational activities of a normal recreational nature, such as sporting events and playground activities, subject to the overarching duty to avoid unreasonable noise

Rule Overview Table

Use/activity	Rule Number
Emission of noise	NOISE-R1

Rules

Note: The provisions of this chapter do not apply to plantation forestry. Plantation forestry is regulated separately under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 which specifically addresses noise associated with plantation forest activities.

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities involving the emission of noise.

NOISE-R1 Emission of noise		
All Zones	1. Activity Status: PER Where the following conditions are met: a. Compliance with:	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted:

i. NOISE-S1;	a. NOISE-AM1.
ii. NOISE-S2;	b. NOISE-AM2.
iii. NOISE-S3;	c. NOISE-AM3.
iv. NOISE-S4; and	d. NOISE-AM4.
v. NOISE-S5.	e. NOISE-AM5.
	f. NOISE-AM6.
	g. NOISE-AM7.
	h. NOISE-AM8.
	i. NOISE-AM9.
	j. NOISE-AM10.
	k. NOISE-AM11.

Standards

NOISE-S1 Measurement and Assessment of Noise	
General	<p>1. Noise will be measured and assessed using the following standards:</p> <ul style="list-style-type: none"> a. NZS 6801:2008 Acoustics – Measurement of Environmental Sound b. NZS 6802:2008 Acoustics – Environmental Noise c. NZS 6803:1999 Acoustics – Construction Noise d. NZS 6805:1992 Airport Noise Management and Land Use Planning e. NZS 6806: 2010 Acoustics – Road Traffic Noise: New and altered roads f. NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas g. NZS 6808: 2010 Acoustics – Wind farm noise h. NZS 6809:1999 Acoustics – Port Noise Management and Land Use Planning <p>2. Noise levels will be measured and assessed within the site boundary of the noise receiver unless specified otherwise. The assessment position for houses, dwellings and habitable buildings in the General Rural Zone, <u>and the Rural Production Zone, and the Rural Lifestyle Zone</u> is within the notional boundary as defined in NZS6801.</p> <p><i><u>Note:</u> When it becomes evident a measurement location is not suitable, Council may, through the resource consent process, agree to the use of an alternative measurement location.</i></p>

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NOISE-S2 Vibration

General

1. Vibration from any activity will be measured and assessed as follows:
 - a. Vibration received at a building with regard to building damage:
 - i. ISO 4866:2010 Mechanical vibration and shock – vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures.

NOISE-S3 Noise Sensitive Activities within: 100m of State Highways and the Rail Network

- 50m of a State Highway with a speed limit of less than 70km/h; or
- 100m of a State Highway with a speed limit of 70km/h or more (measured from the nearest painted edge of the carriageway); or
- 100m of the Rail Network Boundary

General

1. The following Minimum External Sound Insulation Level Standards applies to all habitable spaces-rooms within any building that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary, either:
 - a. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spacesrooms, demonstrating that road-traffic/rail network sound levels will not exceed 40 dB $L_{Aeq(24hr)}$ inside all habitable spacesrooms; or
 - b. Provide a design report prepared by an acoustic specialist prior to construction of the habitable spacesrooms, demonstrating that road-traffic/rail network sound levels will not exceed 57 dB $L_{Aeq(24hr)}$ outside the most affected part of the building exterior.
2. The following applies to all buildings that contains a noise sensitive activity within 100 metres of the sealed edge of a State Highway or the Rail Network Boundary:
2. Where new habitable spaces-rooms with openable windows are proposed in a building that contains a noise sensitive activity, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is

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	to achieve compliance with the Building Act to ensure adequate ventilation and fresh air.
NOISE-S4 Noise Limits – Zone Specific	
Receiving Zone(s):	
General Residential Zone	<ol style="list-style-type: none"> Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: <ol style="list-style-type: none"> 0700 - 2200 hours – 50 $L_{Aeq(15\ min)}$ All other times – 40 $L_{Aeq(15\ min)}$ / 70 L_{Amax}
Rural Lifestyle Zone Large Lot Residential Zone (Coastal)	<ol style="list-style-type: none"> Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within these receiving zones: <ol style="list-style-type: none"> To be measured and assessed within the notional boundary: <ol style="list-style-type: none"> 0700 - 2200 hours – 50 $L_{Aeq(15\ min)}$ All other times – 40 $L_{Aeq(15\ min)}$ / 70 L_{Amax}
General Rural Zone Rural Production Zone	<ol style="list-style-type: none"> Noise from any activity (other than those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within these receiving zones: <ol style="list-style-type: none"> To be measured and assessed within the notional boundary: <ol style="list-style-type: none"> 0700 - 2200 hours – 55 $L_{Aeq(15\ min)}$ All other times – 45 $L_{Aeq(15\ min)}$ / 70 L_{Amax}
Commercial Town Centre Zone	<ol style="list-style-type: none"> Noise from any activity (other than <u>residential units/ occupancies/ habitable rooms</u> or those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone: <ol style="list-style-type: none"> 0700 – 2200 hours – 65 $L_{Aeq(15\ min)}$ All other times – 60 $L_{Aeq(15\ min)}$ / 75 L_{Amax} Octave band noise levels shall not exceed: <ol style="list-style-type: none"> 75dB $L_{eq(1\ minute)}$ at 63Hz 65dB $L_{eq(1\ minute)}$ at 125Hz <u>Residential units/ occupancies/ habitable rooms:</u> <ol style="list-style-type: none"> <u>Internal noise level in any habitable room must not exceed 35 dB $L_{Aeq(24\ hours)}$ while at the same time complying with the ventilation requirements of clause G4 of the New</u>

Commented [A6]: Clause 16 amendment, Report 2C Noise & Signs, Key Issue 1

	<p><u>Zealand Building Code. The total noise level must include all intrusive noise and mechanical services.</u></p> <p>b. <u>In determining the external noise level, an assumption that the noise incident upon the noise sensitive facade is from at least 3 separate activities simultaneously generating the maximum allowable noise level for that zone.</u></p> <p>6. <u>Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.</u></p>
General Industrial Zone	<p>7. Noise from any activity (other than <u>residential units/ occupancies/ habitable rooms</u> or those specific activities in NOISE-S5) must not exceed the following limits (dB) when measured within this receiving zone:</p> <p>a. 0700 – 2200 hours – 70 $L_{Aeq(15\ min)}$</p> <p>b. All other times – 60 $L_{Aeq(15\ min)}$ / 75 L_{Amax}</p> <p>8. <u>Residential units/ occupancies/ habitable rooms:</u></p> <p>a. <u>Internal noise level in any habitable room must not exceed 35 dB $L_{Aeq(24\ hours)}$ while at the same time complying with the ventilation requirements of clause G4 of the New Zealand Building Code. The total noise level must include all intrusive noise and mechanical services.</u></p> <p>b. <u>In determining the external noise level, an assumption that the noise incident upon the noise sensitive facade is from at least 3 separate activities simultaneously generating the maximum allowable noise level for that zone.</u></p> <p>c. <u>Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.</u></p>
<p><u>NOISE-S5 Specific Activities exempt from the Noise Limits in NOISE-S4, Exemptions and Noise Limits for Specific Activities</u></p> <p><i>Note: Regardless of the exemptions below, all land uses are subject to section 16 and Part 12 of the RMA.</i></p>	
All Specific Activities listed under this standard	<p>1. Noise shall be measured within the site boundary of a receiving site, or within the notional boundary of rural dwellings or habitable buildings (where stated).</p>

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Construction	2. Exempt from NOISE-S4 , Must comply with the provisions of NZS6803:1999 – Construction Noise.
Emergency Service Activities	3. Exempt from NOISE-S4 , provided the noise source is a warning device or siren (including their routine testing and maintenance), when measured within the site boundary of a receiving site, or within the notional boundary of rural dwellings or habitable buildings.
Generators for continued power supply	4. Exempt from NOISE-S4 , provided it is for temporary emergency use.
Recreational Activities of an everyday recreational nature	5. Exempt from NOISE-S4 , providing the activity does not involve motorised activities or amplified sound. Examples include sporting events and playground activities.
Activities within the grounds of an Educational Facility	6. Exempt from NOISE-S4 , providing the noise generated is through use of grounds and facilities during events associated with the educational facility concerned, and by students who live on site. Examples include use of school facilities for sport during term time and by student boarders who live on site.
Activities involving stock, vehicles, and mobile machinery, and livestock associated with primary production	7. Exempt from NOISE-S4 , providing noise is limited in duration and machinery is not in a fixed location, and is generated by vehicles and mobile machinery associated with primary production activities and sections 16 and 17 of the RMA have been satisfied. Examples include stock sale yards and transporting areas, harvesting, spraying, and planting machinery or activities in the farming calendar such as weaning or stags roaring .
Prospecting and Exploration (quarrying) activities	8. Must comply with the relevant zone noise limits at the specified measurement and assessment position for those zone(s), except that blasting noise and associated vibration must comply with the following: <ul style="list-style-type: none"> a. Occur only between 0700 hours and 1900 hours, and b. No more than 2 events per hour, with a maximum of 8 events per day, and c. All occupiers of dwellings or habitable buildings within a 2 kilometre range are advised in writing no less than 5 working days prior to the blasting occurring, and

Commented [A10]: S129.141 Kainga Ora, Report 2C Noise & Signs, Key Issue 1. (Also applies to similar amendments throughout NOISE-S5).

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	<p>d. Overblast pressure incident on dwellings or habitable buildings does not exceed 115dB L_{Zpeak}, and</p> <p>e. Ground borne vibration does not exceed the limits specified in DIN4150-3 Part 3:2016 Vibrations in Buildings.</p>
Temporary events (other than temporary military training)	<p>9. Must comply with the zone noise limits at the specified measurement and assessment position for those zone(s), except as follows (on a per site basis):</p> <p>a. For 4 events in any 12 month period – a noise limit of 80dB $L_{Aeq(1\text{ hour})}$ within the respective adjacent zone(s) providing the event and pre event rehearsal do not individually exceed 3 hours in duration. Octave band noise levels at houses, dwellings or habitable buildings must not exceed:</p> <ul style="list-style-type: none"> i. 95dB $L_{eq(1\text{ min})}$ at 63Hz ii. 85dB $L_{eq(1\text{ min})}$ at 125Hz iii. Secondary sub-clause iv. Secondary sub-clause <p>b. For 2 events in any 12 month period – a noise limit of 70dB $L_{Aeq(1\text{ hour})}$ within the respective adjacent zone(s) providing the event does not exceed 12 hours per day over a two day period. Octave band noise levels at dwellings or habitable buildings must not exceed:</p> <ul style="list-style-type: none"> i. 85dB $L_{eq(1\text{ min})}$ at 63Hz ii. 75dB $L_{eq(1\text{ min})}$ at 125Hz
Emergency Aviation Movements	10. Exempt from NOISE-S4 .
Agricultural Aviation Activities Movements	<p>11. Exempt from NOISE-S4 for up to 14 days in any calendar year.</p> <p>12. Otherwise, must comply with the noise limits as for rural airstrips (NOISE-S5(13), (14) & (15)) and helicopter landing areas (NOISE-S5(16), (17) & (18)).</p>
Rural Airstrips	13. Exempt from NOISE-S4 . The day-night average sound level (L_{dn}) generated by aircraft movements (excluding emergency aviation, and agricultural aviation activities movements for up to 14 days in any calendar year) must not exceed 55 dB L_{dn} , measured at the notional boundary of any building containing a noise sensitive activity on a separate site under different ownership in the General Rural , and Rural

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	<p>Production, and Rural Lifestyle Zones, or at the boundary of any site containing a noise sensitive activity in all other zones.</p> <p>14. Aircraft noise must be measured and assessed in accordance with the provisions of NZS 6805:1992 Airport Noise Management and Land Use Planning.</p> <p>15. Aircraft maintenance and engine testing that is ancillary to aircraft operations is excluded from the calculations above and must comply with the zone-specific noise limits in NOISE-S4.</p>
<p>Helicopter Landing Areas (other than those for temporary military training activities)</p>	<p>16. <u>Exempt from NOISE-S4.</u> The day-night average sound level (L_{dn}) generated by helicopter movements (excluding emergency aviation movements, and agricultural aviation activitiesmovements for up to 14 days in any calendar year) must not exceed 50 dB L_{dn} measured at the notional boundary of any building containing a noise sensitive activity on a separate site under different ownership in the General Rural, and Rural Production, and Rural Lifestyle Zones, or at the boundary of any site containing a noise sensitive activity in all other zones.</p> <p>17. Noise may be averaged over periods of seven consecutive days and the averaged value must not exceed 50 dB L_{dn}, and in any case the limit must not be exceeded by 3 dB on any day.</p> <p>18. Helicopter noise must be measured and assessed in accordance with the provisions of NZS 6807:1994 – Noise management and land use planning for helicopter landing areas.</p>
<p>Waipukurau Aerodrome/ Airport</p>	<p>19. <u>Exempt from NOISE-S4.</u> Must comply with the provisions of NZS 6805:1992 Airport Noise Management and Land Use Planning.</p> <p>20. The Waipukurau Aerodrome must be managed so that the noise from aircraft operations does not exceed 65 dB L_{dn} outside the Air Noise Boundary (ANB) or 55 dB L_{dn} outside the Outer Control Boundary (OCB) as shown on the Planning Maps.</p> <p>21. Compliance with the ANB and OCB will be determined on the basis of the following:</p> <ol style="list-style-type: none"> A log of annual aircraft movements will be provided to the Council by 1 February each year, detailing the total number of fixed-wing and helicopter movements for the previous calendar year.

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	<p>b. Where the total number of annual aircraft movements are less than <u>65007500</u> per year no compliance contouring is required.</p> <p>c. Where the total number of annual aircraft movements is greater than <u>65007500</u>, the operators of Waipukurau Aerodrome must produce 55 dB, and 65 dB Annual Aircraft Noise Contours (AANC), using airport noise prediction software and records of actual aircraft movements for the busiest 3 consecutive months of the previous year. These AANC are to be submitted to the Council to show compliance or otherwise with the OCB and ANB. The preparation of AANC will be required every 2 years thereafter.</p> <p>d. Where the AANC show that the calculated noise level exceeds 64 dB at any point on the ANB, noise measurements using infield monitoring are required for a minimum of 1 month (at one measurement location) to demonstrate compliance with the noise limit of the ANB, as shown on the Planning Maps.</p> <p>22. Exemptions to these noise rules are provided for:</p> <ol style="list-style-type: none"> Aircraft operating in an emergency for medical or national / civil defence reasons. Air shows. Military operations. Aircraft using the airfield as a necessary alternative to an airfield elsewhere. Aircraft taxiing. Aircraft engine testing.
Wind farm wind turbine generators	23. <u>Exempt from NOISE-S4</u> . Must comply with NZS 6808: 2010 Acoustics – Wind farm noise.
<u>Residential units/ occupancies/ habitable spaces in Commercial and General Industrial Zones</u>	<p>24. <u>Provided the total internal noise level in any habitable room does not exceed 35 dB L_{Aeq}(24 hours). While at the same time complying with the ventilation requirements of clause G4 of the New Zealand Building Code. The total noise level must include all intrusive noise and mechanical services.</u></p> <p>25. <u>In determining the external noise level, an assumption that the noise incident upon the noise sensitive facade is from at least 3 separate activities simultaneously generating the maximum allowable noise level for that zone.</u></p>

Commented [A19]: S74.001 Bill MacGregor, S38.005 Aerospread, Report 2C Noise & Signs, Key Issue 1

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	26. Compliance with the above must be confirmed in writing by a suitably qualified and experienced acoustic consultant.
Audible bird scaring devices	<p>27-24. <u>Exempt from NOISE-S4.</u> Noise from audible explosive bird scaring devices must only be operated between the period 30mins before sunrise and 30mins after sunset, and must not exceed 100dB L_{Zpeak}, when measured within the notional boundary of any other site in the General Rural, or Rural Production <u>or Rural Lifestyle</u> Zones, or within the site boundary of any site in the Rural Lifestyle, General Residential or Settlements Zones.</p> <p>28-25. Discrete sound events of a bird scaring device including shots or audible sound must not exceed 3 events within a 1-minute period and must be limited to a total of 12 individual events per hour.</p> <p>29-26. Where audible sound is used over a short or variable time duration, no event may result in a noise level greater than 50dBA L_{Aeq} when assessed at the notional boundary of any other site in the General Rural, or Rural Production <u>or Rural Lifestyle</u> Zones, or within the site boundary of any site in the Rural Lifestyle, General Residential or Settlement Zones.</p>
Frost fans	<p>30-27. <u>Exempt from NOISE-S4.</u> Noise generated by frost fans must not exceed 55 dB $L_{Aeq (10min)}$ when assessed within the notional boundary of any other site in the General Rural, or Rural Production <u>or Rural Lifestyle</u> Zones, or within the site boundary of any site in the Rural Lifestyle, General Residential or Settlement Zones.</p>
Temporary military training activities	<p>31-28. <u>Exempt from NOISE-S4.</u> Weapons firing and/or the use of explosives:</p> <ol style="list-style-type: none"> Notice is provided to the Council at least 5 working days prior to the commencement of the activity. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity: <ol style="list-style-type: none"> 0700 – 1900 hours: 500m 1900 – 0700 hours: 1,250m Where the minimum separation distances specified above cannot be met, then the activity must comply with the following peak sound pressure level when measured at the

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notional boundary of any building housing a noise sensitive activity:

- i. 0700 – 1900 hours: 95 dBC
- ii. 1900 – 0700 hours: 85 dBC

32.29. Mobile noise sources:

- a. 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 mobile noise sources.
- b. Note: Mobile noise sources (other than firing of weapons and explosives) include personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.

33.30. Fixed (stationary) noise sources:

- a. Must comply with the noise limits set out in the table below when measured at the notional boundary of any building housing a noise sensitive activity.

Time (Monday to Sunday)	L _{Aeq} (15 min)	L _{AF} (max)
0700 – 1900 hours	55 dB	N/A
1900 – 2200 hours	50 dB	
2200 – 0700 hours	45 dB	75 dB

- b. Note: Fixed (stationary) noise sources (other than firing of weapons and explosives) include power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.

34.31. Helicopter landing areas:

- a. Must comply with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.
- b. Noise levels will be measured in accordance with NZS6801:2008 Acoustics – Measurement of Sound.

35.32. Noise levels will be measured in accordance with NZS6801:2008 Acoustics – Measurement of Sound.

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Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

NOISE-AM1 Compatibility

1. The nature of the zone within which the noise generating activity is located and its compatibility with the expected environmental results for that zone, including proximity of any existing noise sensitive activities.

NOISE-AM2 Ambient Noise Levels

1. Existing ambient noise levels.

NOISE-AM3 Vehicle Noise

1. If traffic generation during the night-time period is of concern, whether the noise level exceeds 55dB L_{Aeq} (1 hour) at the façade of a habitable space.
2. If it is likely that vehicles associated with an activity while travelling on public roads will generate more than 55dB L_{Aeq} (1 hour) at the façade of a habitable space.

NOISE-AM4 Degree of Exceedance of Noise Limits

1. The length of time for which specified noise levels will be exceeded, particularly at night, with regard to likely disturbance that may be caused.

NOISE-AM5 Community Benefit of Entertainment Activities

1. The value and nature of entertainment activities and their benefit to the wider community, having regard to the frequency of noise intrusion and the practicality of mitigating noise, or utilising alternative sites.

NOISE-AM6 Extent to which Achieving Relevant Limits is Practicable

1. The extent to which achieving the relevant limits is practicable, given any existing activities which create noise, particularly on the interface with commercial, industrial, or recreational activities and whether the environment is subject to significant noise intrusion from road, rail or air transport activities.

NOISE-AM7 Assessment of Noise and Mitigation Options

1. The level of involvement of a suitably qualified and experienced acoustic consultant in the assessment of potential noise effects and/or mitigation options to reduce noise emissions.

NOISE-AM8 Other Relevant Standards, Codes of Practice and Assessment Methods

1. Any other relevant standards, codes of practice or assessment methods based on robust acoustic principles.

NOISE-AM9 Effects on Cultural Values

1. Effects of noise on cultural values associated with any sites and areas of significance to Maori identified in SASM-SCHED3 and on the Planning Maps, or marae.

NOISE-AM10 Waipukurau Aerodrome

1. In respect of noise associated with aircraft engines at the Waipukurau Aerodrome:
 - a. The degree to which excessive noise generation will affect the enjoyment of any public place or residential area in the vicinity.
 - b. The degree to which the noise contrasts with the characteristics of the existing noise environment in terms of level, duration and timing, and the impact of any cumulative increase.
 - c. The nature of measures to mitigate excessive noise levels and the degree to which they would be successful.

Methods

Methods, other than rules, for implementing the policies:

NOISE-M1 Noise Management Plans

Encouraging the establishment and operation of effective Noise Management Plans for specific sites or sector groups.

NOISE-M2 New Zealand Standards

Reference to various New Zealand Standards for measuring and assessing noise emission.

NOISE-M3 Industry Best Practice

Encouraging adoption of industry best practice e.g. Helicopter Association International's 'Fly Neighbourly' programme.

NOISE-M4 Section 16 RMA Unreasonable Noise

Control emission of unreasonable noise under section 16 of the RMA.

NOISE-M5 Monitoring and Enforcement

Monitoring and enforcement of noise as part of Council's functions under the RMA.

Principal Reasons

The principal reasons for adopting the policies and methods:

The District Plan seeks to control the level of noise and vibration received in each zone by setting noise limits that reflect the character and amenity of each zone, but also provides for those activities which are recognised as having different aural qualities associated with them, subject to specific noise standards. Activities such as construction, noise associated with normal agricultural, viticultural, and horticultural operations, emergency service activities and

temporary events such as concerts are provided for, subject to specific standards and the overarching duty to ensure noise does not exceed a reasonable level.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|-------------------|--|
| NOISE-AER1 | Residents are exposed to an appropriate level of noise. |
| NOISE-AER2 | The amenity of residential areas and established noise-sensitive activities is safeguarded. |
| NOISE-AER3 | Sufficient flexibility for noise-generating activities in the Rural Production, Plains Production and Commercial Town Centre and General Industrial Zones, as well as noise associated with the operation of the Waipukurau Aerodrome, is provided. |
| NOISE-AER4 | Events and activities of limited duration or frequency that are inherently noisy are not unreasonably constrained. |
| NOISE-AER5 | Noise-sensitive activities located out-of-zone have adequate sound insulation. |

SIGN – Signs

Introduction

Signs and other forms of outdoor advertising provide information to the general public. Information includes messages about: availability of goods and services, notice of forthcoming events, directions to traffic and pedestrians, and identification of particular sites or premises. Signage is also required by legislation/regulation for health and safety purposes. Signs are essential for the information they provide, adding vibrancy and colour and contribute indirectly to economic viability.

Issues

SIGN-I1 Safety and Visual Effects

Signs can result in adverse effects on traffic safety and visual amenity.

Explanation

Signs and other forms of outdoor advertising may have adverse environmental effects, particularly on visual amenities in certain areas, and may compromise traffic and pedestrian safety through causing distraction.

Objectives

SIGN-O1 Provide for a range of signs, to meet the needs of the District's communities, which do not cause a nuisance, distraction or hazard to other activities, vehicular traffic or pedestrians, or detract from the visual amenities or character of the environment where they are located.

Policies

SIGN-P1 To ensure that signs are displayed in a manner that does not compromise the character, attractive appearance and visual amenity of the different areas of the District.

SIGN-P2 To ensure that the display of signs does not adversely affect traffic safety by causing confusion or distraction or by obstructing views.

SIGN-P3 To ensure all signs are constructed and placed in a manner which does not pose a danger to property or people.

SIGN-P4 To enable signs required by legislation or regulation such as the Hazardous Substances and New Organisms Act 1996 and the Health and Safety at Work Act 2015.

SIGN-P5	To limit the number and size of signs in the various zones to avoid clutter, reflecting the respective character and amenity of an area.
SIGN-P6	To enable the display of a wide range of signs, limited only by public safety and access needs, and consistency with the overall character of the area.
SIGN-P7	To encourage the consolidation of information signs in order to reduce the effects of such signs on visual amenity and traffic safety.
SIGN-P8	To ensure that signs are maintained in good order and do not deteriorate to the point where their original purpose cannot be fulfilled.

SIGN -P9 To ensure that signs do not compromise the identified values, characteristics, or features of any heritage item identified in HH-SCHED2.

Commented [A1]: S55.073 HNZPT, Report 4B Historic Heritage, Key Issue 10

Rule Overview Table

Use/activity	Rule Number
Traffic signs or signs denoting the name of a street or the street number of the premises	SIGN-R1
Official signs or signs for any public purpose or in connection with any public or network utility, community facility or public reserve	SIGN-R2
Temporary signs for community, educational and recreational events and during building construction	SIGN-R3
Signs advertising that a property is for sale	SIGN-R4
Signs painted, or attached directly, onto vehicles or trailers	SIGN-R5
Sandwich boards, magazine signs or display stands	SIGN-R6
All other signs visible from any public place or thoroughfare not otherwise provided for	SIGN-R7

Rules

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities involving signage.

SIGN-R1 Traffic signs or signs denoting the name of a road or the street number of the premises

All Zones	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Signs must not contain lights or illumination which flash, move, rotate, vary in intensity, colour or size. b. Signs must not visibly move, revolve, rotate, create an optical illusion of movement or change colour, whether by electrical or other means. 	<p>2. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. The potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions. b. Any likely cumulative effects of allowing the sign to be erected.
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SIGN-R2 Official signs or signs for any public purpose or in connection with any public or network utility, community facility or public reserve

All Zones	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Signs are located on the site to which they relate, <u>or within a legal road.</u> b. A sign must not exceed 3m² in area where it is visible from any public road, public land or adjacent property. c. Signs must not contain lights or illumination which flash, move, rotate, vary in intensity, colour or size. <u>d. Signs must not visibly move, revolve, rotate, create an optical illusion of movement or change colour, whether by electrical or other means.</u> 	<p>2. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. The degree to which the sign may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a driver's field of view. b. The potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions.
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Note: Official Signs within any road reserve are not controlled by these rules where they have the consent of the relevant Road Controlling Authority (RCA), or Waka Kotahi NZ Transport Agency in the case of State Highways.

- c. The visual impact of the sign and its potential effects on the amenity of the locality.
- d. The potential of the sign to adversely affect public health and safety, or to reduce public convenience.
- e. Any likely cumulative effects of allowing the sign to be erected.

Commented [A2]: S117.067 Chorus, S119.067 Vodafone, S118.067 Spark, Report 2C Noise and Signs, Key Issue 2

SIGN-R3 Temporary signs for community, educational and recreational events and during building construction

All Zones

1. Activity Status: PER

Where the following conditions are met:

- a. A sign must not exceed 3m² in area.
- b. Signs must not be erected more than 12 months prior to the date of the commencement of the activity advertised nor remain erected more than one month following completion of that activity.
- c. Signs must not contain lights or illumination which flash, move, rotate, vary in intensity, colour or size.
- d. Signs must not visibly move, revolve, rotate, create an optical illusion of movement or change colour, whether by electrical or other means.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted:

- a. The need to impose conditions relating to the location, design and appearance of the sign and the period for which it may be erected or operated.
- b. The visual impact of the sign and its potential effects on the amenity of the locality.
- c. The degree to which the sign may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a driver's field of view.
- d. The potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions.

		e. Any likely cumulative effects of allowing the sign to be erected.
SIGN-R4 Signs advertising that a property is for sale		
All Zones	1. Activity Status: PER Where the following conditions are met: <ol style="list-style-type: none"> Signs are located on the site to which they relate. Signs must not exceed 1m² in area. Signs must not contain lights or illumination which flash, move, rotate, vary in intensity, colour or size. Signs must not visibly move, revolve, rotate, create an optical illusion of movement or change colour, whether by electrical or other means. 	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: <ol style="list-style-type: none"> The visual impact of the sign and its potential effects on the amenity of the locality. The degree to which the sign may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a driver's field of view. The potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions.
SIGN-R5 Signs painted, or attached directly, onto vehicles or trailers		
All Zones	1. Activity Status: PER Where the following conditions are met: <ol style="list-style-type: none"> Signs affixed to vehicles or trailers must be incidental to the primary use of that vehicle or trailer, and not parked with the express purpose to be visible from a public place or road. Signs must not contain lights or illumination which 	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: <ol style="list-style-type: none"> The visual impact of the sign and its potential effects on the amenity of the locality. The potential of the sign to adversely affect public health and safety, or to

	flash, move, rotate, vary in intensity, colour or size.	reduce public convenience.
	c. Signs must not visibly move, revolve, rotate, create an optical illusion of movement or change colour, whether by electrical or other means.	c. The degree to which the sign may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a driver's field of view.
		d. The potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions.
		e. Any likely cumulative effects of allowing the sign to be erected.

SIGN-R6 Sandwich boards, magazine signs or display stands

Settlement Zone	1. Activity Status: PER	2. Activity status where compliance not achieved: RDIS
Commercial Town Centre Zone	Where the following conditions are met:	Matters over which discretion is restricted:
General Industrial Zone	a. The signs are positioned adjacent to the trading premises selling such items and are positioned in such a way as not to create a hazard to pedestrian traffic or obstruct the doors of parked vehicles.	a. The potential of the sign to adversely affect public health and safety, or to reduce public convenience.
General Residential Zone	b. Compliance with:	b. Any likely cumulative effects of allowing the sign to be erected.
Large Lot Residential Zone (Coastal)	i. SIGN-S1;	
	ii. SIGN-S2;	
	iii. SIGN-S3;	
	iv. SIGN-S4;	
	v. SIGN-S5;	
	vi. SIGN-S6; and	
	vii. SIGN-S7.	

Commented [A3]: Kāinga Ora (S129.241) - Urban Environment - key issue 8

SIGN-R7 All other signs visible from any public place or thoroughfare not otherwise provided for

<p>General Residential Zone</p> <p>Large Lot Residential Zone (Coastal)</p>	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>a. Signs are limited to advertising a lawful use of the site, located on the site on which the activity occurs and must advertise only services, products or events available or occurring on the site.</p> <p>b. Compliance with:</p> <ul style="list-style-type: none"> i. SIGN-S1(1) and SIGN-S1(2); ii. SIGN-S2(1); iii. SIGN-S3; iv. SIGN-S4; v. SIGN-S5; vi. SIGN-S6; and vii. SIGN-S7; and viii. SIGN-S9 	<p>3. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> a. The visual impact of the sign and its potential effects on the amenity of the locality. b. The degree to which the sign may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a driver's field of view. c. The potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions. d. The potential of the sign to adversely affect public health and safety, or to reduce public convenience. e. Any likely cumulative effects of allowing the sign to be erected. f. The need to impose conditions relating to the location, design and appearance of the sign and the period for which it may be erected or operated. g. The need to impose conditions to enter into a performance bond agreement to ensure compliance with any condition that may be imposed.
<p>All Other Zones</p>	<p>2. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>a. Compliance with:</p> <ul style="list-style-type: none"> i. SIGN-S1; ii. SIGN-S2; iii. SIGN-S3; iv. SIGN-S4; v. SIGN-S5; vi. SIGN-S6; vii. SIGN-S7; and viii. SIGN-S8; and ix. SIGN-S9 	<p></p>

Commented [A4]: S55.074 HNZPT, Report 4B Historic Heritage, Key Issue 10

Commented [A6]: S55.074 HNZPT, Report 4B Historic Heritage, Key Issue 10

h. The potential effects on heritage values for any site identified in HH-SCHED2

Commented [A5]: S55.074 HNZPT, Report 4B Historic Heritage, Key Issue 10

Standards

SIGN-S1 Quantity and Area

Large Lot Residential Zone (Coastal)	<ol style="list-style-type: none"> 1. Signs are limited to a single sign for each road frontage of any site. 2. The area of a sign or combination of signs, per site, must not exceed 0.5m² in area.
General Residential Zone	<p><i>Note: For the purposes of measuring the area of any sign, a double-sided sign is measured as the area of one side only.</i></p>
General Rural Zone Rural Production Zone Rural Lifestyle Zone	<ol style="list-style-type: none"> 3. The maximum number of signs on any site must not exceed 2, except that this rule does not apply to: <ol style="list-style-type: none"> a. traffic directional signs, provided that each individual sign does not exceed 1m²; and does not advertise any activity; b. signs that are not visible from a public road or place. 4. The area of a sign or combination of signs, per site, must not exceed 3m² in area. <p><i>Note: For the purposes of measuring the area of any sign, a double-sided sign is measured as the area of one side only.</i></p>
Settlement Zone	<ol style="list-style-type: none"> 5. The area of a sign or combination of signs, per site, must not exceed 3m². <p><i>Note: For the purposes of measuring the area of any sign, a double-sided sign is measured as the area of one side only.</i></p>
Commercial Town Centre Zone General Industrial Zone	<ol style="list-style-type: none"> 6. The area of any free-standing sign must not exceed 5m². <p><i>Note: For the purposes of measuring the area of any sign, a double-sided sign is measured as the area of one side only.</i></p>

SIGN-S2 Height

Large Lot Residential Zone (Coastal) General Residential Zone	1. The highest point of a sign must not exceed 3 metres above ground level or be no higher than the eaves of the building to which it relates, whichever is the lesser.				
General Rural Zone Rural Production Zone Rural Lifestyle Zone	2. Signs must comply with the height requirements for the zone in which they are located. 3. The highest point of a sign attached to a building must not exceed the highest point of the roof.				
Settlement Zone Commercial Town Centre Zone General Industrial Zone	4. Signs must comply with the height requirements for the zone in which they are located. 5. The highest point of a sign attached to a building must not exceed the highest point of the roof.				
SIGN-S3 Position					
All Zones	1. Signs must not be erected on or adjacent to a road which will: <ol style="list-style-type: none"> obstruct the line of sight of any corner, bend, intersection or vehicle crossing. obstruct, obscure or impair the view of any traffic sign or signal. create a hazard to pedestrian traffic or obstruct doors of parked vehicles. 2. Signs, except traffic signs, must not be sited closer than: <ol style="list-style-type: none"> 10m to any intersection or any pedestrian crossing where the speed limit is less than 80kph. 100m to any intersection where the speed limit is greater than 80kph. 3. The minimum visibility distance from a motorist to a sign must be in accordance with the distances set out in the following table: <table> <tr> <th>Regulatory Speed Limit (kph)</th><th>Minimum Visibility Distance from a Motorist to a Sign (m)</th></tr> <tr> <td>Up to 70</td><td>80</td></tr> </table>	Regulatory Speed Limit (kph)	Minimum Visibility Distance from a Motorist to a Sign (m)	Up to 70	80
Regulatory Speed Limit (kph)	Minimum Visibility Distance from a Motorist to a Sign (m)				
Up to 70	80				

		70 to 99	180
		100	250
SIGN-S4 Design			
All Zones	1. On roads with speed limits over 50kph, the lettering of all signs must be in accordance with the sizes set out in the following table:		
	Regulatory Speed Limit (kph)	Minimum Lettering Height (mm)	
		Message Designed to Slow or Stop Vehicles within 50 m of the Sign	Message Designed to be Read whilst Driving Past the Sign
	Up to 70	200	125
	70 to 99	250	150
	100	300	200
	2. Lettering at the bottom of a sign is exempt from sizes specified in the above table provided that the lettering is no larger than 10mm. The purpose of such lettering is for reading by pedestrians.		
	3. Signs must not be erected on or adjacent to a road which will:		
	a. resemble or be likely to be confused with any traffic sign or signal.		
	b. use reflective materials that may interfere with a road user's vision.		
SIGN-S5 Illumination and Movement			
All Zones	1. Signs must not be erected on or adjacent to a road which will use flashing or revolving lights unless used to identify a hazard.		
	2. Signs must not be illuminated by any method whatsoever, such that its illumination casts light or reflected light on to any other property.		
	3. Signs visible from roads classified as Inter-regional Connectors and Rural Connectorsan arterial road in a 100kph legal road speed area, must not be illuminated unless the premises are open for business.		
SIGN-S6 Condition			
All Zones	1. All signs erected in the District must be maintained in good order.		
	2. Signs must be removed, repaired or upgraded where they have become disfigured or vandalised to the extent that they do not fulfil their original purpose or become a danger to public safety.		
SIGN-S7 Signs within or over roads			
All Zones	1. Signs within road reserve, and signs on, under or attached to verandahs and/or attached to buildings which extend over roads, must comply with the requirements of the District Plan for signs in the zone in which the associated building is located.		

Commented [A7]: S104.011 CHBDC, Report 7C Transport, Key Issue 2

	<i>Note: Signs within the road reserve can only be erected with the consent of the relevant road controlling authority. All signs within the road corridor will be required to be designed to comply with the New Zealand Transport Agency standards 'Manual for Traffic Signs and Markings, Parts 1 and 2'.</i>
SIGN-S8 Verandah signs	
Settlement Zone	1. Signs attached to, but under, street verandah must be: <ol style="list-style-type: none"> no closer than 2.5m to the footpath below. setback at least 500mm from the kerb of the road. be at least 1.5m away from any other under verandah sign.
Commercial Town Centre Zone	2. Street verandah fascia signs must be no closer than 2.5m to the footpath below.
General Industrial Zone	3. Signs attached to a structure or the face of a building must be setback 300mm from the kerb of a road.
<u>SIGN-S9 Signs on the site of Heritage Items identified in HH-SCHED2</u>	
<u>All Zones</u>	<ol style="list-style-type: none"> <u>The maximum size of any sign is 1m² per road frontage.</u> <u>The sign fixtures do not damage the building or item.</u> <u>The sign does not protrude above the highest point of the building or structure to which it is attached, projected or painted.</u> <u>The sign must not be internally or externally illuminated.</u> <u>The sign must not include a digital display.</u> <u>The sign must not obscure any window, architectural feature or details on any heritage item.</u> <u>The sign is not for the purposes of third-party advertising.</u> <p><i><u>Note: This standard does not apply to signs approved by the Council and/or Heritage New Zealand Pouhere Taonga to identify heritage buildings or items included in HH-SCHED2.</u></i></p>

Commented [A8]: S55.075 HNZPT, Report 4B Historic Heritage, Key Issue 10

Methods

Methods, other than the above rules, for implementing the policies:

SIGN-M1 Road Controlling Authority Powers

The exercise of control as owner and designating authority for all roads in the District, other than State Highways, which are controlled by the New Zealand Transport Agency.

SIGN-M2 Bylaws

Council's 'Control of Advertising Signs (Part 08) Bylaw'.

SIGN-M3 Advocacy

Council support for the establishment of information signs for the District's settlements and for sites of historical and natural interest.

Principal Reasons

The principal reasons for adopting the policies and methods:

Signs should be compatible with public safety, convenience, access and the maintenance and enhancement of amenity. The amenity of areas with a predominantly residential character or natural character can be compromised by a clutter of, or inappropriate, signs.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|------------------|--|
| SIGN-AER1 | Adequate signage to convey the information necessary for the social, economic and cultural welfare of the community. |
| SIGN-AER2 | Minimal adverse effects of signs on traffic and pedestrian safety. |
| SIGN-AER3 | Maintenance and enhancement of the visual amenities of the residential and rural areas of the District. |
| SIGN-AER4 | A variety of signage within the business areas and townships of the District that maintain and enhance the character and amenity of areas where they are located. |

Appendix B – Summary of recommendations on submissions

NOISE

Table: Summary of recommended responses to submissions and further submissions

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
S81.093	Horticulture New Zealand	NOISE-O1	Support	Retain NOISE-O1.	Accept in part (subject to amendment from other submissions) (ROR 6 May)	Accept in part (subject to amendment from other submissions)	No
.							
S121.104	Federated Farmers of New Zealand	NOISE-O1	Oppose	Delete NOISE-O1.	Reject	Reject	No
FS9.104	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Accept	Accept	
S129.128	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-O1	Oppose	Amend NOISE-O1 as follows: 'Ensure residents of the District are exposed to an appropriate level of noise for the zone in which they reside/live/work. Activities do not generate unreasonable noise effects which adversely affect amenity values, the health and wellbeing of people and communities, or noise sensitive activities.	Accept in part (ROR 6 May)	Accept in part	Yes
FS8.042	Silver Fern Farms Limited		Oppose		Accept in part (ROR 6 May)	Accept in part	
S81.094	Horticulture New Zealand	NOISE-O2	Support	Retain NOISE-O2.	Accept	Accept	No
.							
S121.105	Federated Farmers of New Zealand	NOISE-O2	Support	Retain NOISE-O2 as proposed.	Accept	Accept	No
FS9.105	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
S129.129	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-O2	Amend	Amend NOISE-O2 as follows: 'Activities generate noise effects that are compatible with the role, and function and predominant character of each receiving zone.'	Reject	Reject	No
.							
S81.095	Horticulture New Zealand	NOISE-O3	Support	Retain NOISE-O3.	Accept	Accept	No
.							
S121.106	Federated Farmers of New Zealand	NOISE-O3	Support	Retain NOISE-O3 as proposed.	Accept	Accept	No
FS9.106	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	
S129.130	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-O3	Amend	Amend NOISE-O3 as follows: 'Avoid, remedy or mitigate conflict and reverse sensitivity effects arising for existing lawfully established activities as a result of new noise sensitive activities establishing in close proximity to them, where practicable .'	Reject	Reject	No
FS8.043	Silver Fern Farms Limited		Oppose		Accept	Accept	
FS16.36	Waka Kotahi NZ Transport Agency		Amend	Retain NOISE-O3 as notified or reconsider the threshold test in this objective to avoid ambiguity. Repeating the RMA by using the terminology, 'avoid, remedy or mitigate' should generally not be used in an objective.	Accept in part	Accept in part	
S42.036	New Zealand Pork Industry Board	NOISE-O3	Support	Retain NOISE-O3 as proposed.	Accept	Accept	No
.							
S78.009	Waka Kotahi NZ Transport Agency	NOISE-O3	Support	Retain NOISE-O3 as written.	Accept	Accept	No
FS23.174	Kāinga Ora - Homes and Communities		Oppose		Reject	Reject	

Proposed District Plan

Panel Report: General District-Wide Matters: Noise and Signs

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
S29.004	New Zealand Defence Force	NOISE-O4	Support	Retain NOISE-O4 as notified.	Accept	Accept	No
S81.096	Horticulture New Zealand	NOISE-O4	Support	Retain NOISE-O4.	Accept	Accept	No
.							
S129.131	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-O4	Amend	Amend NOISE-O4 as follows: 'Where the locational, functional or operational needs are such that activities of importance to the community could not otherwise meet noise and vibration standards, enable these activities by allowing a whole or partial exemption from those noise standards, where appropriate. '	Reject	Reject	No
FS16.37	Waka Kotahi NZ Transport Agency		Oppose	Retain NOISE-O4 as notified.	Accept	Accept	
S57.083	Fire and Emergency New Zealand	NOISE-O4	Support	Retain NOISE-O4 as notified.	Accept	Accept	No
.							
S78.010	Waka Kotahi NZ Transport Agency	NOISE-O4	Support	Retain NOISE-O4 as written.	Accept	Accept	No
FS23.175	Kāinga Ora - Homes and Communities		Oppose		Reject	Reject	
S129.132	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P1	Amend	Amend NOISE-P1 as follows: 'To maintain the predominant character and amenity of each zone by controlling the level of noise and vibration received in each zone, particularly at night.'	Reject	Reject	No
.							
S78.011	Waka Kotahi NZ Transport Agency	NOISE-P2	Support	Retain NOISE-P2 as written.	Accept	Accept in part	Yes
FS23.176	Kāinga Ora - Homes and Communities		Oppose		Reject	Reject	

Proposed District Plan

Panel Report: General District-Wide Matters: Noise and Signs

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
S129.133	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P2	Oppose	Delete NOISE-P2.	Reject	Reject	No
.							
S81.097	Horticulture New Zealand	NOISE-P3	Support	Retain NOISE-P3.	Accept	Accept	No
.							
S129.134	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P3	Support	Retain NOISE-P3 as notified.	Accept	Accept	No
.							
S129.135	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P4	Support	Retain NOISE-P4 as notified.	Accept	Accept	No
.							
S129.136	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P5	Amend	Amend NOISE-P5 as follows: 'To allow noisy construction and demolition activities subject to ensuring the protection of the community from unreasonable noise effects .'	Reject	Reject	No
.							
S29.005	New Zealand Defence Force	NOISE-P6	Support	Retain NOISE-P6 as notified	Accept	Accept	No
S57.084	Fire and Emergency New Zealand	NOISE-P6	Support	Retain NOISE-P6 as notified.	Accept	Accept	No
.							
S129.137	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P6	Support	Retain NOISE-P6 as notified.	Accept	Accept	No
.							
S129.138	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P7	Support	Retain NOISE-P7 as notified.	Accept	Accept	No

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
.							
S129.139	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-P8	Support	Retain NOISE-P8 as notified.	Accept	Accept	No
.							
S81.098	Horticulture New Zealand	NOISE-S1	Amend	Amend NOISE-S1 as follows: '1. ... 2. ... The assessment position for houses, dwellings and habitable buildings in the General Rural Zone, The Rural Production Zone and the Rural Lifestyle Zone is within the notional boundary as defined in NZS6801.'	Accept	Accept	Yes
FS12.5	New Zealand Defence Force		Support		Accept	Accept	
S78.012	Waka Kotahi NZ Transport Agency	NOISE-S3	Support	Retain NOISE-S3 as written.	Accept in part (ROR 27 May)	Accept in part	Yes
FS23.177	Kāinga Ora - Homes and Communities		Oppose		Reject	Reject	
S129.140	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-S3	Oppose	Delete NOISE-S3.	Reject	Reject	No
FS16.38	Waka Kotahi NZ Transport Agency		Oppose	Retain NOISE-S3 as notified.	Accept in part (ROR 27 May)	Accept in part	
S74.001	Bill MacGregor	NOISE-S5	Amend	Amend NOISE-S5(21) as follows: '21. Compliance with the ANB and OCB will be determined on the basis of the following: a. ... b. Where the total number of annual aircraft movements are less than 6500 15,000 per year no compliance contouring is required. c. Where the total number of annual aircraft movements is greater than 6500 15,000 , the operators of Waipukurau Aerodrome must produce 55 dB, and 65 dB Annual Aircraft Noise Contours (AANC), using airport noise prediction software and records of actual aircraft movements for the busiest 3 consecutive	Reject	Accept in part	Yes

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
				<p>months of the previous year. These AANC are to be submitted to the Council to show compliance or otherwise with the OCB and ANB. The preparation of AANC will be required every 2 years thereafter.</p> <p>d. ...'</p> <p>And amend NOISE-S5(22) as follows:</p> <p>'22. Exemptions to these noise rules are provided for:</p> <p>a. Aircraft operating in an emergency for medical or national / civil defence reasons.</p> <p>b. Air shows.</p> <p>c. Military operations.</p> <p>d. Aircraft using the airfield as a necessary alternative to an airfield elsewhere.</p> <p>e. Aircraft taxiing.</p> <p>f. Aircraft engine testing.</p> <p>g. Aircraft involved in agricultural aviation activities ancillary to primary production.'</p>			
.							
S73.012	Ministry of Education	NOISE-S5	Amend	<p>Retain NOISE-S5(6) with minor amendment as follows:</p> <p>Activities within the grounds of an Educational Facility</p> <p>6. Exempt, providing the noise generated is through use of grounds and facilities during events associated with the educational facility concerned, and by students who live on site. Examples include use of school facilities for sport during term time and by student boarders who live on site.</p>	Accept	Accept	Yes
.							
S38.005	Aerospread Ltd	NOISE-S5	Amend	<p>Amend NOISE-S5(21)(b) & (c) for Waipukurau Aerodrome to amend annual aircraft movements from 6500 per year to at least 10,000 movements per year.</p>	Reject	Accept in part	Yes
.							
S38.006	Aerospread Ltd	NOISE-S5	Amend	<p>Amend NOISES5(22) for Waipukurau Aerodrome, by adding agricultural aviation</p>	Reject	Reject	No

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
				movements to this list of exemptions to the noise rules.			
S57.085	Fire and Emergency New Zealand	NOISE-S5	Support	Retain NOISE-S5 as notified.	Accept	Accept in part	No
S129.141	Kāinga Ora - Homes and Communities (Kainga Ora)	NOISE-S5	Oppose	Delete NOISE-S5, and reconsider it so as to ensure the standard achieves its intended purpose.	Accept in part (ROR 27 May)	Accept in part	Yes
FS12.6	New Zealand Defence Force		Oppose	Reject submitters relief sought if it relates to the deletion of all of NOISE-S5.	Accept	Accept	
S121.112	Federated Farmers of New Zealand	NOISE-AM1	Support	Retain NOISE-AM1 as proposed.	Accept	Accept	No
FS9.112	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	
S121.113	Federated Farmers of New Zealand	NOISE - Principal Reasons	Support	Retain 'NOISE - Principal Reasons' as proposed.	Accept	Accept	No
FS9.113	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	
S121.114	Federated Farmers of New Zealand	NOISE-AER3	Support	Retain NOISE-AER3 as proposed.	Accept	Accept	No
FS9.114	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	
S121.115	Federated Farmers of New Zealand	NOISE-AER4	Support	Retain NOISE-AER4 as proposed.	Accept	Accept	No
FS9.115	Royal Forest and Bird Protection Society of		Oppose		Reject	Reject	

Proposed District Plan**Panel Report: General District-Wide Matters: Noise and Signs**

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan
	New Zealand Incorporated						

SIGNS

Table: Summary of Recommended Responses to Submissions and Further Submissions

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officers Recommendation	Panel Recommendation	Amendments to Proposed Plan
S121.116	Federated Farmers of New Zealand	SIGN-P4	Support	Retain SIGN-P4 as proposed.	Accept	Accept	No
FS9.116	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	
S57.095	Fire and Emergency New Zealand	SIGN-P4	Support	Retain SIGN-P4 as notified.	Accept	Accept	No
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S117.067	Chorus New Zealand Limited	SIGN-R2	Amend	Amend SIGN-R2 as follows: '1. Activity Status: PER Where the following conditions are met: a. Signs are located on the site to which they relate (or, in the case of signs for network utilities, are placed within legal road)'	Accept in part	Accept in part	Yes
FS9.495	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	
S121.117	Federated Farmers of New Zealand	SIGN-R2	Amend	Clarify which types of signs are covered by the rule, and provide for health and safety notices as a 'Permitted Activity'. Amend SIGN-R2 as follows: 'Official signs or signs for any public purpose or in connection with any public or network utility, community facility or public reserve 1. ... 2. Activity Status: PER• the sign is required to meet legislative requirements, such as health and safety legislation; and/or• the sign provides information or instruction relating to public safety, such as equipment use, property entrances or for security purposes, and is no larger than reasonably necessary to convey the information. Note: This rule is not subject to any Effects Standards in the District Plan.'	Reject	Reject	No

Submission Point	Submitter (S) / Further Submitter (FS)	Provision	Position	Summary of Decision Requested	Officers Recommendation	Panel Recommendation	Amendments to Proposed Plan
FS9.117	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Accept	Accept	
FS17.74	Horticulture New Zealand		Support		Reject	Reject	
S119.067	Vodafone New Zealand Limited	SIGN-R2	Amend	Amend SIGN-R2 as follows: '1. Activity Status: PER Where the following conditions are met: a. Signs are located on the site to which they relate (or, in the case of signs for network utilities, are placed within legal road). ...'	Accept in part	Accept in part	Yes
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S118.067	Spark New Zealand Trading Limited	SIGN-R2	Amend	Amend SIGN-R2 as follows: '1. Activity Status: PER Where the following conditions are met: a. Signs are located on the site to which they relate (or, in the case of signs for network utilities, are placed within legal road). ...'	Accept in part	Accept in part	Yes
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S78.022	Waka Kotahi NZ Transport Agency	SIGN-S5	Support	Retain SIGN-S5 as written.	Accept	Accept	No
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S78.023	Waka Kotahi NZ Transport Agency	SIGN-S7	Support	Retain SIGN-S7 as written.	Accept	Accept	No
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S121.118	Federated Farmers of New Zealand	SIGN-AER1	Support	Retain SIGN-AER1 as proposed.	Accept	Accept	No
FS9.118	Royal Forest and Bird Protection Society of New Zealand Incorporated		Oppose		Reject	Reject	