
SECTION 10: NOISE

10.01 RULES

- 10.01.1 Except where otherwise expressly provided for noise is to be measured and assessed in accordance with NZS6801:1991 "Measurement of Sound" and NZS6802:1991 "Assessment of Environmental Sound".
- 10.01.2 Where noise has a special audible characteristic then, as provided for in NZS6802:1991 Assessment of Environmental Sound, the relevant L10 performance standard shall be reduced arithmetically by 5dB for comparison with the measured L10 descriptor of the sound.
- 10.01.3 Noise shall be measured at or within the boundary of any site as specified in the relevant rule, other than the site from which the noise is generated. This shall not prevent the measurement at boundaries common to the site generating the noise. The measurement position shall be selected to approximate the maximum noise level. If geography or screening of any sort dictates that the maximum noise level is somewhere other than at the boundary then the measurement shall be taken from that other position. Where the measurement position is a conceptual site noise boundary or notional boundary as described in a resource consent or in Rural Industrial Zone Rules then measurements shall be made at the locations described.
- 10.01.4 The following activities are exempt from the noise performance standards in the plan:
- (a) Aircraft being operated during or immediately before or after flight.
 - (b) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962), or within a site as part of or compatible with a normal residential activity.
 - (c) Trains.
 - (d) Sounds specifically generated by construction, maintenance and demolition activities which shall be assessed, managed and controlled by reference to NZS6803P:1984 *The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work*.
 - (e) Farming activity, planting for forestry purposes and forestry harvesting in a Rural Zone.
 - (f) Residential activities in Residential or Rural Zones with the exception of noise associated with power generation, heating, ventilating or air conditioning systems, or water pumping/treatment systems of any kind.
 - (g) Crowd noise at a park or reserve.
 - (h) Temporary military training activities in those zones where these are provided for as a permitted activity.

10.01.5 DUTY TO AVOID UNREASONABLE NOISE

The Act provides that “every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.”

Nothing in this plan shall prevent Council from issuing an Excessive Noise Direction under Section 327 of the Resource Management Act 1991 or prevent a person from complying with the Direction, nor prevent Council from serving an Abatement Notice relating to unreasonable noise under Section 322(1)(c) of the Resource Management Act 1991.

10.02 PERFORMANCE STANDARDS

10.02.1 RURAL ZONE

- (i) Noise generated by any activity (except those that are exempt under 10.01.4) in the Rural Zone shall not exceed the following limits when measured at or within the boundary of any other Rural Zoned site:

7am to 10pm	55dBA L ₁₀
10pm to 7am	45dBA L ₁₀
10pm to 7am	75dBA L _{max}

- (ii) Noise generated by any activity (except those that are exempt under 10.01.4) in the Rural Zone shall not exceed the following limits when measured at or within the boundary of any Residential Zoned site:

7am to 10pm	50dBA L ₁₀
10pm to 7am	40dBA L ₁₀
10pm to 7am	70dBA L _{max}

- (iii) Refer to rule 10.02.5 and Appendix III. New dwelling units located within the 45dBA L₁₀ Noise Area Boundary identified for the Fonterra Co-operative Group Ltd, Whareroa Site (formerly known as Kiwi Co-operative Dairies Limited site) (Appendix III, Fig 1) shall be constructed to achieve an internal design level of 35 dBA L₁₀ in all habitable rooms with the windows closed.

NOTE: See also 10.02.5 Rural Industrial Zone.

10.02.2 RESIDENTIAL ZONE

- (i) Noise generated by any activity (except those that are exempt under 10.01.4) in the Residential Zone shall not exceed the following limits when measured at or within the boundary of any other Residential Zoned site:

7am to 10pm	50dBA L ₁₀ , and 45dBA L ₉₅
10pm to 7am	40dBA L ₁₀ , and 70dBA L _{max}

10.02.3 COMMERCIAL ZONE

- (i) Noise generated by any activity (except those that are exempt under 10.01.4) in the Commercial Zone shall not exceed the following limits when measured at or within the boundary of any other site in the Commercial Zone:

All times	65dBA L ₁₀ and 90dBA L _{max}
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- (ii) It is the responsibility of the designer, builder or occupier of any dwelling unit in the Commercial Zone to ensure that every normally habitable living room (not including bathrooms, kitchens, workshops or garages) shall be sufficiently acoustically insulated to ensure that, with windows closed the noise levels from all exterior sources will remain at all times below 45dBA (L₁₀) and that every habitable bedroom be sufficiently acoustically insulated to ensure that, with windows closed the noise levels from all exterior sources will remain at all times below 35dBA (L₁₀) and 60dBA L_{max}. For the purposes of this rule noise levels from all exterior sources shall comply with rule 10.02.3(i) above.

- (iii) Noise generated by any activity (except those that are exempt under 10.01.4) in the Commercial Zone shall not exceed the following limits when measured at or within the boundary of any Rural Zoned site, or Residential Zoned site:

Rural zoned site:	7am to 10pm	55dBA L ₁₀
	10pm to 7am	45dBA L ₁₀
	10pm to 7am	75dBA L _{max}
Residential zoned site:	7am to 10pm	50dBA L ₁₀
	10pm to 7am	40dBA L ₁₀
	10pm to 7am	70dBA L _{max}

10.02.4 INDUSTRIAL ZONE

- (i) Noise generated by any activity (except those that are exempt under 10.01.4) in the Industrial Zone shall not exceed the following limits when measured at or within the boundary of any other site in the Industrial Zone:

At All Times	65dBA L ₁₀ and 90dBA L _{max}
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- (ii) It is the responsibility of the designer, builder or occupier of any dwelling unit in the Industrial Zone to ensure that every normally habitable living room (not including bathrooms, kitchens, workshops or garages) shall be sufficiently acoustically insulated to ensure that, with windows closed the noise levels from all exterior sources will remain at all times below 45dBA (L₁₀) and that every habitable bedroom be sufficiently acoustically insulated to ensure that, with windows closed the noise levels from all exterior sources will remain at all times below 35dBA (L₁₀) and 60dBA L_{max}. For the purposes of this rule noise levels from all exterior sources shall comply with rule 10.02.4(i) above.
- (iii) Noise generated by any activity (except those that are exempt under 10.01.4) in the Industrial Zone shall not exceed the following limits when measured at or within the boundary of any Rural Zoned site or Residential Zoned site:

7am to 10pm	55dBA L ₁₀
10pm to 7am	45dBA L ₁₀ , and
10pm to 7am	75dBA L _{max}

10.02.5 RURAL INDUSTRIAL ZONE

The noise standards set out in Appendix III shall apply to activities in the areas of the Rural Industrial Zone referred to and described in Appendix III.

Where these performance standards specifically refer to NZS 6801 : 1977 "Methods of Measuring Noise" and NZS 6802 : 1977 "Assessment of Noise in the Environment", then measurement and assessment shall continue to be made in accordance with those standards, otherwise measurement and assessment shall be made in accordance with the 1991 version of those standards, ie NZS 6801 : 1991 and NZS 6802 : 1991 respectively.

All other activities in the Rural Industrial Zone shall be subject to the provisions in 10.02.1 except those that are exempt under Section 10.01.4 and except the 1968 Decision Area as shown on the Natural Gas Corporation, Kapuni Decision Areas Plan (Appendix III).

10.02.6 PARKS AND RESERVES

- (i) Noise generated by any activity (except those that are exempt under 10.01.4) in any park or reserve shall not exceed the following limits when measured at or within the boundary of any Rural Zoned or Residential Zoned site:

7am to 10pm	50dBA L ₁₀
10pm to 7am	40dBA L ₁₀
10pm to 7am	65dBA L _{max}