

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS  
AT WELLINGTON**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE  
O TE WHANGANUI-A-TARA**

**IN THE MATTER  
AND  
IN THE MATTER**

**of the Resource Management Act 1991**

**of the hearing of submissions on Te Mahere -  
Rohei Tūtohua the Wellington City Proposed  
District Plan**

**HEARING TOPIC:**

**Stream 5 – Noise**

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**STATEMENT OF EVIDENCE OF MATTHEW ARMIN LINDENBERG  
ON BEHALF OF KĀINGA ORA – HOMES AND COMMUNITIES**

**(PLANNING)**

**18 JULY 2023**

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**Instructing solicitor:**

C E Kirman  
Special Counsel  
Kāinga Ora - Homes and Communities  
PO Box 14594  
Central Auckland 1051  
E: [claire.kirman@kaingaora.govt.nz](mailto:claire.kirman@kaingaora.govt.nz)

**Counsel instructed:**

B J Matheson  
Richmond Chambers  
PO Box 1008  
Shortland Street  
Auckland 1140  
E: [matheson@richmondchambers.co.nz](mailto:matheson@richmondchambers.co.nz)

## 1. EXECUTIVE SUMMARY

1.1 My full name is Matthew Armin Lindenberg, and I hold the position of Principal Planner at Beca Ltd. I have been engaged by Kāinga Ora - Homes and Communities (**Kāinga Ora**) to provide evidence in support of its primary and further submissions on the noise chapter in the Proposed Wellington District Plan (**PDP**) which incorporates the Intensification Planning Instruments (**IPI**) as required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**Amendment Act**), which amends the Resource Management Act 1991 (**RMA**).

1.2 The key points addressed in my evidence are:

(a) General support for:

- (i) the overall approach proposed by the Council in relation to the management of noise sensitive activities in proximity to noise generating activities;
- (ii) the approach recommended by the Council in relation to not including vibration rules / standards with regards to development adjoining State highway and rail corridors;
- (iii) the definitions relating to the provisions within the Noise Chapter of the PDP, subject to the minor amendment I set out below in relation to the definition for the 'Air Noise Overlay'; and
- (iv) the overall approach recommended by the Council in relation to standards NOISE-S4 and NOISE-S5, with the addition of the amendments I set out below in relation to providing certainty within the rule framework for the enablement of additions and alterations to buildings containing noise sensitive activities.

(b) The need for further amendments to the provisions proposed by the Council in relation to:

- (i) the objectives and policies of the Noise chapter provisions, in particular to align the wording of these provisions with both the Wellington

Regional Policy Statement (**WRPS**) as well as the National Policy Statement on Urban Development (**NPS-UD**);

- (ii) Policy SUB-PX of the Subdivision chapter provisions, as consequential relief to align with the recommended amendments I have proposed to the objectives and policies of the Noise chapter provisions;
- (iii) the rule framework, in particular the ‘default distance’ approach, which applies to the development / location of noise sensitive activities adjoining State highway and rail corridors. In particular, I recommend an approach whereby the basis for any such package of provisions / rules within the PDP is based upon a modelled spatial extent of the likely noise effects which would be generated – rather than an approach which relies upon ‘default’ distance measurements; and
- (iv) the proposed rule requirement (NOISE-R3) in relation to Wellington International Airport Limited being an affected party for all resource consent applications within the Inner Air Noise Overlay. I consider that the RMA notification tests are appropriate, and provide the ability for the Council to recommend notification for those applications which may infringe relevant rules / standards.

- 1.3 Regarding the issue of aircraft noise, I generally share the same philosophy as Mr Malcolm Hunt, a witness for the Council – namely that the approach of the Noise Chapter is not to unduly restrict urban development within areas affected by aircraft noise.<sup>1</sup>
- 1.4 A copy of my proposed amendments and changes sought to the provisions under consideration in Hearing Stream 5 is included in **Attachment B** of this statement of evidence. I confirm that the version of relief in my evidence represents the full “updated” set of relief requested by Kāinga Ora in relation to this topic.
- 1.5 In my opinion, the changes sought in the Kāinga Ora submission and discussed within my evidence, will provide greater alignment between the PDP, the National Policy Statement on Urban Development 2020 (**NPS-UD**) and the purpose, principles and provisions of the RMA as amended by the Amendment Act.

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<sup>1</sup> Evidence of Malcolm James Hunt on behalf of Wellington City Council (Noise & Acoustic). Dated 3 July 2023. Para 44.

## 2. INTRODUCTION

- 2.1 My name is Matthew Armin Lindenberg and I hold the position of Principal Planner at Beca Ltd. I have the qualifications and experience set out in my 'Statement of Experience', included as **Attachment A** to this statement.
- 2.2 I am familiar with the national, regional and district planning documents relevant to the PDP.
- 2.3 I am providing planning evidence on behalf of Kāinga Ora in respect of submissions made on the PDP specific to Hearing Stream 5, specifically in relation to the provisions within the Noise Chapter of the PDP. I was not involved with the preparation of the primary and further submissions, however I can confirm that I have read these submissions made by Kāinga Ora in relation to this Hearing Stream.
- 2.4 I am familiar with the Kāinga Ora corporate intent in respect of the provision of housing within the Wellington Region, as set out in the statement of evidence (Corporate) of Mr Liggett on behalf of Kāinga Ora.

### Code of Conduct

- 2.5 Although this is a Council hearing, I have read the Environment Court's Code of Conduct contained in the Environment Court Practice Note 2023 and agree to comply with it. My qualifications as an expert are set out in **Attachment A** to this statement. I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

## 3. SCOPE OF EVIDENCE

- 3.1 This statement of evidence addresses submission points relating to Hearing Stream 5 of the PDP. Specifically, my evidence will address the noise provisions contained within Part 2 – District-wide Matters / General District-wide Matters / Noise chapter of the PDP, and the subdivision provisions contained within Part 2 – District-wide Matters / Subdivision of the PDP.
- 3.2 I generally support the amended PDP provisions as contained in Appendix A to the S42A Report. However, I consider further amendments are required to the provisions to better align the PDP with the NPS-UD and the purpose and principles of the RMA, as amended

by the Amendment Act. I have consolidated this statement into six key topics to address my amendments, as follows:

- (a) Definitions;
- (b) Objectives and Policies;
- (c) Noise sensitive activities adjoining State Highways and the Rail Corridor;
- (d) Rule NOISE-R3; and
- (e) Standards NOISE-S4 and NOISE-S5 in relation to acoustic treatment.

3.3 This evidence has also been prepared to give consideration to, and provide assessment where relevant, as to the Section 32 / 32AA requirements set out in the RMA. I provide commentary later in this evidence as to why I consider that the relief sought throughout this statement:

- (a) Is efficient, effective and the most appropriate means to achieve the objectives that the PDP is seeking to achieve, as well as the overarching objectives and strategic direction set out in higher-order documents such as the NPS-UD and the WRPS; and
- (b) That the benefits of the relief sought will outweigh the costs, in relation to the potential environmental, economic, social and cultural effects which could be anticipated from the implementation of the relief sought.

#### **4. OVERVIEW OF KĀINGAI ORA'S SUBMISSION**

4.1 For context, I now turn to summarising the key matters / issues addressed in the Kāinga Ora submission points relating to Hearing Stream 5 (Noise).

4.2 In brief, Kāinga Ora sought amendments to clarify the focus / nature of adverse effects to be addressed by the Noise Chapter provisions, as well as how the framework of rules relating to noise sensitive activities strike an appropriate balance between the enablement of growth over time, whilst ensuring the management of any relevant adverse effects relating to amenity and health outcomes as well as the potential creation of land use incompatibilities.

## 5. DEFINITIONS

- 5.1 As noted in my executive summary, I generally support the definitions as recommended through the Council's evidence in relation to the Noise Chapter provisions of the PDP.
- 5.2 For clarity, I recommend a minor addition to the *Air Noise Overlay* definition to explicitly acknowledge that properties within the *Inner Air Noise Overlay* boundary will experience noise levels of 65dB or greater. I do not propose any changes to the spatial extent of the *Inner Air Noise Boundary*, but rather propose this minor amendment to the definition to provide clarity for plan-users as to the anticipated noise levels arising within this overlay.

## 6. OBJECTIVE AND POLICIES

- 6.1 Kāinga Ora made seven primary submission points<sup>2</sup> relevant to the objectives and policies of both the noise and subdivision chapters. In summary, these submissions sought to:
- (a) Articulate the balance more clearly between providing for noise generating activities, whilst appropriately managing effects on the community;
  - (b) Avoid noise generating activities from compromising health and well-being of communities;
  - (c) Recognise that amenity values change over time;
  - (d) Enable noise sensitive activities within the Inner Air Noise Overlay where appropriate ventilation and acoustic insulation can be achieved; and
  - (e) Reduce ambiguity, and improve clarity, of various objectives and policies.

### Objective NOISE-O1

- 6.2 I reach the following conclusions regarding the Kāinga Ora submission<sup>3</sup> seeking amendments to objective NOISE-O1:
- (a) I support the replacement of the phrase “protected from” with “not compromised by” as sought in the Kāinga Ora submission<sup>3</sup>. Retaining “protection” within the objective will create an inconsistency with the s7 RMA framework in relation to the maintenance and enhancement (but not protection) of amenity values. The

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<sup>2</sup> Sub No. 391.286 – 391.297

<sup>3</sup> Sub No. 391.286 & 391.287

current drafting of the objective also creates an inconsistency with the wording of policy NOISE-P1, which refers to the maintenance (not protection) of amenity values within receiving environments.

- (b) In addition, utilising the wording of “not compromised by” also provides, in my opinion, a clear connection to the rules and standards which follow, where (as an example) acoustic standards are prescribed as a means to identify and ensure the delivery of a suitable and appropriate level of amenity, health and well-being. Not meeting these rules / standards would then mean the ability to achieve such appropriate / suitable outcomes could be compromised.
- (c) I therefore recommend amending objective NOISE-O1 to more accurately reflect the s7 RMA direction relating to amenity values, as well as to align the wording of the objective with the intent of policy NOISE-P1.

#### Objective NOISE-O2

6.3 Regarding the Kāinga Ora submission<sup>4</sup> seeking the deletion of objective NOISE-O2, I reach the following conclusions:

- (a) I recognise the intent of the objective is to establish a policy ‘hook’ for reverse sensitivity in the context of managing the potential effects arising between existing noise generating activities and the establishment of new noise sensitive activities in close proximity. I note my position aligns with the Section 42A Reporting Officer<sup>5</sup> insofar as retaining a framework that helps guide an equitable and balanced approach to this issue. Therefore, I support the overall intent of objective NOISE-O2 and consider it should be retained.
- (b) However, I consider that the phrase “reverse sensitivity effects” should be replaced with the phrase “incompatible use and development”. In my opinion, reframing the policy language in this manner better aligns with the policy direction of the WRPS – noting the absence of the phrase “reverse sensitivity” from, of relevance, Policy 8<sup>6</sup> and 39<sup>7</sup> of the RPS, as well as the focus of Policy 8 of the RPS which does specifically relate to incompatible use and development.

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<sup>4</sup> Sub No. 391.288

<sup>5</sup> Wellington City Proposed District Plan Hearing Stream 5 – Noise and Part 4 – Appendix 4 and Appendix 5 Section 42A Report. Para 123

<sup>6</sup> Policy 8: Protecting regionally significant infrastructure – regional and district plans

<sup>7</sup> Policy 39: Recognise the benefits from renewable energy and regionally significant infrastructure – consideration

- (c) In addition, re-framing the objective to focus on 'land use compatibility' enables clarity of the issue / effect which can be assessed when a noise sensitive activity / use is being proposed. In my opinion, this is a clearer and more certain framing of the objective, as issues relating to reverse sensitivity effectively require an activity / use to be established first – at which point any nuisance may then need to be experienced (e.g. by a noise sensitive activity), followed by the potential for that nuisance to give rise to a noise sensitive activity then making a complaint with regard to the noise generating activity.

Policy NOISE-P1

6.4 Regarding the Kāinga Ora submission<sup>8</sup> seeking amendments to policy NOISE-P1, I reach the following conclusions:

- (a) I support the proposed replacement of “Maintain” with the phrase “Are compatible with” and the addition of the term “anticipated”, as sought in the Kāinga Ora submission.<sup>8</sup> I consider that retaining “maintain” in the context of amenity values is not appropriate giving both the direction and language of Objective 4 and Policy 6(b) of the NPS-UD – that is, recognising that amenity values change overtime. In addition, I consider that this proposed amendment also better aligns with the amendments I have recommended above in relation to objective NOISE-O2, in order to reflect the focus of the WRPS policy direction (with regard to incompatible use and development)
- (b) For clarity, I support the replacement of “Does” with “Do” as sought in the Kāinga Ora submission<sup>8</sup>, as a minor editorial / grammatical amendment.

Policy NOISE-P4

6.5 Regarding the Kāinga Ora submission<sup>9</sup> seeking amendments to policy NOISE-P4, I reach the following conclusions:

- (a) I support the recommendations of the Section 42A Reporting Officer<sup>10</sup> insofar as:

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<sup>8</sup> Sub No. 391.289 & 391.290

<sup>9</sup> Sub No. 391.294 & 391.295

<sup>10</sup> Wellington City Proposed District Plan Hearing Stream 5 – Noise and Part 4 – Appendix 4 and Appendix 5 Section 42A Report. Para 145-146



- (i) clarifying that the intent of the rule is to apply to “buildings housing” new noise sensitive activities, rather than the activity itself;
  - (ii) amending the locations listed in the policy to provide greater clarity for plan users as to which zones are subject to the NOISE-S4 and NOISE-S5 standards; and
  - (iii) aligning the policy with the PDP definitions (by way of including specific reference to both Inner Air Noise Overlay and Outer Air Noise Overlay).
- (b) In addition, I propose amendments to the title of the policy to better articulate the outcome sought and focus of the rules / standards which relate to this policy direction – being the requirement of acoustic treatment of noise sensitive activities within both High and Moderate noise areas (through standards NOISE-S4 and NOISE-S5 respectively). I consider this improves clarity for plan users as to the intent of this policy and aligns with the amendments I have recommended in regard to objective NOISE-O1.

Policy NOISE-P6

6.6 Regarding the Kāinga Ora submission<sup>11</sup> seeking amendments to policy NOISE-P6 to enable noise sensitive activities within the Inner Air Noise Overlay where appropriate ventilation and acoustic insulation can be achieved, I reach the following conclusions:

- (a) I support the recommendations of the Section 42A Reporting Officer<sup>12</sup> insofar as amending the policy wording to provide further clarity regarding the ability to develop noise sensitive activities within the Inner Air Noise Overlay if the prescribed ventilation and acoustic standards can be met.
- (b) However, to further improve clarity, I consider that the word “restrict” should be replaced with “manage” to better reflect the nature of the subsequent rules that follow – noting the outcome of the standards is to manage noise sensitive activities within the Inner Air Noise Overlay through acoustic insulation and ventilation requirements, rather than restrict the development of new noise sensitive activities within the overlay. I consider that “manage” better reflects the range of options provided for within the rule framework (of which “restricting” is one component).

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<sup>11</sup> Sub No. 391.296 & 391.297

<sup>12</sup> Wellington City Proposed District Plan Hearing Stream 5 – Noise and Part 4 – Appendix 4 and Appendix 5 Section 42A Report. Para 153

### Policy SUB-PX

6.7 In responding to the amendment sought to the objectives and policies of the noise chapter provisions, I have proposed to amend policy SUB-PX of the subdivision chapter. The amendments sought are consequential in nature (in order to align with the amendments I have recommended above in relation to the Noise chapter provisions) and, specifically seek to reframe the policy to address potential adverse effects which may relate to the noise sensitive activity, as well as the noise generating activity – rather than the current focus of the proposed policy wording which seeks to focus exclusively on potential adverse effects relating only to the noise generating activity (being the airport in this instance).

## **7. NOISE SENSITIVE ACTIVITIES ADJOINING STATE HIGHWAYS AND THE RAIL CORRIDOR**

7.1 I have recommended a range of amendments throughout the Noise Chapter provisions which relate to the stated ‘default buffer distances’ currently proposed in relation to the state highway and rail corridors.

7.2 The issue of noise sensitive activities adjoining state highway and rail corridors is a particular matter I have had extensive involvement in over a number of years, through a variety of plan change or plan review processes across the country.

7.3 My experience from these processes has demonstrated that a more specifically tailored suite of district plan provisions can be created to better focus any management of noise sensitive activities within locations where the adverse effect is known to be present (as opposed to the current ‘default distance’ approach, which assumes there may be an adverse effect to be managed). In my experience, the best method for achieving this ‘tailoring’ of the provisions package is to model the spatial extent of potential / likely noise levels generated from the transport corridors, and provide mapped extents of these areas (e.g., as ‘modelled noise effects areas’) within the PDP – in the same way that is currently proposed for the Air Noise Overlay.

7.4 I consider this ‘modelled’ approach can provide greater certainty to plan users as to the likely spatial extent of noise effects along the transport corridors, and better ensures that the need for noise sensitive activities to undertake any mitigation measures (e.g. through compliance with resulting acoustic insulation standards) applies to locations where noise levels require such mitigation – while at the same time ensuring noise sensitive activities

do not need to take on a mitigation requirement where the modelled spatial extent of actual / likely noise levels would not apply.

7.5 In addition (and as referred to in the Corporate evidence of Mr Liggett), I consider that the 'default-distance' approach – being (in the context of an 'ISPP' provision) a tool used to "limit / restrict" the density of development - does not adequately meet the evaluation report requirements of the Amendment Act, nor the broader Section 32 evaluation requirements of the RMA (e.g., analysis on the nature / extent of the impact on development capacity if the 'default-distance' approach is adopted).

7.6 Moreover, I consider that adopting this 'default-distance' approach, based on the information presented to date, would not appropriately satisfy the requirements of Section 77 of the Amendment Act – specifically, the need to assess and demonstrate under s77J(4)(b)) how modifications to the MDRS are "limited to only those modifications necessary to accommodate qualifying matters". In my opinion, a more refined, 'modelled' approach would better ensure that any resulting limits on development density (below the levels of enablement provided for by the MDRS) would specifically target such limits to locations where a detailed evidence base and assessment method (e.g., modelling the spatial extent of anticipated noise levels generated from state highway and rail corridors) is able to demonstrate and justify the need for such restrictions.

7.7 For these reasons, I have recommended the deletion of the 'default distance' references for state highway and rail corridors, as I consider the proposed approach could lead to the need for landowners to potentially incur a mitigation cost to address an adverse effects which is not of their creation (being the noise levels emitted from the transport corridors), and may not in fact be at a level which requires any mitigation at all (particularly for properties beyond the 'first row' of properties which adjoin these corridors).

## **8. RULE NOISE-R3**

8.1 Kāinga Ora has two further submission points<sup>13</sup> relevant to NOISE-R3. In summary, these further submission points opposed the amendments sought by Wellington International Airport Limited (**WIAL**), as follows:

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<sup>13</sup> Sub No. FS89.136 & FS89.137

- (a) opposed amending NOISE-R3 to require all new sensitive activities in the Air Noise Boundary areas to obtain a resource consent even when acoustic insulation and ventilation is proposed; or
- (b) opposed deleting NOISE-R3 in its entirety if the preceding amendments are not accepted.

8.2 I support, in part, the recommendation of the Section 42A Reporting Officer insofar as rejecting the WIAL primary submissions<sup>14</sup> in favour of retaining the rule.

8.3 However, I propose a suite of amendments to NOISE-R3 to reduce ambiguity of the rule and improve clarity around the cascade in the activity status for non-compliance with the permitted activity criteria.

*Activity Status – Permitted (NOISE-R3.1 and NOISE-R3.2)*

8.4 I have proposed to delete the inclusion of the words “*for one residential unit on a site*” (NOISE R3.1) and “*for up to three residential units on a site*” (NOISE-R3.2), as proposed through the Council’s evidence. In my opinion, the matter of development density is best managed and addressed through the relevant zone provisions, with the role of the Noise Chapter provisions to focus on achieving appropriate outcomes in relation to acoustic treatment for noise sensitive activities in those locations, whatever the intensity.

8.5 I consider that the amendments that I have proposed support the general intent of the Council to enable a level of development to be able to take place within the stated locations, while ensuring the need to comply with the relevant standards (NOISE-S4, NOISE-S5 and NOISE-S6) in order to manage any potential effects relating to amenity, health or land use incompatibilities.

8.6 In addition, I have also proposed deletion of the references to the ‘default distances’ (as well as the accompanying note) for state highway and rail corridors, consistent with my discussion above (refer paragraphs 7.1 - 7.5 above).

*Activity Status – Restricted Discretionary (NOISE R3.3)*

8.7 Regarding the Restricted Activity Discretionary activity status criteria contained in NOISE-R3.3, I consider the following changes are appropriate to improve the cascade

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<sup>14</sup> Sub No. 406.430 & 406.431.

in activity status for non-compliance with the permitted activity criteria within NOISE-R3.1 and R3.2:

- (a) Including reference to “NOISE-S5” in clause (a);
- (b) Removing the qualifier “two residential units on a site listed by NOISE R3.1” from clause (a) (consistent with my above discussion);
- (c) Inserting a new clause for non-compliance with NOISE-R3.3; and
- (d) Deleting the note pertaining to consideration of WIAL as an affected party for applications within the Inner Air Noise Overlay (consistent with my discussion below regarding notification).

8.8 I consider that this suite of amendments to NOISE-R3.3 will establish a clear and concise ‘catch-all’ restricted discretionary activity framework for all activities that do not comply with NOISE-R3.2, with the other activities listed under NOISE-R3.3, or with standards NOISE-S5 and NOISE-S6. I note that the issues of noise with respect to acoustic insulation and ventilation of buildings housing noise sensitive activities are discrete and well understood. Therefore, it is appropriate to deal with such issues through a Restricted Discretionary Activity framework where the matters of discretion can be clearly identified and tailored to appropriately focus on the key issues / effects to be assessed.

8.9 I have proposed to delete the requirement within the rule for WIAL to be considered an affected party for any resource consent application within the Inner Air Noise Overlay. I do not consider it would be appropriate for WIAL to be identified as an affected party (requiring applications to secure an affected party approval) where a proposal fully complies with the relevant standards. I also consider that the standard RMA notification tests provide the Council with the ability to identify WIAL as an affected party for any resource consent application within the Inner Air Noise Overlay which does not comply with the relevant noise standards.

8.10 In addition, the prospect for any resource consent application to be notified has the potential to create resource consent processing inefficiencies (for applicants, the Council, as well as WIAL), without any clear identification of the benefits provided by such a requirement and would also likely create uncertainty for applicants who are able to comply with the required standards – but could be left in a position whereby landowner approval from WIAL could be denied.

Activity Status – Discretionary Activity (NOISE-R3.4)

- 8.11 To align with the amendments I have outlined above, I have proposed amendments to delete references to any activities I have now proposed to include / capture within NOISE-R3.3, which effectively focuses NOISE R3.4 to capture those activities / proposals (as a Discretionary Activity) which cannot comply with NOISE-R3.1 (e.g. noise sensitive activities within the Inner Air Noise Overlay which cannot comply with standards NOISE-S4 and NOISE-S6).
- 8.12 In addition, I have again proposed the deletion of the aspect of the rule relating to WIAL as an affected party for any resource consent application, consistent with my discussion above.
- 8.13 Accordingly, increased residential intensity within the Inner Air Noise Area will be the key 'trigger' for cascading from Restricted Discretionary Activity status to Discretionary Activity status. This approach ensures there is a clear distinction to plan users that a higher threshold (being Discretionary Activity status) is applied to applications seeking to increase the intensity of noise sensitivity activities within the Inner Air Noise Overlay.

**9. ACOUSTIC TREATMENT AND VENTILATION STANDARDS**

NOISE-S4 – Acoustic Insulation – high noise areas and NOISE-S5 – Acoustic Insulation – moderate noise areas

- 9.1 Kāinga Ora has four primary submission points<sup>15</sup> coded to NOISE-S4 and NOISE-S5. In summary, these submissions queried why the insulation requirements for the Inner and Outer Air Noise Overlay vary from the those stipulated in the Quieter Homes Programme – including the extent to which these requirements apply within both Overlays.
- 9.2 I reach the following conclusions regarding the NOISE-S4 and NOISE-S5 standards:
- (a) I support the general intent of the standards to require a level of acoustic insulation commensurate with the anticipated noise levels (being 'high' or 'moderate') within the identified and established noise areas.
  - (b) I consider an alternative pathway for any alteration, addition or change of use of an existing building is more appropriate than the current approach to group such activities with new buildings housing noise sensitive activities. There

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<sup>15</sup> Sub No. 391.298 – 391.301.

should be a clear delineation as to the requirements imposed on the construction of new buildings housing noise sensitive activities and the ability for homeowners to undertake minor – that is less than 25m<sup>2</sup> gross floor area - alterations, additions or change of use to existing buildings. Failing to provide a clear permitted pathway for minor alterations, additions or change of uses runs the risk of effectively ‘freezing’ the current housing stock within these noise areas as the costs imposed on homeowners to undertake these minor works triggers the requirement for any habitable rooms used by a noise sensitive activity to meet the external to internal noise reduction levels.

- (c) It is appropriate to delete reference to “suitably qualified acoustic engineer” and replace the phrase with “suitably qualified acoustic expert” in clause 3(b) of both NOISE-S4 and NOISE-S5. This ensures consistency with similar provisions in other plans / jurisdictions across New Zealand, and aligns with the conclusions and recommendations set out in the evidence of Mr Styles on behalf of Kāinga Ora.
- (d) I consider an additional assessment criterion regarding the adverse effects on health and amenity indoors is appropriate to include in both NOISE-S4 and NOISE-S5, noting the management of such potential effects is a specific focus of the proposed policy framework (in particular NOISE-O1 and NOISE-P1). As currently drafted, the assessment criteria of both standards focus on the existing / background noise environment and the built form of the proposed building/s - absent of any consideration to the occupants of the building/s housing noise sensitive activities. Therefore, I have proposed an additional assessment criterion to both standards to this effect.

## **10. SECTION 32 / 32AA CONSIDERATIONS**

10.1 In respect of a Section 32 / 32AA evaluation of the issued raised above, along with the proposed amendments to provisions which I have recommended (as set out in Attachment B), I provide the following assessment and commentary:

- (a) I consider that the amendments I have recommended are the most appropriate means to achieve;

- (i) The creation of effective and efficient, well-functioning urban environments, which will provide for ongoing development and change over time;
  - (ii) The provision of sufficient development capacity to meet the needs of people and communities, as well as future generations; and
  - (iii) Active enablement of development of noise sensitive activities in appropriate locations, where it can be demonstrated that adequate acoustic / ventilation standards can be met. I consider my recommended amendments to provisions strike an appropriate balance to build in to the PDP a framework of provisions which balances the need to enable and provide for future urban growth opportunities, whilst also ensuring that potential adverse effects (relating to amenity, health, well-being as well as issues of land use compatibility) can be appropriately identified and assessed.
- (b) I consider that the potential benefits associated with my recommended amendments include:
- (i) The creation of a package of PDP provisions which enable and provide for future development opportunities to accommodate noise sensitive activities, whilst also enabling existing noise generating activities and regionally significant infrastructure can continue to provide for the needs of the region without their operations being unduly constrained or compromised;
  - (ii) Providing benefits to the social and environmental wellbeing of the community by ensuring any potential costs to be incurred by noise sensitive activities, associated with the need to undertake mitigation such as acoustic insulation / ventilation, are specifically targeted to locations where there is certainty as to the potential for adverse noise effects to be present. I consider that the currently proposed 'default distance' approach creates (at worst) the potential to place an additional cost burden on some landowners to undertake potentially unnecessary mitigation, or (at best) incur costs associated with the need for applicants to have to employ specific expertise as a means to provide proof that an actual noise effect (which is assumed by the



currently proposed provisions) may not be present at their given location.

## **11. CONCLUSION**

- 11.1 A summary of the changes that are sought through my evidence are included at **Attachment B**. The changes are shown in green as a markup.
- 11.2 It is my opinion that the underlying principles that have informed the proposed changes sought by Kāinga Ora will better align the PDP with the NPS-UD and the purpose and principles of the RMA, as amended by the Amendment Act.



**Matthew Lindenberg**

**18 July 2023**

**ATTACHMENT A:**  
**STATEMENT OF EXPERIENCE – MATHEW LINDENBERG**

**Matthew Lindenberg:**

I am a Planner and hold the position of Principal at Beca Limited. I hold a Master of Science in Geography (Second Class Honours) and a Bachelor of Science, both from the University of Auckland. I am an Associate member of the New Zealand Planning Institute

I have over 16 years' planning and resource management experience, providing technical direction on a number of key projects, particularly focussing on strategic and policy planning. I have been involved in a number of plan review and plan change processes, including the recent Independent Hearings Panel ("IHP") hearings on the proposed Auckland Unitary Plan (PAUP). In particular, I have been a member of planning teams for policy planning projects including:

- (a) The Whangarei District Plan Urban and Services Plan Changes submission, hearing and appeal processes;
- (b) The Waikato District Council Stage One District Plan Review submission, hearing and appeal processes;
- (c) Submission and hearings processes in relation to numerous plan changes to the Auckland Unitary Plan (including PC3, PC4, PCs 14-17, PC23, PC26 and PC34);
- (d) The submission, hearing and appeals process in relation to Tauranga City Council's Plan Change 27 (Flooding from intense rainfall);
- (e) The Kaipara District Plan review and development of objectives and policies (for the 'Land Use and Development Strategy' and 'Residential' chapters) for the notification of that Plan;
- (f) The Plan Variation for the site known as 'The Landing' at Hobsonville Point (undertaken through the Housing Accords and Special Housing Areas legislative process) on behalf of Hobonsville Land Company;
- (g) The Kerikeri-Waipapa Structure Plan (2007) on behalf of the Far North District Council; and
- (h) The preparation of the Local Development Framework and Core Strategy (the 'Spatial Plan') during my time working at the London Borough of Bexley in the United Kingdom, including leading the 'Affordable Housing' and 'Sustainability / Climate Change' workstreams as part of the plan development process

I have also prepared and presented evidence on numerous PAUP hearing topics on behalf of Kāinga Ora in front of the IHP. I subsequently prepared and presented evidence in the Environment Court on behalf of Kāinga Ora in relation to appeals on the PAUP related to the carparking and transport provisions as well as the Residential zone provisions.

**ATTACHMENT B:  
RELIEF SOUGHT**

**Proposed amendments on behalf of Kāinga Ora shown in green text.**

Amend the Definitions chapter as follows:

**Definitions**

|  |   |
|--|---|
| <p><b>AIR NOISE OVERLAY</b></p>  | <p>means an area defined by planning maps to show land subject to development restrictions due to potential noise effects from Wellington International Airport. The Air Noise Overlay comprises:</p> <ul style="list-style-type: none"> <li>a. Inner Air Noise Overlay – being properties <u>exposed to noise levels greater than 65 dBA</u>, lying between the Airport and a modelled 65 dBA contour, fitted to property boundaries.</li> <li>b. Outer Air Noise Overlay – being properties lying between the 65 dBA contour and a modelled 60 dBA contour, fitted to property boundaries.</li> </ul> <p><del>a. Air Noise Boundary – being a line shown on district plan maps used for controlling the emission of noise from aircraft operations at Wellington International Airport measured using rolling 90 day average 24 hour night weighted sound exposure in accordance with NZS 6805:1992 Airport noise management and land use planning. The location of the Air Noise Boundary is based on the modelled L<sub>dn</sub> 65 dBA contour and therefore corresponds to the outer extent of the Inner Air Noise Overlay.</del></p> <p>Note: The Air Noise Overlay is applied to all parts of a property, regardless of whether the modelled contour affects less than the entire property.</p> |
| <p><u><b>AIR NOISE BOUNDARY</b></u></p>                                | <p><u>means a line shown on district plan maps used for controlling the emission of noise from aircraft operations at Wellington International Airport measured using rolling 90 day average 24 hour night-weighted sound exposure in accordance with NZS 6805:1992 Airport noise management and land use planning. The location of the Air Noise Boundary is based on the modelled L<sub>dn</sub> 65 dBA contour and therefore corresponds to the outer extent of the Inner Air Noise Overlay.</u></p>   |
| <p><u><b>FIXED PLANT</b></u></p>                                       | <p><u>means plant that is permanently or temporarily located and operated at any location and includes mechanical and building services equipment such as equipment that is:</u></p> <ul style="list-style-type: none"> <li>a. <u>required for ventilating, extracting, heating, cooling, conditioning, and exhaust either of buildings or commercial activities;</u></li> <li>b. <u>associated with boilers or plant equipment, furnaces, incinerators or refuse equipment;</u></li> <li>c. <u>electrical equipment, plumbing (including pumps), lift or escalator equipment; or</u></li> <li>d. <u>similar plant, equipment, items, rooms or services.</u></li> </ul>   |
| <p><b>NOISE SENSITIVE ACTIVITY</b></p>                                 | <p>means any lawfully established:</p> <ul style="list-style-type: none"> <li>a. residential activity, including activity in visitor accommodation <del>or retirement accommodation;</del></li> <li>b. educational activity;</li> <li>c. health care activity <u>or hospital activity;</u></li> <li>d. congregation within any place of worship; and</li> <li>e. activity at a marae.</li> </ul>  |
| <p><u><b>WELLINGTON AIR NOISE MANAGEMENT COMMITTEE (WANMC)</b></u></p> | <p><u>means the body primarily responsible for the NMP, being a partnership between the Airport, aircraft operators, and the local community. Wellington City Council contributes to the WANMC, including through providing updated noise exposure reports from the noise monitoring system.</u></p>  |

Amend the Introduction section of the Airport chapter as follows:

**Introduction to Airport Zone Chapter**

Airport Noise

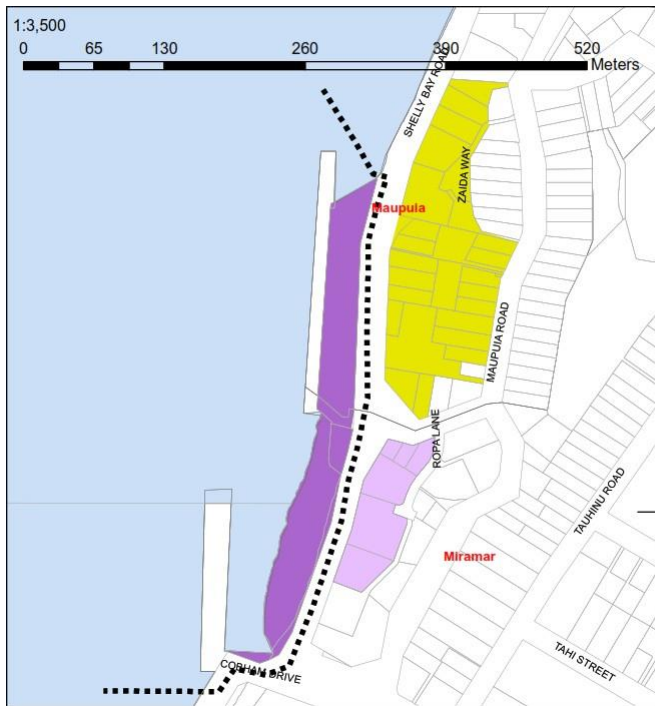
The management of noise associated with the Airport's operations is addressed in the District Plan Noise Chapter. Noise is subject to the following interrelated controls:

1. District Plan provisions which reference specific noise restrictions.
2. District Plan provisions which reference the Airport's Noise Management Plan (~~NMPANMP~~).
3. The ~~NMPANMP~~, which sits outside of the District Plan.





Amend planning maps to include the existing Burnham Wharf (Miramar) port noise control line shown by Map 55 in the operative district plan:



55

..... Port noise control lines

Amend the Noise Chapter as follows:

# Te Oro

## Noise

|       |       |
|-------|-------|
| NOISE | Noise |
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### P1 Sch1 Introduction

Effective management of noise and vibration is a key aspect of achieving good environmental outcomes throughout the City.

Noise is well recognised as a potential environmental pollutant and nuisance. It can adversely affect health and amenity values, interfere with communication, and disturb sleep and concentration. For those, and other reasons, noise is the subject of frequent complaints received by council. Wellington's relatively compact nature, and anticipated residential intensification in the city centre area and other mixed use areas, make noise management an ongoing and important issue.

The provisions of this chapter manage potential adverse noise effects that can arise from a diverse range of activities. In addition, section 16 of the RMA imposes a duty on all persons to avoid unreasonable noise (which includes vibration) by adopting the best practicable option (BPO), regardless of whether the activity complies with a standard or rule. Section 17 of the RMA further imposes a general duty to avoid, remedy or mitigate adverse noise effects. At all times the Council has a responsibility to exercise its powers under the RMA to ensure that the general duties of sections 16 and 17 are met. RMA Sections 326 and 327 are used by Wellington City Council to control excessive noise.

The objectives, policies, rules and standards of the Noise chapter are linked to zones and to specific activities. They take into account the level, duration and nature of noise – within the context of the surrounding environment and whether noise can be reasonably mitigated. The provisions identify where sound insulation is a requirement for new noise sensitive activities, and also limit the establishment of noise sensitive activities in some cases. Noise sensitive activities are defined by the District Plan. Noise overlays are used in several cases to define areas in which noise effects from specific sources can be expected, up to prescribed limits. Examples include the Air Noise Overlay and the Port Noise Overlay. Noise overlays may also prescribe limits to intensification of noise sensitive activities (such as new residential development) and/or acoustic insulation and ventilation standards to assist in managing the effects of noise received in the overlays.

Other than where expressly provided for, the measurement of noise must be in accordance with New Zealand Standard NZS6801:2008 Acoustics – Measurement of Environmental Sound and New Zealand Standard NZS6802:2008 Acoustics – Environmental Noise. Some other standards are expressly provided for, such as NZS6803: 1999 Acoustics Construction Noise.

Some activities that generate noise are exempt from the noise rules set out in this chapter. This is because they are not controlled by the RMA, e.g. vehicles being driven on a road, or aircraft above 1,000 feet in flight over built up areas. In addition, the Civil Aviation Act 1990 imposes certain rules requiring noise abatement procedures for aircraft operating in the vicinity of Wellington International Airport.

The following activities are exempt from the rules and standards contained in this chapter. They are:

1. Aircraft being operated above 1,000 feet (305m) over built up areas, or above 500 feet (152m) over rural areas;
2. Aircraft used in emergencies or as air ambulances;
3. Vehicles being driven on a road (within the meaning of section 2(1) of the Transport Act 1998), or within a site as part of or compatible with a normal residential activity (including apartments or mixed use activity);
4. Trains on rail lines (public or private) and crossing bells within the road reserve, including at railway yards, railway sidings or stations. This exemption does not apply to the testing (when stationary), maintenance, loading or unloading of trains;
5. Any warning device or siren used by emergency services for civil defence or emergency purposes (and routine testing and maintenance);
6. The use of generators and mobile equipment (including vehicles) when used solely for civil defence or emergency purposes, including testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities, or for the continuation of radiocommunication broadcasts;
7. Rural activities, including, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis in the Rural Zones excluding any fixed plant; and

8. Crowd or people noise from special events or temporary event activities including any events located in Open Space and Recreation Zones.

Note: Where standards are provided for specific activities, and there is a conflict between those standards and the zone interface standards or zone standards, the specific activity standards will prevail. In addition, resource consent may be required for the activity that generates noise. Provisions controlling the establishment of those activities may be contained in other chapters of the district plan.

| Other relevant District Plan provisions  |
|--|
| <p>It is important to note that in addition to the provisions in this chapter, the following Part 2: District-Wide chapters may also be of relevance.</p> <p>The noise provisions, while district wide, need to be considered in conjunction with zone specific chapters and their associated standards for activities. The relevant zone chapter will depend on the location of the activity.</p> <p>Noise from temporary activities is addressed in the Temporary Activities Chapter.</p> <p>Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.</p> |

| Objectives |   |
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| P1 Sch1    | <p><b>NOISE-O1</b></p> <p><b>Managing noise generation and effects</b></p> <p>Amenity values and peoples' health and well-being are <del>not compromised by</del> <del>protected from</del> adverse noise levels, consistent with the anticipated outcomes for the receiving environment.</p>   |
| P1 Sch1    | <p><b>NOISE-O2</b></p> <p><del>Reverse sensitivity</del> <b>Incompatible use and development</b></p> <p>Existing and authorised activities that generate <del>high</del> <del>higher</del> levels of noise are protected from <del>reverse sensitivity effects</del> <del>incompatible use and development</del>.</p>   |
| Policies   |   |
| P1 Sch1    | <p><b>NOISE-P1</b></p> <p><b>General management of noise</b></p> <p>Enable the generation of noise from activities that:</p> <ol style="list-style-type: none"> <li>1. <del>Maintain</del> <del>Are compatible with</del> the <del>anticipated</del> amenity values of the receiving environment; and</li> <li>2. <del>Does</del> not compromise the health, safety and wellbeing of people and communities.</li> </ol> |
| P1 Sch1    | <p><b>NOISE-P2</b></p> <p><b>Construction noise</b></p> <p>Enable construction activities while ensuring that unreasonable noise and vibration effects are managed effectively.</p>   |

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| <p><b>NOISE-P3</b></p> | <p><b>Higher noise areas</b></p> <p>Allow for higher noise levels to be generated within:</p> <ol style="list-style-type: none"><li>1. General Rural Zone;</li><li>2. Commercial <del>and Mixed-Use Zones</del><u>Zone</u>;</li><li>3. Hospital Zone;</li><li>4. Tertiary Education Zone;</li><li>5. Stadium Zone;</li><li>6. Port Zone;</li><li>7. Airport Zone and associated airspace;</li><li>8. City Centre Zone;</li><li>9. <u>Courtenay Place Noise Area</u>;</li><li>10. Mixed Use Zone;</li><li>11. General Industrial Zone; and</li><li>12. State Highway and Railway <del>network</del><u>designations</u></li></ol> |
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|                                   |           | <p>The <u>Port Noise Management Plan and the Airport Noise Management Plan (both required by NOISE-S3) provide additional context for management of noise at those regionally significant facilities.</u></p>   |
| P1 Sch1                           | NOISE-P4  | <p><u>Protection of noise sensitive activities by aAcoustic treatment of buildings and provision of alternative ventilation for buildings containing noise sensitive activities</u></p> <p>Require sound insulation and / or mechanical ventilation for <u>buildings housing</u> new noise sensitive activities within:</p> <ol style="list-style-type: none"> <li><del>The</del> City Centre Zone;</li> <li><u>Courtenay Place Noise Area;</u></li> <li><del>The</del> Waterfront Zone;</li> <li><del>The Centres Zones</del><u>Neighbourhood Centre Zone;</u></li> <li><u>Local Centre Zone;</u></li> <li><u>Metropolitan Centre Zone;</u></li> <li><del>The</del> Mixed Use Zones;</li> <li><u>Commercial Zone;</u></li> <li><u>General Industrial Zones;</u></li> <li>Outer Port Noise Overlay;</li> <li><del>The</del> Air Noise Overlay (<u>Inner Air Noise Overlay and Outer Air Noise Overlay</u>); and</li> <li>Identified corridors adjacent to the State Highways and railway networks.</li> </ol> <p>Two standards of acoustic insulation are prescribed to achieve acceptable indoor acoustic amenity in habitable rooms. <u>NOISE-S4 is the standard for High noise areas, and NOISE-S5 is the standard for Moderate noise areas.</u></p> |
| P1 Sch1                           | NOISE-P5  | <p><b>Noise at Wellington Regional Stadium and the Basin Reserve</b></p> <p>Require that activities at Wellington Regional Stadium and the Basin Reserve, other than special entertainment events authorised as temporary activities, are managed effectively to mitigate adverse noise effects on residential amenity.</p>   |
| ISPP                              | NOISE-P6  | <p><b>Development <del>restrictions on</del>of noise sensitive activities</b></p> <p><u>Restrict/Manage</u> the development of noise sensitive activities within:</p> <ol style="list-style-type: none"> <li><del>The Inner Air Noise Overlay</del><u>High and Moderate Noise Areas;</u> and</li> <li><del>Other locations</del><u>Buildings housing noise sensitive activities in High and Moderate Noise Areas</u> where ventilation and acoustic insulation standards are not met.</li> </ol> <p><u>High and Moderate Noise Areas are listed in NOISE-R3.1 and NOISE-R3.2. The relevant acoustic insulation and ventilation standards are NOISE-S4, NOISE-S5 and NOISE-S6.</u></p>   |
| <b>Rules: Land use activities</b> |           |   |
| P1 Sch1                           | NOISE-R1  | <p><b>Noise not otherwise provided for in this chapter</b></p>  |
|                                   | All Zones | <ol style="list-style-type: none"> <li>Activity status: <b>Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance with NOISE-S1 <u>and APP4</u> is achieved.</li> </ol>   |

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| All Zones | <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"><li>a. Compliance with the requirements of NOISE-R1.1.a cannot be achieved.</li></ul> <p>Matters of discretion are:</p> <ul style="list-style-type: none"><li>1. The matters in NOISE-P1; and</li><li>2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</li></ul> |
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P1 Sch1

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|  | <b>NOISE-R2</b>      | <b>Noise from construction, maintenance, earthworks, and demolition activities</b>  |
|  | All Zones            | 1. Activity status: <b>Permitted</b><br><br>Where:<br><br>a. All work will occur within the hours of 7.30am to 6.00pm Monday to Saturday; or<br>b. Compliance with NOISE-S2 (Construction Activities) is achieved.  |
|  | All Zones            | 2. Activity status: Restricted Discretionary<br><br>Where:<br><br>a. Compliance with the requirements of NOISE-R2.1.a cannot be achieved.<br><br>Matters of discretion are:<br><br>1. The matters in NOISE-P2; and<br>2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.  |
|  | <b>NOISE-R3</b>      | <b>Noise sensitive activity in a new building, or in alterations / additions to an existing building</b>  |
|  | As specified in Rule | 1. Activity status: <b>Permitted</b><br><br>Where:<br><br>a. Compliance with NOISE-S4 (High Noise Areas) <u>and NOISE-S6 (Ventilation)</u> is achieved <u>for one residential unit on a site</u> within:<br>i. <u>40m of a State Highway;</u><br>ii. <u>40m of a Railway corridor;</u><br>iii. <u>Courtenay Place Noise Area;</u><br>iv. <u>General Industrial Zone;</u> or<br>v. Inner Air Noise Overlay.<br><br><u>Note: Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation.</u> |

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| As specified in Rule | <p>2. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance with NOISE-S5 (Moderate Noise Areas) <u>and NOISE-S6 (Ventilation)</u> is achieved <del>for up to three residential units on a site</del> within:</p> <ul style="list-style-type: none"><li>i. <del>The area between 40m and 100m</del>80m of a State Highway with a posted speed limit greater than <u>&gt;70 km/hour;</u></li><li>ii. <del>The area between 40m and 100m of a Railway corridor;</del></li><li>iii. City Centre Zone;</li><li>iv. Mixed Use Zone;</li><li>v. <u>Commercial zone;</u></li><li>vi. Neighbourhood Centre Zone;</li><li>vii. Local Centre Zone;</li><li>viii. Metropolitan Centre Zone;</li><li>ix. <u>Waterfront Zone;</u></li><li>x. Outer Port Noise Overlay; and</li><li>xi. Outer Air Noise Overlay.</li></ul> <p><del>Note: Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation. Unless otherwise restricted by zone or overlay based rules, there is no limit on the number units per site on land</del></p> |
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|  |                                   | <p><u>further than 40m from a State Highway that has a posted speed limit equal to or less than 70 km/hour.</u></p>  |
|  | All Zones                         | <p>3. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. <del>Compliance with the requirements of NOISE-S4, NOISE-S5 and NOISE-S6 or NOISE-S5 cannot be achieved</del> <u>is cannot be achieved for two residential units on a site listed by NOISE-R3.1; or</u></li> <li>b. <del>Any noise sensitive activity is proposed on a site within land subject to NOISE-R3.2;</del></li> <li>c. <del>Two residential units are proposed on a site within the Inner Air Noise Overlay; and</del></li> <li>d. <del>Compliance with the requirements of NOISE-S5 and NOISE-S6 is achieved for four or more residential units on a site listed by NOISE-R3.2</del> <u>Four or more residential units are proposed on a site within the Outer Air Noise Overlay;</u></li> <li>e. <u>Compliance with the requirements of NOISE-R3.1 for the Courtenay Place Noise Area is not otherwise achieved; or.</u></li> <li>f. <u>Any other noise sensitive activity is proposed on a site within land subject to NOISE-R3.2 and the requirements of NOISE-S5 and NOISE-S6 are achieved.</u></li> </ul> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> <li>1. The matters of assessment in NOISE-S4, <del>and</del> NOISE-S5 <u>and NOISE-S6</u>; and</li> <li>2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</li> </ul> <p><u>Wellington International Airport Limited will be considered an affected party for applications within the Inner Air Noise Overlay.</u></p> <p><del>Note: This rule does not obligate Wellington International Airport Limited (WIAL) to provide or upgrade mechanical ventilation or noise insulation in a residential unit which has already received such treatment.</del></p> |
|  |                                   | <p>4. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. <del>Three or more residential units are proposed on a site subject to NOISE-3.1; or</del></li> <li>b. <u>Compliance with the requirements of NOISE-R3.13 for the Inner Air Noise Overlay is not otherwise achieved; or</u></li> <li>c. Any <del>other</del> noise sensitive activity is proposed on a site within land subject to NOISE-R3.1.; <del>and</del></li> <li>d. <u>Wellington International Airport Limited will be considered an affected party for applications within the Inner Air Noise Overlay. Three or more residential units are proposed on a site within the Inner Air Noise Overlay.</u></li> </ul> <p><del>Note: This rule does not obligate Wellington International Airport Limited (WIAL) to provide or upgrade mechanical ventilation or noise insulation in a residential unit which has already received such treatment.</del></p>   |
|  | <b>NOISE-R4</b>                   | <b>Helicopter Landing Noise</b>  |
|  | Hospital Zone<br><br>Airport Zone | <p>1. Activity status: <b>Permitted</b></p> <p><u>Note: The likelihood of noise arising from helicopter activity in the area surrounding Wellington Regional Hospital (Newtown) is signalled by a mapped noise alert overlay. Aircraft (which includes helicopters) used in emergencies or as air ambulances, are exempt from the provisions of the Noise chapter. There are no associated standards.</u></p>  |

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|  | All other Zones | 2. Activity status: <b>Permitted</b><br><br>Where: |
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|                |  | <p>a. Compliance with the recommended limits and noise management provisions as set out in NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas is achieved.</p>  |
|                | All other Zones                          | <p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Any of the requirements of NOISE-R4.2 cannot be achieved.</p>   |
| <b>P1 Sch1</b> | <b>NOISE-R5</b>                          | <b>Noise from Wellington Regional Stadium and the Basin Reserve</b>   |
|                | <p>Stadium zone</p> <p>Basin Reserve</p> | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The noise is from Wellington Regional Stadium or the Basin Reserve; and</p> <p>i. Compliance with NOISE-S1 <b>and APP4</b> is achieved; or</p> <p>ii. Compliance with TEMP-S8 or TEMP-S9 is achieved.</p>   |
|                | <p>Stadium zone</p> <p>Basin Reserve</p> | <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with NOISE-R5.1.a is not achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. Whether noise emission levels would increase the background noise levels for a noise sensitive activity, creating a noise nuisance for the occupants of a noise sensitive site;</li> <li>2. Whether the sound characteristics of the noise emissions or the time of day at which noise occurs is likely to lead to sleep disturbance or other form of nuisance associated with noise;</li> <li>3. The manner in which buildings, structures or machinery are designed and arranged to reduce the noise emission levels likely to emanate from the noise source; and</li> <li>4. The best practicable options available to reduce the adverse effects of the noise.</li> </ol> |
| <b>P1 Sch1</b> | <b>NOISE-R6</b>                          | <b>Fixed Plant Noise</b>  |

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| All Zones | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"><li>a. <del>Compliance with NOISE-S7 and APP5 is achieved; or</del></li><li>b. The noise is generated by fixed plant used solely for emergency or civil defence purposes; or</li><li>c. The noise is generated by fixed plant in relation to Operational Port Activities, and:<ul style="list-style-type: none"><li>i. Only operates for maintenance between 8:00am and 5:00pm weekdays; and</li><li>ii. Compliance with NOISE-S1 <del>and APP5</del> is achieved. <del>or</del><br/><del>Compliance with NOISE-S7 is achieved.</del></li></ul></li></ul> <p><del>Exemption: The noise limits set in standard NOISE-S7 do not apply to fixed plant located in the Special Purpose Port Zone, in relation to Operational Port Activities.</del></p> <p><del>Fixed plant is exempt from the noise limits provided that it:</del></p> <p><del>only operates for maintenance between 8:00am and 5:00pm weekdays, and can comply with NOISE-S1.</del></p> |
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|                | All Zones  | <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with the requirements of NOISE-R6.1 cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in NOISE-P1; and</p> <p>2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p>   |
| <b>P1 Sch1</b> | <b>NOISE-R7</b>                                      | <b>Commercial facility dog noise (day care, dog parks, boarding kennels)</b>   |
|                | As specified in Rule                                 | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with NOISE-S1 <u>and APP4</u> within:</p> <p>i. General Rural zone;</p> <p>ii. Large Lot Residential zone;</p> <p>iii. General Industrial zone;</p> <p>iv. City Centre zone;</p> <p>v. Metropolitan Centre zone;</p> <p>vi. <del>Town Centre zone;</del></p> <p>vii. Mixed use zone;</p> <p>viii. Commercial zone;</p> <p>ix. Local Centre zone;</p> <p>x. Neighbourhood Centre zone; and</p> <p>b. The hours of operation are between 7:00am and 7:00pm, all days of the week; and</p> <p>c. Operation does not include overnight boarding and / or outdoor facilities for overnight stay.</p> |
|                | All other Zones                                      | <p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Any of the requirements of NOISE-R7.1 cannot be achieved.</p>   |
| <b>P1 Sch1</b> | <b>NOISE-R8</b>                                      | <b>Shooting range and firearm noise</b>  |
|                | <u>Airport Zone</u><br><br><u>General Rural Zone</u> | <p>1. <u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>In the Airport Zone, shooting is:</u></p> <p>i. <u>For the purposes of wildlife management in respect of aircraft safety; and</u></p> <p>ii. <u>Complies with any terms set by the Airport Noise Management Plan (ANMP).</u></p> <p>b. <u>In the General Rural Zone is for the purpose of conservation activities or informal recreation activities.</u></p>   |

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| <p><u>All Zones</u></p> | <p>2. Activity status: <b>Discretionary</b></p> <p><u>Where:</u></p> <ul style="list-style-type: none"><li>a. <u>Any of the requirements of NOISE-R8.1 cannot be achieved.</u></li><li>b. <u>Shooting range or firearm noise otherwise occurs and is not subject to provisions of the Temporary Activities chapter.</u></li></ul> |
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P1 Sch1

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|  | <b>NOISE-R9</b>                                 | <b>Blasting noise</b>   |
|  | All Zones                                       | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with NOISE-S2 (Blasting); and</li> <li>b. The activity is a quarrying activity.</li> </ul>   |
|  | Quarry Zone                                     | <p>2. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with NOISE-S2 (Kiwi Point Quarry); and</li> <li>b. The activity is a quarrying activity; and</li> <li>c. Located in the Special Purpose Quarry Zone (Kiwi Point Quarry)</li> </ul>   |
|  | All Zones                                       | <p>3. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is not achieved with NOISE-R9.1.a or NOISE-R9.1.b</li> </ul> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> <li>1. Peak noise levels from blast events;</li> <li>2. The frequency and the number of blast events;</li> <li>3. The number of blasts per year;</li> <li>4. The extent to which noise and vibration effects from blasting activities are minimised; and</li> <li>5. Whether surrounding property owners will be notified of blasting events in advance of the activity.</li> </ul> |
|  | <b>NOISE-R10</b>                                | <b>Home business noise</b>  |
|  | All Zones                                       | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with NOISE-S2 (Home Business Activity) <u>and APP4.</u></li> </ul>   |
|  | All Zones                                       | <p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Any of the requirements of NOISE-R10.1 cannot be achieved.</li> </ul>   |
|  | <b>NOISE-R11</b>                                | <b>Electronic sound system noise</b>  |
|  | <u>All Zones Commercial and Mixed Use Zones</u> | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with NOISE-S2 (Electronic Sound System Noise).</li> </ul>  |

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| All Zones | <p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Any of the requirements of NOISE-R11.1 cannot be achieved.</p> |
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| NOISE-R12 | Port noise  |
| All Zones | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with NOISE-S1 <u>and APP4</u>.</p> |
| All Zones | <p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance with NOISE-R12.1 cannot be achieved.</p>   |

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| NOISE-R13                                  | Airport noise   |
| <p><u>All Zones</u><u>Airport Zone</u></p> | <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with the following standards:</p> <ul style="list-style-type: none"> <li>i. <u>NOISE-S4;</u></li> <li>ii. NOISE-S8;</li> <li>iii. <u>NOISE-S9;</u></li> <li>iv. NOISE-S10;</li> <li>v. NOISE-S11;</li> <li>vi. NOISE-S12;</li> <li>vii. <u>NOISE-S14;</u><del>and</del></li> <li>viii. NOISE-S15;</li> </ul> <p><u>And</u></p> <p>b. <u>Compliance is achieved with all of the following conditions in the identified designations:</u></p> <ul style="list-style-type: none"> <li>i. <u>WIAL2 (Miramar South Area)</u> <ul style="list-style-type: none"> <li>a. <u>Conditions 10 and 11</u></li> <li>b. <u>Conditions 14 to 18</u></li> </ul> </li> <li>ii. <u>WIAL4 (Airport Main Site Area)</u> <ul style="list-style-type: none"> <li>a. <u>Conditions 23 to 27</u></li> <li>b. <u>Conditions 29 to 31</u></li> </ul> </li> <li>iii. <u>WIAL5 (Airport East Side Area)</u> <ul style="list-style-type: none"> <li>a. <u>Conditions 31 and 33</u></li> <li>b. <u>Conditions 34 and 35</u></li> <li>c. <u>Condition 37</u></li> </ul> </li> </ul> <p><u>Aircraft noise will be measured in accordance with NZS 6805:1992 Airport noise management and land use planning and calculated as a 90-day rolling average. All terminology must have the meaning that may be used or defined in the context of NZS6805:1992 Airport noise management and land use planning.</u></p> <p><u>The level of noise from aircraft operations, for comparison with Ldn 65 dBA, is calculated from the total amount of noise energy produced by each aircraft event (landing or take-off) over a period of 90 days. This method of control does not directly control individual aircraft events, but does so indirectly by taking into account their contribution to the amount of noise generated in a 24 hour period.</u></p> |

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| <p><del>All Zones</del><br/><u>Airport Zone</u></p> | <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> |
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|  |   | <p>a. Compliance is not achieved with NOISE-R13.1.a <u>(except in relation to NOISE-S10)</u>;</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. Relevant matters listed in NOISE-P1;</li> <li>2. The degree to which noise emissions can be reduced through mitigation or management measures, changes in the location, or methods of operation of the activity;</li> <li>3. Whether the proposal will have any adverse effects on the health and safety of people; and</li> <li>4. The effects of the type, intensity and duration of the noise emitted from any activity.</li> <li>5. <u>Relevant matters in the Airport Noise Management Plan (ANMP) – see NOISE-S3.</u></li> </ol> |
|  | <u>All Zones</u><br><u>Airport Zone</u> | <p>3. Activity status: <b>Non-complying</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is not achieved with: <ol style="list-style-type: none"> <li>i. <del>NOISE-S9</del>;</li> <li>ii. NOISE-S10; <del>and</del></li> </ol> </li> <li>b. Noise from any land based activity in the Airport Zone exceeds the limits in NOISE-S14 by more than 5dB.</li> </ol> <p>Notification Status: An application for resource consent made in respect of this rule must be publicly notified.</p>   |

| Standards – Permitted activity noise and sound insulation standards |  |   |
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| P1<br>Sch1  | NOISE-S1   | Maximum permitted activity noise levels by zone   |
|   | <p>Subject to any Temporary Activity exclusions in the District Plan, or conditions of a resource consent or designation, noise generated by any activity in all zones must not exceed permitted noise limits within the receiving zone set out in APP4 – Permitted Noise Standards.</p> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</li> <li>2. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations); and</li> <li>3. The ability to mitigate adverse effects through the imposition of conditions such as noise attenuation.</li> </ol> |
| P1<br>Sch1  | NOISE-S2   | Maximum permitted noise levels by activity  |

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|  | <p>1. Construction activities</p> | <p>The noise from any construction, maintenance, earthworks and demolition activities must be measured, assessed, managed and controlled in accordance with the requirements of NZS6803:1999 Acoustics Construction Noise.</p> <p>Noise due to the following activities shall be exempt from compliance:</p> <ol style="list-style-type: none"> <li>1. Urgent repair of utilities to maintain continuity of service, to protect life or limb or minimise or prevent loss or serious damage to property.</li> </ol> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</li> </ol> |
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|  |                             | <p>2. In the City Centre Zone, where the best practicable option to reduce noise to a reasonable level requires construction work to be undertaken outside normal working hours.</p> <p>The vibration from any construction, maintenance, earthworks and demolition activities must be measured, assessed, managed and controlled in accordance with the requirements of DIN 4150-3:2016 Structural Vibration – Part 3: Effects of Vibration on Structures<br/>Nothing in this Standard shall be used to prevent emergency work from taking place.</p>   | <p>2. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations); and</p> <p>3. The ability to mitigate adverse effects through the imposition of conditions such as noise attenuation.</p> |
|  | <p>2. Blasting</p>          | <p>Peak noise levels from blasting activities must not exceed the following when measured within the notional boundary of any building set out in NOISE-S2 (Blasting) <del>a, b or c</del> <u>1, 2 or 3</u>, below:</p> <ol style="list-style-type: none"> <li>1. Occupied noise sensitive activity and visitor accommodation: <ol style="list-style-type: none"> <li>a. permissible blasting time window: 7:00am to 7:00pm; and</li> <li>b. number of blasts per year: ≤ 20; and <ol style="list-style-type: none"> <li>i. maximum peak sound level of 120 dB LZpeak; or</li> </ol> </li> <li>c. number of blasts per year: &gt;20; and <ol style="list-style-type: none"> <li>i. maximum peak sound level of 115 dB LZpeak; or</li> </ol> </li> </ol> </li> <li>2. Occupied commercial and industrial buildings: <ol style="list-style-type: none"> <li>a. permissible blasting time window: All hours of occupation; and</li> <li>b. no limit on number of blasts per year; and <ol style="list-style-type: none"> <li>i. maximum peak sound level of 125 dB LZpeak; or</li> </ol> </li> </ol> </li> <li>3. Unoccupied buildings <ol style="list-style-type: none"> <li>a. permissible blasting time window: All times; and</li> <li>b. no limit on the number of blasts per year; and</li> <li>c. all blasts comply with a maximum peak sound level of 140 dB LZpeak.</li> </ol> </li> </ol> |   |
|  | <p>3. Kiwi Point Quarry</p> | <ol style="list-style-type: none"> <li>1. Peak noise from blasting activities must not exceed the levels set out in NOISE-S2 (Blasting) when measured within the notional boundary of any building.</li> <li>2. Blasting of faces for crushed rock production may only occur between 10.00am and 2.00pm weekdays.</li> <li>3. In all cases, for the northern face residents of Tarawera Road, Plumer Street, 113, 130, 166, 170 and 175 Fraser Avenue, and 146 Burma Road, and for the southern face the residents of 25-46 Gurkha Crescent, Shastri Terrace and 6-28 (even numbers) Imran Terrace and the abattoir operator must be notified by mail, by email or by other electronic means no less than one week in advance of blasting.</li> <li>4. Blasting must be immediately preceded by a siren or hooter with a sound which distinguishes it from normal Police, Ambulance or Fire Service sirens.</li> </ol>   |   |

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|  | 4. Home business activity | Noise generated by any home business activity (or noise source associated with the work from home business activity), when measured at or within the boundary of any site, other than the site from which the noise is emitted, |  |
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|                    |                                  | must comply with the noise limits stated in NOISE-S1 <u>and APP4.</u>   |  |
|                    | 5. Electronic sound system noise | <p>Electronic sound systems within the Commercial and Mixed Use zones must comply with the below:</p> <ol style="list-style-type: none"> <li>1. <u>Within the Commercial and Mixed Use zones, n</u>Noise emission levels in any public space (including streets and parks) generated by electronic sound systems must not exceed 75dB LAeq (2 minutes). In any event the measurements must be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head of a passer-by).</li> <li>2. The measured level(s) under NOISE-S2 (Electronic sound systems) shall have no adjustments for Special Audible Characteristics (SAC's) when assessed in accordance with New Zealand Standards NZS 6802:2008 Acoustics – Environmental Noise</li> </ol> |  |
| <b>P1<br/>Sch1</b> | <b>NOISE-S3</b>                  | <b>Noise management plans</b>   |  |



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|  | Port Activities | <ol style="list-style-type: none"> <li>1. The port company (CentrePort) must at all times operate in accordance with a Port Noise Management Plan, which must include but is not limited to the matters set out below. The Port Noise Management Plan must be developed to the satisfaction of Wellington City Council and Greater Wellington Regional Council.</li> <li>2. The port company must undertake a noise monitoring programme annually (once every calendar year) to ensure that noise from port related activities comply with NOISE-S1 at the Port Noise Control Line. This monitoring will be undertaken in accordance with the 'CentrePort Noise Management Plan for CentrePort Ltd' (dated December 2008) and the information shall be reported to Wellington City Council's Compliance Manager.</li> <li>3. The Port Noise Management Plan must: <ol style="list-style-type: none"> <li>a. State the objectives of the Management Plan.</li> <li>b. Identify all significant noise sources from port activities undertaken by the port within the Port Zone and the adjacent Coastal Marine Area.</li> <li>c. Identify the best practical options to ensure the emission of noise does not exceed the noise levels specified in NOISE-S1.</li> <li>d. Identify techniques that will be considered to reduce the emission of noise over time and indicate which of these techniques will be adopted to achieve realistic objectives in managing noise.</li> <li>e. Explain how the port company will take noise effects into account in the design and location of new, altered or extended port activities.</li> <li>f. Identify how the port company will work with independent companies and external contractors to ensure that transport noise and noise from other activities within the port area will be kept to a minimum practical noise level.</li> <li>g. Identify procedures for noise reduction through the port company's staff and contractor training.</li> </ol> </li> </ol> |  |
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|  |  | <ul style="list-style-type: none"><li>h. Provide for the establishment and maintenance of a Port Noise Liaison Committee (the port company may provide for this function within the operation of its Environmental Consultative Committee).</li><li>i. (List the Port Noise Liaison Committee functions; and the procedures for the recommendations of the Committee to be considered and determined by the port company.</li><li>j. Detail procedures for receiving and deciding on complaints.</li><li>k. Detail procedures for noise monitoring, auditing and reporting.</li><li>l. Include procedures for the review and alteration of the Port Noise Management Plan.</li></ul> |  |
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| <p>Airport Activities</p> | <p>The provisions below do not, in any way, limit the obligations of the Airport company (WIAL) to fully comply with any Airport Designation Condition.</p> <ol style="list-style-type: none"> <li>1. The Airport must at all times maintain and implement an Airport Noise Management Plan (ANMP). Any alteration or update to the ANMP is subject to certification by the Council.</li> <li>2. The ANMP must include, as a minimum: <ol style="list-style-type: none"> <li>a. Terms of Reference which include the purpose, membership and functions of the ANMC.</li> <li>b. A statement of noise management objectives and policies for the Airport;</li> <li>c. Details of methods and processes for remedying and mitigating adverse effects of Airport noise including but not limited to: <ol style="list-style-type: none"> <li>i. improvements to Airport layout to reduce ground noise;</li> <li>ii. Guidance relating to APU usage and how that usage will be reduced over time where practicable;</li> <li>iii. improvements to Airport equipment (including provision of engine test shielding such as an acoustic enclosure for propeller driven aircraft) to reduce ground noise;</li> <li>iv. aircraft operating procedures in the air and on the ground procedures to minimise noise where this is practicably achievable;</li> <li>v. an Airport Wide Construction Noise Management Plan which outlines methods for guiding the way construction noise is managed including guidance for where a Project Specific Construction Noise Plan is required for a project.</li> </ol> </li> <li>d. Procedures for the convening, ongoing maintenance and operation of the ANMC;</li> <li>e. Mechanisms to give effect to a noise monitoring programme to assess compliance with district plan noise standards;</li> <li>f. Procedures for reporting to the ANMC any Aircraft Operations and engine testing activities which contravene district plan noise standards;</li> </ol> </li> </ol> |  |
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|             |                 | <ul style="list-style-type: none"> <li>g. Methods necessary for the Airport to complete implementation of the Quieter Homes Programme;</li> <li>h. A complaints procedure including: recording; reporting back to complainants; corrective actions; and reporting to the Council and to the ANMC;</li> <li>i. A dispute resolution procedure to resolve any disputes between the Airport company and the ANMC about the contents and implementation of the ANMP;</li> <li>j. Communication methods to maintain contact with potentially noise affected communities;</li> <li>k. Preparation and implementation of an annual stakeholder communications plan;</li> <li>l. Procedures for obtaining and making noise monitoring and compliance data publicly available on WIAL's website;</li> <li>m. Procedures (including frequency) for reviewing and amending the ANMP.</li> <li>n. Arrangements for funding the ongoing membership and function of the ANMC.</li> </ul> |  |
| <b>ISPP</b> | <b>NOISE-S4</b> | <b>Acoustic Insulation – high noise areas</b>  |  |

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| <p>Within 40m of a State Highway</p> <p>Within 40m of a Railway Corridor</p> <p><u>General Industrial Zone</u></p> <p>Courtenay Place Noise Area</p> <p>Inner Air Noise Overlay</p> | <ol style="list-style-type: none"> <li>1. Any habitable room <del>in a building</del> used by a noise sensitive activity in a new building <del>or alteration or addition to an existing building</del>, must be designed, constructed, and maintained to achieve a minimum external to internal noise reduction for habitable rooms of not less than 35 dB Dtr,2m,nT,w + Ctr.</li> <li>2. <u>Any alteration, addition or change of use of an existing building does not increase the gross floor area occupied by a noise sensitive activity by more than 25m<sup>2</sup>; and the addition or alteration does not increase the number of bedrooms by more than one.</u></li> <li>3. Compliance with this standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with: <ol style="list-style-type: none"> <li>a. Table II – Minimum construction requirements for external building elements of habitable rooms to achieve an advanced level of acoustic insulation; or</li> <li>b. an acoustic design certificate signed by a suitably qualified <u>and experienced</u> acoustic <del>expert</del><u>engineer</u> stating the design proposed will achieve compliance with this standard.</li> </ol> </li> <li>4. Acoustic insulation must be assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation.</li> <li>5. The requirements of (a) above do not apply where an acoustic design certificate signed by a suitably qualified <u>and experienced</u> acoustic <del>expert</del><u>engineer</u>, confirms the level of noise incident on the most exposed part of the exterior of any habitable room can be shown, under a reasonable maximum use scenario, <del>to</del> <u>does</u> not exceed the following <u>outdoor</u> noise limits at all points 1.5m above ground level, and any part of the floor levels above ground: <ol style="list-style-type: none"> <li>a. less than 55 dB LAeq (1h) for rail noise; or</li> <li>b. Less than 57 dB LAeq (<del>1h</del> <u>24h</u>) for <del>road</del><u>highway</u> noise; or</li> <li>c. Less than 57 dB L<sub>dnAeq</sub> (<del>1 hr</del>) for port noise.</li> </ol> </li> </ol> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</li> <li>2. <u>Adverse effects on health and amenity indoors for occupants of buildings containing noise sensitive activities;</u></li> <li>3. The ability to achieve acceptable outdoor acoustic amenity;</li> <li>4. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations);</li> <li>5. The ability to mitigate adverse effects through the imposition of conditions such as noise attenuation; and</li> <li>6. In relation to a heritage building or a contributing building within a heritage area, the extent to which it is practicable to insulate to the required standard without detracting from identified heritage values.</li> </ol> |
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|                           |                        | <p><u>Notes:</u></p> <ol style="list-style-type: none"> <li>1. This standard applies in addition to, and does not affect the requirements of, the Building Act 2004.</li> <li>2. <b>Note:</b> Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation.</li> <li>3. <u>'Reasonable maximum use scenario' shall be the level of noise incident on the exterior of the habitable room based on:</u> <ol style="list-style-type: none"> <li>a. <u>Rail noise – 70 LAeq(1h) at a distance of 12 metres from the track, then deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</u></li> <li>b. <u>Highway noise – The current day measured or predicted road traffic noise level LAeq (24 h) plus 2 dB.</u></li> <li>c. <u>Port noise – The maximum permitted port noise Ldn level based on the location of the Port Noise Control Line. Port noise sources shall be deemed to be operating within wharf areas.</u></li> </ol> </li> </ol> |  |
| <p><b>P1<br/>Sch1</b></p> | <p><b>NOISE-S5</b></p> | <p><b>Acoustic insulation – moderate noise areas</b></p>   |  |

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| <p>City Centre Zone</p> <p>Mixed Use Zone</p> <p><del>Commercial Zone</del></p> <p><del>General Industrial Zone</del></p> <p>Neighbourhood Centre Zone</p> <p>Local Centre Zone</p> <p>Metropolitan Centre Zone</p> <p>Waterfront Zone</p> <p><del>The area between 40m and 100m of a railway corridor</del></p> <p><del>The area between 40m and 100m of a State Highway with a posted speed limit &gt;70 km/hour</del></p> <p>Outer Port Noise Overlay</p> | <ol style="list-style-type: none"> <li>1. Any habitable room <del>in a building</del> used by a noise sensitive activity in a new building <del>or alteration or addition to an existing building</del>, must be designed, constructed, and maintained to achieve a minimum external to internal noise reduction for habitable rooms of not less than 30 dB Dtr,2m,nT,w + Ctr.</li> <li>2. <u>Any alteration, addition or change of use of an existing building does not increase the gross floor area occupied by a noise sensitive activity by more than 25m<sup>2</sup>; and the addition or alteration does not increase the number of bedrooms by more than one.</u></li> <li>3. Acoustic insulation must be assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation.</li> <li>4. Compliance with this standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with: <ol style="list-style-type: none"> <li>a. Table I – Minimum construction requirements for external building elements of habitable rooms to achieve a moderate level of acoustic insulation; or</li> <li>b. an acoustic design certificate signed by a suitably qualified <u>and experienced</u> acoustic <del>expert</del>engineer stating the design proposed will achieve compliance with this standard.</li> </ol> </li> <li>5. The requirements of (a) above do not apply where an acoustic design certificate signed by a suitably qualified <u>and experienced</u> acoustic <del>expert</del>engineer, confirms the level of noise incident on the most exposed part of the exterior of any habitable room can be shown, under a reasonable maximum use scenario, <del>to</del>does not exceed the following noise limits at all points 1.5m above ground level, and any part of the floor levels above ground: <ol style="list-style-type: none"> <li>a. Less than 55 dB LAeq (1h) for rail noise; or</li> <li>b. Less than 57 dB LAeq <del>(1h)</del> (24h) for <del>road</del> <u>highway</u> noise; or</li> </ol> </li> </ol> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;</li> <li>2. <u>Adverse effects on health and amenity indoors for occupants of buildings containing noise sensitive activities;</u></li> <li>3. The ability to achieve acceptable outdoor acoustic amenity;</li> <li>4. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations);</li> <li>5. The ability to mitigate adverse effects through the imposition of conditions such as noise attenuation; and</li> <li>6. In relation to a heritage building or a contributing building within a heritage area, the extent to which it is practicable to insulate to the required standard without detracting from identified heritage values</li> </ol> |
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| Outer Air Noise Overlay |          | <p>c. Less than 57 dB <u>L<sub>dn</sub>Aeq(1 hr)</u> for port noise.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>1. This standard applies in addition to, and does not affect the requirements of, the Building Act 2004.</li> <li>2. <b>Note:</b> Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation.</li> <li>3. <u>'Reasonable maximum use scenario' shall be the level of noise incident on the exterior of the habitable room based on:</u> <ol style="list-style-type: none"> <li>a. <u>Rail noise – 70 LAeq(1h) at a distance of 12 metres from the track, then deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</u></li> <li>b. <u>Highway noise – The current day measured or predicted road traffic noise level LAeq (24 h) plus 2 dB.</u></li> <li>c. <u>Port noise – The maximum permitted port noise Ldn level based on the location of the Port Noise Control Line. Port noise sources shall be deemed to be operating within wharf areas.</u></li> </ol> </li> </ol> |  |
| P1<br>Sch1              | NOISE-S6 | Ventilation requirements   |  |



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| All Zones | <ol style="list-style-type: none"> <li>1. The minimum external to internal noise reduction levels in NOISE-S4 and NOISE-S5 must be achieved at the same time as the ventilation requirements of the New Zealand Building Code. <u>Minimum ventilation standards are set out below for habitable rooms classified into one of two possible categories as follows:</u> <ol style="list-style-type: none"> <li>a. <u>Habitable rooms with openable windows sufficient in area to meet the ventilation requirements of the New Zealand Building Code; and</u></li> <li>b. <u>All other habitable rooms requiring to be acoustically insulated under NOISE-S4 and NOISE-S5</u></li> </ol> </li> <li>2. Where habitable rooms are provided with windows openable to the outside environment sufficient in area to meet the ventilation requirements of the New Zealand Building Code, and where these windows must remain closed to achieve compliance with <u>NOISE-S4 and NOISE-S5 acoustic insulation standards, the room shall meet the following minimum requirements:</u> <ol style="list-style-type: none"> <li>a. <u>The room is to be provided with a mechanical ventilation system with air flow rates adjustable by the occupant in increments up to a high air flow setting of at least three air changes per hour; and</u></li> <li>b. <u>The room is provided with cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</u></li> </ol> </li> </ol> | <p><u>Assessment criteria where the standard is infringed:</u></p> <ol style="list-style-type: none"> <li>1. <u>The ability to achieve acceptable indoor ventilation and acoustic amenity;</u></li> <li>2. <u>Any mitigation of the proposed ventilation noise, in accordance with a best practicable option approach;</u></li> <li>3. <u>The ability to mitigate adverse effects through the imposition of conditions;</u></li> <li>4. <u>In relation to a heritage building or a contributing building within a heritage area, the extent to which it is practicable to achieve ventilation to the required standard without detracting from identified heritage values</u></li> </ol> |
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|                    |                 | <p>c. <u>Any ventilation system installed in compliance with (a) and (b) above must not generate noise at levels greater than 35 dB L<sub>Aeq</sub> (30s) when measured 1 metre from any grille or diffuser.</u></p> <p>3. <u>Excluding habitable rooms qualifying under (2) above, minimum ventilation system requirements for habitable rooms requiring to be acoustically insulated under NOISE-S4 and NOISE-S5 are set out as follows;</u></p> <p>a. <u>The room is to be provided with a mechanical ventilation system with air flow rates adjustable by the occupant in increments up to a high air flow setting of at least six air changes per hour, with relief provided for equivalent volumes of spill air; and</u></p> <p>b. <u>The room is provided with cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</u></p> <p>c. <u>Any ventilation system installed in compliance with (a) and (b) above must not generate noise at levels greater than 35 dB L<sub>Aeq</sub> (30s) when measured 1 metre from any grille or diffuser up to maximum flow rate of three air changes per hour.</u></p> <p>4. <u>Confirmation of compliance with this standard will be required by a qualified professional.</u></p> <p>5. <u>Mechanical ventilation systems shall include Filter Class of at least ISO Coarse 70%, and the filter shall be readily serviceable.</u></p> <p>6. <u>Where ventilation ducting is built in and not serviceable, it shall be rigid.</u></p> <p>7. <u>Where ventilation ducting is serviceable, it may be flexible.</u></p> <p>Note: This standard applies in addition to, and does not affect the requirements of, the Building Act 2004.</p> |  |
| <b>P1<br/>Sch1</b> | <b>NOISE-S7</b> | <b>Fixed plant noise</b>   |  |

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|  | All zones | 1. Noise generated by fixed plant noise must not exceed the noise limits set out in APP5 – Fixed Plant Noise Standards. | Assessment criteria where the standard is infringed:<br><br>1. Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities;<br><br>2. Management of effects from the activities with regard to the matters set out in NOISE-P2;<br><br>3. Any mitigation of the noise proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations); and |
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|                    |                 |                                    | 4. The ability to mitigate adverse effects through the imposition of conditions such as noise attenuation. |
| <b>P1<br/>Sch1</b> | <b>NOISE-S8</b> | <b>Hours of aircraft operation</b> |  |

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|  | <p>Airport Zone</p> | <ol style="list-style-type: none"> <li>1. Domestic aircraft operations shall not occur during the following hours: <ol style="list-style-type: none"> <li>a. midnight (12am) to 6am.</li> </ol> </li> <li>2. International aircraft operations shall not occur during the following hours: <ol style="list-style-type: none"> <li>a. Midnight to 6am for departures.</li> <li>b. 1am to 6am for arrivals.</li> </ol> </li> <li>3. No aircraft shall operate under their main engine power within the East Side Precinct between the hours of 10pm and 7am.</li> </ol> <p>Except:</p> <ol style="list-style-type: none"> <li>4. Disrupted flights where aircraft operations are permitted for an additional 30 minutes;</li> <li>5. In statutory holiday periods where operations are permitted for an additional 60 minutes;</li> <li>6. For the purposes of this condition, statutory holiday period means: <ol style="list-style-type: none"> <li>a. The period from 25 December to 2 January, inclusive. Where 25 December falls on either a Sunday or Monday, the period includes the entire of the previous weekend. Where 1 January falls on a weekend, the period includes the two subsequent working days. Where 2 January falls on a Friday, the period includes the following weekend.</li> <li>b. The Saturday, Sunday and Monday of Wellington Anniversary weekend, Queens Birthday Weekend, and Labour Weekend.</li> <li>c. Good Friday to Easter Monday inclusive.</li> <li>d. Matariki Day.</li> <li>e. Waitangi Day.</li> <li>f. ANZAC Day.</li> <li>g. Any other day decreed as a national statutory holiday.</li> <li>h. Where Matariki Day, Waitangi Day or ANZAC Day falls (or is recognised) on a Friday or a Monday, the adjacent weekend is included in the statutory holiday period.</li> <li>i. The hours from midnight to 6am immediately following the expiry of each statutory holiday period defined above.</li> </ol> </li> <li>7. Aircraft using the Airport as a planned alternative to landing at a scheduled airport, but which shall not take-off unless otherwise permitted;</li> <li>8. Aircraft landing in an emergency;</li> <li>9. The operation of emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs, or medical personnel in a medical emergency;</li> </ol> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Number of annual occurrences;</li> <li>3. Mitigation or management measures;</li> <li>4. Health and safety;</li> <li>5. Effects on internal and external noise amenity for dwellings outside the Airport zone; <del>and</del></li> <li>6. <del>The Airport Noise Management Plan.</del></li> </ol> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p> |
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|                    |                 | <p>10. The operation of unscheduled flights required to meet the needs of any state of emergency declared under the Civil Defence Emergency Management Act 2002 or any international civil defence emergency;</p> <p>11. Aircraft carrying heads of state and/or senior dignitaries acting in their official capacity or other military aircraft operations;</p> <p>12. No more than 4 aircraft movements per night with noise levels not exceeding 65 dB LA<sub>Fmax</sub> (1 sec) at or beyond the edge of the Air Noise Boundary.</p> |  |
| <b>P1<br/>Sch1</b> | <b>NOISE-S9</b> | <b>Calculation and management of aircraft noise</b>  |  |

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|  |  | <p>1.— Aircraft noise shall be measured and modelled in accordance with NZS6805:1992 Airport Noise Management and Land Use Planning and calculated as a Ldn 90 day rolling average. All terminology shall have the meaning that may be used or defined in the context of NZS:6805-1992.</p> <p>2.— The Airport company (WIAL) shall ensure that all Aircraft Operations are managed so that the rolling day 90 day average 24 hour night weighted sound exposure level does not exceed a Day/night Level (Ldn) of 65dBA outside the Air Noise Boundary shown within the District Plan Maps.</p> <p>3.— Within the East Side Precinct, Aircraft Operations and the operation of Auxiliary Power Units (APUs) shall be managed so that the rolling 90 day average 24 hours night weighted sound exposure does not exceed a Day/Night Level (Ldn) of 65 dB outside of the East Side Precinct Compliance Line identified on Figure 6 below. In assessing compliance with this limit, account shall be taken of the cumulative effect of all aircraft operations and APUs from the Airport.</p> <p>4.— Noise monitoring shall take place at any point along the line shown in Figure 6 below. The rolling 90 day average Ldn noise level from aircraft operations and the operation of APUs must not exceed the corresponding level determined to correlate with 65 dB Ldn at the East Side Precinct Compliance Line. This noise level shall be determined once the noise monitoring location is finalised and shall be recorded in the Airport Noise Management Plan.</p> <p>5.— The Airport must demonstrate compliance with the standards above by undertaking continuous noise monitoring in accordance with NZS 6805:1992 and the guidance provided in the Airport Noise Management Plan. The results of this noise monitoring shall be made publicly available on the Airport website.</p> <p>Except:</p> <p>1.— The following aircraft operations shall be excluded from the calculation of the 90 day rolling average:</p> <ul style="list-style-type: none"> <li>a.— Aircraft operating in an emergency.</li> <li>b.— The operation of emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs, or medical personnel in a medical emergency.</li> <li>c.— The operation of unscheduled flights required to meet the needs of any state of emergency declared under the Civil Defence Emergency</li> </ul> | <p>Assessment criteria where the standard is infringed:</p> <ul style="list-style-type: none"> <li>1.— Type, intensity and duration of the noise;</li> <li>2.— Mitigation or management measures;</li> <li>3.— Health and safety;</li> <li>4.— Effects on internal and external noise amenity for dwellings outside the Airport zone; and</li> <li>5.— The Airport Noise Management Plan.</li> </ul> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p> |
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Management Act 2002 or any international civil defence emergency.



Figure 6—NOISE: East Side Precinct Compliance Line and Noise Monitoring

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NOISE-S10

Engine testing noise



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| <p>Airport Zone</p> | <ol style="list-style-type: none"> <li>1. There shall be no aircraft engine testing in the East Side Precinct, or in the area shown by Attachment 4 of designation WIAL4.</li> <li>2. Engine testing shall adhere to the following: <ol style="list-style-type: none"> <li>a. Testing shall only be undertaken during the hours of 6am to 8pm;</li> <li>b. For essential unscheduled maintenance, testing is able to occur between 8pm and 11pm and where these events do occur, they shall be reported to the Airport Noise Management Committee (ANMC) on an annual basis;</li> <li>c. To operate an aircraft within flying hours but provided the engine run is no longer than required for normal procedures, which for the purpose of this condition, shall provide solely for short duration engine runs by way of flight preparation while the aircraft is positioned on the apron;</li> </ol> </li> <li>3. Restrictions on engine testing from 11pm to 6am do not apply if engine testing can be carried out in compliance with all of the following: <ol style="list-style-type: none"> <li>a. measured noise levels do not exceed 60 dB LAEQ (15 min) at or within the boundary of any residential zone;</li> <li>b. measured noise levels do not exceed 75 dB LAFmax at or within the boundary of any residential zone;</li> <li>c. noise levels shall be measured in accordance with NZS6801: 2008 Acoustics Measurement of Environmental Sound;</li> </ol> </li> </ol> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Mitigation or management measures;</li> <li>3. Health and safety;</li> <li>4. Effects on internal and external noise amenity for dwellings outside the Airport zone; <del>and</del></li> <li>5. <del>The Airport Noise Management Plan.</del></li> </ol> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations</p> |
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|                    |                          | <ul style="list-style-type: none"> <li>d. the total number of engine test events relating to aircraft using the Airport as an alternate landing site shall not exceed 18 in any consecutive 12 month period;</li> <li>e. the total duration of engine test events using the Airport as an alternate landing site shall be no more than 20 minutes.</li> </ul>  |   |
| <b>P1<br/>Sch1</b> | <b>NOISE-S11</b>         | <b>Noise from ground power units and auxiliary power units (Main site)</b>   |   |
|                    | Airport Zone (Main Site) | <ol style="list-style-type: none"> <li>1. The operation of ground power units (GPUs) and auxiliary power units (APUs) within the Airport (excluding East Side Precinct), when measured at any adjoining Residential zone, shall not exceed the following limits: <ul style="list-style-type: none"> <li>a. Monday to Saturday 7am to 10pm 55 dB LAeq (15 min)</li> <li>b. At all other times 45 dB LAeq (15 min)</li> <li>c. All days 10pm to 7am 75 dB LAFmax</li> </ul> </li> </ol> <p>Except:</p> <ol style="list-style-type: none"> <li>2. Aircraft under tow;</li> <li>3. The first 60 minutes after an aircraft has stopped on the gate, unless the Pilot of an Aircraft requires a longer duration due to operational or public health and safety reasons;</li> <li>4. 60 minutes prior to scheduled departure unless the Pilot of an Aircraft requires a longer duration due to operational or public health and safety reasons;</li> <li>5. The use of APUs to provide for engine testing.</li> </ol> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Number of annual occurrences;</li> <li>3. Mitigation or management measures;</li> <li>4. Health and safety;</li> <li>5. Effects on internal and external noise amenity for dwellings outside the Airport zone; <del>and</del></li> <li>6. <del>The Airport Noise Management Plan.</del></li> </ol> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p> |
| <b>P1<br/>Sch1</b> | <b>NOISE-S12</b>         | <b>Noise from ground power units and auxiliary power units (East Side)</b>   |   |
|                    | Airport Zone (East Side) | <p><del>1. Any aircraft stand within the East Side Precinct shall have a Plugin ground power unit (GPU) available.</del></p> <p><del>1. The operation of APUs in the East Side Precinct is subject to the relevant standards in NOISE-S9.</del></p> <ol style="list-style-type: none"> <li>1. There shall be no operating of APUs on land within the East Side Precinct between the hours of 10pm and 7am, apart from aircraft under tow. Where aircraft are under tow the use of the APU shall cease as soon as reasonably practicable after completion of the tow.</li> <li>2. The operation of APUs on land within the East Side Precinct shall be restricted to a period not exceeding 15 minutes after the aircraft has stopped at the gate and 15 minutes prior to leaving the gate.</li> </ol>  | <p>Assessment Criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Number of annual occurrences;</li> <li>3. Mitigation or management measures;</li> <li>4. Health and safety;</li> <li>5. Effects on internal and external noise amenity for dwellings outside the Airport zone; and</li> <li>6. <del>The Airport Noise Management Plan.</del></li> <li>7. In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</li> </ol>       |
| <b>P1<br/>Sch1</b> | <b>NOISE-S13</b>         | <b><del>Airport East Side Precinct residential noise mitigation</del></b>  |   |

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|  | <u>Airport zone (East Side Precinct)</u> | 1. <u>Prior to construction activity occurring to the east of the line shown on the map within Attachment 2 of designation WIAL5, or prior to land within the East Side Precinct being used to facilitate Code C (or</u> |  |
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|         | Medium Density Residential Zone | <p><del>larger) Aircraft (whichever is the earlier), the Airport shall offer to install mechanical ventilation to habitable rooms of those residential dwellings listed in Attachment 2 of designation WIAL5.</del></p> <p><del>2. Where the property owner accepts this offer, the following requirements apply:</del></p> <p><del>a. The Airport shall meet the full cost of the ventilation work.</del></p> <p><del>b. Any habitable room within any dwelling listed in Attachment 2 with openable windows must be provided with a positive supplementary source of fresh air ducted from the outside of the habitable room.</del></p> <p><del>c. The supplementary source of fresh air is to achieve a minimum of 7.5 litres per second per person.</del></p> <p><del>The offer and outcomes from the ventilation work shall be to no less a standard than similar home ventilation packages provided under the Wellington Airport Quieter Homes programme (as at 2021).</del></p> |  |
| P1 Sch1 | NOISE-S14                       | Land based noise   |  |
|         | Airport Zone                    | <ol style="list-style-type: none"> <li>Noise emission levels from any activity within the Airport <del>designations</del><u>Zone</u>, other than aircraft operations, engine testing and the operation of GPUs and APUs, when measured at any adjoining residential zone, shall not exceed the following limits: <ol style="list-style-type: none"> <li>Monday to Saturday 7am to 10pm 55 dB L<sub>Aeq</sub> (15min)</li> <li>At all other times 45 dB L<sub>Aeq</sub> (15min)</li> <li>All days 10pm to 7am 75 dB L<sub>AFmax</sub></li> </ol> </li> <li>In the East Side Precinct, for the purposes of calculating compliance with this limit, account shall be taken of the cumulative effect of all land based activities undertaken within the Airport <u>Zone</u>, other than aircraft operations, the operation of APUs and any engine testing.</li> </ol>  | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>Type, intensity and duration of the noise;</li> <li>Number of annual occurrences;</li> <li>Mitigation or management measures;</li> <li>Health and safety;</li> <li>Effects on internal and external noise amenity for dwellings outside the Airport zone;</li> <li>The requirements of NZS 6803:1999 Acoustics – Construction Noise; <del>and</del></li> <li><del>The Airport Noise Management Plan.</del></li> </ol> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p> |
| P1 Sch1 | NOISE-S15                       | Miramar South Precinct noise   |  |

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|  | <p>Airport Zone<br/>(Miramar South)</p> | <p>In relation to the Miramar South Precinct ("the Site"):</p> <ol style="list-style-type: none"> <li>1. Noise emission levels from within the Site when measured on any site that includes an occupied residence in the residential zone beyond the Site shall not exceed: <ol style="list-style-type: none"> <li>a. Monday to Sunday 7am to 10pm 55 dB L<sub>Aeq</sub> (15 min)</li> <li>b. Monday to Sunday 1am to 6am 40 dB L<sub>Aeq</sub> (15 min)</li> <li>c. At all other times 45 dB L<sub>Aeq</sub> (15 min)</li> <li>d. All days 10pm to 7am 75 dB L<sub>AFmax</sub></li> </ol> </li> </ol> | <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Mitigation or management measures;</li> <li>3. Health and safety;</li> <li>4. Effects on internal and external noise amenity for dwellings outside the Miramar South Precinct;</li> <li>5. The requirements of NZS 6803:1999 Acoustics – Construction Noise;</li> </ol> |
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|  | <p>2. Noise emission levels from the Site when measured on any site in the Centre Zone shall not exceed:</p> <p>a. At all times 60 dB <math>L_{Aeq}</math> (15 min)</p> <p>b. At all times 85 dB <math>L_{AFmax}</math></p> <p>3. <del>Noise during construction activities shall comply with the requirements of NZS 6803:1999 Acoustics— Construction Noise.</del></p> <p>4. <del>A close-boarded fence (or other acoustically effective barrier) with a density of at least 10 kg/m<sup>2</sup> and a height of two metres shall be installed around the perimeter of the site excluding site access points. This shall be inspected regularly and maintained to ensure its continued acoustic effectiveness.</del></p> <p>3. Entry / egress for trucks shall not be located opposite residential zoned areas. Trucks shall not drive along the Residential zoned parts of Miro Street, Kedah Street, or Kauri Street except where there are specific circumstances where this is necessary.</p> <p>4. Truck engines shall not be left to idle on the Site and signage shall be placed in appropriate locations within the Site to advise drivers of this requirement. The Airport or its agents shall actively monitor this requirement.</p> <p>5. Building services shall be designed such that noise levels from this source at the Site boundary are at least 10 dB lower than the limits set out in 1 above.</p> <p>6. All warehouse doors shall be fast closing and shall remain closed at night-time unless in use.</p> <p>7. There shall be no servicing or maintenance of equipment outdoors at night.</p> | <p>6. The Airport Miramar South Construction Noise Management Plan;</p> <p>7. The acoustic assessment report prepared by the Airport for development of the Site; <del>and</del></p> <p>8. <del>The Airport Noise Management Plan.</del></p> |
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| <p><b>P1</b><br/><b>Sch1</b></p> | <p><b>TABLE I</b> - Minimum construction requirements necessary to achieve a moderate external sound insulation level of <math>DnT,w + Ctr &gt; 30</math> dB:</p> |   |   |
|                                  | <p><b>Building Element</b></p>  | <p><b>Minimum Construction Requirement</b></p>  |   |
|                                  | <p>External Walls of Habitable Rooms</p>  | <p>Stud Walls:</p>  |   |
|                                  |   | <p>Exterior cladding:</p>   | <p>20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm). *</p>  |
|                                  |   | <p>Cavity infill:</p>   | <p>Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m<sup>3</sup>) required in cavity for all exterior walls. Minimum 90 mm wall cavity.</p>  |
|                                  |   | <p>Interior lining:</p>   | <p>One layer of 12 mm gypsum plasterboard.</p>  |
|                                  |   |   | <p>Where exterior walls have continuous cladding with a mass of greater than 25 kg/m<sup>2</sup> (e.g. brick veneer or minimum 25 mm stucco plaster), internal wall linings need to be no thicker than 10 mm gypsum plasterboard.</p>                 |
|                                  |   | <p>Combined superficial density:</p>  | <p>Minimum not less than 25 kg/m<sup>2</sup> being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10 kg/m<sup>2</sup> on each side of structural elements.</p> |
|                                  | <p>Mass Walls:</p>  | <p>190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.</p> |   |

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| Glazed Areas of Habitable Rooms | Glazed areas up to 10% of floor area: | 6 mm glazing single float |
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|                |  | Glazed areas between 10% and 35% of floor area:   | 6 mm laminated glazing   |
|                |  | Glazed areas greater than 35% of floor area:  | Require a specialist acoustic report to show conformance with the insulation rule.   |
|                |  | Frames to be aluminium window frames with compression seals.  |  |
|                | Skillion Roof  | Cladding:   | 0.5 mm profiled steel or 6 mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.   |
|                |  | Sarking:  | 17mm plywood (no gaps).  |
|                |  | Frame:  | Minimum 100 mm gap with fibrous acoustic blanket (batts or similar of a mass of 9 kg/m <sup>3</sup> ).   |
|                |  | Ceiling:  | Two layers of 10 mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ).  |
|                |  | Combined superficial density:   | Combined mass of cladding and lining of not less than 25 kg/m <sup>2</sup> with no less than 10 kg/m <sup>2</sup> on each side of structural elements.   |
|                | Pitched Roof (all roofs other than skillion roofs)   | Cladding:   | 0.5 mm profiled steel or tiles, or membrane over 15mm thick ply.   |
|                |  | Frame:  | Timber truss with 100 mm fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ) required for all ceilings.  |
|                |  | Ceiling:  | 12 mm gypsum plaster board.  |
|                |  | Combined superficial density:   | Combined mass with cladding and lining of not less than 25 kg/m <sup>2</sup> .   |
|                | Floor areas open to outside  | Cladding:   | Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12 mm ply   |
|                |  | Combined superficial density:   | Floors to attain a combined mass not less than 25 kg/m <sup>2</sup> for the floor layer and any external cladding (excluding floor joists or bearers).   |
|                | External Door to Habitable Rooms   | Solid core door (min 25kg/m <sup>2</sup> ) with compression seals (where the door is exposed to exterior noise)   |  |
|                | <p>Notes:</p> <ul style="list-style-type: none"> <li>The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.</li> <li>In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.</li> </ul> |   |  |
| <b>P1 Sch1</b> | <b>TABLE II - Minimum construction requirements necessary to achieve an advanced external sound insulation level of DnT,w + Ctr &gt; 35 dB:</b>  |   |  |
|                | <b>Building Element</b>  | <b>Minimum Construction Requirements</b>  |  |
|                | <b>External walls</b>  | 1. Wall cavity infill of fibrous insulation, batts or similar, with a minimum density of 9kg/m <sup>3</sup> ; and<br>2. cladding and internal wall lining complying with either Option A, B or C below: |  |
|                |  | <b>Option A</b>   | Light cladding: timber weatherboard or sheet materials with surface mass between 16kg/m <sup>2</sup> and 30kg/m <sup>2</sup> of wall cladding<br><br>Internal lining of minimum 17kg/m <sup>2</sup> plasterboard, such as two layers of 10mm thick high density plasterboard, on resilient/isolating mountings |



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|  |  | <b>Option B</b> | Medium cladding: surface mass between 30 kg/m <sup>2</sup> and 65kg/m <sup>2</sup> of wall cladding | Internal lining of minimum 17kg/m <sup>2</sup> plasterboard, such as two layers of 10mm |
|--|--|-----------------|---|---|

|  |   |  |  |  |
|--|---|--|--|--|
|  |   |  |  | thick high density plasterboard  |
|  |   | <b>Option C</b>  | Heavy cladding: surface mass greater than 65kg/m <sup>2</sup> of wall cladding   | Internal lining of minimum 6kg/m <sup>2</sup> plasterboard, such as one layer of 10mm thick plasterboard   |
|  | <b>Roof/ceiling</b>                         | 1. Ceiling cavity infill of fibrous insulation, batts or similar, with a minimum density of 7kg/m <sup>3</sup> ; and<br>2. ceiling penetrations, such as for recessed lighting or ventilation, must not allow additional noise break-in; and<br>3. roof type and internal ceiling lining complying with either Option A, B or C below: |  |  |
|  |   | <b>Option A</b>  | Skillion roof with light cladding: surface mass up to 13kg/m <sup>2</sup> of roof cladding   | Internal lining of minimum 17kg/m <sup>2</sup> plasterboard, such as two layers of 10mm thick high density plasterboard on resilient/isolating mountings |
|  |   | <b>Option B</b>  | Pitched roof with light cladding: surface mass up to 20kg/m <sup>2</sup> of roof cladding  | Internal lining of minimum 17kg/m <sup>2</sup> plasterboard, such as two layers of 10mm thick high density plasterboard                                  |
|  |   | <b>Option C</b>  | Heavy roof cladding: surface mass greater than 20kg/m <sup>2</sup> of roof cladding  | Internal lining of minimum 17kg/m <sup>2</sup> plasterboard, such as one layer of 10mm thick high density plasterboard                                   |
|  |   | <b>Glazed areas</b>  | 1. Timber or aluminum frames with full compression seals on opening panes (excludes glazed sliding doors or windows)<br>2. glazed areas shall be less than 35% of each room floor area<br>3. double-glazing with: <ol style="list-style-type: none"> <li>a laminated pane of glass at least 6mm thick; and</li> <li>a cavity between the two panes of glass at least 12mm deep; and</li> <li>a second pane of glass at least 6mm thick; or</li> <li>any other glazing with a minimum performance of <math>R_w + C_{tr} 34dB</math>.</li> </ol> |  |
|  | <b>Exterior doors to any habitable room</b> | Solid core exterior door, minimum surface mass 20kg/m <sup>2</sup> , with compression seals; or other door sets with minimum performance of $R_w 30dB$   |  |  |

*Proposed amendments on behalf of Kāinga Ora shown in green text.*

# Wawaetanga

## Subdivision

| SUB | Subdivision |
|-----|-------------|
|-----|-------------|

**P1 Sch1**                      **Introduction**

The purpose of this chapter is to assist the Council to carry out its functions under the Act relating to the control of subdivision.

Subdivision involves the division of an allotment or building into multiple allotments, or the alteration of existing boundaries. Subdivision often entails a change in land ownership arrangements, and commonly affects future development potential for newly created allotments. In this way, subdivision will play an important role in accommodating 50,000 to 80,000 additional residents in Wellington City to 2050.

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**Policies**

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|                      |  |
|----------------------|--|
| <b><u>SUB-PX</u></b> | <p><b><u>Subdivision within the Air Noise Boundary</u></b></p> <p><del>Provide for subdivision within the Air Noise Boundary where the potential future permitted density of noise sensitive activities will avoid adverse reverse sensitivity effects relating to land use compatibility, amenity and health can be avoided, remedied or mitigated on Wellington International Airport.</del></p> |
|----------------------|--|

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**Rules**

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**P1 Sch1**                      **SUB-R~~3029~~ Subdivision with~~in~~ the Air Noise Boundary**

**All Zones**                      1. Activity status: **Discretionary**

~~Notification status: For a resource consent application made in respect of Rule SUB R29, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.<sup>58</sup>~~