

Part 3

NOISE – Noise (Airport Noise only)

Please note other non-airport provisions of the Noise chapter previously engaged on are not part of this engagement.

Objectives

NOISE-O1 Effects of noise [RCP, DP]

Amenity values and the health of people are protected from adverse noise levels, consistent with the anticipated outcomes for the receiving environment.

NOISE-O2 Noise and reverse sensitivity [RCP, DP]

Existing and authorised activities which generate high levels of noise are protected from reverse sensitivity effects.

Policies

NOISE-P1 Management of adverse noise effects [RCP, DP]

Avoid or mitigate potentially adverse noise effects by:

1. restricting the sound level, location and duration of noise-generating activities to a level that is commensurate with the amenity values of the zone and surrounding area;
2. requiring sound insulation for noise-sensitive activities within:
 - a. CCZ – City centre zone;
 - b. Airport effects control overlay;
 - c. Port effects control overlay; and
3. requiring other forms of management to address effects of noise-generating activities associated with the Nelson Airport, the Port and within the CCZ – City centre zone, including noise management plans and community liaison committees.

NOISE-P2 Night time noise [RCP, DP]

Reduce noise levels during night hours to protect sleep, and the amenity values of residential and other sensitive environments.

NOISE-P3 Temporary noise-generating activities [RCP, DP]

Provide for identified temporary noise-generating activities where they:

1. are infrequent;
2. are for limited duration; and
3. do not generate levels of noise that have significantly adverse effects on people's health, safety, wellbeing and amenity.

Rules

Rule interpretation and application

NOISE-R1 [DP]

The rules that apply to activities generating, or affected by, noise in all zones are contained in the activity status table as follows:

1. the Airport noise rules in NOISE-R28, NOISE-R29, NOISE-R30 and NOISE-R31.

NOISE-R2 [DP]

Where activity specific rules in NOISE-R14 to NOISE-R23 apply to an activity, the Whakatū Nelson wide and zone based rules in this chapter **do not apply** to that activity, unless otherwise specified in NOISE-R14 to NOISE-R23.

NOISE-R3 [DP]

The activity status tables in NOISE-R5 to NOISE-R31 **do not apply** to the following activities:

1. activities provided for under TEMP-R4, TEMP-R5 or TEMP-R6, unless those rules otherwise require; and
2. emergency service sirens during emergency situations; and
3. callout sirens during emergency situations; and
4. noise from vehicles travelling on existing roads; and
5. activities provided for under the National Environmental Standards for Electricity Transmission Activities 2009; and
6. activities provided for under the National Environmental Standards for Telecommunication Facilities 2016.

NOISE-R4 [DP]

Unless specified otherwise in a rule below, noise levels from activities shall be measured and assessed in accordance with NZS6801:2008 Acoustics – Measurement of environmental sound and NZS6802:2008 Acoustics – Environmental noise.

Activity status

Rule	Use/Activity
Airport noise (various zones and overlays)	
NOISE-R10	Air noise boundary: Noise sensitive activity: GRZ – General residential zone and MRZ – Medium density residential zones

NOISE-R11	Air noise boundary: Papakāinga development
NOISE-R28	Airport effects control overlay: Acoustic insulation of a building: RESZ – Residential zones, CMUZ – Commercial and mixed use zones, and AIRPZ Airport zone
NOISE-R29	Airport effects control overlay: Four or more residential units: RESZ – Residential zones
NOISE-R30	Aircraft engine testing – INZ – Airport zone
NOISE-R31	Airport noise: Aircraft noise management

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Airport noise (various zones and overlays)			
NOISE-R10 Air noise boundary: Noise sensitive activity: GRZ – General residential zone and MRZ – Medium density residential zones [DP] Legal effect on notification: No	1. Not applicable.	2. Not applicable.	3. Within the Air noise boundary the use of land or any building in any GRZ – General residential zone and MRZ – Medium density residential zone for the purposes of a noise sensitive activity is a prohibited activity .
NOISE-R11 Air noise boundary: Papakāinga development [DP] Legal effect on notification: No	1. Not applicable.	2. Not applicable.	3. New or relocated noise sensitive activity within a papakāinga development where the site is located inside the Air noise boundary is a prohibited activity .

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>NOISE-R28</p> <p>Airport effects control overlay:</p> <p>Acoustic insulation of a building:</p> <p>RESZ – Residential zones, and</p> <p>CMUZ – Commercial and mixed use zones, and</p> <p>AIRPZ – Airport zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>4. Within the Airport effects control overlay in any RESZ – Residential zone, CMUZ – Commercial and mixed use zone, or AIRPZ – Airport zone, the construction or alteration of a building is a permitted activity provided that:</p> <p>a. Either, the bedrooms and living areas, where they are new or altered, incorporate acoustic insulation in accordance with APP40 – Acoustic installation requirements, or</p> <p>b. The building consent application is accompanied by a certificate from a suitably qualified and experienced acoustic engineer to demonstrate that the building design will reduce noise levels to at least 40 dB L_{dn} inside</p>	<p>5. Not applicable.</p>	<p>Any construction or alteration of a building within the Airport effect control overlay that contravenes NOISE-R28.1 is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	the new or altered bedrooms and living areas (with the windows and doors shut).		
NOISE-R29 Airport effects control overlay: Four or more residential units: RESZ – Residential zones [DP] Legal effect on notification: No	1. Not applicable.	2. Not applicable.	3. Development of four or more residential units on a site located in the Airport effects control overlay in any RESZ – Residential zone is a non-complying activity .
NOISE-R30 Aircraft engine testing: AIRPZ – Airport zone [DP] Legal effect on notification: No	1. Noise generated from aircraft engine testing in the AIRPZ – Airport zone is a permitted activity provided that: <ol style="list-style-type: none"> no person shall start or run an aircraft propulsion engine for the purposes of aircraft engine testing unless carried out in compliance with the following maximum noise levels at or within the boundary of any residentially zoned site: 	2. Not applicable.	3. Any noise generated from engine testing that contravenes NOISE-R30.1. is a non-complying activity .

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>i. 55 dB L_{Aeq}: Monday to Sunday 6.00am – 10.00pm (15 hours); and</p> <p>ii. 45 dB L_{Aeq}: All other times (9 hours); and</p> <p>iii. 75 dB L_{AFmax}: All days 10.00pm – 6.00am; and</p> <p>b. In some emergency situations it may be necessary to conduct essential unplanned maintenance and engine testing that cannot comply with the noise limits. No more than 12 of these emergency tests can be conducted in any calendar year. The time, duration, and other essential details of any such emergency test shall be recorded and reported as soon as practical following the test to the Nelson Airport Noise</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Environment Advisory Committee; and</p> <p>c. no high power jet aircraft engine testing shall be permitted.</p>		
<p>NOISE-R31</p> <p>Airport noise:</p> <p>Airport noise management</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated for aircraft use associated with the Nelson Airport is a permitted activity, provided that:</p> <p>a. noise from aircraft at Nelson Airport must be managed so that the rolling three month average 24 hour night-weighted sound exposure does not exceed L_{dn} 65 dB at or beyond the Air Noise Boundary; and</p> <p>b. the daily L_{dn} must be measured in accordance with NZS 6805:1992 Airport Noise and Land Use Planning; and</p> <p>c. between the hours of 12 midnight and 6.00am a single event noise limit from aircraft of 95 dB SEL must not</p>	<p>3. Not applicable.</p>	<p>4. Any noise generated by aircraft using the Nelson Airport that contravenes NOISE-R31.1. is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>be exceeded beyond the Air Noise Boundary in a RESZ – Residential zone except that a maximum of 24 movements (12 landings and 12 take-offs) in any 12 month period are permitted if they have the written approval of the Nelson Airport Noise Environment Advisory Committee; and</p> <p>d. noise from all aircraft in NOISE-R31.1.c. including exemptions from the SEL limit, must be measured in accordance with NOISE-R31.1.a. and NOISE-R31.1.b. and the night weightings shall apply.</p> <p>2. The rule above does not apply to:</p> <p>a. emergency landings or flights required to rescue persons from life-threatening situation or to</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>transport patients, human organs or medical personnel in medical emergency; or</p> <p>b. aircraft using the Nelson airport due to unforeseen circumstances as an essential alternative to landing at a scheduled airport; or</p> <p>c. flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983; or</p> <p>d. flights certified by the Minister of Defence as necessary for reasons of national security, in accordance with section 4 of the Civil Defence Act 1983.</p>		