

## NOISE - Noise

The following provisions and exemptions shall apply in addition to the noise provisions specified elsewhere in the plan. Nothing in this section of the plan, or in any other section, shall affect the obligation of every person undertaking an activity to comply with section 16 of the Resource Management Act 1991 (duty to avoid unreasonable noise)".

Key defined terms for this chapter	
Term	Definition
Amenity or Amenity Values	has the same meaning as defined in Section 2 of the Resource Management Act 1991, which at the notification date of this Plan, means:  <i>"those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."</i>
Boundary	means any boundary of the net area of a site and includes any road boundary or internal boundary. Site boundary shall have the same meaning as boundary.
dBA	means a frequency weighted sound pressure level in decibels relative to a reference sound pressure of 20 micropascals.
Educational Facility (NPS)	Means any land or buildings used for teaching or training by childcare services, school, or tertiary education services, including any ancillary activities.
Elderly Persons Housing Unit	means one of a group of residential units developed or used for the accommodation of elderly persons, and where the group is held under either one title or unit titles under the Unit Titles Act with a body corporate and which, is encumbered by a bond or other appropriate legal

	instrument which ensures that the use of the unit is confined to elderly persons.
Hospital	means any building in which two or more persons are accommodated for the purposes of receiving any medical treatment. Also refer to the definition community activity
Leq	means the value of the A-frequency weighted sound pressure level of a continuous steady sound that, within a measurement sample time (t), has the same mean square sound pressure as a sound under investigation whose level varies with time.
Lmax	means the maximum A-frequency-weighted sound level (dBA Lmax) during a stated time period.
Noise Limit	means an Leq or L max sound level in A-frequency-weighted decibels that is not to be exceeded in any assessment period.
Notional Boundary	means a line 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling.
Residential Unit (NPS)	Means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.
Site (NPS)	Means: <ul style="list-style-type: none"> <li>a. an area of land comprised in a single record of title under the Land transfer Act 2017; or</li> <li>b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or</li> <li>c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land transfer Act 2017 could be issued without further consent of the Council; or</li> </ul>

	despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease
Visitor Accommodation (NPS)	Means the land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.

Cross-references
<p>In addition to the zone chapters, several district-wide and overlay chapters also contain provisions that may be relevant to noise, including:</p> <p>GRZ - General Residential Zone</p> <p>GRUZ - General Rural Zone</p> <p>SETZ - Settlement Zone</p> <p>COMZ - Commercial Zone</p> <p>MFZ - Marine Facilities Zone</p> <p>DEV1 - Kaikōura Peninsula Tourism Development Area</p> <p>DEV2 - Ocean Ridge Development Area</p>

## Issues

<b>NOISE-I1</b>	<b>Effects of noise across the district</b>
Refer: GRZ-I1, GRUZ-I1, SETZ-I1, COMZ-I1, MFZ-I1, DEV1-I1, DEV2-I1.	

## Objectives

<b>NOISE-O1</b>	<b>Manage noise effects across the district</b>
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Refer: GRZ-O1, GRUZ-O1, SETZ-O1, COMZ-O1, MFZ-O1, DEV1-O1, DEV2-O1.

## Policies

<b>NOISE-P1</b>	<b>Manage noise effects on residential <i>amenity</i></b>
To ensure noise does not adversely affect the <i>amenity</i> enjoyed on residential <i>sites</i> .	
<b>NOISE-P2</b>	<b>Manage noise effects on sensitive fauna</b>
To ensure the level of noise is compatible with a comprehensive living environment and avoids adverse effects on the behaviours of fauna, in particular, Hutton's Shearwaters.	
<b>NOISE-P3</b>	<b>Cross-references to noise policies in other chapters</b>
Refer: GRUZ-P1, SETZ-P1, COMZ-P4, MFZ-P2, DEV1-P1.	

## Standards

Except where expressly provided elsewhere in this plan, sound shall be measured in accordance with the provisions of NZS 6801: 1999 “Acoustics - Measurement of Sound” and assessed in accordance with the provisions of NZS 6802: 1999 “Acoustics - Assessment of Environmental Noise”, or any subsequent amendments or replacement to those two standards.

## Exemptions

*Noise limits* in any part of the plan shall not apply:

1. In any area to activities of a limited duration associated with normal farming, intensive farming, aquaculture and fishing activities. For the purposes of this exemption, “limited duration” means any activity which is undertaken for: a short period of time in any one day; seasonally; or infrequently. In the case of bird scaring devices or devices to prevent hail damage, landowners shall give notice to occupiers of any land within a 1km radius of the device at least 4 hours prior to the device being fired.
2. In any zone where the noise source is a warning device used by emergency services.
3. In the General Residential Zone, Ocean Ridge Development Area, or Settlement Zone, to activities of a normal residential nature including recreational activities, such as sporting events, that do not involve powered motor sport, powered aviation, gunfire or amplified music.

4. General Residential Zone *noise limits* shall not apply where any residential activity exists on the same *site* as a noise source.
5. In any zone where a temporary activity which is open to the public is being undertaken and where the activity does not extend beyond 8am and 11pm on any one day.
6. Where the activity is a temporary military training activity or a temporary pyrotechnic event and complies with the provisions of NOISE-S10.

<b>NOISE-S1</b>	<b>Noise standards in the General Residential, Settlement, and Marine Facilities Zones</b>	
<p>1. All activities shall be conducted so that the following <i>noise limits</i>, measured at any point within any other residential <i>site</i> in the Residential Zone, are not exceeded during any time period for assessment within the following timeframes:</p> <ol style="list-style-type: none"> <li>a. Monday to Saturday 7am to 11pm: 55 <i>dB</i>A <i>Leq</i></li> <li>b. At all other times not specified in (1) above: 40 <i>dB</i>A <i>Leq</i></li> <li>c. On any day between 11pm and 7am the following day: 70 <i>dB</i>A <i>Lmax</i>.</li> </ol>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	
<b>NOISE-S2</b>	<b>Noise Standards in the General Rural Zone</b>	
<p>1. All activities shall be conducted so that the following <i>noise limits</i>, measured at any point within any other residential <i>site</i> in the Residential Zone, are not exceeded during any time period for assessment within the following timeframes:</p> <ol style="list-style-type: none"> <li>a. Monday to Saturday 7am to 11pm: 50 <i>dB</i>A <i>Leq</i></li> <li>b. At all other times not specified in (1) above: 40 <i>dB</i>A <i>Leq</i></li> <li>c. On any day between 11pm and 7am the following day: 70 <i>dB</i>A <i>Lmax</i>.</li> </ol>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	

NOISE-S3	Noise standards in the Commercial Zone
<p>Except as provided in NOISE-S6 to S11, all activities shall be conducted so that the following <i>noise limits</i> are not exceeded during any time period for assessment within the time frames stated at the measurement and assessment location specified for each of the following areas:</p> <ol style="list-style-type: none"> <li>1. Within Commercial Zone, or at the <i>boundary</i> of any Mixed Use Precinct <i>site</i> and Commercial Zone <i>site</i>, excluding a <i>boundary</i> shared with the General Residential Zone: <ol style="list-style-type: none"> <li>a. On any day from 7am to 11pm: 65 <i>dBA Leq</i>, 85 <i>dBA Lmax</i></li> <li>b. At all other times: 55 <i>dBA Leq</i>, 75 <i>dBA Lmax</i></li> </ol> </li> <li>2. At the <i>boundary</i> between any Commercial Zone and any Residential Zone or within any residential <i>site</i> located within a Commercial Zone: <ol style="list-style-type: none"> <li>a. Monday to Saturday from 7am to 11pm: 55 <i>dBA Leq</i></li> <li>b. At all other times: 40 <i>dBA Leq</i></li> <li>c. On any day between 11pm and 7am the following day: 70 <i>dBA Lmax</i></li> </ol> </li> </ol> <p>For the purpose of this rule, the measurement and assessment position shall be at any point within any other <i>site</i> in the Commercial Zone, or at any point within the <i>boundary</i> of any residential <i>site</i> within the General Residential Zone, or within the <i>notional boundary</i> of any residential <i>site</i> in the General Rural Zone.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

NOISE-S4	Noise standards in the Kaikōura Peninsula Tourism Development Area	
<p>1. Operational noise</p> <p>All activities shall be conducted so that the following <i>noise limits</i> are not exceeded at any point within any Residential Zone, or at any point within the <i>notional boundary</i> of any dwelling in the Rural Zone, during any measurement sample within the timeframes stated:</p> <ul style="list-style-type: none"> <li>a. 0700 – 2200 Monday to Saturday: 45 <i>dBA Leq</i> (15 minutes)</li> <li>b. At all other times: 35 <i>dBA Leq</i> (15 minutes)</li> <li>c. On any day 2200 – 0700 the following day: 70 <i>dBA Lmax</i></li> </ul> <p>Except where provided elsewhere in these conditions, <i>noise limits</i> shall be measured in accordance with NZS 6801:1999 Acoustics - Measurement of Environmental sound and shall be assessed in accordance with NZS 6802:1999 Acoustics-Assessment of environmental noise.</p> <p>Except that this rule does not apply to:</p> <ul style="list-style-type: none"> <li>d. take-off or landing of helicopters for emergency landings, firefighting or civil defence;</li> <li>e. any activity on a formed road, or the primary or secondary vehicle access as shown on the Outline Development Plan in DEV1 Appendix 1.</li> <li>f. any overflying aircraft;</li> <li>g. Activities listed in NOISE-S4(2) and (3) below.</li> </ul> <p>2. Construction Noise</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>	

<p>Any construction activities within the zone shall comply with the requirements of New Zealand Standard 6803:1999 'Acoustics – Construction Noise'.</p> <p>3. Concerts limited to:</p> <ul style="list-style-type: none"> <li>a. up to 10 music days in any calendar year, and;</li> <li>b. up to 3 consecutive music days in any 30-day period</li> </ul> <p>are exempt from NOISE-S4 provided that the following standards are complied with:</p> <ul style="list-style-type: none"> <li>i. All concerts shall operate so that the <i>noise limit</i> produced by such events shall not exceed 65 <i>dBA Leq</i> (15 minute) and 75 <i>dBA Lmax</i>, at any point within any Residential Zone, or at any point within the <i>notional boundary</i> of any dwelling in the General Rural Zone, and;</li> <li>ii. The maximum duration of any amplified music, including any sound checks, shall not exceed 4.5 hours in any one day, and;</li> <li>iii. Amplified music shall only occur between the hours of 0900 and 2300 Monday to Saturday.</li> </ul>	
<p><b>NOISE-S5</b></p>	<p><b>Noise standards in the Ocean Ridge Development Area</b></p>
<p>1. All activities shall be conducted so that the following <i>noise limits</i> are not exceeded at any point within the Ocean Ridge Comprehensive Living Zone, during any measurement sample within the timeframes stated:</p> <ul style="list-style-type: none"> <li>a. 0700 – 2200 Monday to Saturday: 55 <i>dBA Leq</i> (15 minutes)</li> <li>b. At all other times: 40 <i>dBA Leq</i> (15 minutes)</li> </ul>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>



<p>c. On any day between 2200 – 0700 the following day: 70 <i>dBA L<sub>max</sub></i></p> <p>Except where provided elsewhere in these conditions, <i>noise limits</i> shall be measured in accordance with NZS 6801:1999 Acoustics - Measurement of Environmental sound and shall be assessed in accordance with NZS 6802:1999 Acoustics-Assessment of environmental noise.</p> <p>2. Except that this rule does not apply to:</p> <ul style="list-style-type: none"> <li>a. take-off or landing of aircraft for emergency landing, rescue, firefighting or civil defence;</li> <li>b. any activity on a formed road;</li> <li>c. any activity on a designated railway;</li> <li>d. any overflying aircraft.</li> </ul>	
<p><b>NOISE-S6</b></p>	<p><b>Construction noise standards</b></p>
<p>Construction noise within any zone shall not exceed the recommended limits in, and shall be measured and assessed in accordance with, the provisions of NZS 6803: 1999 “Acoustic - Construction Noise”, or any subsequent replacement or amendment to those provisions.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>
<p><b>NOISE-S7</b></p>	<p><b>Helicopter landing noise standards</b></p>
<p>1. Noise associated with helicopter landing areas shall not exceed the limits in NOISE Table 1, and shall be measured and assessed in accordance with, the provisions of NZS 6807: 1994 “Noise - management and land use planning for helicopter landing areas” or any subsequent amendment or replacement to those provisions.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>2. The operator of any helicopter landing area shall require, as a condition of use of the <i>site</i>, that all pilots using the <i>site</i> plan routes and fly in accordance with the recommendations of the Helicopter Association International “Fly Neighbourly Guide”, revision February 1993, or any subsequent amendment or replacement to that guide.</p>	
<p><b>NOISE-S8</b></p>	<p><b>Blasting noise standards</b></p>
<p>1. Vibration from any <i>site</i> due to blasting shall not exceed a peak particle velocity of 5mm/sec measured in the frequency range 3-12 Hz at any point within the <i>notional boundary</i> of any <i>residential unit, visitor accommodation activity, elderly persons housing unit, hospital, or educational facility</i>.</p> <p>2. Air-blast overpressure from blasting on any land or in water shall not exceed a peak sound pressure level of 115bBC</p> <p>Note: At any point within the <i>notional boundary</i> of any <i>residential unit, visitor accommodation activity, elderly persons housing unit, hospital, or educational facility</i>.</p> <p>Note: “dBC” means the C-frequency weighted sound level.</p>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>
<p><b>NOISE-S9</b></p>	<p><b>Watercraft noise standards</b></p>
<p>1. Powered watercraft shall be operated so as not to exceed the following <i>noise limits</i> at any point within the <i>notional boundary</i> of any dwelling:</p> <ul style="list-style-type: none"> <li>a. On any day: 7am to 9pm Sound Exposure Level (SEL) 85 <i>dBA</i></li> <li>b. 9pm to 7am the following day Sound Exposure Level (SEL) 78 <i>dBA</i></li> </ul>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>2. No watercraft shall emit noise in excess of a Sound Exposure Level of 90 <i>dBA</i> in any single drive-by measured at a stationary point more than 25m from the line of travel of the craft.</p> <p>3. The above <i>noise limits</i> may not be applied to any special event which does not occur on more than 4 occasions in any 12-month period.</p> <p>Note: These provisions relating to watercraft only apply to craft operating within the District, and do not apply to craft operating in the Coastal Marine Area.</p>	
<p><b>NOISE-S10</b></p>	<p><b>Temporary military training and temporary pyrotechnic events noise standards</b></p>
<p>1. Any temporary military training activity or temporary activity involving a pyrotechnic event in any zone shall be conducted so as to ensure the <i>noise limits</i> below are not exceeded at any point within the <i>notional boundary</i> or any <i>residential unit, visitor accommodation activity, elderly persons housing unit, hospital or educational activity</i> facility or any point within any Residential, Settlement or Business Zone, except that:</p> <ul style="list-style-type: none"> <li>a. the limits for impulsive noise arising from any use of explosives, explosives simulators, munitions, ammunition, or pyrotechnics at any time shall not exceed 122dBC and;</li> <li>b. the <i>noise limits</i> below shall not apply where any exhibition or demonstration of military activities is open to the public, provided that such exhibition or demonstration does not exceed any more than 4 occasions in any 12-month period and does not</li> </ul>	<p>Matters of discretion:</p> <p>The effects of not meeting the standard.</p> <p>Refer to Appendix 6: Assessment Matters for guidance on what matters may be relevant to consider for the proposed activity.</p>

<p>exceed the hours of 10am and 5pm on any one day.</p> <p>Note: “dBC” means the C-frequency weighted sound level.</p>	
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**NOISE Table 1**

<b>Time on any day</b>	<b>L10 <i>dBA</i></b>	<b>L95 <i>dBA</i></b>	<b><i>Lmax dBA</i></b>
0630 – 0730	60	45	70
0730 – 1800	75	60	90
1800 – 2000	70	55	85
2000 - 0630 the following day	55	40	70