



Federated Farmers of New Zealand

Submission on Proposed Plan Change 4 (Noise) to the Rotorua District Plan

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**SUBMISSION TO ROTORUA LAKES COUNCIL ON PROPOSED PLAN
CHANGE 4 (NOISE) TO THE ROTORUA DISTRICT PLAN
("PLAN CHANGE 4")**

Form 5

Submission on publicly notified proposal for policy statement or plan
Clause 6 of First Schedule, Resource Management Act 1991

To: The Chief Executive
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This is a submission on Proposed Plan Change 4 to the Rotorua District Plan.

Federated Farmers could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that Federated Farmers' submission relates to and the decisions it seeks from Council are as detailed on the following pages. Federated Farmers also seeks any consequential changes necessary to give effect to the relief sought.

Federated Farmers wishes to be heard in support of its submission.

1. INTRODUCTION

- 1.1 Federated Farmers welcomes the opportunity to submit on Plan Change 4 (“PC4”).
- 1.2 Federated Farmers is a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses.
- 1.3 Federated Farmers aims to add value to its members’ farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
- a. Our members may operate their business in a fair and flexible commercial environment;
 - b. Our members' families and their staff have access to services essential to the needs of the rural community; and
 - c. Our members adopt responsible management and environmental practices
- 1.4 Federated Farmers represents a variety of dairy, dry stock and horticulture land users in the Rotorua district. We acknowledge submissions from individual members on Plan Change 4.

2. GENERAL COMMENTS

- 2.1 Plan Change 4’s primary purpose is to streamline the Operative District Plan’s approach to noise by centralising noise provisions in a new dedicated noise chapter. According to the section 32 Report on proposed Plan Change 4 the plan change contains “fairly innocuous changes”.
- 2.2 Our understanding is that Plan Change 4 is a tidying-up exercise. It intends to consolidate noise provisions into one chapter, clarify provisions and enhancing provision by reference to relevant New Zealand Standards. It is not intended to be controversial or address substantial matters. The section 32 Report anticipates a future plan change on noise provisions to bring about controversial and/or substantial changes.
- 2.3 We acknowledge that the proposed Plan Change includes provisions to address reverse sensitivity. Our primary concern is that the current Issues, Objectives, Policies, Methods and Rules relating to noise in the rural zones and aimed to avoid reverse sensitivity effect on agriculture production activities have been omitted and severely watered down without any explanation.
- 2.4 We are also concerned that provisions were added which is in conflict with the current District Plan provisions on reverse sensitivity.

Importance of farming and agriculture

- 2.5 Farming and primary production activities are important for the social, economic and culture wellbeing of people and communities in the Rotorua district.

- 2.6 As a broad indicator, the 2012 Rotorua Annual Economic profile states that Agriculture industry contributed \$324.9 million directly towards GDP in Rotorua (16.2%) and employed 2,588.
- 2.7 Agriculture does not just bring economic benefits to the district, it also contributes to the wellbeing of communities and culture of the district. Farming is the fabric that keeps rural communities together.
- 2.8 Farming is such a large part of New Zealand's culture that a lot of depictions of the 'typical' New Zealander involve farming. For example, New Zealanders are proud of their 'number 8 wire' mentality – referring to a type of fencing wire used on farms that Kiwis will use to solve any problem.

Reverse Sensitivity impact on farming

- 2.9 The effects arising from legitimate primary production activities need to be recognised in the District Plan as being appropriate and acceptable, ensuring that primary production is protected from reverse sensitivity. There is no other zone where primary production can occur, so it is vital that it is not marginalised from the Rural Zone.
- 2.10 There is a current trend to move to live in the countryside as a lifestyle change. It is often accompanied with romantic visions of pastoral landscapes that do not take into account the reality of a working rural environment. Expectations of blissful idylls in the countryside is unrealistic.
- 2.11 Noise on a farm is incidental to getting the job done and mostly impossible to avoid without day-to-day farming activities coming to a halt. It will often be economic disproportionate to remedy or mitigate.
- 2.12 Federated Farmers has heard from our members about complaints from "lifestylers" regarding their normal production activities: tractors working late to get hay in before rain; bird scaring protecting crops from being decimated by birds; frost fans and seasonal harvesting. Noise from farming activities should be anticipated in rural areas.
- 2.13 Local authorities have addressed this reverse sensitivity issue in rural zones mainly in three ways:
- a. Provisions that provide for reverse sensitivity within a Plan. This can be done by recognising and providing for important existing activities and addressing the potential vulnerability to reverse sensitivity effects in the objectives and policies of a district plan. We ask that the objectives, policies and rules in the Rotorua District Plan address the vulnerability of agriculture productive activities in the rural zones to reverse sensitivity.
 - b. District Plan Zoning as a mechanism to reduce the potential for reverse sensitivity. Zoning may be effectively utilised to protect a particular industry from reverse sensitivity pressures. We ask that the rural zone be specifically recognised in the District Plan as important to establish primary produce activities and protect such activities with specific provision for reserve sensitivity from rural residential development.
 - c. A variety of mitigation measures may be undertaken or imposed in order to alleviate reverse sensitivity issues, including buffer strips, buffer zones and minimum site or lot

size requirements. We consider this is outside the scope of this proposed plan change but seek that this method be implemented when zoning is considered in a plan change.

- 2.14 The Operational District Plan at 9.2.4. specifically notes reverse sensitivity as a key environmental issue for rural zones. It states:

The rural area is a working environment, a place for primary production, associated industries and network utilities' infrastructure. Environmental effects such as contaminants, noise, odour and traffic can result from these activities and are to be expected within the rural environment. New rural living can be incompatible with the existing rural working environment. Residential development will need to mitigate the adverse effects created from such reverse sensitivity.

Conclusion

- 2.15 We recognise that this Plan Change has the potential to streamline the noise provisions in the District Plan and that it recognises some of the effects of reverse sensitivity. Our view is that this Plan Change has by stealth tried to change the current position by severely watering down reverse sensitivity protections for agriculture production activities. There are no reasons provided or justification for omissions of Issues, Objectives, Policies, Methods and Rules that relates to Noise and Reverse Sensitivity in rural zones.
- 2.16 We ask recognition and provision for important existing agriculture activities and addressing the potential vulnerability to noise reverse sensitivity effects in the objectives, policies and rules of this proposed new chapter. We ask that the rural zone be specifically recognised as important to establish primary produce activities and protect such activities with specific provision for reserve sensitivity from rural residential development.

3. SPECIFIC COMMENTS

- 3.1 The amendments we seek, and the reasons for them, are set out in the table below. In addition, we seek any consequential changes necessary to give effect to the relief we seek and/or to address the concerns we raise.

Reference	Support/oppose	Decision sought	Reasons
A.11.1 Introduction	Support in part	<p>Amend Introduction by adding new paragraph between the two proposed paragraphs as follows:</p> <p>...Other mechanisms are implemented at the zoning stage where appropriate buffers and separation distances are set between uses and zones that may clash.</p> <p><u>The rural zone is important to establish agriculture production activities and such activities is uniquely vulnerable to and needs to be protected from reserve sensitivity to noise. With the recent trend towards country living, existing agriculture and horticulture activities may be subject to an increasing number of complaints in respect of the noise of their day to day activities. The noise effects of these activities often cannot be readily avoided, remedied or mitigated by the person undertaking the activity without causing significant adverse economic effects. The levels of noise that are anticipated for the rural zone and associated with permitted activities, should be permitted in the District Plan. If people choose to live in the rural zone, they should be prepared to accept the inconvenience caused by normal noises associated with a working rural zone.</u></p> <p>In addition to the rules the enforcement....</p>	<p>The introduction sets the tone for the plan change and Federated Farmers therefore consider it important that this subject should be raised at an early stage with the theme followed through the rest of the noise chapter.</p> <p>We consider that the plan change should recognise the importance of existing agriculture activities to the Rotorua district and that it can only occur in the rural zone. These activities are vulnerable to and needs to be protected from reverse sensitivity.</p>
A 11.2 Key Environmental Issues	Oppose	<p>Amend as follows: <u>Unless deemed to be noise reverse sensitivity, Aactivities within one zone generating noise which</u></p>	<p>We acknowledge that there are some persons in one zone that may have an issue from noise from another zone.</p>

Reference	Support/oppose	Decision sought	Reasons
		<p>detracts from the amenity of adjacent zones, for example between Industrial and Residential zones, and between the Airport and surrounding Residential and Rural zones.</p>	<p>However, the manner in which the issue is presented supports reverse sensitivity.</p> <p>Our concern is that the Rural Zones are vulnerable from residential developments specifically targeting rural areas. People want to be surrounded by countryside but do not want the noise associated with rural activities.</p> <p>People who specifically know an area is surrounded by rural zones or that a rural zone is nearby but still choose to reside in that area should not be afforded relief from noise to the detriment of normal rural activities.</p> <p>Whether it is life stylers moving to the rural zone or a residential development in a rural zone obtaining residential zoning in both circumstances it is reverse sensitivity and agriculture production activities should be protected from reverse sensitivity.</p>
<p>A11.2 Key Environmental Issues</p>	<p>Support in part</p>	<p>Change the order of issue 3 and 4 around and amend new issue 4 (old issue 3) as follows:</p> <p>4. 3. The perception of the Rural zones as being quiet environments that does not reflect the reality of these zones as productive working areas.</p> <p>3- 4. The operation of rural and non-rural activities in the Rural zones that generate noise which detracts from amenity <u>level that can be expected in a Rural zone.</u></p>	<p>Further to our submission above, we consider normal noise expected from usual existing rural activities should be allowed in a rural zone and not be held to an unrealistic standard for a working area with unique noise issues.</p> <p>That is why we ask that the sequence be changed so that a person coming into a rural zone is first given notice that his expectations should be realistic and the person's perceptions should take into account the reality of a working rural environment.</p> <p>Then because the person is forewarned, noises exceeding the realistic standard for normal and existing rural activity levels would be an issue and detract from amenity.</p>

Reference	Support/oppose	Decision sought	Reasons
			We also refer to Issue 9.2.4 in the operative District Plan that specifically states that it is the residential development that needs to insure it avoids reverse sensitivity in rural zone not the existing activity in rural zones.
A11.2 Key Environmental Issues	Insert New Issue	<u>Insert New issue 7. The rural area is a working environment, a place for primary production, associated industries and network utilities infrastructure. Noise can result from these activities and are to be expected within the rural environment. New Rural living can be incompatible with the existing working environment. The noise effects often cannot be readily avoided, remedied or mitigated without causing significant adverse economic effects. Residential development will need to mitigate the adverse effects created from such reverse sensitivity.</u>	This new issue is to bring over into this chapter Issue 9.2.4 of the current operative district plan which was applicable to noise but somehow not incorporated into this chapter. It recognise and provide for important existing agriculture activities and its unique vulnerability to reverse sensitivity. Adding this issue explains the protection against reverse sensitivity for usual agriculture noises in rural zones in subsequent objectives, policies and rules.
Objective A11.3.1	Support	Retain	We support this objective and seek that it be retained or a similar objective be included that continues with the theme that in a rural zone a person should expect the noise that goes with a working rural environment.
Policy 11.3.1.1	Support	Retain	We support this policy and seek that it be retained or a similar policy be included that continues with the theme that standards in a rural zone should reflect that zone's function and permitted activities.
Policy 11.3.1.2	Support	Retain	Our concern is with urban sprawl and subdivisions causing rezoned pockets of new zones amongst rural areas. These zones with noise reverse sensitivity will restrict permitted activities in rural zones nearby unless it is controlled.

Reference	Support/oppose	Decision sought	Reasons
			Although not appropriate for inclusion in a policy we support methods of control implied in Issue 9.2.4 (new A11.2) that it is the residential development that needs to control its own reverse sensitivity to a working rural environment.
Policy 11.3.1.4	Support in part	Amend as follows: Exempt from the maximum permitted noise level requirements those activities which are: a. <u>Normal primary or agriculture production activities provided that the activities comply with the requirements of section 16 of the Resource Management Act; and an integral part of accepted management practices of activities associated with production land in rural areas; as well as</u> b. other activities clearly of a temporary nature (e.g. Construction works, emergency back-up generators).	We support the intent of this policy and seek that it be retained or a similar policy be included that continues with the theme that normal accepted agriculture practices be exempt from noise requirements to protect these activities against reverse sensitivity. However we consider that it can be clarified that activities of a temporary nature refers to other activities and not to activities associated with production land in rural areas. We also consider that the words proposed by NZS 6802:2008 about “activities associated with production land in rural areas” are more appropriate and clear and avoids ambiguity.
Objective A11.3.2	Support in part	Amend as follows: Existing and permitted activities in the central city, rural and industrial zones are protected from noise reverse sensitivity <u>and potential reverse sensitivity effects on lawfully established activities in the rural environment are avoided.</u>	We support this objective but note that the operative objective at 9.3.4 is worded much stronger. It seeks to “avoid potential reverse sensitivity effects on lawfully established activities in the rural environment”.
Policy 11.3.2.1	Support	Retain	We support a policy that addresses noise reverse sensitivity by encouraging activities that is compatible for the zone. As agriculture production activities can only be located in the rural zone, noise sensitive activities should not be established in or adjacent to rural zones.

Reference	Support/oppose	Decision sought	Reasons
			We support this policy and seek that it be retained or a similar policy be included.
Policy 11.3.2.2	Support	Retain	As previous stated we support a policy to address noise reverse sensitivity by mitigation of the noise that reach noise sensitive activities or zones including use of buffer zones, landscape buffers and building locations.
Policy 11.3.2.4	Oppose	Amend as follows: Limit the location of new residential activities sensitive to disturbance from <u>Avoid reverse sensitivity effects</u> on lawfully established rural industries, recreation, <u>farming activities</u>, infrastructure and network utilities. to avoid reverse sensitivity effects.	This is an extreme and unexplained watering down of operational Policy 9.3.4.1 and farming activities has been removed from the list of activities stated in that policy. Reverse Sensitivity is the issue and a current policy is applicable and should not have been watered down or changed without any reasons.
A11.4 Environmental outcome 1	Support	Retain	This continues the theme that in rural zones the reality of a working rural environment should be anticipated including normal rural farming noises.
A11.4 Environmental outcome 2	Support in part	Amend as follows: Improved amenity <u>W</u>where residential zones interface with other zones, <u>improve amenity for the zones involved.</u>	We consider that it should be made clear that it is not just the amenity of those in residential zones that ought to be taken into account.
A11.4 Environmental outcome 5	Support	Retain	We support outcome 5 which seeks that rural land continue to be used productively.

Reference	Support/oppose	Decision sought	Reasons
New A11.6 Environmental outcome 6.		Introduce: <u>No reverse sensitivity effects on existing activity as a result of rural residential or other incompatible use or development.</u>	Current Outcome 9.4.4 was inexplicably omitted from the new chapter without any reason provided. We seek that the outcome be included in the new noise chapter.
Table A11.5.1	Support	Retain	We support that activities are restricted discretionary which would have been a stated as a permitted activities had they met the performance standards in A11.6.
Table A11.5.2 First Row	Support	Retain	We understand that there is very small area of Rural Zone within the Inner Noise Control Area (INCA) and that the INCA only captures a small part of each rural property affected. Accordingly, this should leave each rural property with sufficient areas to undertake noise sensitive activity outside the INCA if they wish to undertake such an activity. However, if INCA is to expand, if our understanding is not accurately or if further control over activities are planned then we seek to be heard.
Table A11.6.1.9 Rural Zones	Support in part	Amend as follows: <u>Unless otherwise authorised, noise levels shall not exceed the following limits when measured at any point within the notional boundary of the receiving site any rural dwelling :</u> ...	Enable exceptions Without adding the possibility of exceptions, the limits set by this rule will be mandatory regardless if a resource consent is obtained, if the noise is from frost fan, inside airport noise contour controls or from other authorised activities like emergency services. Measurement Location: We note the proposed plan change suggest a new measurement location. We consider that the new measure can be improved.

Reference	Support/oppose	Decision sought	Reasons
			<p>Firstly, the proposed definition in PC4 may (or may not) include the rural noise source's own dwelling because it does not refer to the receiving site rather to "any rural dwelling".</p> <p>NZS 6802:2008 in its example C8.4.2 clarifies that the measure location is "on another site zoned rural" and at 8.4.3 clarifies that the measurement location is on the receiving site. The current operational district plan refers to the measurement location to be "at the receiving site". This makes sense as it ensures it is clear that the location for the measure is at the location where the noise may cause loss of amenity.</p> <p>The word "dwelling" is also problematic as the definition of notional boundary already includes dwelling.</p>
Table A11.6.1.9.1	Support in part	<p>Amend as follows:</p> <p><u>Well drilling is exempt from noise restrictions in A11.6.1.9.</u></p> <p>Noise levels shall not exceed the following limits when measured at any point within the notional boundary <u>of the receiving site</u> any rural dwelling :</p>	<p>This was specified as an exception to the rural noise standards in the operational district plan and should be clarified as such to avoid conflict with standard A11.6.1.9.</p> <p>We again consider that the use of the measurement location as specified above is appropriate.</p>
Table A11.6.1.9.2	Support in part	<p>Amend as follows:</p> <p><u>The following activities are exempt from noise restrictions in A11.6.1.9.</u></p> <p>Any audible bird scaring devices shall be operated as follows:</p> <ol style="list-style-type: none"> i. Noise from audible explosive bird scaring devices shall only be operated between sunrise and sunset, and shall 	<p>This was an exception to the general rural noise standards in the operational district plan and should be clarified as such to avoid conflict with standard A11.6.1.9.</p> <p>We again consider that the use of the measurement location as specified above is appropriate.</p>

Reference	Support/oppose	Decision sought	Reasons
		<p>not exceed 100dB Lzpeak, when measured at any point within the notional boundary <u>of the receiving site to any dwelling</u> in the Rural zone, or at any point within the site boundary of any residential-zoned site.</p> <p>ii. ...</p>	
Table A11.6.1.9.3	Support in part	<p>Amend as follows: <u>The following activities are exempt from noise restrictions in A11.6.1.9.</u> Any frost fan shall be operated as follows:</p> <p>i. Noise generated by frost fans shall not exceed 55dB LAeq (15min) when measured at any point within the notional boundary to <u>the receiving site any dwelling</u> in the Rural Zone, or at any point within the site boundary of any residential-zoned site.</p> <p>ii.</p>	<p>This was an exception to the general rural noise standards in the operational district plan and should be clarified as such to avoid conflict with standard A11.6.1.9.</p> <p>We again consider that the use of the measurement location as specified above is appropriate.</p>
Table A11.6.1.9.4	Insert New standard A11.6.1.9.4	<p>Insert new standard:</p> <p><u>9.4 Rural Zones – Agriculture Production activities</u></p> <p><u>Normal primary production activities provided that the activities comply with the requirements of section 16 of the Resource Management Act is exempt from the standards required in A11.6.1.9.</u></p>	<p>We note there were specific agriculture production activities made exempt in the operative district plan (see ODP 9.6.6 d, e and f). There is no reason provided for omitting these activities and we seek they be included.</p> <p>Issue 9.2.4 (proposed new A11.2.7), Objective 9.3.4 (proposed new A11.3.2), Policy 9.3.4.1 (proposed new A11.3.2.5), Proposed Policy A11.3.1.4 and key outcome 9.4.4 (proposed new A11.6.6) require that specific agriculture production activities be made exempt from A11.6.1.9 in rural areas.</p>

Reference	Support/oppose	Decision sought	Reasons
Table A11.6.1.9.4	Insert New standard A11.6.1.9.5	<p>Insert new standard: <u>9.5 Rural Zones - Activity on same site</u></p> <p><u>Where any activity exists on the same site as a noise source being assessed it is exempt from the standards required in A11.6.1.9.</u></p>	<p>This is really self-explanatory and to avoid absurd applications of the standards.</p> <p>NZS 6802:2008 in its example C8.4.2 clarifies that the measure location is “on another site zoned rural” and at 8.4.3 clarifies that the measurement location is on the receiving site. Similarly the current operational district plan refers to the measurement location to be “at the receiving site”.</p> <p>We consider that the intention is that the noise be measured not at source but at the receiving site. This ensures it is clear that the location for the measure is at the location where the noise may cause loss of amenity.</p>
A11.6.2	Oppose	<p>Amend as follows:</p> <p>Noise levels from any activity shall not exceed the noise limits specified for the adjoining zone when measured at any point within the receiving site, or at any point within the notional boundary of <u>the receiving site any dwelling</u> in the Rural zones, except where provided under:</p> <ol style="list-style-type: none"> <u>Provided under</u> A11.6.1.9.2 (audible bird scaring devices), and A11.6.1.9.3 (frost fans) <u>or A11.6.1.9.4.</u> <u>Provided under</u> A11.6.1.10 and A11.6.1.10.1. <u>Provided under</u> A11.6.2.1. 	<p>Agriculture production activities is important to the district and can only take place in rural zones. Whether it is life stylers moving to the rural zone or a new zone in a rural area both circumstances are reverse sensitivity and agriculture production activities should be protected from these reverse sensitivities as provided for in the Issues, Objective, Outcomes and Policies.</p> <p>Issue 9.2.4 (proposed new A11.2.7), Objective 9.3.4 (proposed new A11.3.2), Policy 9.3.4.1 (proposed new A11.3.2.5) and key outcome 9.4.4 proposed new A11.6.6) require that existing and permitted agriculture production activities be allowed and protected in the Rural Zone and that reverse sensitivity be avoided by residential development. We require that these provisions appropriately be given affect to by adding the exception of permitted agriculture production activities in the rural zones.</p>

Reference	Support/oppose	Decision sought	Reasons
		<p>4. Octave band noise levels from the Commercial 1, 2, 4, 5 and 6 Zones should not exceed the following limits when measured at any point within any residential-zoned site:</p> <p>75dBZ LAeq (1 min) at 63Hz and 65dBZ LAeq (1 min) at 125Hz.</p> <p>5. <u>Normal primary production activities provided that the activities comply with the requirements of section 16 of the Resource Management Act.</u></p> <p>6. <u>Where any activity exists on the same site as a noise source being assessed.</u></p>	<p>We refer to our previous submissions on the exception 6 and the measurement location.</p>
<p>A11.7.1.1 Assessment Criteria</p>	<p>Support in part</p>	<p>Amend as follows:</p> <p>A11.7.1: Assessment Criteria</p> <p>1. The nature of the zone within which the noise generating activity is located and its compatibility with the expected environmental results for that zone.</p> <p>2. <u>If the noise is incompatible with A11.6.2</u> t<u>The nature of any adjoining zone(s), if the activity pre-dates the adjoining zone(s), and the compatibility of the noise generating</u></p>	<p>We support a list of criteria for assessment of resource consent applications. We have concerns with some of the criteria. We note the s32 Report has not stated any reasons for the specific criteria proposed. We address the individual criteria issues below:</p> <p>2. A) We consider that nature of the adjoining zones is irrelevant where the noise meets the standard for that zone.</p> <p>B) We consider that this criteria may give rise to reverse sensitivity which need to be taken into account.</p>

Reference	Support/oppose	Decision sought	Reasons
		<p>activity with the expected environmental results for those adjoining zone(s).</p> <p>3.</p> <p>13. The extent to which achieving the relevant limits is practicable where the existing noise environment is subject to significant noise intrusion from road, rail or air transport activities.</p> <p>14. The adequacy of information provided by the applicant.</p> <p>15. The level of involvement of a suitably qualified and experienced acoustic consultant in the assessment of potential noise effects and/or mitigation options.</p> <p>16. Any other relevant standards, codes of practice or assessment methods based on robust acoustic principles.</p>	<p>14. and 15. We consider that the current legal position is more balanced and realistic. It requires that the details and information in applications must correspond with the scale and significance of the effects that the activity may have on the environment. This means that a small scale activity with limited effect on the environment does not have to incur the same costs to provide information and expert opinion as a large scale activity with potential dire consequences.</p> <p>If the application has insufficient information required to appropriately assess the application, then the Council has remedies as it can either:</p> <ul style="list-style-type: none"> a. Determine that the application is incomplete and return the application; or b. Request further information pursuant to RMA s92.
A11.7.2 Specific Assessment Criteria	Support in part	<p>Amend as follows:</p> <p>A11.7.2 Specific Assessment Criteria</p> <p>Any Addition to Existing Activities Sensitive to Aircraft Noise within the Inner Noise Control Area, that increases the total gross floor area of the noise</p>	<p>We support a list of specific assessment criteria for assessment of resource consent applications in the Inner Noise Control Area. We have concerns with some of the criteria proposed to assess an application. Our primary issues are:</p> <ul style="list-style-type: none"> a. that the previous assessment criteria were significantly added to without any reasons or

Reference	Support/oppose	Decision sought	Reasons
		<p>sensitive activity by more than 25% - Council shall restrict its discretion to the following matters:</p> <ol style="list-style-type: none"> 1. The nature, size and scale of the proposed additions. 2. The application of the applicable acoustic performance standards listed under Appendix 7 Airport Noise and Development Controls, to existing parts of the structure housing the activity sensitive to aircraft noise. 3. Whether a covenant should be registered on the title to secure any conditions of consent in accordance with Appendix 7 Airport Noise and Development Controls; and the means of securing any conditions of consent. 4. Whether, having regard to all the circumstances the nature, size and scale of the addition is likely to lead to potential conflict with and adverse effects upon airport activities. 5. Any assessment criteria applicable to the activity within the residential zones. 6. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site. 	<p>justification provided. Criteria 3, 5, 7, 8 and 9 were introduced without explanation.</p> <ol style="list-style-type: none"> b. The criteria 5, 6 ,7 and 8 have nothing to do with noise received by the Additions and they are inappropriate as criteria to assess noise effects. 3. Criteria 3: Covenants are not always appropriate. They have to be volunteered in an application or imposed as a condition of consent. We do not consider they are assessment criteria rather conditions that can be imposed on a resource consent if appropriate.

Reference	Support/oppose	Decision sought	Reasons
		<p>7. The potential to detract from the qualities and characteristics specified of a landscape or feature identified in Appendix 2 Natural Heritage Inventory or the natural character of the environment.</p> <p>8. How the proposal affects the appearance of the outstanding natural feature or landscape.</p> <p>9. The level of involvement of a suitably qualified and experienced acoustic consultant in the assessment of potential noise effects and/or mitigation option.</p>	
Term and definition	Support in part	<p>Add new points under Noise Level – Rural Zones as follows:</p> <ul style="list-style-type: none"> • ...superceding them will need to be satisfied). • <u>Water pumps, dairy sheds, enclosure for livestock, shearing sheds and general livestock noise.</u> • <u>Normal primary production activities provided that the activities comply with the requirements of section 16 of the Resource Management Act.</u> • <u>Where any activity exists on the same site as a noise source being assessed.</u> 	<p>To give effect to Policy 11.3.1.4 some other exemptions should be added.</p> <p>Also we consider that the intention is that the noise be measured not at source but at the receiving site. This makes sense as it ensures it is clear that the location for the measure is at the location where the noise may cause loss of amenity.</p>