



YOUR PLAN OUR FUTURE
TIMARU DISTRICT PLAN REVIEW
LAND USE PLAN

Timaru District Plan Review

Topic 11 Noise

Discussion Document, November 2016



TIMARU
TDC
DISTRICT COUNCIL

Contents

1.0	Introduction	2
	1.1 Purpose	
	1.2 Report Format	
2.0	Issue Identification	3
3.0	Statutory Matters	4
4.0	Timaru District Plan	5
5.0	Options	6



1.0 Introduction

1.1 Purpose

Timaru District Council has commissioned this report to identify the 'issues' with how the Timaru District Plan 2005 manages noise. The report subsequently identifies the potential 'options' to address these issues and the strengths and weaknesses of each option.

The Council is responsible for controlling the noise emission and effects in the District under the Resource Management Act 1991. Noise is an important factor which affects the health, safety and amenity levels that are experienced by people in the District. Almost all land use activities generate some degree of noise and Council can use a number of options to address noise effects through the District Plan.

The report is intended to inform and provide a basis for public consultation on this matter and to some degree stimulate debate. The report forms part of a suite of public consultation measures that may be used to inform a potential change to the District Plan.

1.2 Report Format

The remainder of the report has been set out as follows:

- Section 2** identifies and describes the issue.
- Section 3** summarises the relevant statutory matters.
- Section 4** briefly explains the current Timaru District Plan approach to noise.
- Section 5** discusses some potential options to deal with noise.

This document outlines the issues our district faces in relation to noise.

We welcome your feedback on this topic.

Andrea Leslie
Timaru Ward Councillor

2.0 Issue Identification

Issue 1

Management of noise emissions from industrial / commercial activities located near Residential Zones

People within Residential Zones anticipate a reasonably quiet environment where they can relax. In contrast, industrial / commercial activities generate a higher degree of noise with the operation of machines, the use of heavy vehicles, high volumes of traffic and pedestrian flow, the concentration of people etc. Therefore, when industrial / commercial activities are located near Residential Zones, conflict in the acceptable level of noise emission occurs.

There are some established industrial / commercial activities that adjoin Residential Zones. In some situations residential dwellings also exist within Industrial Zones, particularly within the Washdyke deferred Industrial H Zone¹. The District Plan currently provides no noise limits within the Industrial / Commercial Zones but requires noise generated from activities in these zones to comply at the boundaries of the Residential Zones.

The nature of noise emission means that noise levels measured from a given locality from an activity is unknown until noise monitoring, assessment or modelling is completed. The District Plan does not require a noise assessment to be submitted at the time an activity is established, unless a resource consent is required. Noise emission issues generated from such activities are generally dealt with reactively upon a complaint being received.

The current District Plan approach does not allow Council to address the potential issues prior to an activity being established. This means if modifications to the existing structures are required to reduce noise emissions, it might be costly to the business owner. This in turn, has the potential to restrict business growth.

Issue 2

Protection of strategic infrastructure, sites and facilities against reverse sensitivity

There are a number of established strategic infrastructure, sites and facilities that generate noise emissions. The strategic infrastructure, sites and facilities include the railway line, the state highways, the Timaru Airport, the Timaru Motor Raceway, the Timaru Port, Fonterra, to a certain extent the Washdyke Industrial Area, and local sport and shooting clubs.

These strategic infrastructure, sites and facilities serve the District and wider area with the provision of essential services, recreational facilities and employment opportunities. They are critical elements for a healthy and thriving economy, stable community, and facilitate society's daily activities.

The major strategic infrastructure, sites and facilities are either zoned for industrial or recreational activities, or are covered by a site specific designation. The smaller strategic facilities such as clubs tend to be zoned for recreational activities and operate under existing use rights or with resource consent.

The Timaru Port has gained a ten year contract in 2014 with a significant increase in freight numbers to and from the port anticipated. The Timaru Airport has the capacity for future growth such as accommodating future flight training and education establishments. The majority of the Washdyke Extension Area is currently in pastoral land and is being gradually transferred into industrial use. Fonterra is undertaking a \$72 million expansion project and aims to double mozzarella production within the next ten years. As a result, noise generating activities on these sites are anticipated to be intensified in the next ten years, which could lead to an increase in noise emission.

The on-going operations of the strategic infrastructure, sites and facilities are affected by reverse sensitivity² issues. Investments made into the strategic infrastructure, sites and facilities need to be secured and their growth needs to be protected.

¹The District Plan requires resource consent for any future residential developments in the Industrial Zones, except for residential accommodation for employees whose duties require them to live on the site within the Industrial L Zone

²Reverse sensitivity describes the impacts of newer uses on prior activities occurring in mixed-use areas. Some activities tend to have the effect of limiting the ability of established ones to continue. A key instance is the impact of new residential development located close to established industrial and commercial areas. New residents tend to have expectations of a higher level of amenity comparable to industrial or commercial areas and will complain about noise from established uses. This has the potential of imposing economic burdens or operational limitations on the prior uses that reduce their viability, forcing them to close down or move. The concept of reverse sensitivity suggests that a reversal of this approach is possible and planning schemes can regulate these issues via zoning rules.

3.0 Statutory Matters

Issue 3

Management of noise from commercial activities within Recreation Zones

Recreational land that provides public open space is located throughout residential neighbourhoods. Many recreational areas consist of established facilities, such as sport clubs that operate under resource consents or existing use rights. To enable the financial viability and development of these facilities, many have a commercial component that commonly includes gatherings of large groups for functions and events. The functions and events generally give rise to noise emissions due to more frequent use of the site, night-time usage, and the use of amplified music and / or speaker systems.

In recent years, there has been an increase in the commercial operations on recreational land seeking resource consent. The resource consent process has noted that the surrounding residents are more tolerant to noise emissions from recreational and sport events as they are generally held during the daytime and are for the benefit of the community. In contrast, the residents in the neighbourhood are less tolerant for noise emissions from commercial activities within recreational areas as these events tend to be held at night time and are seen for the sole purpose of financial gain of the owner of the facility.

There is currently no provision in the District Plan that limits noise emissions or hours of operation within Recreation Zones, nor does it distinguish commercial based recreational activities from community and / or sport based recreational activities held within the zone. Noise emission from commercial based recreational activities within Recreational Zones need to be managed and guided in the District Plan to protect residential amenity of the neighbourhood.

Other Issues:

Noise standards in the District Plan do not align with the current national standards. Technical descriptors need to be updated in the drafting phase of the District Plan.

The running of aircraft generates significant noise emission which can adversely affect noise sensitive activities nearby. Conflicts between the use of an aircraft and adjacent domestic activities have occurred in the rural areas, resulting in unsatisfied residents. Although noise from aircraft in flight cannot be addressed through the District Plan, noise from aircraft on the ground can be addressed in the zoning rules.

Resource Management Act 1991

The Council as a territorial authority in terms of the Resource Management Act 1991 has specific responsibilities under section 31 to control and manage noise emission from the development of land for the purpose of mitigation of noise emission. Section 16(2) of the Act enables the District Plan to include prescribed noise emission standards. Section 38 of the Act also empowers Council to take enforcement actions against persons who are responsible for the emission of excessive noise outside the provisions of the District Plan.

Canterbury Regional Policy Statement 2013

The Canterbury Regional Policy Statement 2013 manages noise emission from transport infrastructure³ as well as provides protection for the on-going functioning, upgrading and growth of such infrastructure. The Regional Policy Statement requires the Council to include provisions in the District Plan which avoids land-uses that may result in adverse reverse sensitivity effects on the transport infrastructure.

Canterbury Regional Coastal Environment Plan 2005

The Canterbury Regional Coastal Environment Plan 2005 addresses noise emissions within the coastal marine area, including the Timaru Port, through a set of rules and noise standards. Noise emission from the coastal marine area is managed through noise limits measured in areas outside of the coastal marine area. The rules and standards that apply for the Timaru coastal marine area general align with the current District Plan provisions.

National Standards

The following Acoustics National Standards are current and has been adopted by several planning documents:

- NZS 6801:2008 Acoustics – Measurement of environmental sound
- NZS 6802:2008 Acoustics – Environmental noise
- NZS 6803:1999 Acoustics – Construction noise
- NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads
- NZS 6807:1994 Noise management and land use planning for helicopter landing areas
- NZS 6808:2010 Acoustics – Wind farm noise
- NZS 6809:1999 Acoustics – Port noise management and land use planning

³Transport infrastructure includes road, rail, air and sea-based infrastructure (the Ports).

4.0 Timaru District Plan

The current District Plan uses a mixed approach to manage noise, with a stand-alone chapter that addresses district-wide noise matters and specific requirements in the zone provisions. It also controls the location of noise generating activities by allowing them in the appropriate zones only.

The District Plan restricts noise emissions by applying noise standards at the boundaries of the noise receiving activities, with the assistance of separation distances. Noise contours are provided for the Timaru Airport and the Timaru Motor Raceway to protect the on-going operation of these sites. Any residential development within the noise contours require a resource consent.



5.0 Options

The main options to manage noise in the District Plan are summarised as:

- Status quo (i.e. retain certain aspects from the current District Plan approach).
- Amend (i.e. current District Plan approach requires amendment to align it with current national standards, best practices and to give effect to national and regional planning documents).

These options are briefly described in turn below, followed by a brief assessment of their strengths and weaknesses.

Please note other options exist for the identified issues that have not been reflected here to keep the document concise.

Option 1 – Status quo

The following strategic approaches in the District Plan are still relevant and should be included in the next District Plan:

- A stand-alone noise chapter for district-wide matters, with zone specific matters and requirements in zone provisions.
- Limit the location of noise generating activities to appropriate zones and require resource consents for such activities in other zones.
- Manage noise emissions by limiting noise levels at receiving activity / zone boundary.

Strengths	<ul style="list-style-type: none"> ▪ Stand-alone chapter means noise is prominent in the District Plan. ▪ Current District Plan approach allows noise generating activities within the appropriate zones only and requires resource consent for such activities located in other zones. ▪ Permissive approach which does not restrict development potentials in Industrial / Commercial Zones, as there are no noise limits applicable within these zones.
Weaknesses	<ul style="list-style-type: none"> ▪ Mixed approach with stand-alone noise chapter and specific matters in zone provisions are not easy to follow. This approach also results in repetition of similar rules in different zones. ▪ The current District Plan approach does not sufficiently address conflicts at boundaries between Residential and Industrial / Commercial Zones. ▪ The current District Plan approach does not sufficiently protect strategic sites from reverse sensitivity, or strategic clubs from encroachment. ▪ The current District Plan is a reactive approach rather than a proactive approach to address noise conflicts prior to an activity being established.

Option 2 – Amend

The intent of the strategic approach in the current District Plan is still valid but the approach requires amendment to align it with current best practice and to give effect to national and regional planning documents as follows:

- Consider consolidating all noise related matters in one chapter, with reference made in the zone provisions.
- Consider applying noise limits in all zones.
- Consider adopting the current national noise standards and technical descriptors with necessary guidelines.
- Consider special requirements for activities within the Industrial / Commercial Zones that are located adjacent to residential activities and zones e.g. more stringent noise emission limits, acoustic treatment at boundaries, separation distances, etc.
- Consider requiring resource consent for industrial / commercial activities located close to Residential Zones.
- Consider listing all existing strategic infrastructure, sites and facilities in the District Plan so the strategic infrastructure, sites and facilities are recognised.
- Consider noise contours surrounding the strategic infrastructure, sites and facilities with limited or no provision of noise sensitive activities.
- Consider acoustic treatment for noise sensitive activities within, or close to Industrial / Commercial Zones where appropriate.
- Consider buffer areas surrounding existing strategic infrastructure, sites and facilities, and major transport corridors, by requiring noise sensitivity activities to provide acoustic treatment.
- Consider mapping all listed strategic infrastructure, sites and facilities, and associated noise contours / buffer areas.
- Consider restrictions on temporary activity and events on recreation land in neighbourhoods, to control noise emissions.

<p>Strengths</p>	<ul style="list-style-type: none"> ▪ Provide a consolidated noise chapter which is easy to follow and avoids unnecessary repetition in the District Plan. ▪ Uses current standards and technical descriptors. ▪ The provision of treatments at zone interfaces provides protection on noise sensitive activities as well as mitigates reverse sensitivity. ▪ The listing and mapping of strategic infrastructure, sites and facilities recognises the importance of the activities. It raises public awareness of the existence of the strategic infrastructure, sites and facilities, and provides the public easy access to basic information about the activities. ▪ The provision of buffer area near to strategic infrastructure, sites and facilities, and transport corridors, protects for the operation of these activities and accommodates their future development to a certain degree. ▪ Limitations on activities within recreation land provide protection from noise impacts on its neighbourhood.
<p>Weaknesses</p>	<ul style="list-style-type: none"> ▪ Further technical studies are required to identify potential noise contours and buffer areas surrounding the strategic infrastructure, sites and facilities. ▪ Further consultation will need to take pace especially for properties within the buffer areas and noise contours. ▪ Acoustic treatments will be required at zone interfaces where previously not required. ▪ Land values could be affected should land be located within the buffer area or noise contours.

Timaru District Council

2 King George Place

Timaru 7910

enquiry@timdc.govt.nz

P: 03 687 7200

F: 03 687 7209

TRIM#1018193

