

**appendix 13**

**Inner City Zone:**

**Noise**

**Management**

**Plans and**

**assessment of**

**unreasonable**

**and excessive**

**noise**

## **AP13 Overview**

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Relating to rule ICr.42A this appendix prescribes the matters that shall be included in the Noise Management Plans for new and extended Noise Generating Activities. The overall intent of a Noise Management Plan is that the best practicable option is undertaken to ensure that the emission of noise from a site does not exceed a reasonable level.

This appendix also sets out aspects which may help form an opinion for assessment of unreasonable and excessive noise in terms of the Resource Management Act 1991. This can be applicable to all zones but in particular this will be the approach undertaken within the Inner City Zone (City Centre and City Fringe, including the Intense Development Area).

### **AP13.1 Noise Generating Activities**

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#### **AP13.1.1 Minimum Noise Management Plan Provisions**

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**AP13.1.1.i** The Noise Management Plan required under Rule ICr.42A shall be prepared by a professional acoustic engineer and shall, at a minimum, contain the following:

- a) The intended outcomes of the Noise Management Plan, including the design sound level to be received outside of the building and site.
- b) A description of the premises including details of walls, roof, cladding, door openings and windows, ventilation, site layout, outdoor areas and any acoustic insulation or noise barriers that have been, or will be, installed, and a description of how these assist to reduce noise and meet the design sound level specified above.
- c) A description of the surrounding land uses and in particular residential or short term living accommodation units, including a description of the existing sound environment in the area.
- d) A description of all noise generating activities carried out in the premises or on the site.
- e) A floor plan of the premises, including outdoor areas, with the noise sources marked on it.
- f) The hours of operation of the noise generating activities.
- g) The specifications of the sound systems and any mechanisms to govern the maximum noise output.
- h) Details of any noise data that has been recorded, and any noise modelling; noise monitoring; auditing and reporting procedures, including methods used.
- i) Any methods proposed to manage noise produced by patrons, including either leaving the venue or queuing for entry.
- j) The name and contact details of the manager responsible for noise generating activities in the premises.
- k) Complaint handling and recording procedures, and
- l) Procedures for achieving noise reduction through operational procedures and staff training.

#### **AP13.1.2 Minimum Monitoring and Reporting Requirements**

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**AP13.2.i** The minimum monitoring and reporting requirements on any approved consent and associated Noise Management Plan are as follows:

- a) A inventory shall be kept of all noise sources at the premises, and
- b) Copies of the Noise Management Plan and the inventory required above are to be held at the premises and made available to Council staff as, and when, requested.

### **AP13.1.3 Measurement and Assessment of Noise**

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AP13.1.3.i The measurement of noise is to be in accordance with NZS 6801:2008 and assessed in accordance with NZS6802:2008

## **AP13.2 Assessment of unreasonable and excessive noise**

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### **AP13.2.1 Noise assessment criteria**

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AP13.2.1.i Nelson City Council's Enforcement Officers, for the purposes of assessing compliance with permitted activity conditions, relevant resource consent conditions, and sections 16(1) (which requires consideration whether the best practicable option is being undertaken to ensure noise does not exceed a reasonable level), or in forming an opinion under section 327(1) of the Resource Management Act, Excessive Noise Direction, will generally take into account the following matters when determining whether or not noise is unreasonable or excessive:

- i.) the **frequency** (number of events) of noise emission, and
- ii.) the **intensity** of the noise, as indicated by volume, tone, and audio frequency and the degree of disturbance, and
- iii.) the **duration** of each noise event, and
- iv.) the **nature** of the noise, and
- v.) the **location and timing** of the noise, having regard to the time of day or night and the sensitivity (including reverse sensitivity) of the receiving environment.

AP13.2.1.ii Assessment may also consider the following matters.

- a) Other noise complaints or events relating to emissions from the same location which have been found to be unreasonable or excessive, including what remedial action has previously been undertaken.
- b) Where possible and relevant, sound level measurements from a calibrated sound level meter.
- c) Information regarding the effectiveness of any noise management plan, or on site noise management.

### **AP13.2.2 Construction Noise**

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AP13.2.2.i Construction activity by necessity can produce higher levels of noise than would be expected, or be deemed reasonable, from other activities. In recognition of this Standards New Zealand have produced NZS 6803:1999 Acoustics - Construction Noise. In assessing construction noise produced in the Inner City Zone, Nelson City Council will use this standard, in addition to the points outlined in AP13.2.1.i and AP13.2.1.ii, as a guide to the reasonableness of the construction noise produced.

AP13.2.2.ii Separately to this appendix, rule ICr.43 provides that the provisions of NZS 6803:1999 Acoustics - Construction Noise apply to construction noise received in the Residential Zone.