

Part 3

Domains and topics

Topics

General matters

NOISE – Noise

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 zone based noise rules in NOISE-R5, NOISE-R6, NOISE R7, NOISE R8, NOISE R9, NOISE-R10 and NOISE-R11; and
2. the Whakatū Nelson-wide noise rules in NOISE-R12 and NOISE-R13; and
3. the activity specific noise rules in NOISE-R14, NOISE-R15, NOISE-R16, NOISE-R17, NOISE R18, NOISE R19, NOISE R20, NOISE R21, NOISE R22 and NOISE-R23; and
4. the Port noise rules in NOISE-R24, NOISE-R25, NOISE-R26 and NOISE-R27; and
5. the Airport noise rules to be introduced later in 2020 as part of the AIRPZ - Airport zone.

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-R27 **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
Zone rules	
NOISE-R5	Noise generating activities: CCZ – City centre zone and MUZ – Mixed use zone
NOISE-R6	Night time noise: CCZ – City centre zone
NOISE-R7	Acoustic insulation of a building: CCZ – City centre zone
NOISE-R8	General noise: NCZ – Neighbourhood centre zone and LCZ – Local centre zone
NOISE-R9	General noise: GIZ – General industrial zone and LIZ – Light industrial zone
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
Whakatū Nelson-wide	
NOISE-R12	General noise: Whakatū Nelson-wide
NOISE-R13	Construction noise: Whakatū Nelson-wide
Activity specific (various zones and overlays)	
NOISE-R14	Temporary military training activity
NOISE-R15	Aircraft noise outside the Nelson Airport: Whakatū Nelson-wide
NOISE-R16	Peak noise levels from explosives
NOISE-R17	Bird scaring devices
NOISE-R18	Shooting range
NOISE-R19	Frost control fans
NOISE-R20	Emergency generator testing
NOISE-R21	Road traffic noise
NOISE-R22	Road traffic sound insulation
NOISE-R23	Noise in the Quarry precincts
Port noise (various zones and overlays)	

NOISE-R24	Port effects control overlay: Acoustic insulation of a building: RESZ – Residential zones, NCZ – Neighbourhood centre zone or LCZ – Local centre zone
NOISE-R25	Port effects control overlay: Multi-unit residential development(s): RESZ – Residential zones
NOISE-R26	Port operational area: Auckland Point School
NOISE-R27	Port operational area: noise management
Airport noise (various zones and overlays)	
Noise standards relating to the Nelson Airport will be introduced later as part of the new Airport zone provisions.	

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Zone rules			
NOISE-R5 Noise generating activity: CCZ – City centre zone and MUZ – Mixed use zone [DP] Legal effect on notification: No	1. The extension or alteration of a noise generating activity in the CCZ – City centre zone or MUZ – Mixed use zone is a permitted activity provided that: <ol style="list-style-type: none"> a. any increase in capacity of patrons is less than 10%; and b. there is no increase in operating hours or the hours amplified music is played; and c. it does not result in an outdoor area accessible to patrons which is new, has a different location, 	2. Not applicable.	3. In the CCZ – City centre zone or MUZ – Mixed use zone, the extension or alteration of an existing noise generating activity that contravenes NOISE-R5.1. or the establishment of any new noise generating activity is a restricted discretionary activity provided that a noise management plan is submitted with the application. Discretion is restricted to: <ol style="list-style-type: none"> a. the contents of the proposed noise management

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>or is increased in size by 10% or more.</p>		<p>plan; and</p> <p>b. hours of operation; and</p> <p>c. proposed location of the activity; and</p> <p>d. volume and type of noise expected to be generated and any associated effects on adjacent land uses, particularly activities sensitive to noise.</p> <p>4. In the CCZ – City centre zone or MUZ – Mixed use zone, a noise generating activity that contravenes NOISE-R5.3. is a non-complying activity.</p>
<p>NOISE-R6</p> <p>Night time noise:</p> <p>CCZ – City centre zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated by an activity in the CCZ – City centre zone is a permitted activity, provided that the sound level assessed at the external wall of a residential unit or visitor accommodation in the CCZ – City centre zone shall not exceed 75 dB</p>	<p>2. Not applicable.</p>	<p>3. Noise generated by an activity in the CCZ – City centre zone that contravenes NOISE-R6.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the adverse amenity effects on any residential</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	L _{AFmax} during the hours 10:00pm to 7:00am.		unit or visitor accommodation; and b. whether the noise is likely to detract from the amenity sought for the CCZ – City centre zone.
<p>NOISE-R7</p> <p>Acoustic insulation of a building:</p> <p>CCZ – City centre zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Construction of a new bedroom, and conversion of any existing room to a bedroom, in the CCZ – City centre zone is a permitted activity provided that:</p> <p>a. it is acoustically insulated in accordance with APP40 – Acoustic insulation requirements; or</p> <p>b. it is acoustically insulated to achieve a facade sound level difference of not less than 30dB $dB D_{tr,2m,nT,w} + C_{tr}$, and has either ventilating windows open or minimum ventilation requirements as set down in APP40 – Acoustic</p>	<p>2. Not applicable.</p>	<p>3. Construction of a new bedroom, and conversion of any existing room to a bedroom, in the CCZ – City centre zone that contravenes NOISE-R7.1 is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the location and orientation of the bedroom in relation to noise sources; and</p> <p>b. insulation or other measures required for noise mitigation purposes for the bedroom; and</p> <p>c. health and well-being effects for residents; and</p> <p>d. potential reverse sensitivity effects on other</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>insulation requirements; and</p> <p>c. where NOISE-R7.1.b. is met, prior to commencement of any construction or site works, a certificate shall be obtained from a suitably qualified acoustic engineer to demonstrate that the building design complies with NOISE-R7.1.b.</p>		<p>activities.</p>
<p>NOISE-R8</p> <p>General noise:</p> <p>NCZ – Neighbourhood centre zone</p> <p>and</p> <p>LCZ – Local centre zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated by an activity in the NCZ – Neighbourhood centre zone or LCZ – Local centre zone is a permitted activity provided that the noise levels within the boundary of any other site in the NCZ – Neighbourhood centre zone or LCZ – Local centre zone do not exceed the following limits:</p> <p>a. 65 dB L_{Aeq}:</p> <p>i. Monday to Saturday</p>	<p>2. Not applicable.</p>	<p>3. Noise generated by an activity in the NCZ – Neighbourhood centre zone or LCZ – Local centre zone that contravenes NOISE-R8.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the effects on adjacent land use, particularly on activities sensitive to noise; and</p> <p>b. whether the</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>7.00am – 10.00pm; or</p> <p>ii. Sunday and Public Holidays 9.00am – 10.00pm; or</p> <p>b. 45 dB L_{Aeq} and 75 dB L_{Amax}:</p> <p>i. Monday to Saturday 10.00pm – 7.00am; or</p> <p>ii. Sunday and Public Holidays 10.00pm – 9.00am.</p>		<p>noise is likely to detract from the amenity anticipated for the receiving environment.</p>
<p>NOISE-R9</p> <p>General noise:</p> <p>GIZ – General industrial zone</p> <p>and</p> <p>LIZ – Light industrial zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated by an activity in any GIZ – General industrial zone and LIZ – Light industrial zone is a permitted activity provided that the noise levels measured within the boundary of any other site in any GIZ – General industrial zone and LIZ – Light industrial zone do not exceed the following limits:</p> <p>a. 65 dB L_{Aeq}:</p> <p>i. Monday to Saturday 7.00am – 10.00pm; or</p>	<p>2. Not applicable.</p>	<p>3. Noise generated by an activity in any GIZ – General industrial zone and LIZ – Light industrial zone that contravenes NOISE-R9.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. The effects on adjacent land uses, particularly on activities sensitive to noise; and</p> <p>b. Whether the noise is likely to</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> ii. Sunday and Public Holidays 9.00am – 10.00pm; or b. 55 dB L_{Aeq} and 75 dB L_{Amax}: i. Monday to Saturday 10.00pm – 7.00am; or ii. Sunday and Public Holidays 10.00pm – 9.00am. 		<p>detract from the amenity anticipated for the receiving environment.</p>
<p>NOISE-R10 Air noise boundary: Noise sensitive activity: GRZ – General residential zone and MRZ – Medium density residential zones [DP] Legal effect on notification: No</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>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.</p>
<p>NOISE-R11 Air noise boundary: Papakāinga development [DP]</p>	<p>1. Not applicable.</p>	<p>2. Not applicable.</p>	<p>3. New or relocated noise sensitive activity within a papakāinga development where the site is located inside the Air noise</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
Legal effect on notification: No			boundary is a prohibited activity .
Whakatū Nelson-wide			
<p>NOISE-R12</p> <p>General noise:</p> <p>Whakatū Nelson-wide</p> <p>[RCP, DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated by an activity is a permitted activity, provided that:</p> <p>a. the noise does not exceed the following limits when measured:</p> <p>i. within the boundary of any other site in any GRZ – General residential zone and MRZ – Medium density residential zone; or</p> <p>ii. within the notional boundary of any residential unit in any RURZ – Rural zone, other than any residential unit on the site from which the noise is being generated; and</p> <p>A. 65 dB L_{Aeq}:</p> <p>I. Monday to</p>	<p>2. Not applicable.</p>	<p>3. Noise generated by an activity that contravenes NOISE-R12.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the effects on adjacent land uses, particularly on:</p> <p>i. those activities sensitive to noise; and</p> <p>ii. the night time effects on residents; and</p> <p>iii. in the CCZ – City centre zone, the night time effects on occupants of residential units or visitor accommodation; and</p> <p>b. whether the noise is likely to detract from the amenity anticipated for the receiving environment.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Saturday 7.00am – 10.00pm ; or</p> <p>II. Sunday and Public Holidays 9.00am – 10.00pm ; or</p> <p>B. 55 dB L_{Aeq} and 75 dB L_{Amax}</p> <p>I. Monday to Saturday 10.00pm – 7.00am; or</p> <p>II. Sunday and Public Holidays 10.00pm – 9.00am; and</p> <p>b. this rule does not apply to:</p> <p>i. in all zones, a residential activity undertaken during the</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>daytime period; and</p> <p>ii. in all zones, noise generated by a large scale wind turbine or wind farm that complies with, and is measured and assessed in accordance with, the provisions of NZS6808:2010 Acoustics – Wind Farm Noise; and</p> <p>iii. in any RURZ – Rural zone, noise from rural production or rural industry activities when measured within the notional boundary of any residential unit, that is not a residential unit on the site from which the noise is being generated, in any RURZ – Rural zone, including noise from:</p> <p>A. mobile</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>horticultural and agricultural equipment; and</p> <p>B. temporary forest and tree harvesting activities; and</p> <p>C. animals that are not associated with intensive farming and animal boarding activities; and</p> <p>D. a bird scaring device or hail canon; and</p> <p>iv. in the CMA – Coastal marine area, noise generated by:</p> <p>A. construction, maintenance or demolition activities; and</p> <p>B. navigational aids,</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>safety signals, warning devices, or emergency pressure release valves; and</p> <p>C. the Nelson Airport when received within the Airport effects control overlay [<i>Airport noise provisions to be introduced later as part of the Airport zone provisions</i>]; and</p> <p>D. the Port operational area when received within the Port effects control overlay, other than at Auckland Point School where rule NOISE-R26</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>has not been achieved; and</p> <p>v. in the AIRPZ – Airport zone, noise generated by the Nelson Airport when received within the Airport effects control overlay <i>[Airport noise provisions to be introduced later as part of the Airport zone provisions];</i> and</p> <p>vi. in the PORTZ – Port zone, noise generated in the Port operational area when received within the Port effects control overlay, other than at Auckland Point School where rule NOISE-R26 has not been achieved.</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>NOISE-R13</p> <p>Construction noise:</p> <p>Whakatū Nelson-wide</p> <p>[RCP, DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated by construction, maintenance or demolition work is a permitted activity, provided that the noise complies with, and is measured and assessed in accordance with, the provisions of NZS6803:1999 Acoustics - Construction Noise.</p>	<p>2. Not applicable.</p>	<p>3. Noise generated by construction, maintenance or demolition work that contravenes NOISE-R13.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the duration and type of noise, and the adverse effects that it may cause; and b. the nature and location of nearby activities and the effects they may experience; and c. whether the noise is likely to detract from the general environmental quality anticipated for the receiving environment.
Activity specific (various zones and overlays)			
<p>NOISE-R14</p> <p>Temporary military training activity</p> <p>[RCP, DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated from a temporary military training activity is a permitted activity, provided that it complies with the following noise</p>	<p>2. Not applicable.</p>	<p>3. Noise generated from a temporary military training activity that contravenes NOISE-R14.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>standards at the relevant assessment location of any noise sensitive activity in any zone:</p> <p>a. weapons firing and the use of explosives conducted on any site for up to 31 days in any 365 day period from:</p> <p>i. artillery and explosives (cannons, grenades, mortars, rockets):</p> <p>A. 120 dB L_{Zpeak} 7.00am to 7.00pm; or</p> <p>B. 90 dB L_{Zpeak} 7.00pm to 7.00am; and</p> <p>ii. small arms:</p> <p>A. 90 dB L_{Zpeak} 7.00am to 7.00pm or</p> <p>B. 90 dB L_{Zpeak} 7.00pm to 7.00am; and</p> <p>l. no more than two nights of small arms use</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>in any 31 days; and</p> <p>b. mobile noise sources, (other than construction activities and helicopter movements) and fixed noise sources (including power generation, heating, ventilation or air condition systems, or water or wastewater systems) from:</p> <p>i. all sources:</p> <p>A. 55 dB L_{Aeq} 7.00am to 7.00pm; or</p> <p>B. 50 dB L_{Aeq} 7.00pm to 10.00pm; or</p> <p>C. 40 dB L_{Aeq}, 70 dB L_{AFmax} 10.00pm to 7.00am</p>		
<p>NOISE-R15</p> <p>Aircraft noise outside the Nelson Airport:</p> <p>Whakatū Nelson-wide</p> <p>[RCP, DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated from emergency helicopter movements is a permitted activity.</p> <p>2. Noise generated from aircraft, which is not otherwise permitted by NOISE-R15.1. or managed under</p>	<p>3. Not applicable.</p>	<p>4. Noise generated from an aircraft that contravenes NOISE-R15.2. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p><i>[Airport noise provisions to be introduced later as part of the Airport zone provisions]</i>, is a permitted activity, provided that:</p> <p>a. for helicopter movements to or from a helicopter landing area, including those used for a military training activity, noise shall comply with and be measured and assessed in accordance with New Zealand Standard NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas; and</p> <p>b. from aircraft other than helicopters, noise shall comply with NZS6805:1992 Airport Noise Management and Land Use Planning.</p>		
NOISE-R16	1. Peak noise levels from explosives use is a permitted	2. Not applicable.	3. Peak noise levels from explosives use that contravenes

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Peak noise levels from explosives [RCP, DP] Legal effect on notification: No</p>	<p>activity, provided that they shall not exceed the following when measured within the notional boundary of any building set out in R16-1.a., R16-1.b. and R16-1.c. below:</p> <ul style="list-style-type: none"> a. occupied noise sensitive activity and visitor accommodation: <ul style="list-style-type: none"> i. permissible blasting time window: 7.00am to 7.00pm; and ii. number of blasts per year: ≤ 20; and <ul style="list-style-type: none"> A. maximum peak sound level applying to all blasts 120 dB L_{Zpeak}; or iii. number of blasts per year: >20; and <ul style="list-style-type: none"> A. maximum peak sound level applying to all blasts 115 dB L_{Zpeak}; or b. occupied commercial and 		<p>NOISE-R16.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>industrial buildings:</p> <ul style="list-style-type: none"> i. permissible blasting time window: All hours of occupation; and ii. number of blasts per year: All; and <ul style="list-style-type: none"> A. maximum peak sound level applying to all blasts 125 dB L_{zpeak}; or c. unoccupied buildings <ul style="list-style-type: none"> i. permissible blasting time window: all times; and <ul style="list-style-type: none"> A. maximum peak sound level applying to all blasts 140 dB L_{zpeak}. 		
<p>NOISE-R17 Bird scaring device [DP] Legal effect on notification: No</p>	<p>1. Noise generated from the use of a bird scaring device is a permitted activity provided that:</p> <ul style="list-style-type: none"> a. the device is located in any 	<p>2. Not applicable.</p>	<p>3. Noise generated from the use of a bird scaring device that contravenes NOISE-R17.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>RURZ – Rural zone; and</p> <p>b. it shall not operate between sunset and sunrise; and</p> <p>c. there is a maximum of 6 “events“ per device and per hour, where:</p> <p>i. an “event” includes clusters of up to three shots from gas operated devices or three individual shots from a firearm in quick succession; and</p> <p>ii. it does not include any bird scaring device that generates a noise level of less than 55 dB L_{Aeq} within the notional boundary of any noise sensitive activity not owned by the operator of the device; and</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>d. the sound level from any event shall not exceed 65 dB L_{Aeq} within the notional boundary of any noise sensitive activity not owned by the operator of the device.</p>		
<p>NOISE-R18 Shooting range [DP] Legal effect on notification: No</p>	<p>1. Noise generated from a shooting range activity is a permitted activity provided that:</p> <p>a. the noise shall not exceed 45 dB L_{Aeq} and 50 dB L_{AFmax} within the notional boundary of any noise sensitive activity or visitor accommodation; and</p> <p>b. no shooting shall occur between 5.00pm and 9.00am.</p>	<p>2. Not applicable.</p>	<p>3. Any noise generated from a shooting range that contravenes NOISE-R18.1. is a discretionary activity.</p>
<p>NOISE-R19 Frost control fan [DP] Legal effect on notification: No</p>	<p>1. Noise generated from the use of a frost control fan is a permitted activity provided that:</p> <p>a. the fan is located in any RURZ – Rural zone; and</p> <p>b. the noise level from the frost</p>	<p>2. Not applicable.</p>	<p>3. Noise generated from the use of a frost control fan that contravenes NOISE-R19.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>control fan received at any point within the boundary of any residential unit in any RESZ – Residential zone or the notional boundary of any residential unit in any RURZ – Rural zone, other than any residential unit on the site from which the noise is being generated, shall not exceed 55 dB L_{Aeq} (10min). This shall be demonstrated by the production of a report from an appropriately qualified and experienced acoustic engineer; and</p> <p>c. the frost control fan shall be located no closer than 300 metres to a residential unit, other than any residential unit on the site from which the noise is being generated, or within 300 metres of an urban area;</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>and</p> <p>d. the frost control fan shall only be operated for protection of crops on the same site from frost from bud burst to harvest; and</p> <p>e. the frost control fan shall only be operated in wind speeds not exceeding 8 km/hr and when the local air temperature is less than or equal to 2°C. The thermometer used to measure the air temperature shall be located at a height above ground relevant to the height of the buds above ground on the plants being protected; and</p> <p>f. operation for maintenance purposes shall be restricted to between the hours of 7.30am and 6.00pm weekdays. Test operation may take place only</p>		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>for urgent unforeseen maintenance purposes outside these hours; and</p> <p>g. a written log shall be maintained, clearly recording the date and length of time the frost control fan is used. The log shall include the air temperature at which the frost control fan started operation, and include running for maintenance purposes. A copy of the log shall be made available to the Nelson City Council upon request.</p>		
<p>NOISE-R20</p> <p>Emergency generator testing</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated from the testing of an emergency generator is a permitted activity in all zones, provided that:</p> <p>a. the duration of testing shall not exceed 10 hours total per annum; and</p> <p>b. testing shall occur between 9.00am and</p>	<p>2. Not applicable.</p>	<p>3. Noise generated from the testing of an emergency generator that contravenes NOISE-R20.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>5.00pm only; and</p> <p>c. noise levels shall not exceed the following:</p> <ul style="list-style-type: none"> i. 60 dB L_{Aeq} (15 min) within the boundary of any site in any RESZ – Residential zone, or within the notional boundary of any residential unit in any RURZ – Rural zone; or ii. 70 dB L_{Aeq} (15 min) within the site boundary of the NCZ – Neighbourhood centre zone and LCZ – Local centre zone; or iii. 80 dB L_{Aeq} (15 min) within the site boundary of any INZ – Industrial zone; or iv. 65 dB L_{Aeq} (15 min) within the site boundary of any other zone. 		
<p>NOISE-R21 Road traffic noise</p>	<p>1. Noise generated from a new road or altered road within</p>	<p>2. Not applicable.</p>	<p>3. Noise generated from a road that contravenes</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>[DP]</p> <p>Legal effect on notification: No</p>	<p>the scope of New Zealand Standard NZS 6806:2010 Acoustics – Road Traffic Noise – New and Altered Roads, is a permitted activity, provided that it complies with the requirements of New Zealand Standard NZS 6806:2010 Acoustics – Road Traffic Noise – New and Altered Roads.</p>		<p>NOISE-R21.1. is a discretionary activity.</p>
<p>NOISE-R22</p> <p>Road traffic sound insulation</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. A new building, or addition to an existing building, that is intended for use as a noise-sensitive activity is a permitted activity where:</p> <p>a. it is located within:</p> <p>i. 80 metres of the boundary of any State Highway; or</p> <p>ii. 40 metres of the edge of the nearest marked traffic lane of a Main Distributor, Local Distributor or Arterial Road; or</p>	<p>2. Not applicable.</p>	<p>3. A new building, or addition to an existing building, intended for use as a noise-sensitive activity that contravenes NOISE-R22.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> iii. 20 metres of the edge of the nearest marked traffic lane of a Collector Road; and b. It is designed and constructed to achieve: <ul style="list-style-type: none"> i. a minimum external to internal noise reduction of 30 dB $D_{tr,2m,nT,w} + C_{tr}$ to any habitable space; or ii. a maximum indoor design noise level of 40 dB L_{Aeq} (24h); and c. internal noise reduction under this rule shall be assessed in accordance with ISO 16283-1:2014 Acoustics – Field Measurement of Sound Insulation in Buildings and of Building Elements – Part 1: Airborne Sound Insulation and ISO 717-1:2013 Acoustics – Rating of sound 		

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	insulation in buildings and of building elements – Part 1.		
<p>NOISE-R23</p> <p>Noise in the Quarry precincts</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated from an activity within the Flaxmore quarry precinct, York Valley quarry precinct and Marsden quarry precinct is a permitted activity, provided that:</p> <p>a. the noise shall not exceed the following when measured at, or as close as practicable to, the boundary of any other site:</p> <p>i. daytime:</p> <p>A. L10 – 55 dBA for any RESZ – Residential zone site; or</p> <p>B. L10 – 65 dBA for any RURZ – Rural zone site; and</p> <p>ii. other times:</p> <p>A. L10 – 45 dBA; and</p> <p>B. Lmax – 75 dBA; and</p>	<p>2. Not applicable.</p>	<p>3. Noise generated from an activity within the Flaxmore quarry precinct, York Valley quarry precinct and Marsden quarry precinct that contravenes NOISE-R23.1. is a discretionary activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>b. for the purposes of this rule, daytime means 7am to 10pm Monday to Friday, and 9am to 10pm Saturdays, Sundays and Public Holidays; and</p> <p>c. this rule does not apply to any noise associated with blasting or haulage vehicles travelling to and from a Quarry precinct.</p>		
Port noise (various zones and overlays)			
<p>NOISE-R24</p> <p>Port effects control overlay:</p> <p>Acoustic insulation of a building:</p> <p>RESZ – Residential zones,</p> <p>NCZ –Neighbourhood centre zone</p> <p>or</p> <p>LCZ – Local centre zone</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Within the Port effects control overlay, the construction or alteration of a building in any RESZ – Residential zone, or the NCZ – Neighbourhood centre zone or LCZ – Local centre zone is a permitted activity provided that:</p> <p>a. the building is acoustically insulated to reduce noise levels to no greater than 40</p>	<p>2. Not applicable.</p>	<p>3. The construction or alteration of a building within the Port effects control overlay in any RESZ – Residential zone, or NCZ – Neighbourhood centre zone or LCZ – Local centre zone that contravenes NOISE-R24.1. is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>dB L_{dn} inside any new or altered habitable space, and has either ventilating windows open or minimum ventilation requirements as set down in APP40 – Acoustic Insulation Requirements; and</p> <p>b. prior to the commencement of any construction or site works, a certificate is obtained from a suitably qualified engineer to demonstrate that the building design complies with NOISE-R24.1.a.; and</p> <p>c. the acoustic engineer provides certification that the finished construction or alteration complies with NOISE-R24.1.a.</p>		
NOISE-R25	1. Not applicable.	2. Not applicable.	3. A multi-unit residential development(s)

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>Port effects control overlay:</p> <p>Multi-unit residential development(s):</p> <p>RESZ – Residential zones</p> <p>[DP]</p> <p>Legal effect on notification: No</p>			<p>located in the Port effects control overlay in any RESZ – Residential zone is a non-complying activity.</p>
<p>NOISE-R26</p> <p>Port operational area:</p> <p>Auckland Point School</p> <p>[DP]</p> <p>Legal effect on notification: No</p>	<p>1. Noise generated from the Port operational area and received at Auckland Point School is permitted activity provided that:</p> <p>a. the Port operator has provided entirely at its cost, acoustic treatment to the classrooms at the school as though the school were to be treated as a noise affected property; and</p> <p>b. the noise limit to be applied at or within the boundary of Auckland Point School in respect to noise from the Port operational area shall be 55 dBA L_{Aeq} (15 min) between 8.30am to 3.30pm</p>	<p>2. Not applicable</p>	<p>3. Noise generated from the Port operational area and received at Auckland Point School that contravenes NOISE-R26.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. the effects on the users of Auckland Point School; and</p> <p>b. whether the noise is likely to detract from the amenity anticipated for the school.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Monday to Friday, outside school holidays; and</p> <p>c. in the event the above noise levels are exceeded, the classrooms shall be upgraded, by the Port operator where necessary to achieve a level of:</p> <p>i. 40 dBA L_{Aeq} (15 min, 8.30am to 3.30pm) inside from noise from the Port operational area with ventilating windows open; and</p> <p>ii. where windows must be closed to achieve 40 dBA L_{Aeq} (15 min, 8.30am to 3.30pm) an alternative ventilation system shall be provided.</p>		
<p>NOISE-R27 Port operational area: Noise management</p>	<p>1. Noise generated from an activity located within the Port operational area is a permitted</p>	<p>2. Not applicable.</p>	<p>3. Any noise generated from an activity within the Port operational area that</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>[RCP, DP]</p> <p>Legal effect on notification: No</p>	<p>activity, provided that:</p> <ul style="list-style-type: none"> a. the Port operator operates in accordance with a Port Noise Management Plan which includes, but is not limited to, the matters set out in APP39 – Port Noise Management; and b. the Port operator implements and complies with a Port Noise Mitigation Plan for the purchase or acoustic treatment of noise-affected properties which includes but is not limited to the matters set out in APP39 – Port Noise Management; and c. the Port operator maintains and participates in, a Port Noise Liaison Committee which operates in accordance with the requirements set out in APP39 		<p>contravenes NOISE-R27.1. is a non-complying activity.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	– Port Noise Management.		
Airport noise (various zones and overlays)			
Noise standards relating to the Airport will be introduced later as part of the new Airport zone provisions.			