

Draft Nelson Plan – Frequently asked questions

Noise

What is noise?

Noise may be considered as an unfavourable effect on a variety of activities. Noise can detract from the amenity of an area and affect the health and wellbeing of people and communities. Heavy industrial activity, music from entertainment and community events are examples of activities that may have adverse off-site noise effects.

How would the Draft Nelson Plan address noise as a resource management issue?

In general terms, the Draft Nelson Plan proposes to manage noise by controlling where and when noisy activities may operate. Each zone has its own zone-specific maximum noise limit, which defines a noise level maximum regardless of the activity. For example, noisy industries are allowed within the Industrial zone, away from residential areas. Where non-residential activities may impact on residential areas, resource consent would be required.

The Draft Plan proposes limits on where entertainment venues and other noise-generating activities can locate and the hours within which they can operate.

How is sound measured?

Noise levels from most activities are measured under New Zealand Standards NZS6801:2008 Acoustics – Measurement of environmental sounds and NZS6802:2008 Acoustic – Environmental noise.

Noise is measured in decibels at the estimated boundary of any noise sensitive activity. Background noise is measured as dBA L_{Aeq} ; maximum intermittent noise is measured as dBA L_{Amax} . Council noise control officers are trained to measure noise levels when they respond to complaints about noise.

Some specific noise-generating activities (i.e. helicopter landing areas and wind turbines) and facilities (eg airport and ports) are subject to other specific New Zealand Standards.

I am thinking of buying an inner-city apartment. Are there any provisions that protect me from noise in the District Plan?

Some noisy activities would be controlled in the City centre zone of the Draft Nelson Plan, such as restaurants and clubs that may play music or accommodate noisy patrons. Generally, these businesses are controlled by noise limits and limited hours of operation. Outdoor events in public spaces within the central city area would need to obtain permission from Council outside of the Draft Nelson Plan, but controls on the location, duration and time of day are considered as part of these processes. The Draft Nelson Plan does not, however, address road noise where it might occur informally and unassociated with a formal event or business activity.

In addition to controls on businesses or formal events, the Draft Nelson Plan would require new buildings with living accommodation to be acoustically insulated. This requirement is and has been in the current Nelson Resource Management Plan since 2014. This means that if you purchase a property that was built or converted to living accommodation after this time, that building should have acoustically insulated bedrooms.

I run an industrial workshop that can be very noisy when production levels are high and it is near residential housing. Will the Draft Nelson Plan noise rules stop me from operating?

If your workshop was lawfully established under current Nelson Resource Management Plan rules (or before that) and continues to operate within the limits of permitted activity standards (or conditions of consent if it holds a resource consent) it would not be affected by Draft Nelson Plan noise rules. If the operation increases in scale or intensity, then you will need to assess whether you meet standards for the relevant zone. A resource consent may be required if those standards are not able to be met, and the application would be assessed on its merits. Officers and decision-makers would take into account matters such as the degree of change anticipated, the degree of compliance with standards, effects on neighbours arising from the proposed changes, and how the proposed activity fits with the policies and objectives of the Zone within which it is located.

Noise levels within business and industrial activities are also controlled by the Health and Safety at Work Act 2015.

My neighbours often have loud parties at all hours of the night. How would the Draft Nelson Plan address this?

The Draft Nelson Plan specifies noise limits to protect amenity, health and safety in residential zones. There are also general obligations under the Resource Management Act for all people to avoid unreasonable or excessive noise. These obligations apply regardless of the provisions in a resource management plan.

This would mean that a loud all-night party at your neighbours may be a matter for Council compliance to follow up. You should contact the Council to report the excessive noise and this matter will be acted on by the environmental compliance team.

Links to the Draft Nelson Plan

This 'frequently asked questions' sheet addresses a few of the key provisions in the Draft Nelson Plan. It should not be used as a definitive representation of content. To view actual Draft Nelson Plan content, please go to shape.nelson.govt.nz.