

Overview

The generation of noise is often an inherent part of the operation and function of the diverse range of activities located within the district. On industrial sites, in town centres and rural areas, noise is integral to the operation of businesses and agriculture. While everyday living activities such as mowing lawns generate noise, the expectation is that noise levels in residential settings, particularly at night, are low. This is because noise has the potential to cause annoyance and affect peoples' health as a result of sleep disturbance. The noise provisions in this chapter provide limits that recognise the type of activities that are anticipated in each zone. The noise provisions also recognise that some activities have specific noise characteristics that require measurement and assessment. An example of these activities is construction noise, audible bird scaring devices and frost fans.

Section 16 of the Act requires that noise is kept to a reasonable level by adopting the best practicable option. The duty applies to everyone. This chapter sets out the rules for managing noise. Generally, if noise exceeds the standards set by these rules or it does not comply with noise conditions established through a resource consent process, it is considered to be unreasonable noise and the best practicable option available must be taken to reduce it. Under the Act, Waitomo District Council has a range of powers to manage noise including education and negotiation for voluntary compliance, service of an excessive noise direction, infringement notices, abatement notices or enforcement order procedures.

This plan manages noise at both source and receptor. An example of noise controlled at source is noise being emitted from a factory as measured at the site boundary. An example of noise controlled at receptor is the use of noise insulation rules which require acoustic design of noise sensitive activities to reduce the level of noise heard by occupants.

This plan does not control operational noise of aircraft (including helicopters) using Te Kūiti Aerodrome. At the time of writing this plan, the aerodrome was not operating at levels which necessitated noise controls. However, it is expected that should this change, noise levels will be monitored and appropriate mitigation provided to maintain the amenity of existing, lawfully established noise sensitive activities in the vicinity. Additionally, the noise rules in this plan do not apply to noise from aircraft in flight, vehicles being driven on roads or trains (other than when any of these are being loaded or unloaded).

Please note that the noise rules for wind turbines are located in the [energy chapter](#). The noise rules for temporary diesel generators are contained in the [energy chapter](#) (where their use is associated with an energy activity) and in the [network utilities chapter](#) (where their use is associated with a network utility). Noise rules for new roads and altered roads that are within the scope of NZS 6806:2010, substations, energy storage batteries and compressors associated with gas transmission pipelines are also contained in the [network utilities chapter](#). In all other circumstances, the provisions of this chapter apply.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters and Part 3 - Area Specific Matters

- NOISE-O1.** Enable activities to generate noise that is compatible with the role, function and predominant character of each zone.
- NOISE-O2.** Ensure that activities do not generate noise levels which adversely affect amenity values, the health and wellbeing of people and communities.
- NOISE-O3.** New noise sensitive activities are designed and/or located to minimise conflict and reverse sensitivity effects.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters and Part 3 - Area Specific Matters

- NOISE-P1.** Ensure any noise effects generated by an activity, or a combination of activities, are of a type, scale and level that supports the character and amenity outcomes anticipated in the relevant zone:
 1. The residential, rural lifestyle, Māori purpose and settlement zones are predominantly living environments where a low level of noise is anticipated, and people's peace and comfort is maintained.
 2. The general rural and future urban zones are working and living environments. Noise from rural activities is an accepted part of these environments, including higher noise levels at night or in the morning during different times of the year.
 3. The open space and natural open space zones experience moderate levels of noise at different times of the day and infrequently at night time, depending on whether the space is used for playgrounds or active sports. At times there may also be noise from festivals, markets and other temporary activities.
 4. The tourism zone has a mix of living and working activities. Residents expect a reasonable level of night time amenity, while visitors are there to experience a full range of tourism activities. A balance of low to moderate levels of noise at night is anticipated for this zone.
 5. The commercial zone is a business environment. A noise environment which accommodates restaurants and bars is required in this zone. However, consideration of the mixed use nature of some parts of this zone is necessary.
 6. The industrial and rural production zones are a higher noise environment. Management of noise at site boundaries is particularly important to ensure that the potential for cumulative effects outside of these zones are addressed.
- NOISE-P2.** Reduce the potential for reverse sensitivity effects by employing land use controls that manage the design and/or location of new noise sensitive activities in proximity to areas that consistently experience higher noise levels.
- NOISE P3.** Manage noise at source while recognising that some activities are important for [the economic and social wellbeing, and health, safety and security of communities](#) and may exceed the specified noise levels on a temporary

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Part 2 – District-Wide Matters – General District-Wide Matters – Noise

and/or irregular basis. However, there remains a duty for such activities to avoid unreasonable noise.

Rules

The rules that apply to noise are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- NOISE - Table 1 - Activities Rules; and
- NOISE - Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

[Refer to Part 1 - How the Plan Works](#) for an explanation of how to use this plan, including activity status abbreviations.

NOISE - Table 1 - Activities Rules

Unless specifically stated otherwise, the rules in this table apply to all zones, precincts, all roads, new roads approved by resource consent and activities on the surface of water	
NOISE-R1.	Emission of noise (not otherwise provided for in this table)
<p>Activity Status: PER</p> <p>Where:</p> <p>1. All of the performance standards in NOISE - Table 2 are complied with.</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restrict</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in NOISE - Table 2.</p>
NOISE-R2.	Emission of noise from temporary military training activities
<p>Activity Status: PER</p> <p>Where:</p> <p>Weapons firing and/or the use of explosives</p> <p>1. Notice is provided to the Council at least 5 working days prior to the commencement of the activity; and</p> <p>2. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:</p> <p style="margin-left: 20px;">(i) 7am to 7pm hours: 500m</p> <p style="margin-left: 20px;">(ii) 7pm to 7am hours: 1,250m</p> <p>3. Where the minimum separation distances specified above cannot be met, the activity must comply with the following peak sound pressure level when measured at</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The length of duration of the activity, characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p> <p>(b) The potential for cumulative effects considering the background noise environment and any special noise</p>

the notional boundary of any building housing a noise sensitive activity:

- (i) 7am to 7pm hours: 95 dBC
- (ii) 7pm to 7am hours: 85 dBC

4. NZS6802:2008 Acoustics – Environmental Noise shall not be used to assess noise from weapons firing and use of explosives.

Mobile noise sources

~~5. Mobile noise sources must comply with the noise limits set out in Tables 2 and 3 of NZS6803:1999 Acoustics – Construction Noise, with reference to ‘construction noise’ taken to refer to mobile noise sources; and~~

~~6. Mobile noise sources (other than firing of weapons and explosives) include personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.~~

Fixed (stationary) noise sources

~~7. Fixed (stationary) noise sources must comply with the noise limits set out in the table below when measured at the notional boundary of any building housing a noise sensitive activity; and~~

~~8. Fixed (stationary) noise sources (other than firing of weapons and explosives) include power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.~~

5. All other sources:

<u>Time (Mon to Sun)</u>	<u>Noise limit LAeq(15min)</u>	<u>LAFmax</u>
<u>7am - 7pm</u>	<u>55 dB</u>	<u>N/A</u>
<u>7pm - 10pm</u>	<u>50 dB</u>	<u>N/A</u>
<u>10pm – 7am</u>	<u>45 dB</u>	<u>75 dB</u>

~~characteristics from existing sources; and~~

- (c) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and
- (d) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (e) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (f) The social benefits that will be derived from the activity.

NOISE-R3.	Emission of noise from a temporary event
<p>Activity Status: PER</p> <p>Where:</p> <p>1. The noise generated complies with NOISE-R15.</p>	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The extent and effect of any non-compliance with any rule and any matters of discretion in the rule.</p>
NOISE-R4.	Emission of noise from audible bird scaring devices
<p>Activity Status: PER</p> <p>Where:</p>	<p>Activity status where compliance is not achieved: RDIS</p>

<ol style="list-style-type: none"> The noise generated complies with NOISE-R16; and The activity is undertaken in the general rural or rural production zones; and This rule does not apply to audible bird scaring devices used for public health protection purposes located on Waitomo District Council land or infrastructure. 	<p>Matters over which discretion is restricted:</p> <p>(a) The extent and effect of any non-compliance with any rule and any matters of discretion in the rule.</p>
<p>Activity Status: DIS</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is undertaken in zones other than the general rural or rural production zones. 	<p>Activity status where compliance is not achieved: N/A</p>
<p>NOISE-R5.</p>	<p>Emission of noise from frost fans</p>
<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The noise generated complies with NOISE-R17; and The activity is undertaken in the general rural or rural production zones. 	<p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The extent and effect of any non-compliance with any rule and any matters of discretion in the rule.</p>
<p>Activity Status: DIS</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is undertaken in zones other than the general rural or rural production zones. 	<p>Activity status where compliance is not achieved: N/A</p>
<p>NOISE-R6.</p>	<p>Emission of noise and vibration from construction activities</p>
<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The noise and vibration generated complies with NOISE-R18. 	<p>Activity status where compliance is not achieved: DIS</p>
<p>NOISE-R7.</p>	<p>Emission of noise and vibration from blasting</p>
<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The noise and vibration generated complies with NOISE-R19; and The activity is undertaken in the general rural and rural production zones; and This rule does not apply to building demolition. 	<p>Activity status where compliance is not achieved: DIS</p>
<p>NOISE-R8.</p>	<p>Emission of noise from helipads, farm helipads and helicopter landing areas</p>
<p>Activity Status: RDIS</p> <p>Where:</p>	

1. There are 10 or more flight movements per month per site (a landing and take-off counts as 2 movements). ~~For less than 10 flight movements per month the zone rules in NOISE Table 2 apply;~~ and
2. This ~~rule activity may only be undertaken in~~ does not apply to the Aerodrome Precinct – PREC3, the general rural, rural production and ~~tourism~~ natural open space zones. All flight movements in these zones and PREC3 are permitted; and
- ~~3. Noise at all times must not exceed 50 dB Ldn at any point within any residential, rural lifestyle, Māori purpose or settlement zones, or, at or within the notional boundary of any noise sensitive activity; and~~
4. Sound from any helicopter landing area must be assessed, managed and controlled in accordance with NZ 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

Where the activity is restricted discretionary, the matters over which discretion is restricted are:

- (a) The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and
- (b) The time of the day or night the landing area/helipad will be used; and
- (c) Potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) Proximity of actual and anticipated noise sensitive activities to the proposed or existing landing area/helipad and effects on these activities; and
- (e) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and
- (f) Any mitigation of the noise proposed, in accordance with a best practicable option approach, including site layout, design and location of structures or equipment and the timing of operations; and
- (g) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (h) Whether the proposal is in accordance with non-statutory guidelines such as Helicopter Association International Fly Neighbourly Guide 1993 and the operation is AIRCARE accredited; and
- (i) The economic benefits, including providing opportunities for employment that will be derived from the activity.

Activity status where compliance is not achieved: DIS

<u>NOISE-RX</u>	Exemptions
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The noise rules do not apply to the noise generated by the following activities:

1. *Aircraft being operated during flight.*
2. *Helicopters used as an air ambulance or for emergency operations. Helicopters used by the Department of Conservation, by the military, CDEM or by search and rescue operations. This includes training for the purposes of undertaking those activities.*
3. *Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998) or driven within a site as part of or compatible with a normal residential activity.*
4. *Trains on rail lines (public or private) and crossing bells within road reserve, including at railway yards, railway sidings or stations. However, this exemption does not apply to testing (when stationary), maintenance, loading or unloading of trains.*
5. *In the general rural and rural lifestyle zones, farm animals including farm dogs, and agricultural vehicles (when not being used for recreational purposes).*
6. *In the general rural zone, agricultural machinery or equipment (except for frost fans), including produce packing facilities where the produce packed is grown on site, and forestry planting and forestry harvesting provided that: The machinery and/or equipment is operated and maintained in accordance with the manufacturer’s specifications and in accordance with accepted management practices (e.g. for milking, spraying, harvesting crops or trees, packing and the like), and the best practicable option*

(including the option for the activity to take place at another time of the day), is adopted to ensure that the emission of noise does not exceed a reasonable level.

7. [In the general rural and natural open space zones noise is emitted in the course of recreational hunting or during the take off and landing of fixed-wing aircraft.](#)
8. Motor craft operating on the surface of waterbodies.
9. Any warning device or siren used by emergency services for emergency purposes (and routine testing and maintenance).
10. The siren sounded at 5pm daily in Te Kūiti.
11. The use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 38 hours in duration, where they are operated by emergency services or lifeline utilities.
12. Activities at emergency service facilities associated with emergency response and emergency response training.
13. Impulsive sounds (such as hammering and bangs) and dog barking noise.
14. The control of crowd noise at a park or reserve.
15. [Noise associated with plantation forestry activities defined and regulated under the National Environmental Standards for Plantation Forestry 2017, are managed by those standards and not by this Plan.](#)

NOISE - Table 2 - Performance Standards

NOISE- R9.	Noise standards for the residential, rural lifestyle, settlement and Māori purpose zones										
<p>1. Within the residential, rural lifestyle, settlement and Māori purpose zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the receiving site or the nearest practical measuring point to that boundary:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th>Time</th> <th>Noise limit</th> </tr> </thead> <tbody> <tr> <td>7am - 7pm</td> <td>50 dBA(LAeq)</td> </tr> <tr> <td>7pm - 10pm</td> <td>45 dBA(LAeq)</td> </tr> <tr> <td>10pm – 7am</td> <td>40 dBA(LAeq)</td> </tr> <tr> <td>10pm-7am</td> <td>70 dBA(LAmax)</td> </tr> </tbody> </table>	Time	Noise limit	7am - 7pm	50 dBA(LAeq)	7pm - 10pm	45 dBA(LAeq)	10pm – 7am	40 dBA(LAeq)	10pm-7am	70 dBA(LAmax)	<p>Matters of discretion if compliance is not achieved:</p> <ol style="list-style-type: none"> (a) The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and (b) The proximity of the activity to existing noise sensitive activities; and (c) The degree to which the noise will be compatible with existing and anticipated activities; and (d) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and (e) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and (f) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
Time	Noise limit										
7am - 7pm	50 dBA(LAeq)										
7pm - 10pm	45 dBA(LAeq)										
10pm – 7am	40 dBA(LAeq)										
10pm-7am	70 dBA(LAmax)										

	(g) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.
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NOISE- R10.	Noise standards for the general rural and future urban zones
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1. Noise generated by an activity in the general rural and future urban zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, future urban, tourism, rural lifestyle, settlement or Māori purpose zones:

Time	Noise limit
7am - 7pm	50 dBA(LAeq)
7pm - 10pm	45 dBA(LAeq)
10pm – 7am	40 dBA(LAeq)
10pm-7am	70 dBA(LAmax)

AND

2. In the event there are no existing noise sensitive activities on an adjoining site, but such activities could be constructed as a permitted activity under this plan, the noise levels will be assessed or, at or within a line 20 m parallel to the legal boundary of the site where the noise source originates from.

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The degree to which the noise will be compatible with existing and anticipated activities; and
- (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and
- (e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.

NOISE- R11.	Noise standards for the open space and natural open space zones
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1. Noise generated by an activity in the open space and natural open space zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban or Māori purpose zones:

Time	Noise limit
7am - 7pm	50 dBA(LAeq)
7pm - 10pm	45 dBA(LAeq)
10pm – 7am	40 dBA(LAeq)

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The degree to which the noise will be compatible with existing and anticipated activities; and
- (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and

10pm-7am	70 dBA(LAmax)
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- (e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (g) The community and social benefits from the activity.

NOISE- R12. Noise standards for the industrial and rural production zones

1. Within the rural production and industrial zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the site or the nearest practical measuring point to that boundary:

Time	Noise limit
7am - 7pm	75 dBA(LAeq)
7pm - 10pm	65 dBA(LAeq)
10pm - 7am	60 dBA(LAeq)
10pm-7am	90 dBA(LAmax)

AND

2. Noise generated by an activity in the rural production and industrial zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, tourism, rural lifestyle, settlement, future urban, natural open space, open space or Māori purpose zones:

Time	Noise limit
7am - 7pm	55 dBA(LAeq)
7pm - 10pm	50 dBA(LAeq)
10pm - 7am	45 dBA(LAeq)
10pm-7am	75 dBA(LAmax)

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The degree to which the noise will be compatible with existing and anticipated activities; and
- (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and
- (e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (g) Ambient noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; and
- (h) The economic benefits, including providing opportunities for employment that will be derived from the activity.

NOISE- R13. Noise standards for the commercial and tourism zones

1. Within the commercial and tourism zones, noise generated by an activity must not exceed the following noise limits at the legal boundary of the receiving site or the nearest practical measuring point to that boundary:

Time	Noise limit
7am - 7pm	65 dBA(LAeq)
7pm - 10pm	60 dBA(LAeq)
10pm - 7am	55 dBA(LAeq)
10pm-7am	70 dBA(LAmax)

AND

2. Noise generated by an activity in the commercial and tourism zones must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, open space, natural open space, rural lifestyle, settlement, future urban or Māori purpose zones:

Time	Noise limit
7am - 7pm	50 dBA(LAeq)
7pm - 10pm	45 dBA(LAeq)
10pm - 7am	40 dBA(LAeq)
10pm-7am	70 dBA(LAmax)

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The degree to which the noise will be compatible with existing and anticipated activities; and
- (c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (d) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and
- (e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (g) Ambient noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at any receiving site and the degree to which such sounds are compatible with the surrounding activities; and
- (h) The economic benefits, including providing opportunities for employment that will be derived from the activity.

NOISE-R14. Emission of noise from temporary military training activities

~~1. Noise generated by the activity must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, rural lifestyle, settlement, future urban or Māori purpose zones:~~

Time	Noise limit
7am - 7pm	55 dBA(LAeq)

~~**Matters of discretion if compliance is not achieved:**~~

- ~~(a) The length of duration of the activity, characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and~~
- ~~(b) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and~~

7pm – 10pm	50 dBA(LAeq)
10pm – 7am	45 dBA(LAeq)
10pm – 7am	70 dBA(LAmax)

AND

~~2. Noise and vibration resulting from the use of explosives must comply with the provisions of NOISE R19.2 – R19.6.~~

- ~~(c) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and~~
- ~~(d) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and~~
- ~~(e) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and~~
- ~~(f) The social benefits that will be derived from the activity.~~

NOISE-R15.	Emission of noise from a temporary event
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1. Noise generated by the activity must not exceed the following noise limits at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity in the general rural, rural lifestyle, settlement, future urban or Māori purpose zones:

Time	Noise limit
7am - 7pm	70 dBA(LAeq)
7pm - 10pm	55 dBA(LAeq)
10pm – 7am	40 dBA(LAeq)
10pm-7am	70 dBA(LAmax)

AND

2. This rule does not apply to public firework displays.

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- (b) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- (c) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; and
- (d) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of structures and equipment and the timing of operations; and
- (e) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- (f) The social and economic benefits, including providing opportunities from employment that will be derived from the activity.

NOISE-R16.	Emission of noise from audible bird scaring devices
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1. Any audible bird scaring devices must be operated as follows:

- (i) Only during daylight hours and up to half an hour before sunrise but no earlier than 6.00am and up to half an hour after sunset between sunrise and sunset; and

Matters of discretion if compliance is not achieved:

- (a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and

<p>(ii) At a frequency of not more than six clusters of up to three shots from gas operated devices or three multiple shot from firearms in rapid succession per device in any 60 minute period of the day; and</p> <p>(iii) At a maximum density of one device per 10 ha of crop;</p> <p>AND</p> <p>2. The noise from any audible bird scaring device must not exceed 85 dBA unweighted peak level as measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity located on a separate site or holding.</p>	<p>(b) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</p> <p>(c) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</p> <p>(d) How the operation and management of the device will avoid or minimise potential effects on neighboring properties; and</p> <p>(e) Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and location of devices and the timing of operations; and</p> <p>(f) The degree to which adverse effects can be mitigated through conditions of consent.</p>
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NOISE-R17	Emission of noise from frost fans
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<p>1. Noise generated by frost fans must not exceed 55 dBA(LAeq) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity located on a separate site or holding.</p> <p>2. Frost fans must only be operated when the local air temperature drops to, or below 2°C, recorded at a height above ground relevant to the height of the bud or fruit being protected.</p> <p>3. Records of annual calibration of the frost fan temperature sensors must be kept and made available to Waitomo District Council on request.</p>	<p>Matters of discretion if compliance is not achieved:</p> <p>(a) The proximity of the frost fan(s) relative to noise sensitive activities and the residential zone; and</p> <p>(b) The proposed height of fans and the type of motor, speed and the number of blades on the fan(s); and</p> <p>(c) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p> <p>(d) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</p> <p>(e) Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and</p> <p>(f) How the operation (conditions triggering use) and management of the frost fan(s) network will avoid or minimize potential effects on neighboring properties; and</p> <p>(g) Mitigation proposals to address potential noise and vibration effects; and</p> <p>(h) The economic benefits, including providing opportunities for employment that will be derived from the activity.</p>
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NOISE-R18.	Emission of noise and vibration from construction activities
<ol style="list-style-type: none"> The noise from construction activities must be measured, assessed, managed and controlled in accordance with the requirements of New Zealand Standard NZS 6803:1999 Acoustics – Construction noise; and The vibration from construction activities must be measured, assessed, managed and controlled in accordance with the requirements of German Standard DIN 4150-3:1999 Structural vibration – Effects of vibration on structures. 	<p>Matters of discretion if compliance is not achieved: DIS</p>

NOISE-R19.	Emission of noise and vibration from blasting
<ol style="list-style-type: none"> The activity must only occur in the general rural or rural production; and Noise generated by blasting/use of explosives must not exceed a peak sound pressure of 120dB (Lzpeak) when measured at any point within any residential zone, or, at or within the notional boundary of any noise sensitive activity; and A level of 115 dBA may be exceeded on up to 5% of the total number of blasts over a period of 12 months; and Blasting must not occur outside of the hours of 9am – 5pm, Monday to Saturday; and Blasting, which may include a series of one or more blasts undertaken within a short time period, must not occur more than once per day. This requirement does not apply to minor blasts as identified in the Australian and New Zealand Environment Council - Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration, September 1990 or to blasting necessary for safety purposes; and Vibration generated by blasting/use of explosives must not exceed the guideline values in Tables 1 and 3 of DIN 4150 inside any building, except in the case of a building located on property under the same ownership or management as that of the party blasting/using explosives. 	<p>Matters of discretion if compliance is not achieved: DIS</p>

Advice Notes

Noise measurement

Noise shall be measured in accordance with NZS 6801:2008 "Acoustics - Measurement of environment sound" and assessed in accordance with NZS 6802:2008 Acoustics Environmental noise", unless otherwise specified elsewhere in this plan.

NOISE