

SECTION 42A REPORT

Report on submissions and further submissions

Topic: District wide matters – Noise, Signs, Temporary Activities, Relocated Buildings & Light

Report prepared by: C. O'Callaghan

Dated: 27 March 2024

TABLE OF CONTENTS

| | | |
|-----------|--|-----------|
| 1. | Introduction | 7 |
| 1.1 | Qualifications and Experience | 7 |
| 1.2 | Code of Conduct..... | 7 |
| 1.3 | Conflict of Interest..... | 7 |
| 1.4 | Preparation of this report..... | 7 |
| 2. | Scope of Report | 8 |
| 2.1 | Matters addressed by this report..... | 8 |
| 2.2 | Overview of the chapters | 8 |
| 2.3 | Statutory Requirements..... | 10 |
| 3. | Consideration of submissions received | 11 |
| 3.1 | Overview of submissions | 11 |
| 3.2 | Structure of this report..... | 11 |
| 4. | Analysis and recommendations | 11 |
| | Topic 1: Noise | 11 |
| | Topic 2: Helicopter noise..... | 13 |
| | Topic 3: Temporary military training activities (TMTA) | 14 |
| | Topic 4: Noise with special characteristics | 17 |
| | Topic 5: Noise and Recreational Activities | 18 |
| | Topic 6: Noise exemptions..... | 20 |
| | Topic 7: Signs | 22 |
| | Topic 8: Digital and illuminated signs | 27 |
| | Topic 9: Temporary activities..... | 30 |
| | Topic 10: Small second-hand relocated buildings and new transportable buildings | 31 |
| | Topic 11: Other second-hand relocated buildings | 34 |

| | |
|--|-----------|
| Topic 12: Light | 37 |
| 5. Conclusion..... | 38 |
| APPENDIX 1 SUBMISSION POINTS IN ORDER OF PLAN PROVISION | 40 |
| Noise | 40 |
| Signs | 63 |
| Temporary Activities..... | 67 |
| Relocated Buildings and Shipping Containers | 70 |
| Light..... | 72 |
| APPENDIX 2 CHAPTER AMENDMENTS..... | 81 |
| Noise | 82 |
| Signs | 97 |
| Temporary Activities..... | 116 |
| Relocated Buildings and Shipping Containers | 126 |
| Light..... | 137 |

List of submitters and further submitters addressed in this report - Noise

| Submission No | Submitter |
|---------------|---|
| 12 | Heli A1 Limited |
| 04 | New Zealand Agricultural Aviation Association (NZAAA) |
| 21 | New Zealand Defence Force (NZDF) |
| 23 | Balance Agri-Nutrients |
| 46 | Federated Farmers |
| 14 | New Zealand Pork Industry Board (NZPIB) |
| 43 | Graymont (New Zealand) Ltd |
| 24 | Ministry of Education (MoE) |
| 17 | Waka Kotahi |
| 18 | Auckland Waikato Fish and Game (AWFG) |
| 51 | KiwiRail Holdings Ltd (KRH) |
| 27 | Horticulture New Zealand (Hort NZ) |
| 02 | NZHA |
| 08 | Manulife Forest Management (New Zealand) Ltd (MFMNZL) |
| 30 | New Zealand Forest Managers Ltd (NZFM) |
| 19 | PF Olsen |
| 26 | Waitomo District Council |
| 28 | Recreational Backcountry Pilots Association; Aircraft Owners and Pilots Association, Cessna 80/185 Group and the Sports Aircraft Association (Pilots Assoc) |
| 37 | Joy Hurley |
| 40 | Jackson and Hurley |
| 41 | Gary and Joy Jeffries |
| 53 | Director-General of Conservation |
| 28 | Pilots Assoc |
| 16 | Fire and Emergency New Zealand (FENZ) |
| FS01 | Apiculture NZ |
| FS23 | Te Nehenehenui Trust |
| FS19 | PF Olsen |
| FS07 | Grant Lennox |
| FS13 | NZAAA |
| FS15 | New Zealand Helicopter Association (NZHA) |
| FS05 | Federated Farmers |
| FS04 | Farmers Air |
| FS12 | MFMNZL |

| Submission No | Submitter |
|---------------|----------------------------------|
| FS03 | Director-General of Conservation |
| FS14 | NZDF |
| FS18 | Omya |
| FS09 | Kāinga Ora |

List of submitters and further submitters addressed in this report - Signs

| Submission No | Submitter |
|---------------|--------------------------------|
| 10. | Waikato Regional Council |
| 17. | Waka Kotahi |
| 51. | KiwiRail Holdings Ltd |
| 43. | Graymont (New Zealand) Ltd |
| 18. | Auckland Waikato Fish and Game |
| 27. | Horticulture NZ |
| FS23. | Te Nehenehenui Trust |

List of submitters and further submitters addressed in this report – Temporary activities

| Submission No | Submitter |
|---------------|---------------------------------------|
| 24 | Ministry of Education (MoE) |
| 21 | New Zealand Defence Force (NZDF) |
| 17 | Waka Kotahi |
| 16 | Fire and Emergency New Zealand (FENZ) |
| 51 | KiwiRail Holdings Ltd |
| FS23 | Te Nehenehenui Trust |

List of submitters and further submitters addressed in this report – Relocated buildings

| Submission No | Submitter |
|---------------|---|
| 43.65 | Graymont (NZ) Ltd |
| 44.01 | House Movers Section of NZ Heavy Haulage Assoc. |

List of submitters and further submitters addressed in this report - Light

| Submission No | Submitter |
|---------------|----------------------------------|
| 47 | Forest and Bird |
| 53 | Department of Conservation (DoC) |
| 43 | Graymont (New Zealand) Ltd |
| 17 | Waka Kotahi |

| Submission No | Submitter |
|----------------------|---|
| 14 | New Zealand Pork Industry Board (NZPIB) |
| FS26 | Waikato Regional Council (WRC) |
| FS19 | PF Olsen |
| FS08 | Graymont (New Zealand) Ltd |
| FS10 | King Country Energy |
| FS25 | Ventus Energy |
| FS12 | Manulife Forest Management (NZ) Ltd |
| FS21 | Taharoa Ironsands Ltd |
| FS27 | Waka Kotahi |

List of submitters and further submitters addressed in this report – Appendix 1

| Submission No | Submitter |
|----------------------|-------------------------------------|
| 53 | Department of Conservation (DoC) |
| FS12 | Manulife Forest Management (NZ) Ltd |
| FS19 | PF Olsen |
| FS21 | Taharoa Ironsands Ltd |

1. Introduction

1.1 Qualifications and Experience

1. My name is Cathy O'Callaghan. I am contracted by Waitomo District Council to assist with the hearings process for the proposed plan. I hold a first class honours degree in resource and environmental planning from Massey University and a post-graduate qualification in agricultural-environmental science. I have been employed in consenting and policy planning roles in consultancy services, local, regional and central government for over 30 years. I drafted the provisions of the relocated buildings and light chapters and Appendix 1.

1.2 Code of Conduct

2. I confirm that I have read the Code of Conduct for Expert Witness in the Environment Court Practice Note 2014 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
3. I am authorised to give this evidence on the Council's behalf to the proposed district plan Hearings Commissioners (the Commissioners).

1.3 Conflict of Interest

4. I wish to declare a conflict of interest relating to Horticulture New Zealand. I am the director of a small holding growing kiwifruit and avocados in Thames-Coromandel District. All commercial growers pay a levy to Horticulture New Zealand which in part funds submissions to central and local government. I do not have any property, interests or investment relationships in Waitomo District. To the best of my knowledge, I confirm that I have no other real or perceived conflict of interest.

1.4 Preparation of this report

5. I am the author of this report. The scope of evidence in this report relates to the evaluation of submissions and further submissions received in relation to the provisions related to the noise, signs, temporary activities, relocated buildings and light chapters.
6. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2. Scope of Report

2.1 Matters addressed by this report

7. The provisions of the noise, signs, temporary activities, relocated buildings and light chapters and any associated definitions are covered by this report. The scope of my evidence relates to the evaluation of submissions and further submissions received in relation to the provisions related to the noise, signs, temporary activities, relocated buildings and light chapters, insofar as they relate to land use (and by reference only, to subdivision).
8. This report is prepared in accordance with section 42A of the Resource Management Act 1991 (RMA). This report considers submissions that were received by the Council in relation to the provisions relating to the noise, signs, temporary activities, relocated buildings and light chapters within the Waitomo proposed district plan. Other effects and activities are addressed in various section 42A reports including the zones and other district-wide matters.

2.2 Overview of the chapters

9. 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. The noise chapter addresses the following issues:
 - Noise has the potential to cause nuisance and affect people's health as a result of sleep disturbance.
 - Noise is generated by a range of activities, many of which contribute significant economic, cultural or social benefits to the community (i.e. noise created by operational machinery).
 - The generation of noise can give rise to reverse sensitivity effects.
 - Different environments have varying levels of sensitivity to noise.
 - Noise emissions may adversely affect the amenity of an area.
 - Loud noise or prolonged exposure to the emission of noise may affect the health and wellbeing of people and communities.
10. This plan makes provisions for signs dependent on the zone - or in some cases, the precinct – that the site is located within. For each zone, the number, scale, and placement of signs is managed in a manner which supports the outcomes sought for that zone. This includes managing signs that are not directly related to the activity being carried out on a site. The signs chapter addresses the following issues:
 - Inappropriately placed or designed signs including those with small lettering and cluttered messages, may cause driver distraction and thus adversely affect the safe and efficient operation of the

transport network.

- Signs may have an adverse effect that on the visual appearance or character of an area.
- Inappropriately placed or designed signs may have adverse effects on heritage values, including cumulative effects.
- Signs support economic activity, identify important infrastructure and community activities, and can be necessary for achieving statutory purposes, direction, and safety.
- Proliferation of tear drop flags on some sites can cause driver distraction and visual clutter.
- Offsite signs in general rural zone may cause driver distraction, visual clutter and fail to maintain or enhance the rural character and amenity of the zone. Provision needs to be made for digital signs, as there may be demand for these in the future.

11. Temporary activities are short term events and activities that contribute to the social, economic and cultural wellbeing of the community. Commercial activities and retailing are recognised as an integral part of some temporary events and have been provided for in this chapter. Provisions for other types of temporary activities has also been made, including commercial filming, emergency management activities, military training and temporary buildings associated with construction.

12. The provisions of this chapter recognise that these activities have a wide range of economic and social benefits as well as being important for the wellbeing of the communities in the district. For this reason, this plan acknowledges that temporary events and activities may generate higher levels of effects than those generally anticipated in some zones. The temporary activities chapter addresses the following issues:

- The Operative Waitomo District Plan does not generally recognise temporary events and activities. As such, there is no direction on the management of their effects and they are subject to the same zone standards as longer-term land use activities. The resource consent team have identified this lack of direction as a plan implementation issue.
- There are a wide range of temporary activities and events that happen in the district including markets and fundraising events. These events and activities have wide ranging social and economic benefits to the district.
- Temporary events and activities contribute to social, economic and community well-being, including to the vitality and vibrancy of Waitomo District.
- Temporary events and activities create short term and/or cumulative adverse effects, including noise and light pollution on the character and amenity of the receiving environment.

13. While second-hand relocated buildings can provide a sustainable, affordable housing option that allows reuse of physical resources, if undertaken poorly or when the required maintenance and alterations are not made, these buildings can adversely affect the amenity of an area. To manage these effects, this chapter provides for second-hand relocated

buildings as a permitted activity in all zones and most precincts, provided that specified standards are met. Provision is also made for new transportable buildings that are constructed off-site, transported and relocated. The relocated buildings and shipping container chapter addresses the following issues:

- Relocated buildings can provide a sustainable, affordable housing option, but if undertaken poorly, relocated buildings can adversely affect the amenity of an area.
- While new relocated buildings have effects no different from buildings constructed on site, second hand relocated buildings can be left in states of disrepair without cladding and on barrels.
- In areas with special character, second-hand relocated buildings can adversely affect the character.
- Poorly situated second hand relocated buildings, shipping containers and relocated buildings that are not adequately finished have the potential to detract from character.
- Shipping containers can adversely impact the character and amenity of the surrounding neighbourhood, particularly where they are highly visible, are left in a state of disrepair or where a number of containers are clustered together.

14. The provisions in the light chapter allow adequate lighting to support activities and enable safety and security whilst managing potential adverse effects. The rules in this chapter do not apply to specific types of activities or lighting which have an important functional role such as navigation aids and traffic lights. The light chapter addresses the following issues:

- If artificial lighting is not properly located, installed and designed it can have adverse effects on people. It can affect people's sleep and can result in glare.
- Poorly designed artificial lighting can affect traffic safety.
- Artificial lighting can affect the character and amenity of an area, particularly in remote locations where there is no light pollution and a high level of dark sky visibility.

2.3 Statutory Requirements

Resource Management Act

15. This plan has been prepared in accordance with the Council's functions under the RMA, specifically Part 2, sections 31, 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32. The section 32 report which addresses this zone sets out how the relevant national policy statements, national environmental standards, provisions of the Waikato Regional Policy Statement, the Manawatū-Whanganui One Plan, the Maniapoto Environmental Management Plan, the Waikato Tainui Environment Management Plan 2018 and Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River have been assessed and considered.

3. Consideration of submissions received

3.1 Overview of submissions

16. The table of submissions is contained in Appendix 1 of this report. 169 submission points and further submission points were received on the noise chapter. 23 submission points and further submission points were received on the signs chapter. 19 submission points and further submission points were received on the temporary activities chapter. 12 submission points and further submission points were received on the relocated buildings and shipping containers chapter (also referred to as the 'relocated buildings chapter' in this report). 35 submission points and further submission points were received on the light chapter and 4 on the provisions in Appendix 1. The majority of submission points on the light chapter and all the points in Appendix 1 related to the effects of light on indigenous fauna. These matters will be addressed in the ecosystems and indigenous biodiversity chapter.

3.2 Structure of this report

17. This report is structured into 12 topic areas, being:
- Topic 1: Noise
 - Topic 2: Helicopter noise
 - Topic 3: Temporary military training activities (TMTA)
 - Topic 4: Noise with special characteristics
 - Topic 5: Noise and Recreational Activities
 - Topic 6: Noise exemptions
 - Topic 7: Signs
 - Topic 8: Digital and illuminated signs
 - Topic 9: Temporary Activities
 - Topic 10: Small second-hand relocated buildings and new transportable buildings
 - Topic 11: Other second-hand relocated buildings
 - Topic 12: Light

4. Analysis and recommendations

Topic 1: Noise

18. Graymont request that NOISE-O2 is amended so that activities do not generate noise levels which adversely affect amenity values to an unacceptable extent and/or, the health and wellbeing of people and communities. There is a reluctance to change this objective given the terms used in it are generally understood (eg the RMA defines amenity values). The phrase 'unacceptable extent' is quite arbitrary. On balance it is considered that the objective achieves its aim which is to

ensure activities do not have an adverse impact on communities and their residents. NOISE-P1 further refines the approach by identifying the amenity outcomes which are anticipated for each of the zones. No amendment is recommended.

19. Auckland Waikato Fish and Game request that NOISE-P1.2 is amended to include recreation in the description of the general rural and future urban zones. This is not agreed. There have been significant issues with recreational activities in some rural zones around the country, including noise effects from gun clubs and private motorcross courses. Recreational hunting is permitted in the GRUZ and defined in this plan, and is considered to be part of the fabric of the zone, however 'recreation' is considered to be too broad to incorporate in this policy. No amendment is recommended.
20. Hort NZ would like NOISE-P1.2 amended to remove reference to higher noise levels being an accepted part of these zones in the night or morning. It is considered appropriate to reference those time periods. The GRUZ and FUZ are working environments which aim to support primary production. Residents should be aware that agricultural, pastoral and horticultural activities can occur early in the morning or during the night, and should be anticipated in that zone.
21. The New Zealand Defence Force request an amendment to NOISE-P3 to add 'health, safety and security of communities' to the policy. NOISE-P3 seeks to manage noise at its source while recognising that some activities are important for economic and social wellbeing, and may intermittently exceed required noise levels. The duty for these activities to avoid unreasonable noise remains. It is considered that the suggested amendment may be a useful addition to the policy and could cover activities including civil defence operations and emergency services which are integral to community wellbeing. The amendment would read:

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 and/or irregular basis. However, there remains a duty for such activities to avoid unreasonable noise.
22. Section 32AA: See Appendix 3.
23. The NZPIB request the numbering of standards in NOISE Table 2 is amended to clearly differentiate between standards and rules. In drafting the plan, the National Planning Standards were carefully followed to meet the format provisions. However, the numbering continuity between the activity rules and the performance standards is unhelpful. We note that other plans use 'NOISE-S' and consider that is a clearer way to format the plan. We advise that the renumbering will likely not occur until the operative version.

Topic 2: Helicopter noise

24. Noise-R8. What a disaster. This rule restricts the number of flight movements per month. The notified rule wrongly disappplied its provisions meaning only 10 flight movements per month would be permitted from the Te Kūiti aerodrome itself, and from sites in the general rural zone and rural production zone. This resulted in 14 submissions addressing the matter including one from Waitomo District Council itself to make a correction.
25. The rule was drafted to address disruption and nuisance issues raised by the Department of Conservation, associated with tourism helicopters landing at Waitomo Caves Village in the tourism zone.
26. The correction proposed by the Council clarifies that there is no intention to restrict flight movements in the general rural, natural open space or rural production zones or aerodrome precinct. Flight movements per month would be restricted in all other zones meaning that above 10 flight movements per month, a consent for a restricted discretionary activity would be required. The majority of submissions support this approach which has the effect of enabling all flight movements in the rural working environments (including PREC3) and the natural open space zone, but limiting the permitted number of take offs and landings in all other zones. A clarifying sentence is added to the rule to state that all flight movements in the general rural, natural open space and rural production zones and aerodrome precinct are permitted.
27. Manulife have suggested removing NOISE-R8.4 because it will become redundant, however the submitter may be referring to clause NOISE-R8.3 which will no longer apply, as those zones will require a restricted discretionary consent past the proposed threshold of 10 flight movements and the effects can be assessed using the provisions in NZ 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Area (which are provided for in NOISE-R8.4).
28. The Recreational Backcountry Pilots Association, Aircraft Owners and Pilots Association, Cessna 80/185 Group and the Sports Aircraft Association submit that the rule should not apply to fixed wing aircraft. The submitter notes that private airstrips can also be "helicopter landing areas", so as worded this rule could also apply to fixed-wing aircraft activity. It is considered that the amendment proposed to the rule by Waitomo District Council has adequately addressed this submission point. It is also noted that the plan's noise rules do not apply to noise generated by aircraft being operated during flight.
29. The amendments applicable to these submission points would read:

Activity Status: RDIS**Where:**

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.

30. The Department of Conservation submit that NOISE-R8 is amended to exclude noise emitted by helicopters used by the Department of Conservation undertaking a conservation activity. It is considered that the amendments proposed by Waitomo District Council cover the activities undertaken by the Department, however for the purposes of clarity it is recommended that this matter is added to the list of exemptions. The amendment would read:

Exemptions

The noise rules do not apply to the noise generated by the following activities:

1.
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.*

31. Section 32AA: See Appendix 3.

Topic 3: Temporary military training activities (TMTA)

32. The NZ Defence Force request that NOISE-R8 excludes helicopter landing areas associated with TMTA. It is noted that helicopters used by the military including for training purposes are exempt from the noise rules. No amendment is considered necessary.
33. The NZ Defence Force request that NOISE-R14 is amended to include updated noise provisions. The submitter advises they have sought independent expert advice to develop noise standards that appropriately manage adverse noise effects from TMTA, such that they can be a permitted activity in all zones. It is agreed that standardisation across district plans for TMTA is preferable and accepted that the submitter will have sought and tested their acoustic advice in a variety of physical

environments and through a number of planning processes.

34. The plan’s original approach was to bundle all noise effects into a series of noise limits (other than noise and vibration from explosives which were subject to NOISE-R19). The provisions proposed by the submitter provide for noise associated with weapons firing, explosives, mobile and fixed noise sources. This enables a more nuanced approach to the noise characteristics and their management. It is preferable to enable these activities cohesively while managing the effects and it is agreed that a permitted activity status, with associated standards, is the appropriate approach (and the same approach as the notified rule).
35. The submitter has not supplied a default activity status. The plan originally provided for a restricted discretionary status where the permitted standard could not be met (NOISE-R14). The notified matters of discretion in NOISE-R14 remain fit for purpose. Having said this, there is no need for the criteria related to cumulative noise effects to be retained. This is because any TMTAs in Waitomo are likely to be of an intermittent and transient nature. There are no Defence Force sites in the district and any new sites are likely to be designated. This matter of discretion is therefore not considered necessary.
36. The submitter also requests permitted activity standards relating to helicopter landing. Again, it is noted that helicopters used by the military including for training purposes are exempt from the noise rules in this plan. Additionally, there is no restriction on flight movements in proposed the general rural, natural open space or rural production zones or aerodrome precinct.
37. Given the structure of the chapter, it is considered that the best approach is to redraft a new rule into NOISE-R2, delete NOISE-R14 and exempt NOISE-R2 from the performance standards in Table 2 (by not referring to them). This approach is the same as in the temporary activities chapter, where TMTAs are also permitted without recourse to any performance standards. At the submitter’s request, a cross reference has also been placed in TEMP-R7 referencing NOISE-R2.
38. The amendments would read:

| 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>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> |

2. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:
 - (i) 7am to 7pm hours: 500m
 - (ii) 7pm to 7am hours: 1,250m
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 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.

| <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> |

- ~~(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 benefits that will be derived from the activity.

39. Section 32AA: See Appendix 3.

Topic 4: Noise with special characteristics

40. Hort NZ request NOISE–R16 is amended. This rule manages emission of noise from audible bird scaring devices. The submitter asks that the rule is amended to restrict the use of audible bird scaring devices to only between half an hour before sunrise and half an hour after sunset. This is the peak time for bird activity on horticultural properties. It is noted that the use of these devices is required in capacities other than horticulture. For example, audible bird scarers are used during the day on the Te Kūiti wastewater ponds. In terms of nuisance effects, the earliest sunrise of the year occurs at 5.55am. If the submitter’s approach is taken, the devices could commence around 5.30am. This could cause sleep disturbance and affect peoples’ health and wellbeing for 30-40 days of the year. It is considered that the best approach may be to enable these devices 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. This provides some balance between the nuisance effects of birds and the nuisance effects of sleep deprivation.
41. Hort NZ also request NOISE–R16 is amended to replace 85 dBA unweighted peak level with 65dB SEL which they submit is a measure used in several plans in neighbouring districts and is a more appropriate measure of sound from audible bird scaring devices. Hort NZ consider that the important issue for bird scarers is the sound level – not the density of the devices – as long as the sound level is being met.
42. dBA is a measure of how loud things sound to the human ear while dB SEL is a measure of the sound pressure level. It is not clear in the submission why this change is justified. The submitter may wish to provide more information on this matter at the hearing so their point can be more fully understood. If the density of devices is irrelevant and the noise effect is more appropriately managed via a limit measured at an appropriate boundary or location, then NOISE-R16.1(ii) can be addressed. However, more information is needed to better understand this matter. In the interim, the amendment would read:
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
43. Section 32AA: The notified rule allowed the operation of audible bird scaring devices between sunrise and sunset. The earliest sunrise in the Waikato is 5.55am. This amendment requires that the devices may not be operated before 6.00am. The amendment does allow the operation of the devices up to 30 minutes past sunset but this is considered to be less of an effect than the impact on sleep cycles early in the morning. On balance,

this amendment has the effect of clarifying the provisions of the rule rather than amending it significantly. It is considered that this change is minor in nature and scale, and does not require a section 32AA evaluation.

44. Hort NZ have also requested the addition of two new definitions for frost fans and audible bird scaring devices as follows:

frost fan means a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost.

audible bird scaring device means gas guns and avian distress alarms used for the purposes of disturbing or scaring birds, and excludes firearms and vehicles used for that purpose.

45. Both definitions are an accurate representation of the activities and are considered to be useful additions to the plan.

46. Section 32AA: The proposed definitions are not from a national or regional instrument. However, they both provide clarity about the nature of the activity and will assist in interpreting the plan. The definitions do not affect the application of the policy and rule framework in any way other than describing the activities. This is a minor inclusion and as such a section 32AA evaluation is not required.

47. Graymont request that NOISE-R19 is amended to clarify that blasting' includes a number of blasts undertaken within a short window of time, and that on some occasions it is necessary for safety purposes. The amendment does not propose that the blasting sequence occurs more than once a day as is currently provided for in the plan. It does propose that blasting for safety purposes is treated as a 'minor blast' as identified in the Australian and New Zealand Environment Council Technical Guidelines. It is considered that these amendments clarify the application of the rule and do not increase the effects in a more than minor way. A sequence of smaller blasts may be less disruptive and potentially safer than a single larger blast. Additionally, it is not the intent of this provision to hinder blasting where it is required for safety purposes. The amendment would read:

5. 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

48. Section 32AA: See Appendix 3

Topic 5: Noise and Recreational Activities

49. Auckland Waikato Fish and Game request NOISE-R9 is changed to specify that the emission of noise from hunting activities is a permitted activity.

NOISE-R9 only applies to the residential, rural lifestyle, settlement and Māori purpose zones. It is agreed that recreational hunting (which is defined in the plan) should be provided for, but the appropriate zones for that are considered to be the natural open space and the general rural zone. On balance, the best approach is considered to be the provision of an exemption in these zones to make it clear that the noise provisions will not be applied to recreational hunting in specified parts of the district. See the amendment proposed **below para 51**.

50. The recreational Backcountry Pilots Association, Aircraft Owners and Pilots Association, Cessna 80/185 Group and the Sports Aircraft Association submit that NOISE-R10 to R12 are amended to allow for short-term noise caused by fixed-wing aircraft taking off and landing in the general rural zone, open space and natural open space zones, industrial and rural production zones. Industrial zoning is only located within the townships of Te Kūiti and Piopio. Open space zones provide for small reserves, community halls, clubrooms, libraries, public toilets and other open space and recreation assets, generally within settlements. The rural production zone comprises discrete areas of rural industry and hydro power. Taharoa is the largest site. It has a helipad. To the best of Council's knowledge, none of these zones have airstrips.
51. The majority of the natural open space zone is Department of Conservation administered lands, QEII covenants and reserves. There are limited areas of private land. In the general rural zone agricultural aviation activities are permitted to support the management of extensive pastoral farming operations and conservation activities. Given recreational aviation has largely the same effects, it seems reasonable to provide for the intermittent take off and landing of fixed wing aircraft in the general rural zone. Council are not aware of any airstrips in the natural open space zone, but given its extent it is possible that there are some located within that zone. Council are not aware of any ongoing nuisance issues related to recreational aircraft taking off and landing. It is considered that the best approach is to exempt take offs and landings of fixed-wing aircraft in those two zones given they are confined to specific locations (as they require a runway). Should issues arise in the future, Council could consider a plan change to address any nuisance effects. The amendment would read:

Exemptions

The noise rules do not apply to the noise generated by the following activities:

1.
7. *In the general rural and natural open space zones, any noise emitted in the course of recreational hunting or during the take off and landing of fixed-wing aircraft.*

52. Section 32AA: See Appendix 3
53. The Ministry of Education request that a new matter of discretion is added to NOISE-R9 which provides for the proximity of the activity to existing noise sensitive activities. This matter of discretion would apply in the residential, rural lifestyle, settlement and Māori purpose zones. It is agreed

that the existing matters of discretion while providing for compatibility with existing and anticipated activities, effects on health and wellbeing and noise attenuation, do not refer to proximity to noise sensitive activities. The addition is considered to be appropriate and consistent with the approach to managing noise effects, particularly where these have a higher impact on an existing activity. The amendment would read:

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 proximity of the activity to existing noise sensitive activities; and

.....

54. Section 32AA: See Appendix 3

Topic 6: Noise exemptions

55. A number of submitters request amendments to the exemptions. Under the provisions of section 16 of the RMA, every occupier of land (including any premises), and every person carrying out an activity in, on a water body must adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level. The noise chapter contains a list of activities which are exempt from the noise rules. Some of these exemptions emulate provisions in the RMA. By way of example, the RMA defines excessive noise as meaning any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person (other than a person in or at the place from which the noise is being emitted), but does not include any noise emitted by any;

- aircraft being operated during, or immediately before or after, flight; or
- vehicle being driven on a road; or
- train, other than when being tested (when stationary), maintained, loaded, or unloaded

56. The chapter exempts the three activities listed above on the basis that an excessive noise direction cannot be issued for these activities. However, generally an exemption in this plan does not preclude the duty adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.

57. Other listed exemptions are accepted practices or situations where noise control is impractical (the control of crowd noise at a park) or where the consideration of noise is overridden by people's health and safety (helicopters used as an air ambulance, sirens and equipment used by emergency services). Other exemptions are employed widely in district plans to reflect the type of activities anticipated in a zone (in the rural zones, farm animals including farm dogs and agricultural vehicles and

machinery or motor craft operating on the surface of waterbodies).

58. The noise exemptions provided for in this plan are comprehensive. This is in part because of the duties imposed by section 16 of the RMA and in part because in the rural zones, the noise generated in this working environment should be anticipated by residents. Those zones where a higher level of residential amenity is expected are not subject to the same noise exemptions.
59. Three submitters request that the intermittent or irregular use of helicopter landing areas is added to the exemptions. The amendments proposed to NOISE-R8 enable unlimited helicopter flight movements in the Aerodrome Precinct, the general rural, rural production and natural open space zones. It is considered that these amendments likely address the submitters' concerns. It is not appropriate to enable unfettered flight movements in the other zones. Additionally, agricultural aviation activities (which includes the intermittent operation of an aircraft from a rural airstrip or farm helipad for primary production activities as part of an amended definition), is permitted in the general rural zone. 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) are also currently exempt from the noise standards. Given the breadth of these provisions and the potential for significant nuisance issues to arise in other zones, further amendment to the exemptions list is not supported.
60. PF Olsen request the exemptions are modified to signal that noise associated with plantation forestry activities is regulated under the National Environmental Standards for Commercial Forestry and is not managed through this plan. The National Environmental Standards do manage noise and vibration from forestry machinery, equipment and vehicles undertaking activities (outside of public roads). It is agreed that this amendment is necessary to properly reflect the regulatory framework for these activities. PF Olsen request that exemption (6) removes reference to forestry because this matter is covered by the National Environmental Standards. However, it is considered that exemption (6) should be retained for those forestry activities that not covered by the National Environmental Standards. The amendment would read:

Exemptions

The noise rules do not apply to the noise generated by the following activities:

....

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.

61. Section 32AA: This amendment reflects the rules contained in the National Environmental Standards for Commercial Forestry which prevail over this plan. A section 32AA evaluation is not required.

62. Hort NZ request that the content of the exemptions are retained but restructured as a permitted activity rule. While exemptions are a well understood mechanism in district plans, this point is accepted and the list has been reformatted to a rule as part of NOISE – Table 1. This restructure clearly sets out what the provisions of the chapter do not apply to.
63. Section 32AA: This change is structural. It does not amend any provisions or affect the policy or rule framework. A section 32AA evaluation is not required.

Topic 7: Signs

64. The Waikato Regional Council request SIGN-P3 Is split into two policies. Their point is taken insofar as the policy currently reads as though it is two disparate policy matters. It is the intention to avoid effects on road users from illuminated signage. Rather than splitting the policy, it is considered that a conjunctive should be employed to relate the two parts of the policy to one another as follows:
- SIGN-P3.** Ensure illuminated, flashing, digital or reflective signs do not adversely affect anticipated levels of character and amenity and aAvoid the potential for reverse sensitivity effects including effects on the safety and functioning of roads, particularly at night time.
65. Section 32AA: The amendment adds a conjunctive. A section 32AA evaluation is not required.
66. Auckland Waikato Fish and Game request SIGN-R1 is amended. SIGN-R1 permits official signage in full without recourse to any other rules in the plan. It is agreed that it is appropriate to include the New Zealand Fish and Game Council under the provisions of this rule. The organisation does need to post information which may not necessarily be captured by the encapsulating provision 'legislative requirements'. The amendment would read:

| | | |
|--|--|--|
| SIGN-R1. | Official signs | |
| Activity status: PER | Activity status where compliance is not achieved: N/A | |
| Where: | | |
| 1. The sign is required by the New Zealand Transport Agency, KiwiRail, the New Zealand Fish and Game Council . Waitomo District Council or is required to meet legislative requirements such as health and safety legislation. | | |
| <i>Note: This rule is not subject to any other rule in this plan.</i> | | |

67. Section 32AA: The amendment adds the New Zealand Fish and Game Council to the small group of organisations which may erect signage without recourse to any rules in this plan. There is no concern that the Fish and Game Council will cause effects as a result of their signage which is only informational. This is a minor amendment and a section 32AA evaluation is not required.
68. Waka Kotahi request a matter of discretion in SIGN-R2 is amended to refer to the 'transport network' rather than 'road user'. SIGN-R2 permits public information and sponsorship signs subject to listed standards. This amendment has the effect of broadening the matter of discretion slightly but retaining the consideration of effects on pedestrian safety. The amendment is agreed and would read:

| | | |
|------------------------|---|---|
| SIGN-R2. | Public information and sponsorship signs | |
| Open space zone | Activity Status: PER | Activity status where compliance is not achieved: RDIS |
| | Where: | Matters over which discretion is restricted: |
| | 1. Public information signs erected on a reserve administered by Waitomo District Council, by or with the written permission of Waitomo District Council are permitted; and | (a) The proposed position and location of the sign; and |
| | 2. Sponsorship signs must face internally towards the field or court even where located on a building; and | (b) Potential positive or adverse effects on the amenity values and character of the surrounding area including effects on visual amenity values; and |
| | 3. No sign may be illuminated or have flashing or revolving lights or lasers; and | (c) Whether the sign is in keeping with the built and natural features in the area; and |
| | 4. No sign may be shaped or use images or colours, that could be mistaken for a traffic control device in colour, shape or appearance. | (d) Potential positive or adverse effects on the transport network road-user and pedestrian safety; and |
| | | (e) Whether the sign would combine with existing signs on the site or in the |

| | | |
|--|---|---|
| | <i>Note: This rule is not subject to any other rule in this plan.</i> | surrounding area, to create visual clutter. |
|--|---|---|

69. Section 32AA: The amendment corrects a phrase so that the terminology is consistent across the plan. This amendment has no impact on the policy or rule framework. A section 32AA evaluation is not required.
70. Waka Kotahi request a matter of discretion is added to SIGN-R12 to require consultation where a sign is visible from the state highway network. SIGN-R12 requires a resource consent where a sign is proposed to be located off-site. The plan’s provisions favour the management of effects of signage on the site/directly in front of the site where the activity is carried out. Off-site signs require a consent in the commercial zones and precincts, and in the industrial and tourism zones. In all other zones, off-site signs are non-complying activities. It is considered that the proposed amendment is a little broad. The preference would be for consultation with Waka Kotahi to be required where a sign is located adjacent to the state highway network, rather than simply visible from the state highway network. The effects of most static signs visible from the state highway are likely to be negligible.
71. Additionally, the signage provisions in this plan are reasonably onerous, particularly for off-site signs. The proposed amendment could result in signs that have absolutely no effect on the state highway network or are some distance from it, being captured by the requirement to consult with Waka Kotahi. However, amendments are proposed to SIGN-R10 which manages the effects of digital signs. For the reasons outlined below **in para 79**, it is considered appropriate for digital signs visible for the state highway to require consultation with Waka Kotahi. Accordingly, the recommended amendment would read:

| SIGN-R12. | Off-site signs | |
|---|--|--|
| Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4) | Activity Status: RDIS Where: <ol style="list-style-type: none"> The sign is not located on the site the activity is carried out on; or For footpath signs including sandwich boards and teardrop flags, the sign is not placed on the footpath/berm immediately outside and in front of the premises to which it relates. Matters over which discretion is restricted: <ol style="list-style-type: none"> Whether the location, design, dimensions, nature, and colour of the | Activity status where compliance is not achieved: N/A |

| | | |
|--|--|--|
| | <p>sign would impact on the amenity values of the surrounding area; and</p> <p>(b) Whether the sign:</p> <p>(i) Aligns to the key moves in the relevant town concept plan; and</p> <p>(ii) Has positive and/or adverse effects on architectural integrity, amenity values and character of the surrounding area including gateway entrances to townships, visual coherence and heritage values; and</p> <p>(iii) Combines with other signs to result in an orderly and coordinated display.</p> <p>AND</p> <p>(c) Whether the sign would contribute to community wellbeing through the promotion of information; and</p> <p>(d) Whether the sign would provide site identification to the travelling public who may be unfamiliar with the area; and</p> <p>(e) Whether there are any special circumstances or functional needs relating to the activity, site or surroundings, which affect sign requirements; and</p> <p>(f) Potential positive or adverse effects on road user and pedestrian safety; and</p> <p>(g) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter; <u>and</u></p> <p>(h) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs located adjacent to the state highway network.</u></p> | |
|--|--|--|

72. Section 32AA: The proposed amendment formalises consultation which would occur during the consideration of a resource consent where signage is located adjacent to the state highway network. The views of Waka Kotahi would have been sought and considered as a matter of good practice. The amendment clarifies to applicants that this consultation will take place. This amendment is considered to be minor. A section 32AA evaluation is not required.

73. KiwiRail request that SIGN-R15 is amended to remove the requirement for signs to not be erected in a manner that obstructs railway operations. The submitter notes that the railway itself may contain signs and this standard prevents that. They are confident that criteria within the standard will ensure that sign location is safe relative to railway corridor operations. It is agreed that this amendment can be made, and it is shown in SIGN-R15 below.
74. Waka Kotahi request SIGN-R15 is amended to include additional performance standards to ensure that signage visible from the state highway network is consistent with the relevant Waka Kotahi signage guidance (Traffic Controls Device Manual and Planning Policy Manual: Third Party Signs on and visible from the state highway corridor). It is agreed in part that this amendment will ensure that the safety of the state highway network is not compromised as a result of signage. However, for the reasons stated in the consideration of SIGN-R12, the use of the work 'visible' is too broad. It is considered that the controls are more effectively applied to signs located adjacent to the state highway network. The amendments proposed by Waka Kotahi would read:

| SIGN-R15. | Standards for all signs |
|--|---|
| <p>1. Signs must not be located in or project over the railway corridor; and</p> <p>2. Signs must not be located in or project over a road, indicative road, vehicle access point, accessway, service lane or driveway; and</p> <p>3. Signs must not obstruct the line of sight of any road corner, bend, intersection, vehicle or rail crossing; and</p> <p>4. Signs must not be placed within 20 m of a road intersection; and</p> <p>5. Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal; and</p> <p>6. Signs must not have flashing or revolving lights, or lasers <u>or intermittently illuminated lights</u> and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance.</p> <p><u>Additional matters for signs located adjacent to the state highway network:</u></p> <p>7. <u>Signs must have a minimum lettering height of 120mm where the speed limit is lower than 70km/h, or 160mm where the speed limit is 70km/h or higher; and</u></p> <p>8. <u>Signs must not have more than 6 words and/ or symbols, with a maximum of 40 characters; and</u></p> | <p>Matters over which discretion is restricted:</p> <p>(a) The extent to which the sign may be an obstruction to sight distances, traffic or railway signs or signals, or unnecessarily intrude into a driver's field of vision or cause a distraction that affects safety for road users; and</p> <p>(b) The extent to which the sign may physically obstruct vehicles, trains or pedestrians; and</p> <p>(c) Proximity to other signs and intersections and potential adverse effects on the safety of road users including pedestrians; <u>and</u></p> <p>(d) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs located adjacent to the state highway network.</u></p> |

| | |
|--|--|
| <p>9. <u>Signs must not obstruct the movement of any pedestrian, motorist, or cyclist; and</u></p> <p>10. <u>Signs must not be made of materials likely to reflect headlights from an approaching vehicle.</u></p> | |
|--|--|

75. Section 32AA: See Appendix 3

76. Hort NZ request SIGN-R14.1 is changed to remove the rural production zone as triggering a discretionary activity. Hort NZ submit that rural produce signs are common in rural production zones and a consent should not be required. Signs are permitted in the rural production zone (see SIGN-R1-R5 and SIGN-R7-R10). SIGN-R14 is designed to capture signs that are not otherwise provided for in the rules. Given the breadth of the rules in this chapter, the signage fitting the discretionary category is unlikely to have been anticipated in any zone. It is noted that the rule enables discretionary activity status for these unanticipated signs in the rural production zone, with most other zones defaulting to non-complying status. An amendment to this provision is not supported.

Topic 8: Digital and illuminated signs

77. The Section 32AA for this topic is in Appendix 3.

78. Waka Kotahi request a number of amendments to address digital and illuminated signs. They request definition for 'digital signs' is deleted and replaced. The current definition is 'technologies such as LCD, LED and projection to display content including digital images, video, streaming media and information'. Waka Kotahi propose 'electronic display systems designed to capture attention, primarily, but not exclusively, for the purposes of advertising. The digital signage display may be static or non-static'. It is agreed that the use of the term 'electronic display systems' is helpful and it appears to encompass activities such as media walls, interactive digital signage, digital menu boards and posters all of which display video or multimedia content for information or advertising purposes. It is also considered that the proposed definition may be more future proof than the definition currently contained in the plan, which already fails to reference new types of digital technology. The amendment would read:

Digital signs means technologies such as LCD, LED and projection to display content including digital images, video, streaming media and information electronic display systems designed to capture attention, primarily, but not exclusively, for the purposes of advertising. The digital signage display may be static or non-static.

Waka Kotahi request the wording in SIGN-P9 is amended to better describe the operation of digital or illuminated signage. The amendment

would read:

SIGN-P9. Signs that are potentially incompatible with the role, function and predominant character of the zone (as identified in SIGN-P7 and the objectives and policies of the relevant zone) in which they are located include:

4. Digital or illuminated signs which are audible, flash, move, scroll, contain animations or full motion video ~~or have a high frequency of image changes~~; and

79. Waka Kotahi request SIGN-R10 is amended. This rule applies to the commercial zones and precincts, the industrial and tourism zones. In all other zones digital signs are non-complying activities. Waka Kotahi submit that additional matters should be included for digital signs that are visible from the state highway network. Unlike the static off-site signage provisions in SIGN-R12, in this instance it is considered that signs visible from the state highway should be captured by the provisions of this rule. This is largely due to the distracting effect of digital signage, its illumination, use of potential use of images and wording transition. It is considered that the potential for drivers to focus their attention of the sign’s messaging rather than the road is increased where the sign has digital elements.

80. Waka Kotahi submit that the rule is amended by increasing the dwell time to no less than 30 seconds, including criteria for image content and a minimum and maximum transition time. It is agreed that these matters should be included in the rule, however, it is considered that they should apply to all roads rather than only the state highway system. It would be useful to have provisions that were applicable regardless of the status of the road. The amendment would read:

| SIGN-R10. | Digital <u>signs</u> | |
|--|--|---|
| <p>Commercial (including PREC5), tourism & industrial zones</p> <p>Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)</p> | <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and 2. The sign must not display a live broadcast or pre-recorded video; and 3. The sign must only display still images, and where multiple still images are displayed, each image must be displayed for a minimum of 7 seconds; <u>and</u> <p><u>There shall be a maximum of one digital sign per site; and</u></p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and (b) Any impact on the character and amenity values of the site and surrounding area; and (c) Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians; and |

| | |
|--|---|
| <p>4. <u>There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change; and</u></p> <p>5. <u>The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the transport network from which the digital billboard is visible; and</u></p> <p>6. <u>In speed environments 70 km/h and less, the digital sign must not include more than ten individual elements, of which words may only make up eight elements and each line of text shall contain a maximum of 40 characters; and</u></p> <p>7. <u>In speed environments more than 70 km/h, the digital sign must not include more than five individual elements, of which words may only make up four elements and each line of text shall contain a maximum of 20 characters; and</u></p> <p>8. <u>The digital sign must be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved; and</u></p> <p>9. There must be no sound associated with the sign and no sound equipment installed as part of the sign; and</p> <p>10. All the performance standards in SIGN - Table 2 are complied with.</p> <p><i>Note: If the digital sign is proposed to be attached to a building the maximum size of the sign is contained in SIGN-R17. If the sign is proposed to be freestanding the maximum dimensions and height is contained in SIGN-R19.</i></p> | <p>(d) The hours of operation of the sign; and</p> <p>(e) The type and volume of sound proposed and illumination used, the frequency and intensity of intermittent or flashing light sources, the proposed periods of illumination and frequency of image changes; and</p> <p>(f) Whether the sign is compatible with the built form on the site; and</p> <p>(g) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter; <u>and</u></p> <p>(h) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p> |
|--|---|

81. SIGN-R22 applies to the artificial illumination of signs and digital signs.

This rule applies to the commercial zones and precincts, the industrial and tourism zones. In all other zones digital signs are non-complying activities. Waka Kotahi request SIGN-R22 is amended to ensure that all signage includes lighting control to adjust brightness in line with ambient light levels. This has the effect of ensuring that the brightness of the sign is consistent with the surrounding environment. Again, it is agreed that these matters should be included in the rule, however, it is considered that they should apply to all roads rather than only the state highway system. It would be useful to have provisions that were applicable regardless of the status of the road. The amendment would read:

| SIGN-R22. | Artificial illumination of signs and digital signs | |
|--|--|--|
| <p>Commercial (including PREC5), tourism & industrial zones</p> <p>Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)</p> | <ol style="list-style-type: none"> 1. No sign must exceed a luminance of 800cd/m² between dusk and dawn; and 2. The spill of light from artificial lighting on to any adjacent site or road must not exceed 3 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site. 3. Any external lighting must be directed towards the sign and not create a nuisance; and 4. Lighting must be designed to reduce any glare or direct view of the light source when viewed by an observer at ground level or within an adjacent building; <u>and</u> 5. <u>The screen shall incorporate lighting control to adjust brightness in line with ambient light levels.</u> <p><i>Note: In all other zones and precincts this activity is discretionary. See SIGN-R10 and SIGN-R13.</i></p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Any impact on the character and amenity values of the surrounding area; and (b) Whether the sign is compatible with the built form on the site; and (c) <u>The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as Any impact on driver, cyclist and or pedestrian safety;</u> and (d) The hours the sign will be lit; and (e) The type of illumination used, the frequency and intensity of intermittent or flashing light sources, and the proposed periods of illumination and frequency of image changes; and (f) Whether any cumulative effects arise and/or visual clutter, having regard to existing sign(s); <u>and</u> (g) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u> |

Topic 9: Temporary activities

82. KiwiRail request a new rule for temporary worksites associated with

construction works. The chapter contains a rule (TEMP-R8) which provides for this matter and is generally more lenient than the rule proposed by the submitter. As a result, it is considered that the submission point is already addressed, and no further amendments are required.

83. TEMP-R1, R3 and R4 contain reference to temporary events that are likely to attract more than 200 vehicles. These will require a Traffic Management Plan. Waka Kotahi request that reference is made to 'equivalent car movements' rather than 'vehicles'. Waka Kotahi consider there is a significant difference between the effects created by small vehicles (cars) and those created by larger vehicles (trucks, and multi-unit heavy commercial vehicles). The plan currently uses 'vehicles' and 'vehicle movements' meaning the traffic-related effects of some land use activities may not be assessed appropriately. It is agreed that the plan should use consistent terminology that correctly addresses any effects and amendments should be made to the wording in these rules. This matter will be considered further in the transport chapter, however the amendments are made to this chapter in the interim.

Topic 10: Small second-hand relocated buildings and new transportable buildings

84. RLB-R1 and R2 permit second-hand relocated buildings less than 30m² in size and new transportable buildings of any size in all zones (except in PREC1, PREC6 & PREC7). There are no qualifying standards. The buildings are permitted in all areas of the district except for three small precincts. The House Movers Section of the New Zealand Heavy Haulage Association Inc support the provisions for relocated buildings but request that restricted discretionary activity status is applied to relocated buildings that do not meet the permitted activity standards, in preference to full discretionary activity status. For RLB-R1 and R2, this would apply to PREC1 and PREC6 where the activity is permitted provided the relocated building is situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and a discretionary resource consent is required.
85. **PREC6:** The Waitomo caves are one of New Zealand's most iconic and historic tourist attractions. Pre-covid over 500,000 domestic and international visitors visited the Waitomo caves each year. The corridor along State Highway 37 between Hangatiki and Waitomo Caves Village, and between Hangatiki along State Highway 3 to the northern boundary of the district, is part of an extensive landscape policy area in the current district plan. The proposed plan does not identify the same extensive area, instead prioritising the State Highway corridors (outside of the tourism zones) as important connecting routes which have a rural character requiring maintenance and enhancement. This area is mapped as the Amenity Precinct - PREC6. No submissions have been received opposing PREC6. The proposed plan seeks to avoid ribbon development and

minimising visual clutter which detracts from the open pastoral landscape adjacent to the State Highway corridors. There have been amenity issues associated with shipping containers in this area. Under the current district plan, any building that is 100m² to 200m² in size requires a controlled activity consent. Any building that is more than 200m² in size requires a discretionary activity consent.

86. It is agreed that the activities provided for in RLB-R1 and R2 could default to a restricted discretionary activity for PREC6. This is largely because it is considered that the appropriate matters of discretion can be identified and drafted to address concerns about the amenity issues and ribbon development in this precinct.
87. **PRCEC1:** For Te Kūiti some outcomes for the residential zone were identified in the Te Kūiti Town Concept Plan including a desire to protect the character of the group of railway cottages located at the northern end of the township. To provide for the unique and historic nature of these railway cottages, the railway cottage cluster precinct (PREC1) protects the significant character elements of these buildings through design controls. The integrity of PREC1 is protected by avoiding locating relocated buildings between any railway cottage and the front boundary of a site. The railway cottages in PREC1 are identified site by site. The precinct is not extensive and is cherished by the community as an important element of Te Kūiti's past. No submissions have been received opposing PREC1, however submissions have been received asking that its provisions are strengthened. Given the unique nature of this precinct and the detriment that a relocated building or second-hand building located in front of a railway cottage would cause to the fabric of this precinct, it is not agreed that the provisions should default to a restricted discretionary activity for PREC1.
88. The amendments would read:

| | | |
|--|--|--|
| RLB-R1. | Second-hand relocated buildings less than 30 m² in size | |
| RLB-R2. | New transportable buildings | |
| All zones and precincts (except PREC1, PREC6 & PREC7) | Activity Status: PER | Activity status where compliance is not achieved: N/A |
| Amenity Precinct (PREC6) & Railway cottage cluster precinct (PREC1) | Activity status: PER Where: 1. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required. | Activity status where compliance is not achieved: DIS <u>The matters over which discretion is restricted are:</u> (a) <u>The proposed timetable for completion of the work required to reinstate the exterior of the building as per the Building Pre-Inspection Report; and</u> (b) <u>The extent to which the location, bulk, scale and built form of the building impacts on character and amenity of PREC6; and</u> (c) <u>Safety and efficiency of the transport network, including access and provision of on-site parking; and</u> (d) <u>Potential reverse sensitivity effects on any adjoining activities; and</u> (e) <u>The siting of buildings to avoid ribbon development.</u> |
| Railway cottage cluster precinct (PREC1) | <u>Activity status: PER</u> Where: 2. <u>The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required.</u> | <u>Activity status where compliance is not achieved: DIS</u> |
| Te Maika precinct (PREC7) | Activity status: DIS | Activity status where compliance is not achieved: N/A |

89. Section 32AA: See Appendix 3

Topic 11: Other second-hand relocated buildings

90. RLB-R3 permits second-hand relocated buildings 30m² or larger in size in all zones and precincts (except in PREC1, PREC2, PREC6 & PREC7). The House Movers Section of the New Zealand Heavy Haulage Association Inc request that restricted discretionary activity status is applied to relocated buildings that do not meet the permitted activity standards, in preference to full discretionary activity status. For RLB-R3, this would apply to where the activity cannot comply with all of the performance standards in Table 2. Where the performance standards in Table 2 (RLB-R6) are not complied with, a discretionary resource consent is required. The House Movers Section of the New Zealand Heavy Haulage Association Inc have provided alternative wording for RLB-R6.
91. **PRCEC2:** For Te Kūiti some outcomes for the residential zone were identified in the Te Kūiti Town Concept Plan. One of these outcomes related to the small cluster of commercial activities around the northern gateway into Te Kūiti. Known as the Te Kumi commercial precinct (PREC2), this area has been established to allow the ongoing operation of these businesses without applying some of the more limiting provisions of the underlying residential zone. No submissions have been received opposing PREC2.
92. Larger relocated buildings must comply with the provisions of RLB-R6 which sets out the requirements for pre-inspection reporting. This rule currently defaults to a discretionary activity in a similar manner to RLB-R3. An additional measure applies to PREC2 whereby the relocated building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and a discretionary resource consent is required.
93. Three matters require further consideration. Should the activities defaulting from permitted to discretionary in RLB-R3 and R6, be amended to default to restricted discretionary; should the amended wording provided by the submitter be used in RLB-R6; and if restricted discretionary status is applied, what should be the matters of discretion.
94. To the first matter - it is agreed that the activities provided for in RLB-R3 and RLB-R6 could default to a restricted discretionary activity for all zones and for PREC2. Again, this is largely because it is considered that the appropriate matters of discretion can be identified and drafted to address the reinstatement process and any compatibility issues in these zones and this precinct. The submitter has not requested amendment to the provisions for the Amenity Precinct (PREC6), Railway cottage cluster precinct (PREC1) & Te Maika precinct (PREC7) in RLB-R3. Accordingly, these will remain as discretionary activities.
95. In considering the second matter, the submitter provided performance standards for Council to consider for RLB-R6. The majority are similar to

the existing provisions:

- The submitter has added that all relocated buildings must comply with the relevant standards for permitted activities and any relocated building intended for use as a dwelling must have previously been designed, built, and used as a dwelling. These standards are both considered to be useful additions to the rule and clarify the application of the provisions.
- In respect of adding standards for second-hand relocated buildings smaller than 30m², is considered unnecessary for Council to impose performance standards on second-hand relocated buildings smaller than 30m². These buildings generally have a minimal effect on the environment and are permitted at that size in some circumstances in any event.
- It is considered necessary to specify in the rule that a licensed building practitioner or other appropriately qualified person prepares the Building Pre-Inspection Report. However, this inclusion has the effect of removing the need for RLB-R6.5 which ratifies the accuracy and completeness of any report if the person preparing it was not a Council Building Compliance Officer.

96. The final consideration is establishing the matters of discretion associated with RLB-R3 and R6. There is a need to apply specific matters of discretion for PREC2. This ensures visual impact, landscaping and compatibility with the planned character of the precinct can be assessed. Other matters required are the ability to consider the proposed timetable for completion of the reinstatement works, location, bulk, scale and built form, effects on the transport network and the potential for reverse sensitivity effects. There is also a need to consider impervious surfaces and the overall effects of non-compliance with any relevant zone standards. It is considered that these matters of discretion are comprehensive enough to apply to all of the zones and adequately assess any potential effects. The amendment to RLB-R6 would read:

| RLB-R6. | Second-hand relocated buildings 30 m ² or larger |
|--|---|
| <ol style="list-style-type: none"> 1. All relocated buildings must comply with the relevant standards for permitted activities in this Plan; and 2. Any relocated building intended for use as a dwelling must have previously been designed, built, and used as a dwelling; and 3. For any relocated building 30 m² or larger, a Building Relocation Pre-Inspection Report must accompany an the application for a building consent for the destination site. The Building-Relocation Pre-Inspection Report must be prepared by <u>a licensed building practitioner or other appropriately qualified person; and</u> 4. one of the following suitably qualified and experienced people: | <p>Activity status where compliance is not achieved: RDIS</p> <p><u>The matters over which discretion is restricted are:</u></p> <ol style="list-style-type: none"> <u>The proposed timetable for completion of the work required to reinstate the exterior of the relocated building as per the Building Pre-Inspection Report; and</u> <u>The extent to which the location, bulk, scale and built form of the relocated building impacts on character and amenity; and</u> |

| | |
|--|--|
| <p>(i) A Waitomo District Council Building Compliance Officer (or equivalent); or</p> <p>(ii) A member of the New Zealand Institute of Building Surveyors; or</p> <p>(iii) A licensed building practitioner (carpenter or design category); or</p> <p>(iv) A building inspector from the local authority where the building is being relocated from;</p> <p>AND</p> <p>5. If the Building Relocation Inspection Report has been prepared by a person other than a Waitomo District Council Building Compliance Officer (or equivalent position), the accuracy and completeness of the Building Relocation Inspection Report must be confirmed by a Waitomo District Council Building Compliance Officer (or equivalent position) by undertaking an on-site inspection of the relocated building once it has been relocated. Should the Waitomo District Council Building Compliance Officer determine that the relocated building requires external repair works in addition to that identified in the submitted Building Relocation Inspection Report in order to achieve a tidy and workmanlike external appearance, then:</p> <p>(i) The owner of site to which the building is to be relocated will be contacted and must agree in writing to the additional works within 2 weeks of notification of the requirement for additional works. The additional works then become part of the Building Relocation Inspection Report.</p> <p>AND</p> <p>6. The Building Relocation <u>Pre-Inspection</u> Report must identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within the specified 12 month period; and</p> <p>7. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site; and</p> <p>8. All other reinstatement work required by the Building Relocation <u>Pre-Inspection</u> Report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. The reinstatement work must include connections to all infrastructure services and closing in and ventilation of the foundations.</p> | <p>(c) <u>Safety and efficiency of the transport network, including access, the availability of on-street parking and provision of on-site parking; and</u></p> <p>(d) <u>Potential reverse sensitivity effects on any adjoining activities; and</u></p> <p>(e) <u>In PREC2, the ability to soften the visual impact of the relocated building from adjacent properties and public places, including retention of any existing mature trees and landscaping.</u></p> <p>(f) <u>In PREC2, the use to which the relocated building will be put and whether it is compatible with the planned character and amenity of the precinct and complementary with permitted activities.</u></p> <p>(g) <u>The extent to which building design, siting and landscaping of the structures minimises extent of impervious surfaces; and</u></p> <p>(h) <u>The effects of non-compliance with any relevant zone standards.</u></p> |
|--|--|

97. Section 32AA: See Appendix 3

98. The House Movers Section of the New Zealand Heavy Haulage Association Inc also request the use of a building pre-inspection report as being more appropriate and effective than the standards and criteria in the proposed plan. It is not fully understood how the submitter proposes to apply the template, for example would it be included as an appendix to the plan? This may not be desirable given the requirement to change the plan in order to update any provisions. More information from the submitter is welcomed, however in the interim, this submission point is recommended to be rejected.

Topic 12: Light

99. The majority of the submissions to the light chapter relate to the use of unmodified artificial lighting and its potential adverse effects on indigenous fauna including long tailed bats, seabirds and insects. To ensure that the ecologists have the ability to provide expert input on this matter, submissions relating to this topic will be considered in the section 42A report on the ecosystems and indigenous biodiversity chapter.
100. LIGHT-P1 seeks to ensure that artificial lighting is located, designed and operated so that it does not adversely affect amenity, the health and safety of people, and the safe operation of the transport network. Graymont request that LIGHT-P1 is amended so that artificial lighting is located, designed and operated so that it does not adversely affect amenity 'to an unacceptable extent'. It is not considered that this amendment is an appropriate addition to the policy. While amenity can be subjective (noting 'amenity values' are defined in the RMA), the use of the term 'unacceptable extent' further complicates the application of the policy. It is considered that the policy appropriately frames the two major effects the chapter is seeking to manage, those being; the nuisance effects to people and the adverse effects on the operation of the transport network where artificial lighting is poorly designed and located. No change is recommended.
101. LIGHT-R2 sets the performance standards for the emission of artificial light. Graymont request that LIGHT-R2.1 is amended so that:
1. All exterior artificial lighting must be oriented so that light does not spill onto ~~is emitted away~~ from any road or cause an adverse effect to any oncoming traffic; and ...
102. Graymont is concerned that LIGHT-R2.1 as currently worded may restrict or prevent lighting on top of a building that faces outwards toward a road (due to being oriented to face away from the building), but does not spill on to the road. On balance, neither the notified wording 'is emitted away' or the proposed wording 'does not spill onto' are very clear. As the submitter points out, lighting could face a road but not cause an adverse effect. Similarly, lighting could spill onto a road and not cause an adverse effect. It is considered that the best approach is to adopt the submitter's wording in part and refrain from referring to 'emitting' or 'spilling' light. The amendment would read:

1. All exterior artificial lighting must be oriented so that light ~~is emitted away from~~ does not cause an adverse effect on any road or any oncoming traffic; and
103. Section 32AA: The proposed amendment reduces ambiguity in the rule. Currently light could be emitted away from a road and still cause a nuisance to oncoming traffic. This amendment relies on the well understood phrase 'does not cause an adverse effect' ensuring that lighting activities which have no impact can continue to operate. This amendment to the rule is considered to be minor. A section 32AA evaluation is not required.
104. LIGHT-R2.7 contains a number of exemptions to its provisions. These include streetlights, lights of vehicles, trains and aircraft and temporary lighting associated with emergency response activities. The NZPIB request these exemptions are amended to include 'lights of vehicles including farm vehicles and mobile farm machinery'. A similar exemption exists in the noise chapter for agricultural machinery.
105. It is agreed that the submitter's amendment could be accepted in the general rural zone where the use of agricultural machinery is an anticipated part of the rural working environment. It is not appropriate to apply the exemption in those zones where a higher level of amenity can be reasonably expected. The amendment would read:
7. The following activities are exempt from the provisions of this rule:
 - ...
 - (iii) In the general rural zone, lights of farm vehicles and mobile agricultural machinery;
 - and
106. Section 32AA: The proposed change exempts the lights from farm vehicles and mobile agricultural machinery from the provisions of LIGHT-R2. Arguably both these items are covered by the current exemption 'lights of vehicles'. However, this addition has the effect of avoiding any ambiguity and applies solely in the general rural zone which is a working environment. This amendment to the rule is considered to be minor in nature and scope. A section 32AA evaluation is not required.

5. Conclusion

107. This report provides an assessment of submissions received in relation to the noise, signs, temporary activities, relocated buildings and light chapters and their associated definitions. It is considered that the submissions should be accepted, accepted in part or rejected as set out in Appendix 1. It is recommended that the the noise, signs, temporary activities, relocated buildings and light chapters are amended as set out in Appendix 2 for the reasons discussed in the report above. It is considered

that the amended provisions will be efficient and effective in achieving the purpose of the RMA (particularly for any for changes recommended to objectives), the relevant objectives of this plan and other relevant statutory documents, for the reasons set out in the section 32AA evaluations undertaken and included in this report.

APPENDIX 1 SUBMISSION POINTS IN ORDER OF PLAN PROVISION

Noise

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---|----------------------------|----------------|---|----------------|
| 04.19 | New Zealand Agricultural Aviation Association (NZAAA) | Support | NOISE-01 | Retain as notified. | Accept |
| FS07.19 | Grant Lennox | Support | | Allowed | Accept |
| 12.19 | Heli A1 Limited | Support | NOISE-01 | Retain as notified. | Accept |
| FS13.41 | NZAAA | Support | | Retain the objective as sought | Accept |
| FS15.22 | New Zealand Helicopter Association (NZHA) | Support | | Retain the objective as sought | Accept |
| 21.17 | New Zealand Defence Force (NZDF) | Support | NOISE-01 | Retain as notified. | Accept |
| 23.09 | Balance Agri-Nutrients | Support | NOISE-01 | Retain as notified. | Accept |
| 43.73 | Graymont (New Zealand) Ltd | Support | NOISE-01 | Retain as notified. | Accept |
| 46.71 | Federated Farmers | Support | NOISE-01 | Retain as notified. | Accept |
| 14.21 | New Zealand Pork Industry Board (NZPIB) | Support in full | NOISE-01 | Retain as notified. | Accept |
| 43.74 | Graymont (New Zealand) Ltd | Support with amendment | NOISE-02 | Amend NOISE-02 as follows: Ensure that activities do not generate noise levels which adversely affect amenity values <u>to an unacceptable extent and / or</u> , the health and wellbeing of people and communities. | Reject |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---------------------------------------|----------------------------|----------------|---|----------------|
| 24.26 | Ministry of Education (MoE) | Support | NOISE-03 | Retain as notified. | Accept |
| 17.90 | Waka Kotahi | Support | NOISE-03 | Retain as notified. | Accept |
| 18.28 | Auckland Waikato Fish and Game (AWFG) | Support | NOISE-03 | Retain as notified. | Accept |
| 21.18 | NZDF | Support | NOISE-03 | Retain as notified. | Accept |
| 23.10 | Balance Agri-Nutrients | Support | NOISE-03 | Retain as notified. | Accept |
| 51.41 | KiwiRail Holdings Ltd (KRH) | Support | NOISE-03 | Retain as notified. | Accept |
| 14.22 | NZPIB | Support in full | NOISE-03 | Retain as notified. | Accept |
| 04.20 | NZAAA | Support | NOISE-P1 | Retain as notified. | Accept |
| FS01.03 | Apiculture NZ | Support | | Retain as notified. | Accept |
| FS07.20 | Grant Lennox | Support | | Allowed | Accept |
| 12.20 | Heli A1 Limited | Support | NOISE-P1 | Retain as notified. | Accept |
| FS13.42 | NZAAA | Support | | Retain the policy as sought | Accept |
| FS15.23 | NZHA | Support | | Retain the policy as sought | Accept |
| 14.23 | NZPIB | Support in full | NOISE-P1 | Retain as notified. | Accept |
| 18.29 | AWFG | Seek amendment | NOISE-P1 | Amend as follows: 2. The general rural and future urban zones are working <u>recreation</u> , 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. | Reject |
| 23.11 | Balance Agri-Nutrients | Support | NOISE-P1 | Retain as notified. | Accept |
| 27.50 | Horticulture New Zealand (Hort NZ) | Oppose with amendment | NOISE-P1 | Amend NOISE-P1 (2) as follows: 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. | Reject |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------|----------------------------|----------------|---|----------------|
| FS23.90 | Te Nehenehenui | Oppose in part | | Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for. | Accept |
| 43.75 | Graymont (New Zealand) Ltd | Support | NOISE-P1 | Retain as notified. | Accept |
| 46.72 | Federated Farmers | Support | NOISE-P1 | Retain as notified. | Accept |
| FS01.04 | Apiculture NZ | Support | | Grant the relief sought **incorrect sub reference in the further sub** | Accept |
| 04.21 | NZAAA | Support | NOISE-P2 | Retain as notified. | Accept |
| FS07.21 | Grant Lennox | Support | | Allowed | Accept |
| 12.21 | Heli A1 Limited | Support | NOISE-P2 | Retain as notified. | Accept |
| FS13.43 | NZAAA | Support | | Retain the policy as sought | Accept |
| FS15.24 | NZHA | Support | | Retain the policy as sought | Accept |
| 17.91 | Waka Kotahi | Support | NOISE-P2 | Retain as notified. | Accept |
| FS19.154 | PF Olsen | Oppose | | Disallow submission point | Reject |
| 21.19 | NZDF | Support | NOISE-P2 | Retain as notified. | Accept |
| 23.12 | Balance Agri-Nutrients | Support | NOISE-P2 | Retain as notified. | Accept |
| 24.27 | MoE | Support | NOISE-P2 | Retain as notified. | Accept |
| 46.73 | Federated Farmers | Support | NOISE-P2 | Retain as notified. | Accept |
| 51.42 | KRH | Support | NOISE-P2 | Retain as notified. | Accept |
| 02.16 | NZHA | Support | NOISE-P3 | Retain as notified. | Reject |
| FS01.01 | Apiculture NZ | Support | | Retain as notified. | Reject |
| FS13.16 | NZAAA | Support | | Retain as notified. | Reject |
| 04.22 | NZAAA | Support | NOISE-P3 | Retain as notified. | Reject |
| FS07.22 | Grant Lennox | Support | | Allowed | Reject |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---|----------------------------|---|---|----------------|
| 08.32 | Manulife Forest Management (New Zealand) Ltd (MFMNZL) | Support | NOISE-P3 | Retain as notified. | Reject |
| FS19.140 | PF Olsen | Support | | Allow submission points where there is alignment with the PF Olsen submission | Reject |
| 12.22 | Heli A1 Limited | Support | NOISE-P3 | Retain as notified. | Reject |
| FS13.44 | NZAAA | Support | | Retain the policy as sought | Reject |
| FS15.25 | NZHA | Support | | Retain the policy as sought | Reject |
| 21.20 | NZDF | Support with amendment | NOISE-P3 | Amend NOISE-P3 as follows: Manage noise at source while recognising that some activities are important for the economic and social wellbeing <u>and health, safety and security of communities</u> and may exceed the specified noise levels on a temporary and/or irregular basis. However, there remains a duty for such activities to avoid unreasonable noise. | Accept |
| 23.13 | Balance Agri-Nutrients | Support | NOISE-P3 | Retain as notified. | Reject |
| 43.76 | Graymont (New Zealand) Ltd | Support | NOISE-P3 | Retain as notified. | Reject |
| 46.74 | Federated Farmers | Support | NOISE-P3 | Retain as notified. | Reject |
| FS01.05 | Apiculture NZ | Support | | Grant the relief sought **incorrect sub reference in the further sub** | Reject |
| 14.24 | NZPIB | Support in full | NOISE-R1 | Retain as notified. | Accept |
| 21.21 | NZDF | Support with amendment | NOISE-R2. | Delete NOISE-R2; And Add a permitted activity rule specific to temporary military training activities within the Temporary Activities chapter, subject to compliance with performance standards NOISE-R14 and the amendments to NOISE-R14 outlined in other submission points. | Accept in part |
| 27.51 | Hort NZ | Support with amendment | NOISE – R4 Emission of noise from audible bird scaring devices | Retain NOISE-R4 but submitter notes proposed amendments requested to NOISE-R16 under other submissions. | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|--|----------------------------|---|---|--|
| 27.52 | Hort NZ | Support with amendment | NOISE – R5 Emission of noise from frost fans | Retain NOISE-R5 but submitter notes proposed amendments requested to NOISE-R17 under other submissions. | Accept |
| 30.19 | New Zealand Forest Managers Ltd (NZFM) | Oppose | NOISE–R7 | No specific decision requested, but the submission opposes the effect of NOISE-R7 on normal use of aircraft. | See 30.20 (R7 manages noise and vibration from blasting rather than aircraft) |
| FS19.19 | PF Olsen | Support | | Allow submission point | See 19.20 |
| 02.17 | NZHA | Oppose | NOISE-R8 | Amend NOISE-R8 by deleting: helipads, farm helipads and, and replace with: helicopter landing areas (helicopter landing area as defined in submission point 2.05 above): Emission of noise from helipads, farm helipads and helicopter landing areas Delete: general rural and rural production: 2) This activity may only be undertaken in the general rural, rural production and <u>general</u> Tourism Zone. | Accept in part (see also 'agricultural aviation' in the GRUZ section 42A report) |
| FS01.02 | Apiculture NZ | Support | | Grant the relief sought or amend rule NOISE-R8 to exempt general rural and rural production zones | Accept |
| FS05.03 | Federated Farmers | Support | | Grant the relief sought or amend rule NOISE-R8 to exempt general rural and rural production zones | Accept |
| FS13.17 | NZAAA | Support in part | | Amend the rule as sought as per 02.04 Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.01 | NZHA | Support in part | | Amend the rule as sought as per 02.04 Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-----------------|----------------------------|----------------|--|--|
| 04.23 | NZAAA | Oppose | NOISE-R8 | Amend NOISE-R8 by deleting: helipads, farm helipads and, and replace with: helicopter landing areas: Amend NOISE-R8 as follows: Emission of noise from helipads, farm helipads and helicopter landing areas Delete: general rural and rural production: 2) This activity may only be undertaken in the general rural, rural production and <u>general</u> Tourism Zone. | Accept in part (see also 'agricultural aviation' in the GRUZ section 42A report) |
| FS04.01 | Farmers Air | Support in part | | Allow | Accept |
| FS07.23 | Grant Lennox | Support | | Allowed | Accept |
| FS13.21 | NZAAA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.03 | NZHA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| 12.23 | Heli A1 Limited | Oppose | NOISE-R8 | Amend NOISE-R8 by deleting: helipads, farm helipads and, and replace with: helicopter landing areas. Emission of noise from helipads, farm helipads and helicopter landing areas Delete: general rural and rural production: 2) This activity may only be undertaken in the general rural, rural production and <u>general</u> Tourism Zone | Accept in part (see also 'agricultural aviation' in the GRUZ section 42A report) |
| FS13.45 | NZAAA | Support | | Amend the rule as sought as per 12.06 Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.26 | NZHA | Support in part | | Amend the rule as sought as per 12.06 Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| 19.20 | PF Olsen | Oppose | Noise-R8 | Delete NOISE-R8 and provide for the emission of noise from primary production helipads etc. | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------|----------------------------|----------------|---|----------------|
| FS12.13 | MFMNZL | Support in part | | Accept the submission to provide for emission of noise from helipads used for primary production activities as a permitted activity | Accept |
| FS13.58 | NZAAA | Oppose | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.39 | NZHA | Oppose | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS23.74 | Te Nehenehenui | Oppose | | Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review. | Reject |
| 21.22 | NZDF | Oppose with amendment | NOISE-R8 | Amend NOISE-R8 as follows: Emission of noise from helipads, farm helipads and helicopter landing areas, <u>excluding helicopter landing areas associated with temporary military training activities.</u> | Accept in part |
| FS13.59 | NZAAA | Oppose | | Reject the decision as sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.40 | NZHA | Oppose | | Reject the decision as sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------------|----------------------------|--|---|--|
| 26.03 | Waitomo District Council | Oppose | NOISE-R8 | Amend NOISE-R8 as follows: Activity Status: RDIS Where: 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 activity may only be undertaken in <u>This rule does not apply to</u> the general rural, rural production and <u>natural open space tourism</u> zones or to the Aerodrome Precinct – PREC3 ; and 3. Noise at all times must not exceed 50 db Ldn at any point within any residential, rural lifestyle, Maori purpose or settlement zones, or at or within the notional boundary of any noise sensitive activity; and | Accept |
| FS03.58 | Director-General of Conservation | Support | | Allow | Accept |
| FS04.12 | Farmers Air | Support | | Allow | Accept |
| FS12.25 | MFMNZL | Support in part | | Amend Rule R8 as sought but consider a clearer and more logical layout to make it fully clear which zones the rule does and does not apply to, and remove clause 4 which becomes redundant. | Accept in part |
| FS13.72 | NZAAA | Support | | Allow the amendment as sought | Accept |
| FS14.02 | NZDF | Support | | Allow submission point to amend NOISE-R8 as it is more consistent with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas | Accept |
| FS15.54 | NZHA | Support | | Allow the amendment as sought | Accept |
| 27.53 | Hort NZ | Oppose | NOISE–R8 Emission of noise from helipads, farm helipads and helicopter landing areas | Amend NOISE-R8 (2) by limiting the rule to the Tourism Zone. And Include agricultural aviation in the definition of 'rural production activities' as sought in another submission point. | Reject (see also 'agricultural aviation' in the GRUZ section 42A report) |
| FS13.63 | NZAAA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.45 | NZHA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---|----------------------------|--|--|----------------|
| 28.01 | Recreational Backcountry Pilots Association; Aircraft Owners and Pilots Association, Cessna 80/185 Group and the Sports Aircraft Association (Pilots Assoc) | Support with amendment | NOISE-R8 Emission of noise from helipads, farm helipads and helicopter landing areas | Amend NOISE-R8 to clarify that the rule does not apply to fixed-wing aircraft. | Accept in part |
| 30.20 | NZFM | Oppose | NOISE-R8 | Delete criteria point 1 from NOISE-R8, so that there is no limit of the number of flight movements in association with the use of helicopters for primary production land uses. (refer submission points 30.19 and 30.21). | Accept |
| FS13.64 | NZAAA | Support in part | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.46 | NZHA | Support in part | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS19.20 | PF Olsen | Support | | Allow submission point | Accept |
| 37.01 | Joy Hurley | Oppose | Noise-R8 | Delete NOISE-R8 and NZS 6807:1994 as it relates to limiting agricultural aviation activities and emissions of noise from helipads and landing areas. | Accept in part |
| FS13.65 | NZAAA | Oppose | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.47 | NZHA | Oppose | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| 40.1 | Jackson and Hurley | Oppose | NOISE-R8 | Delete NOISE-R8. Or Amend noise-R8 to an unrestricted activity. | Accept in part |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-----------------------|----------------------------|----------------|--|----------------|
| 41.01 | Gary and Joy Jeffries | Oppose | NOISE-R8 | Delete NOISE-R8, particularly the noise controls on agricultural aviation activities, helipads, farm helipads and helicopter landing areas. | Accept in part |
| FS13.66 | NZAAA | Oppose | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.48 | NZHA | Opposed | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| 46.75 | Federated Farmers | Oppose with amendment | NOISE-R8 | Amend NOISE-R8(2) as follows: 2. This activity may only be undertaken in the general rural, rural production and general rural, rural production and tourism zones; and And Add agricultural aviation activities in the list of exemptions to the NOISE rules. And Any consequential amendments required as a result of the relief sought. | Accept in part |
| FS01.06 | Apiculture NZ | Support | | Grant the relief sought **incorrect sub reference in the further sub** | Accept |
| FS04.10 | Farmers Air | Support in part | | Reject amendment sought and Allow rule change sought by WDC 26.03 Allow the additions to the exemptions list as sought. | Accept |
| FS13.68 | NZAAA | Support in part | | Reject the amendment sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition to the exemptions list as sought | Accept |
| FS15.50 | NZHA | Support in part | | Reject the amendment sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition to the exemptions list as sought | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------------|----------------------------|---|---|----------------|
| 53.68 | Director-General of Conservation | Oppose in part | NOISE-R8 | <p>I seek the following or relief to like effect: <u>NOISE-R8</u> <u>Emission of noise from helipads, farm helipads and helicopter landing areas</u></p> <p><u>Activity Status: PER Where:</u> <u>The Department of Conservation is undertaking a conservation activity.</u></p> <p>Any other similar, alternative, additional, or consequential relief which will address the matters outlined above.</p> | Accept |
| FS13.71 | NZAAA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| FS15.53 | NZHA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |
| 24.28 | MoE | Support with amendment | NOISE-R9 | <p>Add a new matter of discretion to NOISE-R9 as follows: Matters of discretion if compliance is not achieved:</p> <p>(a) The characteristics of the noise being generated including its frequency, intensity and any special noise characteristics; and</p> <p>(b) <u>The proximity of the activity to existing noise sensitive activities; and</u></p> <p>(c) The degree to ...</p> <p>And</p> <p>Any consequential amendments required to give effect to the matters raised in this submission.</p> | Accept |
| 18.30 | AWFG | Seek amendment | New rule: | <p>Seek the following rule be included in the proposed plan: <u>NOISE-R9 Emission of noise from hunting activities</u> <u>Activity Status: PER</u></p> | Accept in part |
| 24.29 | MoE | Support | NOISE-R10 | Retain as notified. | Accept |
| 28.02 | Pilots Assoc | Support with amendment | NOISE-R10 Noise standards for the general rural and future urban zones. | Amend NOISE-R10 to allow for short-term noise caused by fixed-wing aircraft taking off and landing in the rural zone. | Accept in part |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------|----------------------------|--|--|----------------|
| 28.03 | Pilots Assoc | Support with amendment | NOISE-R11 Noise standards for the open space and natural open space zones | Amend NOISE-R11 to allow for short-term noise caused by fixed-wing aircraft taking off and landing in the open space and natural open space zones. | Accept in part |
| 43.77 | Graymont (New Zealand) Ltd | Support | NOISE-R12 | Retain as notified. | Accept |
| 28.04 | Pilots Assoc | Support with amendment | NOISE-R12 Noise standards for the industrial and rural production zones | Amend NOISE-R12 to allow for short-term noise caused by fixed-wing aircraft taking off and landing in the industrial and rural production zones. | Accept in part |
| 24.30 | MoE | Support | NOISE-R13 | Retain as notified. | Accept |
| 21.23 | NZDF | Oppose with amendment | NOISE-R14 | Amend NOISE-R14 to match the noise standards contained in Attachment B to the submission. | Accept in part |
| 27.54 | Hort NZ | Oppose with amendment | NOISE-R16 (performance standard) Emission of noise from audible bird scaring devices | Amend NOISE-R16 1(i) to: Audible bird scaring devices must only be used between ½ before sunrise and ½ hour after sunset. And Delete R16 1(iii) And Amend NOISE- R16 2 as follows: The noise from any audible bird scaring device must not exceed 85 dBA 65 dB SEL 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. | Accept in part |
| 27.55 | Hort NZ | Support | NOISE-R17 (performance standard) Emission of noise from frost fans | Retain NOISE-R17 as notified | Accept |
| 24.31 | MoE | Support | NOISE-R17 | Retain as notified. | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------|----------------------------|--|---|--|
| 43.78 | Graymont (New Zealand) Ltd | Support with amendment | NOISE-R19 | <p>Amend NOISE-R19 as follows:</p> <p>...</p> <p>5. <u>Blasting, which may include one or more blasts undertaken within a short time period,</u> 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 <u>blasting necessary for safety purposes;</u> and ...</p> <p>Or</p> <p>Add a definition to address what blasting means, noting that this definition needs to be clear that the term 'blasting' includes a number of blasts undertaken within a set window of time. In that regard, the definition needs to be clear that the term 'blasting' refers to a planned blasting event within a set window of time rather than one blast.</p> | Accept |
| FS18.10 | Omya | Support | | Adopt this change | Accept |
| FS23.203 | Te Nehenehenui | Oppose | | <p>Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan.</p> <p>Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes submission points of this nature and requests that Waitomo District Council consider this when finalising the PDP review.</p> | Reject |
| 14.25 | NZPIB | Support in part | NOISE- Table 2 – Performance Standards | Amend numbering of standards in NOISE Table 2 to clearly differentiate between standards and rules. | Accept |
| 02.18 | NZHA | Support in part | Exemptions | <p>Retain the exemptions and add:</p> <p><u>7. the intermittent and/or irregular use of helicopter landing areas.</u> Include definitions of helicopter landing areas as sought above.</p> | Reject (see also 'agricultural aviation' in the GRUZ section 42A report) |
| FS05.04 | Federated Farmers | Oppose | | Decline the relief sought | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---------------------------------------|----------------------------|----------------|---|--|
| FS13.18 | NZAAA | Support in part | | Retain the exemptions and add to exemption list as sought <u>if not</u> provided for in NOISE-R8 | Accept |
| FS15.02 | NZHA | Support in part | | Retain the exemptions and add to exception list as sought <u>if not</u> provided for in NOISE-R8 | Accept |
| 04.24 | NZAAA | Support in part | Exemptions | Retain the exemptions but include as a permitted activity rule and add: <u>7. the intermittent use of rural airstrips and helicopter landing areas for agricultural aviation activities</u> Include definitions of agricultural aviation, helicopter landing areas and rural airstrips as sought above. | Reject (see also 'agricultural aviation' in the GRUZ section 42A report) |
| FS07.24 | Grant Lennox | Support | | Allowed | Reject |
| 12.24 | Heli A1 Limited | Support in part | Exemptions | Retain the exemptions but include as a permitted activity rule and add: <u>7. the intermittent use of rural airstrips and helicopter landing areas for agricultural aviation activities</u> Include definitions of agricultural aviation, helicopter landing areas and rural airstrips as sought above. | Reject (see also 'agricultural aviation' in the GRUZ section 42A report) |
| FS04.07 | Farmers Air | Support | | Retain exemption and add to the exemption list as sought. | Reject |
| FS13.46 | NZAAA | Support | | Retain the exemption and add to the exemption list as sought | Reject |
| FS15.27 | NZHA | Support | | Retain the exception and add to the exemption list as sought | Reject |
| 16.26 | Fire and Emergency New Zealand (FENZ) | Support | Exemptions | Retain as notified. | Accept in part |
| 30.21 | NZFM | Oppose | Advice Notes | No specific decision requested, but the submission opposes the effect of the advice notes in the NOISE chapter on normal use of aircraft. | Accept |
| 08.33 | MFMNZL | Support | Advice Note | Retain as notified. | Accept in part |
| FS19.141 | PF Olsen | Support | | Allow submission points where there is alignment with the PF Olsen submission | Accept in part |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-------------------|----------------------------|----------------|---|----------------|
| 46.76 | Federated Farmers | Support with amendment | Advice notes | Retain exemptions for agricultural aviation activities in the NOISE Advice Notes. Or Amend the NOISE rules to provide for the exemptions (including agricultural aviation activities) through a permitted activity status. And Any consequential amendments required as a result of the relief sought. | Accept |
| FS01.07 | Apiculture NZ | Support | | Grant the relief sought **incorrect sub reference in the further sub** | Accept |
| FS04.11 | Farmers Air | Support in part | | Allow change sought by WDC 26.03 Allow the addition as sought to the list of exemptions. | Accept |
| FS13.69 | NZAAA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition as sought to the list of exemptions | Accept |
| FS15.51 | NZHA | Support in part | | Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 Allow the addition as sought to the list of exemptions | Accept |
| 19.21 | PF Olsen | Oppose | Advice Note 6 | Delete the reference to forestry planting and forestry harvesting in advice note 6 in the NOISE chapter. | Reject |
| FS12.14 | MFMNZL | Support in part | | Retain the exemptions in the advice note for plantation forestry activities not covered by the NES PF, but add an additional advice note in relation to the NES PF noise regulations as per PF Olsen submission 19.22 below. | Accept |
| FS23.75 | Te Nehenehenui | Oppose | | Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review. | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------|----------------------------|-----------------|---|----------------|
| 19.22 | PF Olsen | Support in part | New Advice Note | Insert the following advice note (or words with similar effect) to the NOISE chapter: <u>Noise associated with plantation forestry activities is regulated under the National Environmental Standards for Plantation Forestry 2017 (NES-PF) and is not managed through the District Plan.</u> | Accept in part |
| FS12.15 | MFMNZL | Support in part | | Accept the submission to include an advice note regarding regulation 98 of the NES PF noting that it applies to 'plantation forestry activities' defined and regulated under the NES PF. | Accept |
| FS23.76 | Te Nehenehenui | Oppose | | Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review. | Reject |
| 27.56 | Hort NZ | Support with amendment | Advice Notes | Retain the content of the advice notes in the NOISE chapter but include as a permitted activity rule without conditions as notified. | Accept |
| FS23.91 | Te Nehenehenui | Oppose in part | | Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for. | Reject |

| | | | | | |
|-------|-------------|---|----------|--|---|
| 17.92 | Waka Kotahi | - | New Rule | <p>Insert new rule as detailed in Appendix B.</p> <p>Attachment B – <u>New Reverse Sensitivity Noise Rules to be imposed in the Noise Chapter</u></p> <p>1. <u>Permitted Activity Rule Indoor Noise</u></p> <p>a. <u>At any point within 100 metres from the edge of a state highway carriageway, where:</u></p> <p>(i) <u>a new building that contains a noise sensitive activity; or</u></p> <p>(ii) <u>an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or</u></p> <p>(iii) <u>a new noise sensitive activity is located in an existing building; is proposed, it is to be:</u></p> <p>(iv) <u>Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and</u></p> <p>(v) <u>If windows must be closed to achieve the design noise levels in (1)(a)(i), the building is designed, constructed and maintained with a mechanical ventilation system that:</u></p> <p>a. <u>For habitable rooms for a residential activity, achieves the following requirements:</u></p> <p>i. <u>Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u></p> <p>ii. <u>is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and</u></p> <p>iii. <u>provides relief for equivalent volumes of spill air; and</u></p> <p>iv. <u>provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 180C and 250C; and</u></p> <p><u>does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u></p> <p>b. <u>For other spaces, is as determined by a suitably qualified and experienced person.</u></p> <p>c. <u>A report is submitted by a suitably qualified and</u></p> | This matter will be addressed in the infrastructure chapter |
|-------|-------------|---|----------|--|---|

experienced person to the council demonstrating compliance with clauses (1)(a)(i) and (ii) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.

Table 1

| Occupancy/activity | Maximum road noise level ^{Note 1} L _{den} (24h) |
|---|--|
| <i>Building type: Residential</i> | |
| Sleeping spaces | 40 dB |
| All other habitable rooms | 40 dB |
| <i>Building type: Education</i> | |
| Lecture rooms/theatres, music studios, assembly halls | 35 dB |
| Teaching areas, conference rooms, drama studios, sleeping areas | 40 dB |
| Libraries | 45 dB |
| <i>Building type: health</i> | |
| Overnight medical care, wards | 40 dB |
| Clinics, consulting rooms, theatres, nurses' stations | 45 dB |
| <i>Building type: Cultural</i> | |
| Places of worship, marae | 35 dB |

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

2. Permitted Activity Rule Outdoor Living Area

- a. Where an outdoor living or outdoor activity space required by another rule in the Plan is within the Noise Corridor Boundary Overlay and the outdoor space is required for a noise sensitive activity, the required outdoor living space is to be designed and maintained to achieve noise levels not exceeding the maximum values in Table 2: and
- b. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (2)(a) above prior to the construction or alteration of the any building to which the outdoor living space relates.

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation | | | | |
|-------------------------------|--|----------------------------|-----------------------------|---|----------------|--|-------------------------------|-------|--|
| | | | | <p>Table 2</p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Maximum road noise level ^{Table 2} L_{max}(70)</th> </tr> </thead> <tbody> <tr> <td>Required Outdoor Living Space</td> <td>57 dB</td> </tr> </tbody> </table> <p>Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.</p> <p>2. <u>Restricted Discretionary Activity Rule</u> <u>Any new or altered noise sensitive activity which does not comply with Permitted Activity (1) or (2).</u></p> <p><u>Restricted Discretionary Activity – Matters of Discretion</u> Discretion is restricted to:</p> <p>(a) <u>Location of the building and outdoor living space;</u> (b) <u>The effects of the non-compliance on the health and amenity of occupants; and</u> (c) <u>The outcome of any consultation with Waka Kotahi NZ Transport Agency.</u></p> <p><u>Restricted Discretionary Activity – Assessment Criteria</u> Discretion is restricted to:</p> <p>(a) <u>Whether the location of the building minimises effects;</u> (b) <u>Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants; and</u> <u>The outcome of any consultation with Waka Kotahi NZ Transport Agency.</u></p> | Activity | Maximum road noise level ^{Table 2} L _{max} (70) | Required Outdoor Living Space | 57 dB | |
| Activity | Maximum road noise level ^{Table 2} L _{max} (70) | | | | | | | | |
| Required Outdoor Living Space | 57 dB | | | | | | | | |
| 27.21 | Hort NZ | New | Frost fans | <p>Add a new definition for 'Frost fans' as follows:</p> <p><u>Means a machine used to move air around a horticultural or rural site for the purpose of drying fruit or mitigating the effects of frost.</u></p> | Accept | | | | |
| 27.20 | Hort NZ | New | Audible bird scaring device | <p>Add a new definition for 'Audible bird scaring device' as follows:</p> <p><u>means Gas guns and avian distress alarms used for the purposes of disturbing or scaring birds, and excludes firearms and vehicles used for that purpose.</u></p> | Accept | | | | |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|------------|----------------------------|---|--|---|
| 51.45 | KRH | Seek amendment | <p>Various zones including</p> <ul style="list-style-type: none"> a. RESZ Residential zone b. GRUZ General Rural zone c. RPROZ Rural Production zone d. RLZ Rural Lifestyle zone e. SETZ Settlement Zone f. COMZ Commercial Zone g. MPZ Māori Purpose Zone h. INZ Industrial Zone i. OSZ Open Space Zone | <p>Amend by inserting new standard as follows:</p> <p><u>NOISE-SX Indoor railway vibration</u></p> <ol style="list-style-type: none"> 1. <u>Any new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 60 metres from the boundary of a railway network:</u> <ol style="list-style-type: none"> a. <u>is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw,95 or</u> b. <u>is a single storey framed residential building with:</u> <ol style="list-style-type: none"> i. <u>a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10Hz, installed in accordance with the supplier's instructions and recommendations; and</u> ii. <u>vibration isolation separating the sides of the floor slab from the ground; and</u> iii. <u>no rigid connections between the building and the ground.</u> 2. <u>A report is submitted to the council demonstrating compliance with the above prior to the construction or alteration of any building containing an activity sensitive to vibration.</u> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>Whether the activity sensitive to vibration could be located further from the railway network.</u> 2. <u>The extent to which the vibration criteria are achieved and the effects of any non-compliance.</u> 3. <u>The character of, and degree of, amenity provided by the existing environment and proposed activity.</u> 4. <u>The outcome of any consultation with KiwiRail.</u> | This matter will be addressed in the infrastructure chapter |
| FS09.10 | Kainga Ora | Oppose | | Disallow | This matter will be addressed in the infrastructure chapter |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|------------|----------------------------|---|---|---|
| 51.46 | KRH | Seek Amendment | <p>NOISE-S4</p> <p>Various zones including</p> <ul style="list-style-type: none"> a. RESZ Residential zone b. GRUZ General Rural zone c. RPROZ Rural Production zone d. RLZ Rural Lifestyle zone e. SETZ Settlement Zone f. COMZ Commercial Zone g. MPZ Māori Purpose Zone h. INZ Industrial Zone i. OSZ Open Space Zone | <p>Amend each zone listed by adding new standard as follows:</p> <ol style="list-style-type: none"> 1. <u>The requirements of ('XXX' being the railway noise acoustic insulation standard wherever it appears in the Plan) must be achieved at the same time as the ventilation requirements of the New Zealand Building Code. An alternative means of ventilation must be provided within any habitable room unless an acoustic design certificate signed by a suitably qualified acoustic engineer is provided that states the design of any habitable room as proposed will comply with the acoustic insulation standard with windows open.</u> 2. <u>Ventilation systems where installed must:</u> <ol style="list-style-type: none"> a. <u>provide cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C;</u> b. <u>not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser; and</u> c. <u>provide an adjustable airflow rate of up to at least 6 air changes per hour.</u> | This matter will be addressed in the infrastructure chapter |
| FS09.11 | Kainga Ora | Oppose | | Disallow | This matter will be addressed in the infrastructure chapter |

| | | | | | |
|-------|------|-------|------------------------|---|----------------|
| 21.27 | NZDF | Amend | New Appendix NOISE-R14 | <p><u>TMTA permitted activity rule noise standards:</u></p> <p><u>2. Weapons firing and/or the use of explosives*</u></p> <p><u>a. Notice is provided to the Council at least 5 working days prior to the commencement of the activity.</u></p> <p><u>b. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:</u></p> <p><u>0700 to 1900 hours: 500m 1900 to 0700 hours: 1,250m</u></p> <p><u>c. Where the minimum separation distances specified above cannot be met, then the activity shall comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity:</u></p> <p><u>0700 to 1900 hours: 95 dBC 1900 to 0700 hours: 85 dBC</u></p> <p><u>*NZS6802:2008 Acoustics – Environmental Noise shall not be used to assess noise from weapons firing and use of explosives.</u></p> <p><u>3. Mobile noise sources</u> <u>Shall 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*.</u> <u>Note: Mobile noise sources (other than firing of weapons and explosives) include personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.</u></p> <p><u>4. Fixed (stationary) noise sources:</u> <u>Shall 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*</u></p> <p><u>5. Helicopter landing areas</u> <u>Shall comply with NZS6807:1994 Noise Management and Land Use Planning for Helicopter</u></p> | Accept in part |
|-------|------|-------|------------------------|---|----------------|

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|------------------------------------|----------------------------|----------------|---|----------------|
| | | | | <u>Landing Areas*</u> . * Noise levels shall be measured in accordance with <u>NZS6801:2008 Acoustics – Measurement of Sound.</u> | |
| FS15.41 | New Zealand Helicopter Association | Oppose | | Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03 | Accept |

Signs

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|--------------------------------|----------------------------|--|--|----------------|
| 10.127 | Waikato Regional Council | Support | General comments about sign provisions | Retain provisions that seek to promote or enhance the safety of the road network. | Accept |
| 10.128 | Waikato Regional Council | Support | SIGN-O2 | Retain as notified. | Accept |
| 17.93 | Waka Kotahi | Support | SIGN-O2 | Retain as notified. | Accept |
| 51.47 | KiwiRail Holdings Ltd | Support | SIGN-O2 | Retain as notified. | Accept |
| 43.67 | Graymont (New Zealand) Ltd | Support | SIGN-P1 | Retain as notified. | Accept |
| 17.94 | Waka Kotahi | Support | SIGN-P3 | Retain as notified. | Accept |
| 10.129 | Waikato Regional Council | Amend | SIGN-P3 | Split SIGN-P3 into two policies. | Accept in part |
| 10.130 | Waikato Regional Council | Amend | SIGN-P4 | Amend the font size. | Accept |
| 17.95 | Waka Kotahi | Support | SIGN-P5 | Retain as notified. | Accept |
| 17.96 | Waka Kotahi | Support in part | SIGN-P9 | Amend SIGN-P9 as follows: ... 4. <u>Digital or illuminated signs which are audible, flash, move, scroll, contain animations or full motion video. or have a high frequency of image changes</u> | Accept |
| 17.97 | Waka Kotahi | Support | SIGN-R1 | Retain as notified. | Accept in part |
| 18.31 | Auckland Waikato Fish and Game | Seek amendment | SIGN-R1 | Amend rule as follows: Activity status: PER Where: 1. The sign is required by the New Zealand Transport Agency, KiwiRail, Waitomo District Council, <u>the New Zealand Fish and Game Council</u> or is required to meet legislative requirements such as health and safety legislation. | Accept |
| 43.68 | Graymont (New Zealand) Ltd | Support | SIGN-R1 | Retain as notified. | Accept |
| 17.98 | Waka Kotahi | Support in part | SIGN-R2 | Amend SIGN-R2 as follows: (d) Potential positive or adverse effects on road user <u>the transport network</u> and pedestrian safety; and | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-------------|----------------------------|----------------|--|----------------|
| 17.99 | Waka Kotahi | Support in part | SIGN-R10 | <p>Amend SIGN-R10 as follows:</p> <p>...</p> <p>3. The sign must only display still images, and where multiple still images are displayed each image must be displayed for a minimum of 7 seconds</p> <p>and</p> <p><u>Additional matters for digital signs visible from the State Highway:</u></p> <p><u>6. There shall be a maximum of one digital sign per site.</u></p> <p><u>7. There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change.</u></p> <p><u>8. The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the state highway network from which the digital billboard is visible:</u></p> <p><u>9. In low speed environments (70 km/h and less) at all times the digital billboard should include no more than ten individual elements; of which words may only make up eight elements. Additionally, each line of text shall contain a maximum of 40 characters.</u></p> <p><u>10. In higher speed environments (more than 70 km/h) these content controls halve. At all times the digital billboard should include no more than five individual elements; of which words may only make up four elements. Additionally, each line of text shall contain a maximum of 20 characters.</u></p> <p><u>11. The digital sign shall be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved;</u></p> <p><u>Matters over which discretion is restricted:</u></p> <p><u>(h) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p> | Accept |
| 17.100 | Waka Kotahi | Support in part | SIGN-R12 | <p>Amend SIGN-R12 as follows:</p> <p><u>(h) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p> | Accept in part |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-----------------|----------------------------|----------------------------|---|----------------|
| 27.57 | Horticulture NZ | Oppose with amendment | SIGN – R14 | Amend SIGN-R14 (1) to read: The sign is located in the commercial, tourism, industrial or rural production zones | Reject |
| FS23.92 | Te Nehenehenui | Oppose in part | | Te Nehenehenui have stated support for other submitters submission points that may be in conflict with this submission, therefore TNN oppose the points of this submission that are not aligned to our Taiao and cultural values, or those we have noted support for. | Accept |
| 17.101 | Waka Kotahi | Support in part | SIGN- Table 2: SIGN-R15 | Amend SIGN-R15 – Table 2 as follows: ... 6. Signs must not have flashing, or revolving lights, or lasers <u>or intermittently illuminated lights</u> and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance; Additional matters for signage visible from the state highway network: 7. <u>Signs should have a minimum lettering height of 120mm where the speed limit is lower than 70km/h, or 160mm where the speed limit is 70km/h or higher;</u> 8. <u>Signs should have a maximum of 6 words and/ or symbols, with a maximum of 40 characters;</u> 9. <u>Signs must not obstruct the movement of any pedestrian, motorist, or cyclist;</u> 10. <u>Signs must not be made of materials likely to reflect headlights from an approaching vehicle.</u> Matters over which discretion is restricted: ... <u>(d) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u> | Accept in part |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-----------------------|----------------------------|---------------------------------|---|----------------|
| 51.48 | KiwiRail Holdings Ltd | Seek amendment | SIGN-R15 | Amend SIGN R15 as follows; 1. 2. Signs must not be located in or project over the railway corridor; and 3. Signs must not be located in or project over a road, indicative road, vehicle access point, accessway, service lane or driveway; and 4. Signs must not obstruct the line of sight of any road corner, bend, intersection, vehicle or rail crossing; and 5. Signs must not be placed within 20 m of a road intersection; and 6. Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal; and Signs must not have flashing or revolving lights or lasers and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance | Accept |
| 17.102 | Waka Kotahi | Support in part | SIGN Table 2: SIGN- R22 | Amend SIGN-R22 as follows; <u>Additional matters for signs visible from the State Highway:</u> 5. <u>The screen shall incorporate lighting control to adjust brightness in line with ambient light levels;</u> | Accept |
| 17.103 | Waka Kotahi | Support in part | SIGN-R22- Matters of Discretion | Amend SIGN-R22 Matters of Discretion as follows; ... (c) <u>The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as</u> Any impact on driver, cyclist and of pedestrian safety; and ... (f) <u>Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u> | Accept |
| 17.07 | Waka Kotahi | Support in part | Digital Signs | Delete the definition for 'digital signs' and replace with the following definition: <u>Digital signs: electronic display systems designed to capture attention, primarily, but not exclusively, for the purposes of advertising. The digital signage display may be static or non-static.</u> | Accept |

Temporary Activities

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------------|----------------------------|--------------------------|--|---|
| 24.32 | Ministry of Education (MoE) | Support | Overview | Retain as notified. | Accept |
| 21.24 | New Zealand Defence Force (NZDF) | Support | TEMP-O1 | Retain as notified. | Accept |
| 24.33 | MoE | Support | TEMP-P3 | Retain as notified. | Accept |
| 24.34 | MoE | Support | TEMP-P4 | Retain as notified. | Accept |
| 24.35 | MoE | Support | TEMP-P6 | Retain as notified. | Accept |
| 17.104 | Waka Kotahi | Support | TEMP-P6.3 | Retain as notified. | Accept |
| 21.25 | NZDF | Support | TEMP-P7 | Retain as notified. | Accept |
| 21.26 | NZDF | Support with amendment | TEMP-R7 | Amend TEMP-R7 as follows: TEMP-R7: Temporary military training activities Activity Status: PER <u>Where:</u> <u>1. Performance standard NOISE-R14 is complied with.</u> | Accept (see the Noise section 42A report) |
| 17.105 | Waka Kotahi | Support in part | TEMP-R1.5 | Waka Kotahi request that reference is made to 'equivalent car movements' rather than vehicles. | Accept |
| 17.106 | Waka Kotahi | Support | TEMP-R1.6 | Retain as notified. | Accept |
| 17.107 | Waka Kotahi | Support | TEMP-R1(c)(d) and (e) | Retain as notified. | Accept |
| 17.108 | Waka Kotahi | Support | TEMP-R2(c)(d) and (e) | Retain as notified. | Accept |
| 17.109 | Waka Kotahi | Support | TEMP-R3(c)(d) and (e) | Retain as notified. | Accept |
| 17.110 | Waka Kotahi | Support | TEMP-R4(c)(d)(e) and (h) | Retain as notified. | Accept |
| 17.111 | Waka Kotahi | Support | TEMP-R5 (e) | Retain as notified. | Accept |
| 16.27 | FENZ | Support | TEMP-R6 | Retain as notified. | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-----------------------|----------------------------|----------------|--|----------------|
| 51.43 | KiwiRail Holdings Ltd | New | New rule | <p><u>Amend by adding a new rule as follows:</u></p> <p><u>TEMP-RX Temporary buildings and structures ancillary to construction work</u> <u>All zones</u></p> <p><u>Activity status: Permitted Where:</u> <u>PER-1 The temporary building and/or structure is located on the same site as the associated construction work; and</u></p> <p><u>PER-2 The maximum combined gross floor area of any temporary buildings and/or structures does not exceed 50m² where the site is located within or adjoining a Residential zone; and</u></p> <p><u>PER-3 The temporary building and/or structure is removed from the site upon completion of the associated construction work, or within 24 months from the date it was located on the site, whichever is sooner; and</u></p> <p><u>PER-4 The temporary building and/or structure must comply with the height, height in relation to boundary, and setback requirements of the zone where the activity is located.</u></p> <p><u>Note: The activity must comply with NOISE-R4</u></p> <p><u>Activity status where compliance not achieved with PER-4: Restricted Discretionary</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>loss of outlook, shading, loss of privacy and loss of amenity; and location and design.</u></p> <p><u>Activity status where compliance not achieved with PER-1 or PER-2 or PER-3: RDIS</u></p> | Accept in part |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------|----------------------------|--------------------------------------|---|----------------|
| FS23.250 | Te Nehenehenui | Support in part | | Include: where the activity impacts sites and areas of significance to Māori and significant archaeological sites, Maniapoto cultural values must be considered | Accept in part |
| 21.02 | NZDF | Support | Temporary Military Training activity | Retain as notified. | Accept |

Relocated Buildings and Shipping Containers

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---|----------------------------|----------------|--|----------------|
| 43.65 | Graymont (NZ) Ltd | Support | RLB-O4 | Retain RLB-O4 as notified. | Accept |
| 44.01 | House Movers Section of NZ Heavy Haulage Assoc. | Support | RLB-R1 | Retain RLB-R1 as notified. | Accept in part |
| 44.07 | House Movers Section of NZ Heavy Haulage Assoc. | Oppose with amendment | RLB-R1 | Amend RLB-R1 (PREC6 and PREC1) as follows: Activity status where compliance is not achieved: RD DS And Any consequential amendments required to achieve the relief sought. | Accept in part |
| 44.02 | House Movers Section of NZ Heavy Haulage Assoc. | Support | RLB-R2 | Retain RLB-R2 as notified. | Accept in part |
| 44.08 | House Movers Section of NZ Heavy Haulage Assoc. | Oppose with amendment | RLB-R2 | Amend RLB-R2 (PREC6 and PREC1) as follows: Activity status where compliance is not achieved: RD DS And Any consequential amendments required to achieve the relief sought. | Accept in part |
| 44.03 | House Movers Section of NZ Heavy Haulage Assoc. | Support | RLB-R3 | Retain RLB-R3 as notified. | Accept in part |
| 44.09 | House Movers Section of NZ Heavy Haulage Assoc. | Oppose with amendment | RLB-R3 | Amend RLB-R3 (All Zones and PREC2) as follows: Activity status where compliance is not achieved: RD DS And Any consequential amendments required to achieve the relief sought. | Accept |
| 43.66 | Graymont (NZ) Ltd | Support | RLB-R4 | Retain RLB-R4 as notified. | Accept |
| 44.04 | House Movers Section of NZ Heavy Haulage Assoc. | Support | RLB-R6 | Retain RLB-R6 as notified. | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---|----------------------------|-----------------------------------|---|----------------|
| 44.10 | House Movers Section of NZ Heavy Haulage Assoc. | Oppose with amendment | RLB-R6 | Amend RLB-R6 as follows: Activity status where compliance is not achieved: RD DIS And Any consequential amendments required to achieve the relief sought. | Accept |
| 44.05 | House Movers Section of NZ Heavy Haulage Assoc. | Support | RLB-Table 2 Performance standards | Retain RLB-Table 2 Performance standards as notified. | Accept in part |
| 44.06 | House Movers Section of NZ Heavy Haulage Assoc. | New | NEW | Add to the performance standards those as shown in Schedule 2 and the building inspection report as shown in Schedule 3 attached to the submission. And Any consequential amendments required to achieve the relief sought. | Accept in part |

Light

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------------|----------------------------|------------------------------|---|---|
| 47.166 | Forest and Bird | Support with amendment | Overview and general comment | <p>Amend the overview of the Light chapter to include an additional sentence to acknowledge the impact of artificial light on indigenous fauna, with this wording or similar:</p> <p><u>Unmodified artificial lighting can also impact indigenous fauna such as long tailed bats, seabirds and insects.</u></p> <p>And</p> <p>Amend the Light chapter to identify appropriate light levels in areas of bat habitat, and in areas known to be (or potentially suitable as) pathways for seabirds coming ashore to nest, or migration pathways. It is recommended that Waitomo DC work with WRC, DOC and other bat and seabird specialists.</p> <p>And</p> <p>Add specific Objectives, Policies and Rules following on from the above.</p> <p>And</p> <p>Add a rule on modifying street lighting to reduce its impact in insects.</p> <p>And</p> <p>Any consequential changes or alternative relief to achieve the relief sought.</p> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS26.14 | Waikato Regional Council (WRC) | Support | | <p>Amend the overview of the Light chapter as suggested by F&B. Amend objectives, policies and rules in the Light chapter to ensure that impacts of light on indigenous fauna is avoided.</p> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| 53.65 | Department of Conservation (DoC) | Support with amendments | Introduction | <p>Amend the LIGHT introduction with the following or relief to like effect:</p> <p>If artificial lighting is not properly located, installed and designed it can have adverse effects on people, particularly if it causes sleep disturbance. Poorly designed artificial lighting can also affect traffic safety and <u>wildlife, such as long tailed bats and seabirds.</u></p> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS19.49 | PF Olsen | Oppose | | Disallow submission point | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------|----------------------------|--------------------------|---|---|
| 43.61 | Graymont (New Zealand) Ltd | Support | Light-O1 | Retain as notified. | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| 47.167 | Forest and Bird | Support with amendment | LIGHT-O1 | Amend LIGHT-O1 as follows: ...while managing adverse light spill effects <u>and other impacts on indigenous fauna such as long tailed bats, seabirds and insects.</u> And Any consequential changes or alternative relief to achieve the relief sought. | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| 53.66 | DoC | New | New Objective and Policy | I seek the following or relief to like effect: Retain: LIGHT-O1 LIGHT-O2 Introduce new objective LIGHT-Ox: <u>Artificial outdoor lighting is designed and located to minimise its adverse effects, is compatible with the character and qualities of the surrounding area and protects the values and characteristics of light sensitive areas.</u> Introduce new policy LIGHT-Px: <u>Avoid all artificial outdoor lighting that does not meet the intensity, type, and direction requirements for light sensitive areas unless it is critical for health and safety reasons.</u> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS08.17 | Graymont (New Zealand) Ltd | Oppose in part | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS10.72 | King Country Energy | Oppose | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS25.35 | Ventus Energy | Oppose | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| 43.62 | Graymont (New Zealand) Ltd | Support | Light-O2 | Retain as notified. | Accept |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------|----------------------------|----------------|--|---|
| 47.168 | Forest and Bird | Support with amendment | LIGHT-P1 | Amend LIGHT-P1 as follows: the health and safety of people, <u>indigenous fauna such as long tailed bats, seabirds and insects,</u> and... And Any consequential changes or alternative relief to achieve the relief sought. | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| 17.86 | Waka Kotahi | Support | LIGHT-P1 | Retain as notified. | Accept |
| 43.63 | Graymont (New Zealand) Ltd | Support with amendment | LIGHT-P1 | Amend LIGHT-P1 as follows: Artificial lighting is located, designed and operated so that it does not adversely affect amenity <u>to an unacceptable extent,</u> the health and safety of people, and the safe operation of the transport network. | Reject |
| FS10.22 | King Country Energy | Support | | Allow | Reject |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|----------------------------|----------------------------|---|--|---|
| 53.67 | DoC | Oppose in part | Rules Light Table 1 Light Table 2 | <p>I seek the following or relief to like effect: Amend:</p> <p>LIGHT-R1</p> <p>Add new Rule:</p> <p>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.</p> <p>Light Sensitive areas: LIGHT-Rx – Emission of artificial light in Light Sensitive Areas</p> <p>Activity Status: PER</p> <p>Where:</p> <p>All of the relevant performance standards in LIGHT Table 3 LIGHT – Table 3 – Performance Standards LIGHT -Rx Emission of Artificial Light in Light Sensitive Area</p> <p>The D-G requests that performance standards should include, at minimum, a requirement that light (lux) be as low as possible (0.1 lux) at the boundary or within any area set aside for bat protection, including any such SNAs and/or corridor, lux level should be in line with the Eurobats Guidelines for consideration of bat in lighting projects. Standards should also manage colour temperature, directing that fixed lighting in the Light Sensitive Area will be white and not exceed 2700 kelvins with as little blue light as possible. All lighting should emit zero upward light, be installed with the light emitting surface directly down and be mounted as low as practical.</p> <p>In accordance with the D-G's recommended definition for 'light sensitive areas' the D-G also requests lighting performance standards appropriate to avoid and mitigate adverse effects on the characteristics and values of SNAs, ONLs, NOSZ. It requested that these standards consider other indigenous biodiversity that are affected by lights such as seabirds.</p> <p>Any other similar, alternative, additional, or consequential relief which will address the matters outlined above.</p> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS08.18 | Graymont (New Zealand) Ltd | Oppose in part | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---|----------------------------|---------------------------------------|---|---|
| FS10.73 | King Country Energy | Oppose | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS25.36 | Ventus Energy | Oppose | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS19.50 | PF Olsen | Support in part | | Allow submission points as amended by our further submission | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| 43.64 | Graymont (New Zealand) Ltd | Support with amendment | LIGHT-R2 | Amend LIGHT-R2 as follows: 1. All exterior artificial lighting must be oriented so that light does not spill onto is emitted away from any road or <u>cause an adverse effect to any oncoming traffic</u> ; and ... | Accept in part |
| 17.87 | Waka Kotahi | Support | LIGHT-R2.1 | Retain as notified. | Reject |
| 17.88 | Waka Kotahi | Support | LIGHT-R2.6 | Retain as notified. | Accept |
| 17.89 | Waka Kotahi | Support | LIGHT-R2(f) | Retain as notified. | Accept |
| 14.20 | New Zealand Pork Industry Board (NZPIB) | Support in part | Light Table 2 – Performance Standards | Amend wording as follows: 7. The following activities are exempt from the provisions of this rule: (i) Streetlights, navigation aids and traffic signals; and (ii) Lights of vehicles (<u>including farm vehicles and mobile farm machinery</u>), trains and aircraft; and (iii) Lighting associated with temporary events and commercial filming; and Temporary lighting for the purpose of emergency management activities, temporary military training activities and emergency response. | Accept in part |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-------------------------------------|----------------------------|--|--|---|
| 53.72 | DoC | Support with amendment | APP 1.x Information requirements for all applications undertaken within or partially within a Bat Protection Area, where removal of bat roosting habitat is proposed | <p>The D-G seeks the following or relief to like effect: The Bat Management Plan will:</p> <ul style="list-style-type: none"> • Have an objective specified in the PDP 'information requirements' provisions against which its effectiveness can be measured. • Extend beyond roosting sites and manage effects on foraging and commuting sites to protect the functionality of core bat habitat. • Be prepared by the same suitably qualified ecologist/s to ensure they integrate to achieve the specified objective. • Be peer reviewed by a suitably qualified ecologist. <p>Consider roosting tree removal as a last resort but include best practice tree removal protocols⁴, and mitigation for any potential trees that have been identified for removal.</p> <ul style="list-style-type: none"> • Set out how protected, restored or enhanced habitat will link to other areas immediately outside of the application site. It is important that connectivity to the wider landscape is accounted for. <p>Any other similar, alternative, additional, or consequential relief which will address the matters outlined above.</p> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS12.24 | Manulife Forest Management (NZ) Ltd | Oppose in part | | <p>Reject submission and support national approaches to development of species management plans and guidance.</p> <p>**wrong submission number quoted in further submission**</p> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS19.52 | PF Olsen | Oppose | | Disallow submission point | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS21.34 | Taharoa Ironsands Ltd | Oppose | | Reject the submission point | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|---------------------|----------------------------|----------------------|--|---|
| 53.07 | DoC | New definition | Light Sensitive Area | Insert the following definition or relief to like effect <u>Light Sensitive Area</u> : <u>Includes land in the following areas:</u> a. <u>Significant Areas Overlay</u> b. <u>Outstanding Natural Landscapes Overlay</u> c. <u>the Natural Open Space Zone.</u> <u>Bat Protection Areas Overlay</u> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS08.15 | Graymont Ltd | Oppose | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS10.57 | King Country Energy | Oppose | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS25.17 | Ventus Energy | Oppose | | Disallow | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS27.06 | Waka Kotahi | Oppose in part | | Waka Kotahi seeks further consultation regarding the extent of the new areas | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS19.28 | PF Olsen | Oppose | | Disallow submission point | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |

Appendix 1 – Submission points in order of plan provision

| Submission No | Submitter | Support / in part / oppose | Plan Provision | Relief Sought | Recommendation |
|---------------|-------------------------------------|----------------------------|---|--|---|
| 53.72 | DoC | Support with amendment | APP 1.x Information requirements for all applications undertaken within or partially within a Bat Protection Area, where removal of bat roosting habitat is proposed | <p>The D-G seeks the following or relief to like effect: The Bat Management Plan will:</p> <ul style="list-style-type: none"> • Have an objective specified in the PDP 'information requirements' provisions against which its effectiveness can be measured. • Extend beyond roosting sites and manage effects on foraging and commuting sites to protect the functionality of core bat habitat. • Be prepared by the same suitably qualified ecologist/s to ensure they integrate to achieve the specified objective. • Be peer reviewed by a suitably qualified ecologist. <p>Consider roosting tree removal as a last resort but include best practice tree removal protocols⁴, and mitigation for any potential trees that have been identified for removal.</p> <ul style="list-style-type: none"> • Set out how protected, restored or enhanced habitat will link to other areas immediately outside of the application site. It is important that connectivity to the wider landscape is accounted for. • Any other similar, alternative, additional, or consequential relief which will address the matters outlined above. | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS12.24 | Manulife Forest Management (NZ) Ltd | Oppose in part | | <p>Reject submission and support national approaches to development of species management plans and guidance.</p> <p>**wrong submission number quoted in further submission**</p> | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS19.52 | PF Olsen | Oppose | | Disallow submission point | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |
| FS21.34 | Taharoa Ironsands Ltd | Oppose | | Reject the submission point | This matter will be addressed in the ecosystems and indigenous biodiversity chapter |

APPENDIX 2 CHAPTER AMENDMENTS

Strikethrough is shown as an addition or ~~deletion~~

Noise

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 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 restricted:</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>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,</p> |

- (i) 7am to 7pm hours: 500m
- (ii) 7pm to 7am hours: 1,250m
- 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 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.

| <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> |

- 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 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>1. The noise generated complies with NOISE-R16; and</p> <p>2. The activity is undertaken in the general rural or rural production zones; and</p> <p>3. 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> | <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> <p>4. The activity is undertaken in zones other than the general rural or rural production zones.</p> | <p>Activity status where compliance is not achieved: N/A</p> | |
| NOISE-R5. | Emission of noise from frost fans | |
| <p>Activity Status: PER</p> <p>Where:</p> <p>1. The noise generated complies with NOISE-R17; and</p> <p>2. The activity is undertaken in the general rural or rural production zones.</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> | |
| <p>Activity Status: DIS</p> <p>Where:</p> <p>3. The activity is undertaken in zones other than the general rural or rural production zones.</p> | <p>Activity status where compliance is not achieved: N/A</p> | |
| NOISE-R6. | Emission of noise and vibration from construction activities | |
| <p>Activity Status: PER</p> <p>Where:</p> <p>1. The noise and vibration generated complies with NOISE-R18.</p> | <p>Activity status where compliance is not achieved: DIS</p> | |

| | | |
|------------------|--|--|
| NOISE-R7. | Emission of noise and vibration from blasting | |
| NOISE-R8. | Emission of noise from helipads, farm helipads and helicopter landing areas | |

Activity Status: PER

Where:

1. The noise and vibration generated complies with NOISE-R19; and
2. The activity is undertaken in the general rural and rural production zones; and
3. This rule does not apply to building demolition.

Activity status where compliance is not achieved: DIS

Activity Status: RDIS

Where:

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 |
|-----------------|------------|
|-----------------|------------|

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> <ul 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 (g) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation. |
| Time | Noise limit | | | | | | | | | | |
| 7am - 7pm | 50 dBA(LAeq) | | | | | | | | | | |
| 7pm - 10pm | 45 dBA(LAeq) | | | | | | | | | | |
| 10pm – 7am | 40 dBA(LAeq) | | | | | | | | | | |
| 10pm-7am | 70 dBA(LAmax) | | | | | | | | | | |
| NOISE- R10. | Noise standards for the general rural and future urban zones | | | | | | | | | | |
| <p>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:</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> <ul 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 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 |
| Time | Noise limit | | | | | | | | | | |
| 7am - 7pm | 50 dBA(LAeq) | | | | | | | | | | |
| 7pm - 10pm | 45 dBA(LAeq) | | | | | | | | | | |
| 10pm – 7am | 40 dBA(LAeq) | | | | | | | | | | |
| 10pm-7am | 70 dBA(LAmax) | | | | | | | | | | |

| | |
|--|--|
| <p>AND</p> <p>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.</p> | <p>(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</p> <p>(f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation.</p> |
|--|--|

| | |
|--------------------|--|
| NOISE- R11. | Noise standards for the open space and natural open space zones |
|--------------------|--|

| <p>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:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <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> <p>(a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p> <p>(b) The degree to which the noise will be compatible with existing and anticipated activities; and</p> <p>(c) The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and</p> <p>(d) Effects on people and communities’ health and wellbeing, including the potential for sleep disturbance; 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 structures and equipment and the timing of operations; and</p> <p>(f) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and</p> <p>(g) The community and social benefits from the activity.</p> |
|---|---------------|-------------|-----------|--------------|------------|--------------|------------|--------------|----------|---------------|---|
| Time | Noise limit | | | | | | | | | | |
| 7am - 7pm | 50 dBA(LAeq) | | | | | | | | | | |
| 7pm - 10pm | 45 dBA(LAeq) | | | | | | | | | | |
| 10pm – 7am | 40 dBA(LAeq) | | | | | | | | | | |
| 10pm-7am | 70 dBA(LAmax) | | | | | | | | | | |

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

| | |
|--|---|
| <p>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:</p> | <p>Matters of discretion if compliance is not achieved:</p> <p>(a) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and</p> <p>(b) The degree to which the noise will be compatible with existing and anticipated activities; and</p> |
|--|---|

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

AND

- 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) |

- The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and
- 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
- The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and
- 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
- 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 |
|--------------------|---|

- 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

- Noise generated by an activity in the commercial and tourism zones must not exceed the following noise limits at any point within any residential

Matters of discretion if compliance is not achieved:

- The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; and
- The degree to which the noise will be compatible with existing and anticipated activities; and
- The potential for cumulative effects considering the background noise environment and any special noise characteristics from existing sources; and
- Effects on people and communities' health and wellbeing, including the potential for sleep disturbance; and
- Any mitigation of the noise proposed, in accordance with a best practicable option approach including site layout, design and

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) |

- 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) |
| 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.~~

~~**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~~
- ~~(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 |
|-------------------|---|

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

Matters of discretion if compliance is not achieved:

| <p>general rural, rural lifestyle, settlement, future urban or Māori purpose zones:</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Time</th> <th>Noise limit</th> </tr> </thead> <tbody> <tr> <td>7am - 7pm</td> <td>70 dBA(LAeq)</td> </tr> <tr> <td>7pm - 10pm</td> <td>55 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> <p>AND</p> <p>2. This rule does not apply to public firework displays.</p> | Time | Noise limit | 7am - 7pm | 70 dBA(LAeq) | 7pm - 10pm | 55 dBA(LAeq) | 10pm – 7am | 40 dBA(LAeq) | 10pm-7am | 70 dBA(LAmax) | <p>(a) The 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 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) 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</p> <p>(e) The degree to which adverse effects can be mitigated through conditions of consent such as noise attenuation; and</p> <p>(f) The social and economic benefits, including providing opportunities from employment that will be derived from the activity.</p> |
|---|---------------|-------------|-----------|--------------|------------|--------------|------------|--------------|----------|---------------|---|
| Time | Noise limit | | | | | | | | | | |
| 7am - 7pm | 70 dBA(LAeq) | | | | | | | | | | |
| 7pm - 10pm | 55 dBA(LAeq) | | | | | | | | | | |
| 10pm – 7am | 40 dBA(LAeq) | | | | | | | | | | |
| 10pm-7am | 70 dBA(LAmax) | | | | | | | | | | |

| | |
|-------------------|--|
| NOISE-R16. | Emission of noise from audible bird scaring devices |
|-------------------|--|

| | |
|---|--|
| <p>1. Any audible bird scaring devices must be operated as follows:</p> <p>(i) Only during daylight hours <u>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</u>; and</p> <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>Matters of discretion if compliance is not achieved:</p> <p>(a) The 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 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> |
|---|--|

| | |
|--|--|
| NOISE-R17 | Emission of noise from frost fans |
| <ol style="list-style-type: none"> 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. 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. 3. Records of annual calibration of the frost fan temperature sensors must be kept and made available to Waitomo District Council on request. | <p>Matters of discretion if compliance is not achieved:</p> <ol style="list-style-type: none"> (a) The proximity of the frost fan(s) relative to noise sensitive activities and the residential zone; and (b) The proposed height of fans and the type of motor, speed and the number of blades on the fan(s); and (c) The characteristics of the noise being generated including its frequency, intensity, and any special noise characteristics; 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) How the operation (conditions triggering use) and management of the frost fan(s) network will avoid or minimize potential effects on neighboring properties; and (g) Mitigation proposals to address potential noise and vibration effects; and (h) The economic benefits, including providing opportunities for employment that will be derived from the activity. |
| NOISE-R18. | Emission of noise and vibration from construction activities |
| <ol style="list-style-type: none"> 1. 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 2. 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"> 1. The activity must only occur in the general rural or rural production; and 2. 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 3. 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 4. Blasting must not occur outside of the hours of 9am – 5pm, Monday to Saturday; and 5. 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 6. 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.

Signs

Overview

Signs attract customers, warn people of hazards, provide direction and give information about attractions and events. Signs range in type and scale from large billboards to small signs which state the name of a property. Signs can be attached to buildings, freestanding, illuminated, flashing, moving (such as balloons), or digital. They can also be a permanent or temporary feature.

This plan makes provisions for signs dependent on the zone - or in some cases, the precinct – that the site is located within. For each zone, the number, scale, and placement of signs is managed in a manner which supports the outcomes sought for that zone. This includes managing signs that are not directly related to the activity being carried out on a site. For instance, site-related signs attracting customers to purchase goods and services are anticipated on land zoned for commercial, industrial and tourism activities. Signs attracting customers are generally not anticipated in the general rural, rural lifestyle, settlement, residential, Māori purpose and future urban zones, unless it is for a home business. However, some flexibility is provided for temporary signs and for signs that warn people of hazards.

Objectives

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

- SIGN-O1.** Signs contribute to the role, function and character of the zone, precinct and/or scheduled site or feature they are located within.
- SIGN-O2.** Signs visible from the transport system and railways must not compromise the safety of the transport system.

Policies

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

- SIGN-P1.** Allow signs that are required by legislation, including but not limited to health and safety, dangerous buildings and hazardous substances signs.
- SIGN-P2.** Allow signs on roads and railways that assist in directing traffic and promoting safety.
- SIGN-P3.** Ensure illuminated, flashing, digital or reflective signs do not adversely affect anticipated levels of character and amenity and avoid the potential for reverse sensitivity effects including effects on the safety and functioning of roads, particularly at night time.
- SIGN-P4.** Take into account economic benefits and positive effects from the placement of signs, particularly signs providing information relevant to community wellbeing.

- SIGN-P5.** Ensure the number, design, location and content of any sign does not adversely affect the safe functioning of the land transport network by minimising visual and physical obstructions caused by signs and avoiding clusters of signs which result in visual clutter and driver distraction.
- SIGN-P6.** Require that signs relate to the activities undertaken on the site in order to manage visual clutter, promote ease of site identification and maintain anticipated levels of character and amenity. Signs not related to activities on a site are only anticipated in specified zones and precincts.
- SIGN-P7.** The type, scale and design of signs support the character and amenity outcomes anticipated in the relevant zone and precinct by acknowledging that:
1. The railway cottage cluster precinct (PREC6), residential, future urban, rural lifestyle and settlement zones have a residential built character, signs are not common and where present, are of a small scale; and
 2. The Māori purpose zone has a mix of large and small buildings including housing, health and community services as well as business activity. Signs are present, but are limited in number and size; and
 3. The open space and natural open space zones have a mix of buildings, structures and open fields. In the natural open space zone, small signs that give information and reflect the values of the site are acceptable. In the open space zone, carefully located sponsorship signs are acceptable; and
 4. The general rural zone and Te Maika precinct (PREC7) have an open character that is relatively free of structures. Signs are not a common feature and large signs, groups or clusters of signs should be avoided; and
 5. The tourism zone has residential, accommodation and business activities and signs are common features which are important for economic wellbeing. The type and design of sign must not result in reverse sensitivity effects; and
 6. The aerodrome precinct, commercial zone and commercial precincts have a business character, where signs are common. It is anticipated that signs are of a larger scale, well located so that windows and architectural features are not obscured and signs avoid creating nuisance. Signs should only relate to businesses that are currently operating; and
 7. The industrial and rural production zones have a comparatively lower level of amenity. Signs are an accepted feature in this working environment; and
 8. The amenity precinct (PREC6) is travelled by hundreds of thousands of visitors to the district every year. A high level of rural amenity is expected in this corridor in order to enhance visitor perceptions of our countryside and protect expansive rural views. Signs are an infrequent feature and where present, are of a small scale and should only relate to businesses that are currently operating on that site.
- SIGN-P8.** Ensure signs are of a type, scale and design that is appropriate for each sign's location, having regard to the positive and adverse effects of the sign on:

1. The predominant character and amenity values of the zone as identified in SIGN-P7 and the objectives and policies of the relevant zone; and
2. The character and amenity of surrounding properties and public places; and
3. Whether there are existing activities in the surrounding area that would be sensitive to the sign; and
4. The appearance of buildings and the architectural features of those buildings; and
5. The impact on any gateway entrances to towns; and
6. The area and whether the sign would add vibrancy or enliven a location; and
7. The cumulative effects caused by sign proliferation; and
8. The safe and efficient operation of land transport networks and the safety of road and footpath users.

SIGN-P9. Signs that are potentially incompatible with the role, function and predominant character of the zone (as identified in SIGN-P7 and the objectives and policies of the relevant zone) in which they are located include:

1. Signs which increase visual clutter; and
2. Signs which protrude above buildings, fences, walls or verandahs, or are attached to or painted onto roofs; and
3. Poorly located footpath signs; and
4. Digital or illuminated signs which are audible, flash, move, scroll, contain animations or full motion video or have a high frequency of image changes; and
5. Signs on or affixed to vehicles or trailers which contribute to visual clutter, particularly in the rural environment, or distract road users; and
6. Signs which do not have a functional need to locate in the area, precinct or zone; and
7. Signs which cannot offset any adverse effects; and
8. Signs which compromise the values associated with a scheduled site or feature.

SIGN-P10. On scheduled features and sites, signs with interpretive information are anticipated where the design and location of the sign does not compromise the values associated with the scheduled feature.

SIGN-P11. In all zones, temporary signs are anticipated and may reduce expected levels of amenity in the short term. These signs are considered acceptable provided the sign is of an appropriate scale and design, its location does not interfere with the safe functioning of any road or railway and it is removed following the event.

SIGN-P12. Ensure outcomes associated with signs that are specified in the key moves of each town concept plan are achieved.

Rules

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

- SIGN - Table 1 - Activities Rules; and
- SIGN- 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 Ppan, including activity status abbreviations.

SIGN - Table 1 - Activities Rules

| | | |
|--|--|---|
| <p>Unless otherwise specified in a rule, the rules in this table apply to all zones, all precincts and all scheduled sites and features, all roads including new roads approved by way of resource consent EXCEPT the rules for signs on the surface of water, sites and areas of significance to Māori, historic heritage and network utilities are contained within their relevant chapter.</p> | | |
| SIGN-R1. | Official signs | |
| <p>Activity status: PER</p> <p>Where:</p> <p>1. The sign is required by the New Zealand Transport Agency, KiwiRail, the New Zealand Fish and Game Council, Waitomo District Council or is required to meet legislative requirements such as health and safety legislation.</p> <p><i>Note: This rule is not subject to any other rule in this plan.</i></p> | <p>Activity status where compliance is not achieved: N/A</p> | |
| SIGN-R2. | Public information and sponsorship signs | |
| <p>Open space zone</p> | <p>Activity Status: PER</p> <p>Where:</p> <p>1. Public information signs erected on a reserve administered by Waitomo District Council, by or with the written permission of Waitomo District Council are permitted; and</p> <p>2. Sponsorship signs must face internally towards the field or court even where located on a building; and</p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The proposed position and location of the sign; and</p> <p>(b) Potential positive or adverse effects on the amenity values and character of the surrounding area including effects on visual amenity values; and</p> |

| | | |
|--|---|--|
| | <p>3. No sign may be illuminated or have flashing or revolving lights or lasers; and</p> <p>4. No sign may be shaped or use images or colours, that could be mistaken for a traffic control device in colour, shape or appearance.</p> <p><i>Note: This rule is not subject to any other rule in this plan.</i></p> | <p>(c) Whether the sign is in keeping with the built and natural features in the area; and</p> <p>(d) Potential positive or adverse effects on the transport network road user and pedestrian safety; and</p> <p>(e) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter.</p> |
|--|---|--|

| | |
|-----------------|------------------------|
| SIGN-R3. | Temporary signs |
|-----------------|------------------------|

| | |
|---|--|
| <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All the performance standards in SIGN - Table 2 are complied with; and 2. For temporary events and commercial filming, no signs must be erected earlier than 6 weeks before the activity and signs must be removed within 3 days of the end of the activity; and 3. For construction sites, no signs including any fence wrap, must be erected earlier than 6 months before commencement of the construction works and must be removed within 7 days of completion of the construction project; and 4. For property for sale or lease, there is no limit on the duration of the sign provided that once the property is sold or let, the sign must be removed within 7 days; and 5. For electioneering, no sign must be erected earlier than 9 weeks before the election to which it relates and must be removed within 1 day of the election day, unless otherwise required by statute. <p><i>Note: For election signs please also refer to the Waka Kotahi General Election Sign Guidance, 2020.</i></p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and (b) The proposed duration the sign is displayed; and (c) Potential positive or adverse effects on the amenity values and character of the site and surrounding area including effects on visual amenity values; and (d) Whether the sign is in keeping with the built and natural features in the area; and (e) Potential positive or adverse effects on road user and pedestrian safety; and (f) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter. |
|---|--|

| | |
|-----------------|---|
| SIGN-R4. | Signs attached to or painted on fences, walls or building facades or any other structure |
|-----------------|---|

| | |
|---|---|
| <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign must not project above the parapet level or the highest part of that portion of the building to which the sign is attached; and | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> |
|---|---|

| | |
|--|--|
| <p>2. This sign is attached to a fence or wall, it must not protrude above the top of the fence or wall; and</p> <p>3. The sign must not be located in the railway cottage cluster precinct (PREC1) or amenity precinct (PREC6) or Te Maika precinct (PREC7); and</p> <p>4. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and</p> <p>5. All the performance standards in SIGN - Table 2 are complied with.</p> | <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and</p> <p>(b) Whether the sign:</p> <p>(i) Aligns to the key moves in the relevant town concept plan; and</p> <p>(ii) Has positive and/or adverse effects on architectural integrity, amenity values and character of the surrounding area including gateway entrances to townships, visual coherence and heritage values; and</p> <p>(iii) Combines with other signs to result in an orderly and coordinated display;</p> <p>AND</p> <p>(c) Whether the design or content of the sign would impact on the amenity values and character of the site and surrounding area; and</p> <p>(d) Whether there are any special circumstances or functional needs relating to the activity, building, site or surroundings, which affect sign requirements; and</p> <p>(e) Potential positive or adverse effects on road user and pedestrian safety; and</p> <p>(f) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter; and</p> <p>(g) As applicable to the precinct, effects on architectural integrity, amenity, character and heritage and landscape values of the precinct.</p> |
|--|--|

| SIGN-R5. | Signs attached to or painted on verandahs | |
|---|--|---|
| <p>Settlement (including PREC4), commercial (including PREC5), industrial,</p> | <p>Activity Status: PER</p> <p>Where:</p> <p>1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and</p> <p>2. The sign must be under the verandah or within the verandah fascia; and</p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and</p> |

| | | |
|--|--|---|
| <p>tourism & zones</p> <p>Te Kumi commercial precinct (PREC2) & aerodrome precinct, (PREC3)</p> | <p>3. The sign must not be located on top of the verandah; and</p> <p>4. All the performance standards in SIGN - Table 2 are complied with.</p> | <p>(b) Whether the location or increased number of signs on the building would impact on the visual amenity of the building, site and surrounding area; and</p> <p>(c) Potential positive or adverse effects on road user and pedestrian safety; and</p> <p>(d) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter.</p> |
| <p>All other zones</p> <p>All other precincts</p> | <p>Activity status: DIS</p> | <p>Activity status where compliance is not achieved: N/A</p> |
| <p>SIGN-R6.</p> | <p>Signs attached to or painted on roofs</p> | |
| <p>Activity status: DIS</p> <p>Where:</p> <p>1. The sign is attached to or painted on roofs.</p> <p><i>Note: There are specific provisions for signs located, anchored, erected, attached to or painted on or above a rooftop or roofline in the aerodrome precinct (PREC3).</i></p> | <p>Activity status where compliance is not achieved: N/A</p> | |
| <p>SIGN-R7.</p> | <p>Fixed freestanding signs</p> | |
| <p>Activity Status: PER</p> <p>Where:</p> <p>1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and</p> <p>2. All the performance standards in SIGN - Table 2 are complied with.</p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in SIGNS -Table 2.</p> | |
| <p>SIGN-R8.</p> | <p>Footpath signs including sandwich boards and teardrop flags</p> | |
| <p>Activity Status: PER</p> <p>Where:</p> <p>1. The sign must be placed on the footpath/berm immediately outside and in front of the premises to which it relates (otherwise see SIGN-R12); and</p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> | |

| | |
|---|--|
| <ol style="list-style-type: none"> 2. A consistent 2 m wide clear space must be maintained for pedestrians on the footpath; and 3. The sign must be removed from the footpath or berm at the completion of the day's trading and not returned until the start of the next day's trading; and 4. The sign must not be displayed on or attached to any power or lighting pole, bollard, rubbish bin, plant box, pylon, public sign or other similar structure in a public place, provided that this rule does not apply to signs erected by Waitomo District Council; and 5. The sign must not be placed on any official sign or traffic control devices or their supporting poles, posts or structures; and 6. The sign must not be displayed on any median strip, kerb projection, roundabout, or any other traffic separation structure on any road; and 7. All the performance standards in SIGN - Table 2 are complied with. | <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and (b) Potential positive or adverse effects on the amenity values and character of the surrounding area; and (c) Whether the design, dimensions, nature, and colour of the sign would impact traffic safety or the integrity of the structure it was attached to; and (d) Whether there are any special circumstances or functional needs relating to the activity, site or surroundings, which affect sign requirements; and (e) Potential positive or adverse effects on road user and pedestrian safety; and (f) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter. |
|---|--|

| | |
|-----------------|--|
| SIGN-R9. | Interpretive signs on scheduled features or sites |
|-----------------|--|

| | | |
|---|---|--|
| All scheduled features and sites | <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and 2. All the performance standards in SIGN - Table 2 are complied with. <p><i>Note: The rules in this table do not apply to sites and areas of significance to Māori and historic heritage. See their relevant chapter.</i></p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2. |
|---|---|--|

| | |
|------------------|----------------------|
| SIGN-R10. | Digital signs |
|------------------|----------------------|

| | | |
|---|--|--|
| Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct | <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and 2. The sign must not display a live broadcast or pre-recorded video; and 3. The sign must only display still images, and where multiple still images are | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and (b) Any impact on the character and amenity values of the site and surrounding area; and |
|---|--|--|

| | | |
|---|---|--|
| <p>(PREC2) & Mokau commercial precinct (PREC4)</p> | <p>displayed, each image must be displayed for a minimum of 7 seconds; and <u>There shall be a maximum of one digital sign per site; and</u></p> <p>4. <u>There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should ‘dissolve’ rather than be an abrupt change; and</u></p> <p>5. <u>The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the transport network from which the digital billboard is visible; and</u></p> <p>6. <u>In speed environments 70 km/h and less, the digital sign must not include more than ten individual elements, of which words may only make up eight elements and each line of text shall contain a maximum of 40 characters; and</u></p> <p>7. <u>In speed environments more than 70 km/h, the digital sign must not include more than five individual elements, of which words may only make up four elements and each line of text shall contain a maximum of 20 characters; and</u></p> <p>8. <u>The digital sign must be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved; and</u></p> <p>9. There must be no sound associated with the sign and no sound equipment installed as part of the sign; and</p> <p>10. All the performance standards in SIGN - Table 2 are complied with.</p> <p><i>Note: If the digital sign is proposed to be attached to a building the maximum size of the sign is contained in SIGN-R17. If the sign is proposed to be freestanding the maximum dimensions and height is contained in SIGN-R19.</i></p> | <p>(c) Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians; and</p> <p>(d) The hours of operation of the sign; and</p> <p>(e) The type and volume of sound proposed and illumination used, the frequency and intensity of intermittent or flashing light sources, the proposed periods of illumination and frequency of image changes; and</p> <p>(f) Whether the sign is compatible with the built form on the site; and</p> <p>(g) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter; <u>and</u></p> <p>(h) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p> |
| <p>All other zones, all roads, all other precincts</p> | <p>Activity Status: NC</p> | <p>Activity status where compliance is not achieved: N/A</p> |

| | | |
|---|--|---|
| SIGN-R11. | Signs on or affixed to vehicles or trailers | |
| <p>All zones, all roads & all precincts except PREC1 and PREC6</p> | <p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any sign on or affixed to vehicles or trailers parked for the purpose of advertising (excluding temporary signs); and 2. Provided that this rule does not apply to: <ol style="list-style-type: none"> (i) Businesses operating from a vehicle or caravan (eg: coffee carts and food trucks); and (ii) Advertising signs adhered onto company vehicles or trailers which are not parked for the purpose of advertising but are used in the day to day operation of that business. <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Whether the location, design, dimensions, nature, and colour of the sign would impact on the amenity values of the surrounding area; and (b) Potential positive or adverse effects on road user and pedestrian safety; and (c) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter. | <p>Activity status where compliance is not achieved: N/A</p> |
| <p>Railway cottage cluster (PREC1) & amenity precinct (PREC6)</p> | <p>Activity Status: NC</p> | <p>Activity status where compliance is not achieved: N/A</p> |
| SIGN-R12. | Off-site signs | |
| <p>Commercial (including PREC5), tourism &</p> | <p>Activity Status: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The sign is not located on the site the activity is carried out on; or | <p>Activity status where compliance is not achieved: N/A</p> |

| | | |
|--|---|---|
| <p>industrial zones</p> <p>Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)</p> | <p>2. For footpath signs including sandwich boards and teardrop flags, the sign is not placed on the footpath/berm immediately outside and in front of the premises to which it relates.</p> <p>Matters over which discretion is restricted:</p> <p>(a) Whether the location, design, dimensions, nature, and colour of the sign would impact on the amenity values of the surrounding area; and</p> <p>(b) Whether the sign:</p> <p>(i) Aligns to the key moves in the relevant town concept plan; and</p> <p>(ii) Has positive and/or adverse effects on architectural integrity, amenity values and character of the surrounding area including gateway entrances to townships, visual coherence and heritage values; and</p> <p>(iii) Combines with other signs to result in an orderly and coordinated display.</p> <p>AND</p> <p>(c) Whether the sign would contribute to community wellbeing through the promotion of information; and</p> <p>(d) Whether the sign would provide site identification to the travelling public who may be unfamiliar with the area; and</p> <p>(e) Whether there are any special circumstances or functional needs relating to the activity, site or surroundings, which affect sign requirements; and</p> <p>(f) Potential positive or adverse effects on road user and pedestrian safety; and</p> <p>(g) Whether the sign would combine with existing signs on the site or in the surrounding area, to create visual clutter;</p> <p><u>and</u></p> <p>(h) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs located adjacent to the state highway network.</u></p> | |
| <p>All other zones, all</p> | <p>Activity Status: NC</p> | <p>Activity status where compliance is not achieved: N/A</p> |

| | | |
|---|---|---|
| roads, all other precincts | | |
| SIGN-R13. | Artificial illumination of signs | |
| Commercial (including PREC5), tourism & industrial zones Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4) | <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The sign must be located on and relate to activities carried out on that site (otherwise see SIGN-R12); and All the performance standards in SIGN - Table 2 are complied with. | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The matters of discretion associated with any performance standard which cannot be complied with in SIGN -Table 2; and Any impact on the character and amenity values of the surrounding area; and Potential positive or adverse effects on road user and footpath user safety, including motorists, cyclists and pedestrians; and The hours of operation of the sign; and The type and intensity of illumination and the proposed periods of illumination Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter. |
| All other zones, all roads, all other precincts | <p>Activity Status: DIS</p> | <p>Activity status where compliance is not achieved: N/A</p> |
| SIGN-R14. | Signs not otherwise provided for in Table 1 | |

Activity Status: DIS

Where:

- The sign is located in the commercial, tourism, industrial or rural production zones; and/or
- The sign is located in Te Kumi commercial precinct (PREC2), aerodrome precinct (PREC3), Mokau commercial precinct (PREC4) or Te Kūiti CBD precinct (PREC5).

Activity status where compliance is not achieved: NC

SIGN - Table 2 - Performance Standards

| | | |
|------------------|---|---|
| SIGN-R15. | Standards for all signs | |
| | <p>1. Signs must not be located in or project over the railway corridor; and</p> <p>2. Signs must not be located in or project over a road, indicative road, vehicle access point, accessway, service lane or driveway; and</p> <p>3. Signs must not obstruct the line of sight of any road corner, bend, intersection, vehicle or rail crossing; and</p> <p>4. Signs must not be placed within 20 m of a road intersection; and</p> <p>5. Signs must not obstruct, obscure or impair the view of any traffic or railway sign or signal; and</p> <p>6. Signs must not have flashing or revolving lights, or lasers <u>or intermittently illuminated lights</u> and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance.</p> <p><u>Additional matters for signs located adjacent to the state highway network:</u></p> <p>7. <u>Signs must have a minimum lettering height of 120mm where the speed limit is lower than 70km/h, or 160mm where the speed limit is 70km/h or higher; and</u></p> <p>8. <u>Signs must not have more than 6 words and/ or symbols, with a maximum of 40 characters; and</u></p> <p>9. <u>Signs must not obstruct the movement of any pedestrian, motorist, or cyclist; and</u></p> <p>10. <u>Signs must not be made of materials likely to reflect headlights from an approaching vehicle.</u></p> | <p>Matters over which discretion is restricted:</p> <p>(a) The extent to which the sign may be an obstruction to sight distances, traffic or railway signs or signals, or unnecessarily intrude into a driver’s field of vision or cause a distraction that affects safety for road users; and</p> <p>(b) The extent to which the sign may physically obstruct vehicles, trains or pedestrians; and</p> <p>(c) Proximity to other signs and intersections and potential adverse effects on the safety of road users including pedestrians; <u>and</u></p> <p>(d) <u>The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs located adjacent to the state highway network.</u></p> |
| SIGN-R16. | Temporary signs | |
| | <p>1. Signs for temporary events and commercial filming must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number: 1 per site; and (ii) Maximum sign face area: 3 m²; and (iii) Maximum height of a freestanding sign: 4 m as measured from ground level. <hr/> <p>2. Construction signs (excluding fence wrap) must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number: 4 per site provided a double-sided sign counts as 2 signs; and | <p>Matters over which discretion is restricted:</p> <p>(a) The degree of visual intrusion the sign(s) would have on the surrounding environment; and</p> <p>(b) Where the sign(s) is proposed to be attached to a building, whether the sign would be complementary to the proportions and design of the building; and</p> <p>(c) The content of the sign(s) and whether the sign(s) would promote the wellbeing of the</p> |

| | |
|--|---|
| <ul style="list-style-type: none"> (ii) Maximum sign face area: 2 m²; and (iii) Maximum height of a freestanding sign: 4 m as measured from ground level. | <p>community through advertising events or providing information; and</p> <p>(d) The extent to which the impacts of the sign(s) would be increased or lessened due to:</p> <ul style="list-style-type: none"> (i) The visibility of the sign(s); and (ii) The length of the road frontage; and (iii) The shape of the site, topography, natural and built features in the surrounding area; and/or (iv) Vegetation or other mitigating factors; |
| <p>3. Property for sale or lease signs must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number: 4 per holding provided a double-sided sign counts as 2 signs; and (ii) Maximum sign face area: 2 m²; and (iii) Maximum height of a freestanding sign: 2 m as measured from ground level. | <p>AND</p> <p>(e) The extent to which a planned arrangement of the sign(s) has been used to avoid any effect of visual confusion or clutter; and</p> <p>(f) The effects on vehicle manoeuvring and site access; and</p> <p>(g) Whether the increased number, height or dimensions of a sign(s) would adversely affect road user and pedestrian safety.</p> |
| <p>4. Election signs must comply with the following:</p> <ul style="list-style-type: none"> (i) Maximum number of signs: 1 per site; and (ii) Maximum sign face area: 3 m²; and (iii) Maximum height of a freestanding sign: 4 m as measured from ground level. | |

| SIGN- R17. | Signs attached to or painted on fences, walls or building facades or any other structure | |
|--|---|--|
| <p>Commercial, tourism, industrial & rural production zones</p> <p>All precincts except PREC1, PREC6 & PREC7</p> | <ul style="list-style-type: none"> 1. Maximum sign area: 15% of the area of the building façade, fence or wall or 5 m² - whichever is the lesser (applies to the area the business or tenancy occupies); and 2. Maximum area of digital signs: 1 m² per business: | <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> (a) Whether the signs on the building would impact on the visual amenity of the building, site and surrounding area; and (b) Whether the signs on the building would detract and distract from any architectural features; and (c) The extent to which a planned arrangement of the signs has been used to avoid any effect of clutter; and (d) Whether the increased amount of signs on the building would impact on the movement of traffic and safety of road and footpath users, including cyclists and pedestrians. |
| <p>Open space, natural open space, Māori purpose & general rural zones</p> | <ul style="list-style-type: none"> 3. Maximum sign area: 2 m²; and 4. Maximum number: 1 sign per holding for each road frontage. | |

| | | |
|---|---|---|
| <p>Residential, settlement, future urban and rural lifestyle zones</p> | <p>5. Maximum sign area: 0.5 m² 6. Maximum number: 1 sign per holding for each road frontage.</p> <p><i>Note: In the railway cottage cluster precinct (PREC1), amenity precinct (PREC6) and Te Maika precinct (PREC7) this activity is restricted discretionary. See SIGN-R4.</i></p> | |
| <p>SIGN-R18. Signs attached to or painted on verandahs</p> | | |
| <p>Settlement (including PREC4), commercial (including PREC5), industrial, tourism & zones</p> <p>Te Kumi commercial precinct (PREC2) & aerodrome precinct, (PREC3)</p> | <p>1. Maximum number: 1 sign under the verandah or within the verandah fascia, except where the premises has 2 road frontages in which case signs are limited to a maximum of 2; and</p> <p>2. Signs affixed under verandahs must be at least 2.5m above the level of the footpath or veranda deck as applicable.</p> <p><i>Note: In all other zones and precincts this activity is discretionary. See SIGN-R5.</i></p> | <p>Matters over which discretion is restricted:</p> <p>(a) Whether the signs on the building would impact on the visual amenity of the building, site and surrounding area; and</p> <p>(b) Whether the signs on the building would detract and distract from any architectural features; and</p> <p>(c) Potential positive or adverse effects on road user and pedestrian safety; and</p> <p>(d) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter.</p> |
| <p>SIGN-R19. Fixed freestanding signs</p> | | |
| <p>Commercial, tourism, industrial & rural production zones</p> <p>All precincts except PREC1, PREC6 & PREC7</p> | <p>1. Maximum number: 1 sign per road frontage; and</p> <p>2. Maximum sign area: 3 m² visible in any one direction, with a maximum total area of 6m²; and</p> <p>3. Maximum height: 5 m as measured from ground level.</p> | <p>Matters over which discretion is restricted:</p> <p>(a) Whether the signs on the building would impact on the visual amenity of the building, site and surrounding area; and</p> <p>(b) Whether the location or increased number of signs on the building would detract and distract from any architectural features; and</p> <p>(c) Potential positive or adverse effects on road user and pedestrian safety; and</p> <p>(d) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter; and</p> |
| <p>Open space, natural open space, Māori purpose &</p> | <p>4. Maximum number: 1 sign per road frontage; and</p> | |

| | | |
|--|---|--|
| <p>general rural zones</p> | <p>5. Maximum sign area: 1.2 m² visible in any one direction, with a maximum total area of 2.4 m²; and</p> <p>6. Maximum height: 2 m as measured from ground level.</p> | <p>(e) The extent to which any increase in height is consistent with the scale of buildings in the surrounding area.</p> |
| <p>Settlement & future urban zones</p> | <p>7. Maximum number: 1 sign per road frontage; and</p> <p>8. Maximum area: 0.25 m² visible in any one direction, with a maximum total area of 0.5 m²; and</p> <p>9. Maximum height: 2 m as measured from ground level.</p> | |
| <p>Residential & rural lifestyle zones & PREC1, PREC6 & PREC7</p> | <p>10. Maximum number: 1 sign providing there is no existing or proposed footpath sign on that frontage; and</p> <p>11. Maximum sign area: 0.25 m² visible in any one direction, with a maximum total area of 0.5 m²; and</p> <p>12. Maximum height: 2 m as measured from ground level.</p> | |
| <p>SIGN-R20. Footpath signs including sandwich boards and teardrop flags</p> | | |
| <p>All zones except residential & rural lifestyle zones</p> <p>All precincts except PREC1, PREC6 & PREC7</p> | <p>1. Maximum number of signs per premises: 1 per road frontage; and</p> <p>2. Maximum sign face area: 0.5 m²; and</p> <p>3. The sign must not encroach over more than 600 mm of the footpath or berm.</p> | <p>Matters over which discretion is restricted:</p> <p>(a) Whether the increased number or increased size of footpath signs would impact on the visual amenity of the building, site and surrounding area; and</p> <p>(b) Whether the increased size of the sign or increased encroachment would impact on road user and pedestrian safety.</p> |
| <p>Residential & rural lifestyle zones & PREC1, PREC6 & PREC7</p> | <p>4. Maximum number of signs per premises: 1 per road frontage providing there is no existing or proposed freestanding sign on that frontage; and</p> <p>5. Maximum sign face area: 0.5 m²; and</p> <p>6. The sign must not encroach over more than 600 mm of the footpath or berm.</p> | |

| SIGN-R21. | Interpretive signs on scheduled features or sites | |
|--|---|--|
| <p>All scheduled features and sites</p> | <ol style="list-style-type: none"> 1. One interpretive sign is permitted per site, except where the site has more than one road entrance, in which case, signs are limited to a maximum of one per road entrance; and 2. The maximum sign face area must be no more than 1 m², except in the residential, settlement, future urban and rural lifestyle zones and amenity precinct (PREC6) where the maximum sign face area must be no more than 0.5 m² visible in any one direction; and 3. The maximum height of any sign must not exceed 2 m. | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent to which the quality of the sign, its content and the design and graphics used would complement the scheduled site or feature; and (b) The extent to which the sign, supporting structures and the means of affixing the sign detracts from the values of the scheduled site or feature; and (c) The benefits obtained from the placement of the sign including increased understanding of the significance of the scheduled site or feature; (d) Potential positive or adverse effects on the amenity values and character of the surrounding area; and (e) Potential positive or adverse effects on road user and pedestrian safety; and (f) Whether the sign(s) would combine with existing signs on the site or in the surrounding area, to create visual clutter. |
| SIGN-R22. | Artificial illumination of signs and digital signs | |
| <p>Commercial (including PREC5), tourism & industrial zones</p> <p>Te Kumi commercial precinct (PREC2) & Mokau commercial precinct (PREC4)</p> | <ol style="list-style-type: none"> 1. No sign must exceed a luminance of 800cd/m² between dusk and dawn; and 2. The spill of light from artificial lighting on to any adjacent site or road must not exceed 3 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site. 3. Any external lighting must be directed towards the sign and not create a nuisance; and 4. Lighting must be designed to reduce any glare or direct view of the light source when viewed by an observer at ground level or within an adjacent building; <u>and</u> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) Any impact on the character and amenity values of the surrounding area; and (b) Whether the sign is compatible with the built form on the site; and (c) <u>The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well as</u> Any impact on driver, cyclist <u>and</u> or pedestrian safety; and (d) The hours the sign will be lit; and (e) The type of illumination used, the frequency and intensity of intermittent or |

| | | |
|--|---|--|
| | <p>5. The screen shall incorporate lighting control to adjust brightness in line with ambient light levels.</p> <p><i>Note: In all other zones and precincts this activity is discretionary. See SIGN-R10 and SIGN-R13.</i></p> | <p>flashing light sources, and the proposed periods of illumination and frequency of image changes; and</p> <p>(f) Whether any cumulative effects arise and/or visual clutter, having regard to existing sign(s); and</p> <p>(g) The outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</p> |
|--|---|--|

Advice notes

Signs within a road reserve

Any sign proposed to be located within a road reserve requires the approval of the road controlling authority.

Existing signs

Where a sign has been erected that does not meet the criteria for an existing use under the Act, Waitomo District Council may require that the sign is removed.

Fixed freestanding signs

Fixed freestanding signs are not subject to the setback or height to boundary requirements in underlying zones as there are specific rules in this chapter that apply to freestanding signs.

Buildings constructed before 1900

Where the building is constructed pre-1900, an authority may be required from Heritage New Zealand Pouhere Taonga to erect a sign.

Signs on trailers

Any sign on or affixed to vehicles or trailers proposed to be located within a road reserve is controlled by Waitomo District Council Bylaws.

Signs on the surface of water, network utilities, sites and areas of significance to Māori and historic heritage

See the provisions in their relevant chapter.

Temporary Activities

Overview

Temporary activities are short term events and activities that contribute to the social, economic and cultural wellbeing of the community. Temporary events can be musical, theatrical, recreational or sporting in nature and include events such as concerts, festivals, fireworks, parades, sports matches, ceremonies, markets and exhibitions. An iconic temporary event in Waitomo district is the Annual Sheep Muster in Te Kūiti. Commercial activities and retailing are recognised as an integral part of some temporary events and have been provided for in this chapter. Provisions for other types of temporary activities has also been made, including commercial filming, emergency management activities, military training and temporary buildings associated with construction.

The provisions of this chapter recognise that these activities have a wide range of economic and social benefits as well as being important for the wellbeing of the communities in the district. For this reason, this plan acknowledges that temporary events and activities may generate higher levels of effects than those generally anticipated in some zones. These effects might include higher levels of noise and traffic and events may temporarily restrict access to public places, such as roads and reserves. Resource consents may be required for some temporary events in some places, however in most cases, this will only be when a significant level of effect is anticipated.

The rules for temporary events contained in TEMP - Table 1 take precedence over any zone rules (Part 3 Area Specific Matters) that may apply in this plan unless the rules are specifically referenced. Part 2 District-Wide Matters such as noise and light provisions must still be complied with. Some activities associated with temporary events or temporary activities on land that contains a scheduled feature may be subject to further provisions. Resource consent applications for temporary events or activities involving scheduled features may need to be accompanied by an expert report to assess the effects of the activity on that feature.

This plan allows for temporary commercial activities such as markets or sales run by a third party, to occur in educational facilities and churches. Other than in educational facilities, community facilities and on reserves, no provision has been made for temporary events in a number of zones including the residential, rural lifestyle and settlement zones over and above what would be considered a residential activity (such as a garage sale). Additional flexibility is provided for in the general rural zone. The provisions recognise the character of this zone and the range of activities that can and do occur in the rural environment, such as motocross events.

This chapter also correlates with the provisions of the Waitomo District Comprehensive Reserve Management Plan. Activities on Council owned and/or administered reserves are controlled by the requirements in the Waitomo District Comprehensive Reserve Management Plan and it identifies those reserves which are appropriately located and sized to host large scale temporary public and private events.

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters

- TEMP-O1.** Temporary events and activities enhance community vibrancy and contribute to the social, economic and cultural wellbeing of the district, but must be managed to minimise, as far as practicable, on-site and off-site adverse effects.
- TEMP-O2.** Ensure temporary events and activities which occur on Council administered reserves remedy or mitigate adverse effects and are consistent with the provisions in the Waitomo District Comprehensive Reserve Management Plan.

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters

- TEMP-P1.** Recognise the positive effects on community wellbeing from undertaking a wide range of temporary events including the sporting, health, cultural, public safety, social and recreational benefits.
- TEMP-P2.** Recognise that temporary events are of a transient nature and some short-term disruption to amenity levels is anticipated.
- TEMP-P3.** Recognise the economic and social benefits to the community from providing for limited duration commercial activities within educational and community facilities.
- TEMP-P4.** Where it is proposed to host commercial activities within educational and community facilities for a duration that exceeds the time period provided for as a permitted activity, ensure the activity is managed so as to be compatible with the amenity levels expected in the surrounding zone.
- TEMP-P5.** Recognise the economic benefits and the ongoing tourism benefits to the district from commercial filming.
- TEMP P6.** Ensure that the effects of temporary events, associated commercial activities and commercial filming that exceed the parameters of the rules consider and manage:
1. The location, scale and intensity of the activity; and
 2. The duration, hours, and days of the week on which the event will occur; and
 3. The capacity of the road network to safely and efficiently cater for vehicles, pedestrians and cyclists; and
 4. The capacity of the location or venue to safely host the numbers of people including the provision of enough parking and appropriate infrastructure; and
 5. The extent to which the traffic effects can be appropriately mitigated; and
 6. The positive effects associated with the event; and

- 7. In the commercial, industrial and tourism zones, the ability of businesses on surrounding properties to reasonably function; and
- 8. The potential adverse effects on the amenity values and health and safety of the surrounding properties, including cumulative effects.

- TEMP-P7.** Recognise the benefits for community health and safety from providing for emergency management activities and temporary military training activities.
- TEMP-P8.** Encourage people undertaking temporary events to notify surrounding property owners of the date, time and nature of the event.
- TEMP-P9.** Recognise that an integral part of building and infrastructure projects is the placement of temporary construction buildings for on-site activities for the duration of a development project.
- TEMP-P10.** Manage the location of temporary construction buildings, so that they do not have an increased level of effect over and above any other building in the zone.
- TEMP-P11.** Enable large scale or longer duration temporary events to occur on reserves where they are consistent with the Waitomo District Comprehensive Reserve Management Plan, provided that adverse effects are remedied or mitigated.
- TEMP-P12.** Where large scale or longer duration temporary events are not provided for in the Waitomo District Comprehensive Reserve Management Plan, restrict temporary events to those of short duration that are compatible with the reserve's purpose or the amenity levels expected in the surrounding zone.

Rules

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

- TEMP - Table 1 - Activities Rules; and
- Any other relevant provision in Part 2 District-Wide Matters.

Unless specifically referenced in a rule, the provisions in TEMP - Table 1 take precedence over any Part 3 Area Specific Matters that may apply in this plan.

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.

TEMP - Table 1 - Activities Rules

| TEMP-R1. | Temporary events – open space zone or WDCRMP reserves |
|--|--|
| <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. In the open space zone - Brook Park/Motakiora and Centennial Park only, the temporary event must be an Allowed Activity in the Waitomo District Comprehensive Reserve Management Plan and must not exceed 6 consecutive days duration; and 2. In the open space zone - Benneydale Hall, Maniaiti/ Benneydale, Rukuhia, Tainui & Te Kūiti Domains, Mapiu, Marokopa & St Helens Recreation Reserves only, the temporary event must be an Allowed Activity in the Waitomo District Comprehensive Reserve Management Plan and must not exceed four consecutive days duration; and 3. In the remainder of the open space zone and on all other reserves identified in the Waitomo District Comprehensive Reserve Management Plan regardless of their zone, the temporary event must not exceed 2 consecutive days duration; and 4. Temporary events must not occur outside of the hours of 7.00am to 10.30pm, except for overnight sleeping accommodation for event staff, and set up and pack down; and 5. A temporary event that is likely to attract more than 200 <u>equivalent car movements</u> vehicles will require a Traffic Management Plan. The Traffic Management Plan must be submitted to the relevant road controlling authority no less than one month prior to the event commencing and must be approved by the relevant road controlling authority before the event commences; and 6. Any temporary buildings or structures must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the open space zone; and 7. Any temporary buildings, structures or works associated with the temporary event must be removed and the site returned to its original condition within 3 days after the event has ceased. | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> (a) The extent and effect of the duration, hours of operation, and frequency of events on the amenity values of surrounding properties; and (b) The date and time of the event and how that relates to activities occurring in the surrounding environment; and (c) The parking demand and management for the event and the adequacy of the parking that is proposed to be provided; and (d) The access(es) to the site and whether there will be adequate sightlines; and (e) Effects on the safety and efficient operation of the transport system; and (f) The location of the buildings, stages and structures on the site; and (g) Any noise mitigation proposed in accordance with a best practicable option approach; and (h) Site layout and design, how security will be managed, location of infrastructure including toilets, lighting and rubbish bins; and (i) Whether information about the activity has been or is proposed to be provided to surrounding properties that may be affected by the activity; and (j) The extent to which the provisions in the WDCRMP have been considered and provided for. (k) In the natural open space zone - effects on the values of the site (including flora and fauna) and its surroundings. |

TEMPORARY ACTIVITIES

| | |
|---|---|
| TEMP R2. | Temporary events – natural open space zone |
| <p>Activity Status: PER</p> <p>Where:</p> <p>1. The temporary activity or event is provided for in the Waikato or Wanganui Conservation Management Strategy or a management plan under the Reserves Act 1977.</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 the duration, hours of operation, and frequency of events on the amenity values of surrounding properties; and</p> <p>(b) The date and time of the event and how that relates to activities occurring in the surrounding environment; and</p> <p>(c) The parking demand and management for the event and the adequacy of the parking that is proposed to be provided; and</p> <p>(d) The access(es) to the site and whether there will be adequate sightlines; and</p> <p>(e) Effects on the safety and capacity of the surrounding road network for vehicles, pedestrians and cyclists; and</p> <p>(f) The location of the buildings, stages and structures on the site; and</p> <p>(g) Any noise mitigation proposed in accordance with a best practicable option approach; and</p> <p>(h) Site layout and design, how security will be managed, location of infrastructure including toilets, lighting and rubbish bins; and</p> <p>(i) Whether information about the activity has been or is proposed to be provided to surrounding properties that may be affected by the activity; and</p> <p>(j) Outcomes of consultation with the Department of Conservation as appropriate; and</p> <p>(k) Effects on the biodiversity values of the site (including flora and fauna) and its surrounding environment.</p> |
| TEMP R3. | Temporary events – general rural, commercial, tourism, Māori purpose & industrial zones, all roads and in any educational or community facilities in any zone |
| <p>Activity Status: PER</p> <p>Where:</p> <p>1. In the general rural, commercial, tourism, Māori purpose & industrial zones, on all roads and in any</p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> |

| | |
|---|---|
| <p>educational or community facilities in any zone (unless otherwise provided for in TEMP-R1), the temporary event must not exceed two consecutive days duration and must not occur outside of the hours of 7.00am to 10.30pm, except for overnight sleeping accommodation for event staff and participants, and set up and pack down;</p> <p>EXCEPT</p> <p>(i) Events involving amplified outdoor musical concerts must not exceed one day's duration (excluding set up and pack up) or occur more than four times per year on the same site; and</p> <p>(ii) Events involving competitive sport must not exceed two days duration (excluding set up and pack down); and</p> <p>(iii) Events involving motorised sport must not occur in the Māori Purpose zone and must not exceed two days duration (excluding set up and pack down) or operate on a site within 500 m of a residential, settlement, rural lifestyle or Māori purpose zone boundary between the hours of 6pm and 9am;</p> <p>AND</p> <p>2. A temporary event that is likely to attract more than 200 equivalent car movements vehicles will require a Traffic Management Plan. The Traffic Management Plan must be submitted to the relevant road controlling authority no less than one month prior to the event commencing and must be approved by the relevant road controlling authority before the event commences; and</p> <p>3. Any temporary buildings or structures must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone; and</p> <p>4. Any temporary buildings, structures or works associated with the temporary event must be removed and the site returned to its original condition within three days after the event has ceased; and</p> <p>5. Temporary events in zones and facilities not provided for in this rule do not comply with this rule and require a resource consent.</p> | <p>(a) The extent and effect of the duration, hours of operation, and frequency of events on the amenity values of surrounding properties; and</p> <p>(b) The date and time of the event and how that relates to activities occurring in the surrounding environment; and</p> <p>(c) The parking demand and management for the event and the adequacy of the parking that is proposed to be provided; and</p> <p>(d) The access(es) to the site and whether there will be adequate sightlines; and</p> <p>(e) Effects on the safety and capacity of the surrounding road network for vehicles, pedestrians and cyclists; and</p> <p>(f) The location of the buildings, stages and structures on the site; and</p> <p>(g) Any noise mitigation proposed in accordance with a best practicable option approach; and</p> <p>(h) Site layout and design, how security will be managed, location of infrastructure including toilets, lighting and rubbish bins; and</p> <p>(i) Whether information about the activity has been or is proposed to be provided to surrounding properties that may be affected by the activity; and</p> <p>(j) The extent and effect of any non-compliance with any zone rule and any matters of discretion in the rule.</p> |
|---|---|

| | |
|--|--|
| <p><i>Note: Organisers of a temporary event proposing to use a road require the approval of the relevant road controlling authority.</i></p> <p><i>Note: Open space and carparks associated with educational or community facilities are considered to be part of that facility.</i></p> | |
| <p>TEMP R4.</p> | <p>Commercial filming</p> |
| <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> In all zones, commercial filming must not occur for longer than two weeks (14 days) on any one site (excluding set up and pack down); and Commercial filming likely to attract more than 200 <u>equivalent car movements</u> vehicles will require a Traffic Management Plan. The Traffic Management Plan must be submitted to the relevant road controlling authority no less than one month prior to the event commencing and must be approved by the road controlling authority before the event commences; and Any temporary buildings or structures must comply with the minimum setback from road boundaries, minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone; and Any temporary buildings, structures or works associated with the commercial filming must be removed and the site returned to its original condition within ten working days after the event has ceased; and Non-commercial filming undertaken by private individuals is permitted. <p><i>Note: Where the activity occurs on a reserve identified in the Waitomo District Comprehensive Reserve Management Plan, an Authorisation must be obtained from Waitomo District Council. See the Waitomo District Comprehensive Reserve Management Plan.</i></p> <p><i>Note: If a temporary building or structure is to be retained on site when filming has finished and used for a different purpose, the activity will need to be re-assessed in accordance with its new use. Refer to the relevant zone rules.</i></p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The extent and effect of any non-compliance with any zone rule and any matters of discretion in the rule; and The dates and times filming is proposed and how that relates to activities occurring in the surrounding environment; and The parking demand and management for the event and the adequacy of the parking that is proposed to be provided; and The access(es) to the site and whether there will be adequate sightlines; and Effects on the safety and capacity of the surrounding road network for vehicles, pedestrians and cyclists; and Any noise mitigation proposed in accordance with a best practicable option approach; and Site layout and design, how security will be managed, location of infrastructure including toilets, lighting and rubbish bins; and Whether information about the activity has been or is proposed to be provided to surrounding properties that may be affected by any adverse effects generated by the activity. |

| | | |
|---|---|---|
| TEMP-R5. | Commercial activities | |
| <p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> Commercial activities including mobile food/beverage/retail/service vendors must be directly associated with and ancillary to a temporary event or commercial filming; and In educational and community facilities in any zone, commercial activities not directly associated with a temporary event are permitted to occur on a temporary basis provided they must not exceed 4 consecutive days; and For commercial activities not provided for in TEMP-R5.1 and R5.2, refer to the relevant zone rules. <p><i>Note: Pop up shops, coffee carts and food trucks are provided for in the commercial, settlement and tourism zones, Mokau commercial precinct (PREC4) and Te Kūiti CBD precinct (PREC5). Pop up shops, are provided for in the Te Kumi commercial precinct (PREC2).</i></p> | | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The extent and effect of the hours of operation and frequency of the activity on the amenity values of surrounding properties; and Effects on public access and recreational opportunities; and Effects on character and amenity; and Whether the location, scale, intensity and character of the activity is appropriate in the context of the site and receiving environment; and Parking, manoeuvring and access; safety and efficiency, including the provision of sufficient off-street parking and the effects of traffic generation; and Potential reverse sensitivity effects on any adjoining activities. |
| TEMP-R6. | Emergency management activities | |
| TEMP-R7. | Temporary military training activities | |
| <p>Activity Status: PER</p> <p><u>Note: See NOISE-R2</u></p> | | <p>Activity status where compliance is not achieved: N/A</p> |
| TEMP-R8. | Temporary construction buildings | |
| <p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> The building or shipping container is used in conjunction with, and for the duration of construction work located either on the same site as the construction project, or on a site adjoining the construction project; and The building or shipping container is used by construction companies and workers for work purposes such as meetings, lunchrooms, storage and ablution facilities; and | | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ol style="list-style-type: none"> The extent and effect of any non-compliance with any zone rule and any matters of discretion in the rule; and The length of time the temporary construction buildings will be on the site; and Effects on visual amenity from the street and adjoining properties. |

3. The building or shipping container must comply with the minimum setback from internal boundaries and height in relation to boundary standards for the relevant zone; and
4. The building or shipping container must be removed from the site within 20 working days after construction is completed; and
5. The building or shipping container must not be used for residential activities. In this event see the [relocated buildings chapter](#).

Advice Notes

Event hygiene requirements

Refer to the New Zealand Building Code – G1 – Personal Hygiene for the minimum number of toilets that should be provided, and for rubbish disposal provisions.

TEMP- Table 2 - Performance Standards

There are no Performance Standards

Relocated Buildings and Shipping Containers

Relocated Buildings and Shipping Containers

Overview

While second-hand relocated buildings can provide a sustainable, affordable housing option that allows reuse of physical resources, if undertaken poorly or when the required maintenance and alterations are not made, these buildings can adversely affect the amenity of an area. To manage these effects, this chapter provides for second-hand relocated buildings as a permitted activity in all zones and most precincts, provided that specified standards are met. Provision is also made for new transportable buildings that are constructed off-site, transported and relocated. In all cases the standards of the relevant zone and district wide chapters are also required to be met.

There are areas in the district that have a special character. The Te Kumi commercial precinct (PREC2) is a gateway feature of Te Kūiti, while the Te Maika precinct (PREC7) is located in the coastal environment and in an outstanding natural landscape. The amenity precinct (PREC6) provides a rural corridor and entrance to Waitomo Caves Village and the railway cottage cluster precinct (PREC1) possesses unique heritage values and characteristics. Poorly situated second-hand relocated buildings, shipping containers and second-hand relocated buildings that are not adequately finished have the potential to detract from the character of these precincts. Careful consideration of the position of relocated buildings is required.

Although shipping containers are not relocated buildings, they are increasingly being used for a number of purposes including conversion into residential accommodation, workshops, offices, ancillary buildings and for use as storage. In some places shipping containers have been repurposed as retail premises which successfully contribute to the amenity and vibrancy of commercial areas. Where shipping containers are converted into residential accommodation it is important that their location, general appearance and connectivity to services is considered. Shipping containers can adversely impact the character and amenity of the surrounding neighbourhood, particularly where they are highly visible, are left in a state of disrepair or where a number of containers are clustered together. As a result, this plan aims to protect local amenity while enabling innovative reuse of this resource.

Objectives

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

- RLB-O1.** The placement and use of second-hand relocated buildings and shipping containers must not detract from the amenity of the neighbourhood they are located within.
- RLB-O2.** The potential for reverse sensitivity effects to arise from the placement and use of second-hand relocated buildings and shipping containers is minimised.
- RLB-O3.** Ensure the function and use of new transportable buildings, second-hand relocated buildings and shipping containers are compatible with the zone and/or precinct's purpose.
- RLB-O4.** New transportable buildings, second-hand relocated buildings and shipping containers must only be placed in overlays, scheduled sites or features where they do not detract from the values of the landscape or environment, they propose to locate in.

Policies

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

- RLB-P1.** To maintain and enhance the amenity of neighbourhoods, any exterior maintenance, reinstatement work and painting of second-hand relocated buildings must be undertaken as soon as practically possible.
- RLB-P2.** Protect the identified character of the precincts by avoiding any potential adverse effects which arise from the location and use of new transportable buildings, second-hand relocated buildings and shipping containers.
- RLB-P3.** Avoid relocating buildings or shipping containers used for living accommodation into those zones and precincts where this is identified as a non-complying activity, except where the remoteness of the site necessitates worker accommodation that cannot be provided in another zone.
- RLB-P4.** Allow shipping containers to be used for living accommodation in specified zones and precincts only where exterior upgrading, maintenance and painting are undertaken, and where their location and use maintains or enhances the level of amenity in the neighbourhood they are located within.
- RLB-P5.** Where shipping containers are permitted as an accessory building in specified zones and precincts, encourage exterior upgrading to maintain

the level of amenity in the area. Where the provisions require a shipping container to locate at the rear of buildings where it cannot be seen from a public place, ensure this placement occurs.

- RLB-P6.** Enable the conversion and use of shipping containers for the sale of goods and services in specified zones and precincts, only where the primacy of the Te Kūiti CBD precinct (PREC5) is protected and the amenity of the neighbourhood is maintained or enhanced.
- RLB-P7.** Protect the integrity of the railway cottage cluster precinct (PREC1) by avoiding locating shipping containers and relocated buildings between any railway cottage and the front boundary of a site.
- RLB-P8.** In the Te Maika precinct (PREC7), preserve the natural character of the coastal environment and protect the values of the outstanding natural landscape and outstanding natural features by managing effects including the placement, colour, reflectivity and building materials of relocated buildings and shipping containers.
- RLB-P9.** Maintain and enhance the rural character of the amenity precinct (PREC6) by avoiding ribbon development and minimising visual clutter which detracts from the open pastoral landscape adjacent to the State Highway corridors.

Rules

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

- RLB - Table 1 - Activities Rules; and
- RLB - 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.

RLB - Table 1 – Activities Rules

| | | |
|--|---|--|
| RLB-R1. | Second-hand relocated buildings less than 30 m² in size | |
| RLB-R2. | New transportable buildings | |
| All zones and precincts (except PREC1, PREC6 & PREC7) | Activity Status: PER | Activity status where compliance is not achieved: N/A |
| Amenity Precinct (PREC6) & Railway cottage cluster precinct (PREC1) | Activity status: PER Where: 1. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required. | Activity status where compliance is not achieved: DIS <u>The matters over which discretion is restricted are:</u> (a) <u>The proposed timetable for completion of the work required to reinstate the exterior of the building as per the Building Pre-Inspection Report; and</u> (b) <u>The extent to which the location, bulk, scale and built form of the building impacts on character and amenity of PREC6; and</u> (c) <u>Safety and efficiency of the transport network, including access and provision of on-site parking; and</u> (d) <u>Potential reverse sensitivity effects on any adjoining activities; and</u> (e) <u>The siting of buildings to avoid ribbon development.</u> |
| <u>Railway cottage cluster precinct (PREC1)</u> | <u>Activity status: PER</u> <u>Where:</u> 2. <u>The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required.</u> | <u>Activity status where compliance is not achieved: DIS</u> |
| Te Maika precinct (PREC7) | Activity status: DIS | Activity status where compliance is not achieved: N/A |

RELOCATED BUILDINGS

| RLB-R3. | Second-hand relocated buildings 30 m ² or larger | |
|---|--|---|
| <p>All zones and precincts (except PREC1, PREC2, PREC6 & PREC7)</p> | <p>Activity Status: PER Where: 1. All of the performance standards in RLB – Table 2 are complied with.</p> | <p>Activity status where compliance is not achieved: RDIS See RLB-R6 for matters of discretion.</p> |
| <p>Te Kumi commercial precinct (PREC2)</p> | <p>Activity Status: PER Where: 2. All of the performance standards in RLB – Table 2 are complied with; and 3. The building must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site, this rule is not met and resource consent is required.</p> | <p>Activity status where compliance is not achieved with RLB-R3.2: RDIS See RLB-R6 for matters of discretion. Activity status where compliance is not achieved with RLB-R3.3: RDIS Where the activity is RDIS, the matters over which discretion is restricted are: (a) Condition of the exterior of the building; and (b) Repairs and works identified for action in a Council approved or certified Building Relocation Inspection Report and timing for completing any required works; and (c) Visual effects, including bulk, scale and location of the building; and (d) Parking and access, impacts on traffic safety, efficiency and on street parking; and (e) Potential reverse sensitivity effects on any adjoining activities; and (f) Effects on the character, values and the function of any precinct.</p> |
| <p>Amenity Precinct (PREC6), Railway cottage cluster precinct (PREC1) & Te Maika precinct (PREC7)</p> | <p>Activity status: DIS</p> | <p>Activity status where compliance is not achieved: N/A</p> |

| RLB-R4. | Shipping containers not used for living accommodation purposes | |
|--|---|---|
| <p>Industrial & rural production zones, Te Kūiti commercial zone (excluding Te Kūiti CBD precinct PREC5) & aerodrome precinct (PREC3)</p> | <p>Activity Status: PER Where:</p> <ol style="list-style-type: none"> Shipping containers must be used as an accessory building only and must not be used for living accommodation purposes; and In the Te Kūiti commercial zone only, any shipping container must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site this rule is not met and resource consent is required; and Shipping containers must comply with the provisions of this plan as though it were a building. | <p>Activity status where compliance is not achieved: DIS</p> |
| <p>Piopio commercial zone, tourism & open space zones, Te Kumi commercial precinct (PREC2), Mokau commercial precinct (PREC4) & Te Kūiti CBD precinct (PREC5)</p> | <p>Activity Status: PER Where:</p> <ol style="list-style-type: none"> Shipping containers may be used as an accessory building or converted for the sale of goods and services, but must not be used for living accommodation purposes; and Except in the open space zone, where a shipping container is used as an accessory building it must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site this rule is not met and resource consent is required; and Shipping containers must comply with the provisions of this plan as though it were a building. | |
| <p>All other zones All other precincts (except PREC1,</p> | <p>Activity Status: PER Where:</p> <ol style="list-style-type: none"> Shipping containers must be used as an accessory building only and must not be used for living accommodation purposes; and | |

| | | |
|--|--|---|
| <p>PREC6 & PREC7)</p> | <p>8. Shipping containers must be situated to the rear of buildings where it cannot be seen from a public place. Where there are no existing buildings on the site this rule is not met and resource consent is required; and</p> <p>9. Shipping containers must comply with the provisions of this plan as though it were a building.</p> | |
| <p>Amenity Precinct (PREC6), Railway cottage cluster precinct (PREC1) & Te Maika precinct (PREC7)</p> | <p>Activity status: DIS</p> | <p>Activity status where compliance is not achieved: N/A</p> |
| <p>RLB-R5.</p> | <p>Shipping containers – used for living accommodation purposes including residential units, minor residential units and sleepouts</p> | |
| <p>General rural, residential, rural lifestyle, settlement, Māori purpose, tourism & future urban zones, Te Kūiti commercial zone (excluding Te Kūiti CBD precinct PREC5)</p> | <p>Activity Status: PER</p> <p>Where:</p> <p>1. The owner of site to which the shipping container is to be relocated must supply a signed declaration to Waitomo District Council that the work required to upgrade the shipping container to residential living accommodation will be completed within 6 months of the shipping container being delivered to the site; and</p> <p>2. Shipping containers must comply with the provisions of this plan as though it were a building.</p> | <p>Activity status where compliance is not achieved with any other rule: DIS</p> |
| <p>Amenity Precinct (PREC6) & Te Maika precinct (PREC7)</p> | <p>Activity status: DIS</p> | <p>Activity status where compliance is not achieved: N/A</p> |
| <p>Piopio commercial zone, all other</p> | <p>Activity status: NC</p> | <p>Activity status where compliance is not achieved: N/A</p> |

| | | |
|-------------------------------|--|--|
| zones and all other precincts | | |
|-------------------------------|--|--|

RLB - Table 2 - Performance Standards

| RLB-R6. | Second-hand relocated buildings 30 m ² or larger |
|--|---|
| <p>1. All relocated buildings must comply with the relevant standards for permitted activities in this Plan; and</p> <p>2. Any relocated building intended for use as a dwelling must have previously been designed, built, and used as a dwelling; and</p> <p>3. For any relocated building 30 m² or larger, a Building Relocation Pre-Inspection Report must accompany an <u>the</u> application for a building consent <u>for the destination site</u>. The Building Relocation Pre-Inspection Report must be prepared by <u>a licensed building practitioner or other appropriately qualified person; and</u></p> <p>4. one of the following suitably qualified and experienced people:</p> <p style="padding-left: 20px;">(i) A Waitomo District Council Building Compliance Officer (or equivalent); or</p> <p style="padding-left: 20px;">(ii) A member of the New Zealand Institute of Building Surveyors; or</p> <p style="padding-left: 20px;">(iii) A licensed building practitioner (carpenter or design category); or</p> <p style="padding-left: 20px;">(iv) A building inspector from the local authority where the building is being relocated from;</p> <p>AND</p> <p>5. If the Building Relocation Inspection Report has been prepared by a person other than a Waitomo District Council Building Compliance Officer (or equivalent position), the accuracy and completeness of the Building Relocation Inspection Report must be confirmed by a Waitomo District Council Building Compliance Officer (or equivalent position) by undertaking an on-site inspection of the relocated building once it has been relocated. Should the Waitomo District Council Building Compliance Officer determine</p> | <p>Activity status where compliance is not achieved:</p> <p><u>RDIS</u></p> <p><u>The matters over which discretion is restricted are:</u></p> <p>(a) <u>The proposed timetable for completion of the work required to reinstate the exterior of the relocated building as per the Building Pre-Inspection Report; and</u></p> <p>(b) <u>The extent to which the location, bulk, scale and built form of the relocated building impacts on character and amenity; and</u></p> <p>(c) <u>Safety and efficiency of the transport network, including access, the availability of on-street parking and provision of on-site parking; and</u></p> <p>(d) <u>Potential reverse sensitivity effects on any adjoining activities; and</u></p> <p>(e) <u>In PREC2, the ability to soften the visual impact of the relocated building from adjacent properties and public places, including retention of any existing mature trees and landscaping.</u></p> <p>(f) <u>In PREC2, the use to which the relocated building will be put and whether it is compatible with the planned character and amenity of the precinct and complementary with permitted activities.</u></p> <p>(g) <u>The extent to which building design, siting and landscaping of the structures minimises extent of impervious surfaces; and</u></p> <p>(h) <u>The effects of non-compliance with any relevant zone standards.</u></p> |

RELOCATED BUILDINGS

~~that the relocated building requires external repair works in addition to that identified in the submitted Building Relocation Inspection Report in order to achieve a tidy and workmanlike external appearance, then:~~

~~(i) The owner of site to which the building is to be relocated will be contacted and must agree in writing to the additional works within 2 weeks of notification of the requirement for additional works. The additional works then become part of the Building Relocation Inspection Report.~~

AND

6. The Building ~~Relocation~~ Pre-Inspection Report must identify all reinstatement works that are to be completed to the exterior of the building. The report shall include a certification by the property owner that the reinstatement works shall be completed within the specified 12 month period; and
7. The building shall be located on permanent foundations approved by building consent, no later than 2 months of the building being moved to the site; and
8. All other reinstatement work required by the Building ~~Relocation~~ Pre-Inspection Report and the building consent to reinstate the exterior of any relocated dwelling shall be completed within 12 months of the building being delivered to the site. The reinstatement work must include connections to all infrastructure services and closing in and ventilation of the foundations.

Advice notes

Temporary construction buildings

For buildings and shipping containers used in conjunction with, and for the duration of construction work located either on the same site as the construction project, or on a site adjoining the construction project, see the [temporary activities chapter](#).

Hazard areas, overlays, scheduled sites and features

There are additional rules for all buildings, including relocated buildings, which are located in coastal hazard areas, hazard areas, overlays, on scheduled sites and features. A shipping container must comply with the provisions in this plan including the provisions for coastal hazard areas, hazard areas, overlays, scheduled sites and features as though it were a building.

Setbacks from water bodies and the coastline

Note: All buildings and structures, must also comply with NATC-R2, CEH-R1 and CEH-R2.

Light

Overview

Artificial lighting performs an important functional role for a range of activities. It enables activities to occur beyond daylight hours, including businesses, recreation and entertainment activities that operate during the night time. It can also assist in improving the safety and security of people and property. If artificial lighting is not properly located, installed and designed it can have adverse effects on people, particularly if it causes sleep disturbance. Poorly designed artificial lighting can also affect traffic safety.

The provisions in this chapter allow adequate lighting to support activities and enable safety and security whilst managing potential adverse effects. The rules in this chapter do not apply to specific types of activities or lighting which have an important functional role such as navigation aids and traffic lights.

Objectives

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

- LIGHT-O1.** Enable activities to generate an appropriate level of artificial lighting to support the safety and security of people and property, while managing adverse light spill effects.
- LIGHT-O2.** The benefits of artificial lighting are recognised, particularly the ability to extend the use of outdoor areas for night-time working, recreation and entertainment activities.

Policies

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

- LIGHT-P1.** Artificial lighting is located, designed and operated so that it does not adversely affect amenity, the health and safety of people, and the safe operation of the transport network.
- LIGHT-P2.** Artificial lighting is located, designed and operated to ensure that the natural night sky is preserved as far as practicable in the tourism zone of Waitomo Caves Village.

Rules

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

- LIGHT - Table 1 - Activities Rules; and
- LIGHT- 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.

LIGHT - 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 | | |
|---|---|---|
| LIGHT-R1. | Emission of artificial light | |
| All zones | <p>Activity Status: PER</p> <p>Where:</p> <p>1. All of the relevant performance standards in LIGHT - Table 2 are complied with.</p> | <p>Activity status where compliance is not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>(a) The matters of discretion associated with any performance standard which cannot be complied with in LIGHT - Table 2.</p> |

LIGHT - Table 2 - Performance Standards

| LIGHT-R2. | Emission of artificial light | |
|-----------|---|---|
| | <p>1. All exterior artificial lighting must be oriented so that light is emitted away from <u>does not cause an adverse effect on</u> any road or any oncoming traffic; and</p> <p>2. The spill of light from artificial lighting on to any site in the general rural zone as measured at or within the notional boundary of any sensitive activity must not exceed:</p> <p>(i) 10 lux (horizontal and vertical);</p> <p>AND</p> <p>3. Within the industrial zone, the spill of light from artificial lighting must not exceed 20 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site. However, where the site adjoins another zone, the provisions of LIGHT-R2.4 apply; and</p> <p>4. In all other zones, the spill of light from artificial lighting must not exceed 10 lux (horizontal and vertical) when measured or calculated at points 1.5 m within the boundary of any other site; and</p> | <p>Matters over which discretion is restricted:</p> <p>(a) Measures to ensure that the natural night sky is preserved where practical in the tourism zone of Waitomo Caves Village; and</p> <p>(b) The extent to which light overspill may impact on activities occurring on an adjoining property, including areas for outdoor living; and</p> <p>(c) The ability to mitigate adverse effects through the imposition of conditions such as shielding the light; and</p> <p>(d) The extent and effect of the duration, hours of operation and frequency of the activity on the amenity values and sleep quality experienced in adjoining properties; and</p> |

| | |
|--|--|
| <p>5. In the case of contiguous sites held in the same ownership for the same activity, the spill of light shall be measured or calculated at points 1.5 m within the boundary of any other site beyond the boundary of the holding; and</p> <p>6. The standards for light must be measured and assessed in accordance with AS/NZS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting; and</p> <p>7. The following activities are exempt from the provisions of this rule:</p> <ul style="list-style-type: none"> (i) Streetlights, navigation aids and traffic signals; and (ii) Lights of vehicles, trains and aircraft; and (iii) In the general rural zone, lights of farm vehicles and mobile agricultural machinery; and (iv) Lighting associated with temporary events and commercial filming; and (v) Temporary lighting for the purpose of emergency management activities, temporary military training activities and emergency response. | <p>(e) Whether artificial lighting is necessary for operation or functional purposes; and</p> <p>(f) Effects on the safety of traffic system users attributable to lighting and glare.</p> |
|--|--|

Advice notes

Waitomo Caves Village tourism zone

Note: In Waitomo Caves Village tourism zone, the preference is for outdoor artificial lighting to be fully shielded and have a colour corrected temperature of no greater than 3000K (warm white).

Floodlights

Note: The rules for floodlights associated with recreational or sporting activities are contained in the open space zone. For floodlights not associated with recreation or sporting activities the provisions of this chapter apply.

Artificial illumination of [signs](#) and [digital signs](#)

Note: For artificial illumination of signs and digital signs see the [signs chapter](#).