

Proposed Plan Change 41 Noise

Summary of Submissions

Submitter Name: New Zealand Fire Service Commission
Submission No: 1.1pc41

Summary:

Support the proposed plan change. The Wanganui Fire Station is in the Outer Commercial Zone. The proposed noise limits for the zone are higher than the guidelines in NZS 6808:2008. The Fire Station is capable of meeting the standards in NZS6806:2008, and will therefore comply with the new noise standards.

Decision Sought:

Retain without modification Rule 14.5.9 as it reads.

Submitter Name: Stacey Kristina Pram
Submission No: 2.1pc41
Address: 81b Western Line

Summary:

Opposed to the specific performance standards for gas guns as the country is a peaceful and quiet environment.

Decision Sought:

Retain existing provisions in the District Plan in relation to gas guns.

Submitter Name: Kevin and Mary-Anne Redington
Submission No: 3.1pc41
Address: 334 State Highway 3 North

Summary:

Opposed to the specific performance standards for gas guns.

Decision Sought:

No gas guns as a permitted activity.

Submitter Name: Gerard, Marlene, Gerardus and Antoine Bonnet
Submission No: 4.1pc41
Address: 83 Western Line

Summary:

Opposed to the proposed rules in relation to bird scaring devices because the proposed limits are unreasonable and would cause excessive noise nuisance. The noise will cause constant irritation to the neighbours, affecting the peace, lifestyle and reason for living in the country. Additionally this will also devalue neighbouring properties. It will permanently affect the animals on adjoining properties. Research proved that Propane cannons become ineffective after a short while.

Decision Sought:

No gas guns as a permitted activity.

Submitter Name: Donna Jackson
Submission No: 5.1pc41
Address: 352c State Highway 3 North

Summary:

Opposed to permitting gas guns. The activity will affect the peace and quiet of Westmere and the proposed noise invasion would adversely affect my wellbeing and property values.

Decision Sought:

No gas guns as a permitted activity in the Westmere area.

Submitter Name: Chris Robson
Submission No: 6.1pc41
Address: 352 State Highway 3 North

Summary:

Opposed to permitting gas guns. Westmere is a well populated area and this activity could affect property values. Native bird species could also be affected. The peace and quiet will definitely diminish.

Decision Sought:

No gas guns as a permitted activity.

Submitter Name: Abigail Calman
Submission No: 7.1pc41
Address: 352b State Highway 3 North

Summary:

Opposed to permitting gas guns. Gas guns will destroy our peaceful and quiet environment. It could affect children's sleep patterns. Native bird species could also be affected. The value of our property would greatly decrease. I want to enjoy sitting outside in the summer in the peace and enjoy our surrounding.

Decision Sought:

No gas guns as a permitted activity.

Submitter Name: Rodney Calman
Submission No: 8.1pc41
Address: 352b State Highway 3 North

Summary:

Opposed to permitting gas guns. Westmere is densely populated area and a gas gun going off every 10 minutes would severely irritate the peaceful nature of this area. Native bird species could also be affected.

Decision Sought:

No gas guns as a permitted activity.

Submitter Name: Connor Jackson
Submission No: 9.1pc41
Address: 352c State Highway 3 North

Summary:

Opposed to permitting gas guns. I work at night and rely on the peaceful nature of this area to recuperate. This activity will upset myself and other shift workers in the area as well as spoil peaceful afternoons outside and devalue our properties.

Decision Sought:

No gas guns as a permitted activity at any time.

Submitter Name: Matthew Morgan
Submission No: 10.1pc41
Address: 352c State Highway 3 North

Summary:

Opposed to permitting gas guns for the purpose of bird scaring. I am a shift worker who moved to this area so I can have peace and quiet for sleeping during the day. This activity would completely ruin my

sleep, my lifestyle and would devalue my property (which contains my life savings). This is a well populated area.

Decision Sought:

No gas guns as a permitted activity in the Westmere area.

Submitter Name: Heather and Ian Brown
Submission No: 11.1pc41
Address: 352a State Highway 3 North

Summary:

Opposed to permitting gas guns for the purpose of bird scaring. The sound of the gas guns is loud and intrusive and scares more than just birds (visitors, children and the people who live here). We support Windermere Gardens in the area. As they are proposing to have most of the plants in plastic tunnel houses there is no need to have rules for a gas gun.

Decision Sought:

No gas guns as a permitted activity in the Westmere area.

Submitter Name: Ilma Smith
Submission No: 12.1pc41
Address: 334 State Highway 3 North

Summary:

Opposed to gas guns going off every 10 minutes. The gas guns shatter the peace and quiet when I'm inside and outside working in my large garden. It also disturbs native birds.

Decision Sought:

No gas guns as a permitted activity.

Submitter Name: Graeme Kirk
Submission No: 13.1pc41
Address: 54 State Highway 3 North

Summary:

Opposed to the specific performance standards for gas guns. The area is well populated and this activity may affect property values. We are also shift workers and rely on the peace and quiet for the area for rest and wellbeing. The constant noise is not what we want to hear when sitting outside enjoying the summer evenings. When they were used last year, they were shut down due to complaints lodged with Council.

Decision Sought:

No gas guns as a permitted activity.

Submitter Name: Deborah Hickford
Submission No: 14.1pc41
Address: 390a State Highway 3 North

Summary:

Opposed to permitting gas guns in the Rural Zone. We value the peace and quiet of this area, which is why we live here.

Decision Sought:

Rejection of the Plan change in relation to gas guns.

Submitter Name: Keith Hindson, Gloria Rigg, Anthony and Ada Cameron
Submission No: 15.1pc41
Address: 45 and 46 Watt Livingstone Road

Summary:

Opposed to permitting gas guns and avian distress devices for the following reasons.

- Westmere contains approximately 250 residents.
- When used correctly, gas guns and avian distress alarms can be effective when a part of an Integrated Pest Management Plan. Currently the Plan Change allows a cheap and nasty approach.
- The effect of the proposed rule would sound like living in the middle of the WW1 Somme battlefield. This will not protect the health of the community.
- There has been no formal request received by Council to change the current provisions.
- Supportive of the initiative to insulate new dwellings, but the retrofit of existing rural dwellings would be expensive.
- Against Policies 17.3.2-4.

Decision Sought:

- One or more of the following options:
- Buy the residential properties in Westmere and return them to farmland.
- Retain Status Quo for gas guns and bird scaring devices (prohibited).
- Exclude gas guns and avian distress alarms within 600m of high density residential properties.
- Require best practice which is an Integrated Pest Management Plan for Council approval and monitoring before gas guns and other bird scaring devices are approved.

Submitter Name: Tony Boswell
Submission No: 16.1pc41
Address: 313 State Highway 3 North

Summary:

Support the allowance for bird scaring devices to assist farming activities. Not allowing bird scaring devices puts Wanganui rural businesses at a competitive disadvantage to other regions where they are common place and acknowledge as current best practice.

Decision Sought:

Allow bird scaring devices at levels commensurate with all other regions for all rural activities.

Submitter Name: MidCentral Public Health Services
Submission No: 17.1pc41

Summary:

Supportive of Issues 17.1.1 and 17.1.2 as the inclusion of these issues are reasonable and necessary. Submissions are intended to be helpful, objective and independent as to promote the reduction of adverse environmental noise on the health of communities.

Decision Sought:

Retain provisions 17.1.1 (human health) and 17.1.2 (noise compatible with character).

Submitter Name: MidCentral Public Health Services
Submission No: 17.2pc41

Summary:

Supportive of the policies listed in Chapter 17, with minor amendments where stated in order to be accurate and clear for Plan users. Submissions are intended be helpful, objective and independent as to promote the reduction of adverse environmental noise on the health of communities.

Decision Sought:

1. Policy 17.3.1 (new activities adjoining transport networks) is retained.
2. Policy 17.3.2 (manage noise emissions to protect health) is retained.

3. Policy 17.3.3 (noise levels reflect locality) is retained, but amended for clarity.
4. Policy 17.3.3(b) is retained, but amended to consider noise mitigation measures other than just insulation.
5. Policy 17.3.4 (retain rural amenity without unduly restricting rural activities) is retained.
6. Policy 17.3.5 (measurement of noise) is retained, but amended the titles of the New Zealand Standards.

Submitter Name: MidCentral Public Health Services
Submission No: 17.3pc41

Summary:

Support the assessment methods for mining explosives (Rule 17.5.4), but requests minor changes to the terminology.

Decision Sought:

1. '128 unweighted BZ' is replaced with '128 dB'.
2. 'blast noise (air blast)' is replaced with 'blast vibration'.

Submitter Name: MidCentral Public Health Services
Submission No: 17.4pc41

Summary:

Support Rule 17.5.5 as provision is consistent with the National Environmental Standard for Telecommunication Facilities.

Decision Sought:

Retain Rule 17.5.5.

Submitter Name: MidCentral Public Health Services
Submission No: 17.5pc41

Summary:

Supportive of the gist of the provisions of Rules 17.5.7-10 (Noise controls for zones), but requests amendments in order with case law and clarity for Plan users

Decision Sought:

1. Rule 17.5.7(a) (Rural zone limits) is retained, but with minor amendments to the terminology.
2. Rule 17.5.7(b-c) (bird scaring devices) is retained.
3. Rule 17.5.8 (Residential zone limits) is retained, but with minor amendments to the terminology.
4. Rule 17.5.9 (Commercial zone limits) is retained, but with minor amendments to the terminology.
5. Rule 17.5.10 (Manufacturing zone limits) is retained, but with minor amendments to the terminology.

Submitter Name: MidCentral Public Health Services
Submission No: 17.6pc41

Summary:

Supportive of proposed definitions as they complement plan provisions.

Decision Sought:

Retain definitions specified in Plan Change.

Submitter Name: Wanganui District Council
Submission No: 18.1pc41

Summary:

Support the definitions of activities sensitive to noise, however requests a combined definition is created for ease of use.

Decision Sought:

The definitions for 'Activities sensitive to aircraft noise (ASAN)' and 'Noise sensitive activities' are combined and the terminology used throughout the Plan.

Submitter Name: Ruth Botten
Submission No: 19.1pc41
Address: 18a Purnell Street

Summary:

Oppose any increase in noise limits for the Racecourse. Current noise levels are too loud.

Decision Sought:

A lowering of the noise limits or retention of the existing noise limits at the Racecourse.

Submitter Name: Donald Ross
Submission No: 20.1pc41
Address: 18a Purnell Street

Summary:

Oppose any increase in noise limits for the Racecourse. Current noise levels are too loud.

Decision Sought:

Retention of existing noise conditions.

Submitter Name: Richard Overton
Submission No: 21.1pc41
Address: 20 Purnell Street

Summary:

Opposed to current noise provisions. Want stronger noise limits or better enforcement of the regulations relating to noise emanating from private or commercial premises which have an effect on the neighbourhood.

Decision Sought:

To enforce and/or change the noise regulations.

Submitter Name: Diana Fowler
Submission No: 22.1pc41
Address: 6 Hutchison Crescent

Summary:

Oppose any increase in noise limits for the Racecourse. Current noise levels are too loud.

Decision Sought:

Retention of existing noise conditions.

Submitter Name: Graeme Filer
Submission No: 23.1pc41
Address: 54 Field Street

Summary:

Oppose any increase in noise limits for the Racecourse. Current noise levels are too loud.

Decision Sought:

Retention of existing noise conditions.

Submitter Name: New Zealand Transport Agency
Submission No: 24.1pc41

Summary:

Supportive of the intention to protect noise sensitive activities from the transport network. The Transport Agency recommends a provision that specifies the internal noise level instead of how the building performs as it relates more closely to the effect that is anticipated to be avoided and it ensures each building is appropriately designed in relation to its distance for the State Highway network.

Decision Sought:

Amend Rule 17.5.3 to restrict noise sensitive activities within 20 metres of the state highway and to require noise sensitive activities within 80 metres of the state highway to have an internal noise level of 40 dB LAeq(24hr) or habitable spaces and no greater than the maximum limits in AS/NZS 2107:2000.

Submitter Name: New Zealand Transport Agency
Submission No: 24.2pc41

Summary:

Support definitions for 'noise sensitive activities' and 'reverse sensitivity'.

Decision Sought:

Retain definitions for 'noise sensitive activities' and 'reverse sensitivity'.

Submitter Name: KiwiRail Holdings Limited (KiwiRail)
Submission No: 25.1pc41

Summary:

Support the proposed definition of noise, however recommends that vibration is added to the definition to be consistent with the RMA.

Decision Sought:

Retention of the definition for noise, with the inclusion of vibration.

Submitter Name: KiwiRail Holdings Limited (KiwiRail)
Submission No: 25.2pc41

Summary:

Supportive of moving the provisions for reverse sensitivity adjacent to the rail corridor from the Residential Zone to the Noise Chapter, however there is concern that the mitigation might be overlooked.

Decision Sought:

Retain as notified.

Submitter Name: KiwiRail Holdings Limited (KiwiRail)
Submission No: 25.3pc41

Summary:

Supportive of Policy 17.3.1 (new activities adjoining transport networks) and Policy 17.3.3(b) (insulation of noise sensitive activities).

Decision Sought:

Retain as notified Policies 17.3.1 and 17.3.3(b).

Submitter Name: KiwiRail Holdings Limited (KiwiRail)
Submission No: 25.4pc41

Summary:

Supportive of Rule 17.5.3 (insulation of new noise sensitive activities) as it is consistent with what was adopted through the Phase 2 appeal. Recommended that altered buildings are also included, as changing uses could result in reserve sensitivity effects. KiwiRail also support ventilation cause (c).

Decision Sought:

Retain as notified Rule 17.5.3, except with the inclusion for altered buildings.

Submitter Name: Stephen Palmer, Paul Harrison, Jim Richardson and Paul McKenna
(Architectural Designers New Zealand Inc)
Submission No: 26.1pc41
Address: 18 Shakespeare Road

Summary:

Oppose Rule 17.5.3 (insulation of new noise sensitive activities). Agree that residential activities must expect noise and insulate against it in commercial, industrial and rural zones and railway lines, however forcing people to meet the cost of insulating against sound is questionable.

Support the inclusion of the noise insulation table in Rule 17.6, but are concerned about the requirement for reports by 'suitably qualified acoustic engineers'.

Decision Sought:

Removal of proposed rule 17.5.3 as people who choose to live next to the stated environments will have accepted the noise of the adjoining activities.

Submitter Name: Stephen Palmer, Paul Harrison, Jim Richardson and Paul McKenna
(Architectural Designers New Zealand Inc)
Submission No: 26.2pc41
Address: 18 Shakespeare Road

Summary:

Oppose the phased review of the District Plan. The constant changes of the rules is a risk to our clients, and the constant consultation puts people off.

Decision Sought:

Consider reviewing the rest of the Plan together, instead of in phases.

Submitter Name: Paul McKenna
Submission No: 27.1pc41
Address: 3 Buxton Road

Summary:

Oppose the phased review of the District Plan. The current process consists of constant consultation of multiple plan changes without adequate time to respond. Many members of the public do not understand how the changes will affect them until they find they can no longer do it.

Decision Sought:

Consider reviewing the rest of the Plan together, instead of in phases.

Submitter Name: Paul McKenna

Submission No: 27.2pc41
Address: 3 Buxton Road

Summary:

Oppose Rule 17.5.3 (insulation of new noise sensitive activities) for the following reasons:

1. It is illegal. The Building Act stipulates that no one is required to build in a way more onerous than the Building Code (section 18).
2. It is illogical to require this additional cost on everyone on the basis that there may only possibly be a need in the future.
3. In order for noise design to be effective, a source of noise needs to be identified. Engineers design insulation to protect against an activity, not a zone.
4. The responsibility of protecting against a noise hazard rests with the one producing the hazard, not the adjoining activities.
5. The additional cost may break the camel's back on many projects with the net result of stifling growth in our already slow economy.

Decision Sought:

Removal of proposed rule 17.5.3.

Submitter Name: New Zealand Defence Force
Submission No: 28.1pc41

Summary:

Opposed to the following parts of the proposed Plan change:

1. The definition of noise is broad and does not provide any practical use in terms of the application of the Plan provisions.
2. The vibration performance standards are not appropriate for a permitted activity as it is subjective and not easily quantifiable. NZDF considers such a standard unworkable.

Decision Sought:

1. Remove the proposed definition of noise and exclude the listed activities from the relevant rules.
2. Amend the proposed performance standard for vibration to refer to the appropriate standard.

Submitter Name: Wanganui Federated Farmers of New Zealand
Submission No: 29.1pc41

Summary:

Support/oppose the following parts of the proposed Plan change:

1. The definition of 'Noise' needs to have the word 'intermittent' removed to the exemption for rural machinery. Some activities such as regular dairy milking cannot be considered intermittent. However, the exemption is appreciated and supported.
2. The introduction to the Noise Chapter (17) is amended to clarify that aircraft noise generated after the craft has left the ground is not controlled under the RMA.
3. That provisions has been made for the intermittent operation of farm airstrips and helicopter landing areas so that they are not unduly restricted. This could be achieved by adding an additional sentence to Issue 17.1.2, Policy 17.3.4 and Rule 17.4.1 or be excluded under the definition for 'noise'.

Decision Sought:

1. The definition of 'Noise' needs to have the word 'intermittent' removed to the exemption for rural machinery. The rest of the definition is retained.

2. Amend the Introduction to Chapter 17 to exclude aircraft noise generated after the craft has left the ground.
3. That the District Plan excludes from the definition of noise or permits the noise generated from the intermittent operation of farm airstrips and helicopter landing areas.

Submitter Name: Wanganui Federated Farmers of New Zealand

Submission No: 29.2pc41

Summary:

Support/oppose the following parts of the proposed Plan change:

1. Opposed to the inclusion of a Bird Management Plan. It is not practical for the District Council to enforce the practical applications for farmer pest management – this sits with the Regional Council. The noise provisions proposed will mitigate and manage undue noise effects to surrounding communities.
2. Amend the provisions for Noise Sensitive Activities to allow for engineered noise barriers/landscaping to be considered also in order to achieve a safe noise environment.
3. Amend the Daytime noise levels to start at 6am, which reflects standard rural operating practice.

Decision Sought:

1. Remove all reference to 'Bird Management Plan' from the District Plan.
2. Amend the provisions for Noise Sensitive Activities to allow for engineered noise barriers/landscaping to be considered also in order to achieve a safe noise environment.
3. Amend the Daytime noise levels to start at 6am.