

## SECTION 134 - TEMPORARY ACTIVITIES AND BUILDINGS AND ENVIRONMENTAL NOISE

### Issue - Environmental Effects of Temporary Activities and Buildings

#### Description

The temporary use of buildings and the establishment of temporary activities have potentially significant adverse effects on neighbouring properties or the environment generally. The following issues are of particular concern:

- the appearance of relocated or temporary buildings;
- the size of temporary buildings and duration of temporary activities;
- the impact of such buildings and activities on visual and noise environments, and traffic generation, and natural values of the environment.

#### *Objective - Temporary Activities And Buildings*

*Temporary buildings and temporary activities located and operated to avoid, remedy or mitigate adverse effects on the environment.*

#### *Policy - Controls on Temporary Activities and Buildings*

*To set detailed rules for the time limit, scale, character and size of temporary buildings and temporary activities.*

#### Explanation and Reasons

The Plan recognises and provides for temporary buildings and temporary activities that are important to the economic and social well-being of the community. However because of the potential for these activities to adversely impact on the values of the built and natural environment it is considered appropriate to specify conditions for these activities and buildings.

#### Implementation Methods

- Controls on the duration, scale and character of various temporary activities and buildings

#### Environmental Result Anticipated

- Flexibility in the provision for temporary buildings and temporary activities.

## Issue - Adverse Effects of Environmental Noise

### Description

Sound may be described in terms of frequency, magnitude and duration but noise has connotations of annoyance and disturbance which are subjective factors. Community reaction to noise is determined not only by sound level, but also by the characteristics of the noise itself and the previous exposure of the community to noise. Complaints and other overt forms of community reaction to noise provide indicators of the existence of a noise problem but the number of complaints often correlate poorly with the complainants' noise exposure.

Adverse health effects of noise include:

- Physiological and chronic health effects
- Annoyance
- Interference with speech communications
- Interference with the learning process and education
- Interference with mental activity
- Interference with rest and sleep

The desirable upper limit for night-time noise exposure is determined by criteria to protect from disturbance to the onset of sleep and awakening thresholds for the average person.

New Zealand Standard NZS 6802:1991 *Assessment of environmental sound* (and its successors) provides a reasonable basis for assessment of most environmental noise. Other standards may provide a useful basis of assessment of more specific sources of environmental noise.

### *Objective - Noise Objective*

*To ensure the effects of noise upon people are not adverse to their health.*

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### *Policy - Noise Limits*

*To set noise limits consistent with relevant New Zealand Standards*

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### Explanation and Reasons

The Resource Management Act 1991 contains special provisions for noise. Councils have a duty to control the emission of noise and to control the effects. Section 16 of the Act provides that every occupier of land shall adopt the best practicable option to ensure that the emission of noise from that land does not exceed a reasonable level.

New Zealand environmental noise standards provide guidelines for setting noise limits which provide for the minimum acceptable degree of protection for community

health and welfare. More stringent noise limits may be set where local conditions including community expectations justify more stringent noise limits.

Setting noise limits will provide performance standards against which noise effects from activities can be controlled.

#### Implementation Methods

- Rules - noise limits set for all zones
- Rules - noise measurement and assessment based on New Zealand Standards
- Administration of the excessive noise provisions in the Resource Management Act 1991.

#### Environmental Results Anticipated

- Maintenance of amenity values of the district without undue interference with human activities.
- Prevention of annoyance, nuisance and adverse health effects caused by noise.

# TEMPORARY ACTIVITIES AND BUILDINGS

## STATUS OF ACTIVITIES

### 1 Permitted Activities

1.1 Notwithstanding anything to the contrary in this District Plan the following temporary activities and buildings shall be permitted in any zone, provided that after completion of the temporary activity or removal of the temporary building, the site shall be rehabilitated to its original condition prior to the commencement of the temporary activity or the erection of the temporary building:

1.1.1 Temporary offices, storage sheds, freight containers, builders' workshops, accommodation buildings, and other similar buildings and uses, which are incidental to a building, development or construction project. These are permitted however:

- only for the duration of the project or twelve months whichever is the lesser; and
- only if they comply with setback and height standards.

1.1.2 Temporary uses and buildings for such purposes as carnivals, filming, event accommodation, cultural festivals, sports meetings, bazaars, public meetings and the like. These are permitted however only for a period not exceeding fourteen days at any one time, and for no more than 6 times in any one year.

1.1.3 Temporary military training activities where:

1.1.3.a The written consent of the landholder has been obtained; and

1.1.3.b The activity does not require excavation (permanent or mechanical) unless provided for in this Plan; and

1.1.3.c The activity does not require the construction of permanent structures; and

1.1.3.d Flying activity is in compliance with civil aviation regulations or in agreement with the local controlling authority; and

1.1.3.e The activity is limited to a period not exceeding 31 days; and

1.1.3.f Noise levels measured from a line 20 metres from and parallel to the facade of any dwelling or the legal boundary where this is closer to the dwelling do not exceed the following limits:

Time	Limits		(dBA)
	L10	L95	Lmax
(Any Day)			
0630-0730	60	45	70
0730-1800	75	60	90
1800-2000	70	55	85
2000-0630	55		

- 1.1.3.g Impulse noise resulting from the use of explosives and small arms shall not exceed 122dBC.
- 1.1.3.h The activity does not involve earthworks, buildings or clearance of indigenous vegetation within Sites of Natural Significance identified on the Planning Maps to an extent greater than permitted in the Rural Zone rules.
- 1.1.3.i Provided further that a responsible person shall foster and maintain liaison between the Defence services and the neighbouring community before and during the temporary military training activity. For major exercises, the Defence services shall brief Council officers and supply written details of the general nature of the exercise including approximate timings for periods when explosives, ammunition or pyrotechnics or military jet aircraft will be in use within the training area.

## 1.2 Controlled Activities

- 1.2.1 Temporary Military Training Activities not meeting the standards in rule 1.1.3.

## 1.3 Discretionary Activities

- 1.3.1 Any temporary activities or buildings not provided for as a Permitted or Controlled Activity.

## 1.4 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the effect of a larger building or longer time period in respect of:

- i Any adverse effect on the amenities of the neighbourhood;
- ii Any adverse effects on adjoining properties from noise, overshadowing, privacy or loss of visual amenity;
- iii The impact on the road network and traffic safety in the vicinity of the site;

- iv The extent to which the environment in and adjoining the site is sensitive to modification; and
- v The extent to which the activity or building will adversely ~~effect~~affect indigenous plants and habitats for indigenous fauna.

## ENVIRONMENTAL NOISE

### 2 Rules Relating to Noise in All Zones

#### 2.1 Measurement and Assessment of General Environmental Noise

Except where expressly provided elsewhere in this Plan, noise shall be measured in accordance with the provisions of NZS 6801:1991 *Measurement of sound* (or its successors) and assessed in accordance with the provisions of NZS 6802:1991 *Assessment of environmental sound* (or its successors).

#### 2.2 Exemptions

Noise limits in any part of the Plan shall not apply:

- a In any area or zone to activities of a limited duration required by normal agricultural practice, such as harvesting, provided that the activity shall be no louder than necessary, and shall comply with the requirements of Section 16 of the Resource Management Act 1991.
- b In any Residential, ~~Rural-Residential 1 or 2~~, Hocken Lane Rural-Residential or Ruataniwha Rowing zone to activities of normal recreational nature, such as sporting events, that do not involve powered motorsport, powered aviation, gunfire or amplified music.
- c In any part of the District, where the noise source is a warning device used by emergency services.

## STATUS OF ACTIVITIES

#### 2.3 Permitted Activities

### 2.3.1 Construction noise rules - all zones

Construction noise in any zone shall not exceed the recommended limit in, and shall be measured and assessed in accordance with, the provisions of NZS 6803P:1984 *The Measurement and Assessment of Noise from Construction, Maintenance, and Demolition Work* (or its successors). Discretionary adjustments provided in clause 6.1 shall be mandatory within the District.

### 2.3.2 Blasting

Vibration from a site due to blasting shall not exceed a peak particle velocity of 5mm/sec provided this level may be exceeded on up to 5% of the total number of blasts over a period of 12 months. The level should not exceed 10mm/sec at any time.

### 2.3.3 Airblast

Airblast overpressure from blasting on any land shall not exceed a peak non-frequency-weighted (Linear or flat) level of 115dB, provided this level may be exceeded on up to 5% of the total number of blasts over a period of 12 months. The level should not exceed 120 dB (Lin Peak) at any time.

### 2.3.4 Watercraft Noise

- i Powered watercraft shall be fitted with effective mufflers during all movement on water and shall not exceed the following noise limits at any point within the notional boundary of any residential dwelling:

On any day	
7.00am to 9.00pm	Sound Exposure Level (SEL) 85 dBA
9.00pm to 7.00am the following day	Sound Exposure Level (SEL)
78 dBA	

Provided no moving craft shall emit noise in excess of Sound Exposure Level of 90 dBA in any single driveby measured at any notional point more than 25m from the line of travel of the craft.

- ii Sound exposure levels shall be measured in accordance with the provisions of NZS 6801:1991 *Measure of sound* (or its successors).

Provided further that on four occasions in any 12 month period, the noise limit may be unrestricted for any portion of water for the purpose of an approved special event.

## 2.4 Discretionary Activities

Any activity which emits construction, blasting, or watercraft noise which fails to meet the standards specified in 2.3 above.

## 2.5 Assessment Matters

- i The degree to which excessive noise generation will affect the enjoyment of any public place or site or area in the vicinity.
- ii The degree to which the noise contrasts with the characteristics of the existing noise environment in terms of level, duration and timing, and the impact of any cumulative increase.
- iii The nature of measures to mitigate excessive noise levels and the degree to which they are successful.