

BEFORE THE HUTT CITY COUNCIL

Proposed District Plan Hearings Panel – Stream 7 – Other Topics

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Lower Hutt District Plan

STATEMENT OF REBUTTAL EVIDENCE OF STEPHEN DAVIS

ON BEHALF OF HUTT CITY COUNCIL

Senior Policy Planner

LIGHT, NOISE, AND TEMPORARY ACTIVITIES

6 October 2026

1.0 Introduction

1.1 My name is Stephen Davis, and I am a Senior Policy Planner at Hutt City Council.

1.2 I have reviewed the evidence and tabled statements of:

1.2.1 Catherine Hepplethwaite for KiwiRail Holdings (442) and NZTA (385) – planning evidence, 29 September 2026

1.2.2 Michelle Grinlinton-Hancock for KiwiRail Holdings (442) – submitter evidence, 29 September 2026

1.2.3 Dr Stephen Chiles for KiwiRail Holdings (442) and NZTA (385) – acoustic evidence, 29 September 2026

1.2.4 Georgina McPherson for Z Energy (468) and the Fuel Companies (471) – planning evidence, 29 September 2026

1.2.5 David Gibson for Te Kārearea & Rosco Ice Cream (447) – planning evidence, 29 September 2026

1.2.6 Angela Goodwin for Waste Management NZ (461) – planning evidence, 29 September 2026

1.2.7 Micky Yang for Waste Management NZ (461) – acoustic evidence, 29 September 2026

1.2.8 Philip Heffernan for Winstone Aggregates (444) – planning evidence, 30 September 2026

1.2.9 Jamie Exeter for Winstone Aggregates (444) – acoustic evidence, 30 September 2026

1.2.10 Tony Michelle for NZ Agricultural Aviation Association (231) and NZ Helicopter Association (215) – tabled statement, 5 October 2026.

- 1.3 This rebuttal evidence responds only to the pre-circulated written evidence and statements received from submitters prior to the hearing and listed above.
- 1.4 Other submitters may also present oral evidence or further details at the hearing. These may raise additional matters that could influence or alter the recommendations made in this rebuttal evidence.
- 1.5 I only cover points raised by submitters in the statements and evidence above where those relate to the matters addressed in the Light, Noise, and Temporary Activities Section 42A Report. The statements and evidence relating to the Section 42A Reports for Activities on the Surface of Water, Earthworks, Financial Contributions, Notable Trees, Papakāinga, Signs, Subdivision, and Wind will be addressed by the reporting officers for those topics.
- 1.6 Accordingly, I also have read but have not commented on the evidence of:
 - 1.6.1 Tom Anderson for the Telecommunication Companies (311), 29 September 2026
 - 1.6.2 Kaaren Rosser for Enviro NZ (323), 29 September 2026
 - 1.6.3 David Gibson for Survey and Spatial NZ (466), 29 September 2026
 - 1.6.4 Pauline Whitney for Transpower NZ (504), 29 September 2026
 - 1.6.5 Gary Schofield for Powerco Ltd (414), 1 October 2026 – tabled statement
- 1.7 I have also reviewed the evidence of Anthony Bloomfield, Brett Harries, and Russ Kern for Out of Home Media Association Aotearoa (413), each 29 September 2026, and the rebuttal evidence for Council of Sean Bellamy, Michael Smith, and Ian Campbell, each 6 October 2026, as it relates to the lighting of signs. These issues are discussed in Mr Bellamy's rebuttal evidence for

the Signs chapter¹, and I discuss only consequential issues for the Light chapter arising from that.

1.8 Except as expressly identified in this statement, all findings and recommendations contained in my original Section 42A report (including the erratum of 24 September 2026) remain unchanged. For the sake of brevity, I will not comment on submitter statements and evidence where:

- the original Section 42A reports recommended accepting the submitter's originally requested relief, or
- the statement or evidence concur with the recommendation in the Section 42A report, or
- the statement or evidence repeats reasoning and evidence already present in the original submission

unless the issue is also in dispute from the evidence of a different submitter, or there is otherwise some reasoning or other information not covered in the Section 42A reports.

2.0 Qualifications, experience, and Code of Conduct

2.1 My qualifications and experience are set out in section 2.2 of my Section 42A Report. I repeat the confirmation given in that report that I have read and agree to comply with the Code of Conduct for Expert Witnesses.

3.0 Supporting evidence

3.1 I adopt the additional evidence of noise and acoustic consultant Malcolm Hunt², published separately on the PDP website.

¹ Rebuttal evidence of Sean Bellamy – Signs, 6 October 2026

² At https://www.huttcity.govt.nz/_data/assets/pdf_file/0026/78443/Lower-Hutt-PDP-HS7-Rebuttal-Evidence_Malcolm-Hunt-6-October-2026-FINAL.pdf

4.0 Responses to submitter evidence and statements

4.1 The sections below respond to submitter evidence in relation to the provisions in the topics of Light, Noise and Temporary Activities.

4.2 Appendix 1 sets out my revised and updated recommended amendments in response to submitter evidence. Within Appendix 1, my Section 42A report recommended amendments are shown in red underlined or ~~strike-through~~ and further amendments recommended in this rebuttal evidence are shown in blue underline or ~~strike-through~~.

5.0 Light – responses to submitter evidence and statements

Measurement of luminance

(LIGHT-Table3)

5.1 Russ Kern in his evidence for the Out of Home Media Association (413)³ and Ian Campbell in his evidence for Council⁴ both give their view that the reference to luminance in SIGN-S9 and LIGHT-TABLE3 should be to “maximum luminance” instead of “maximum average luminance”. “Maximum average luminance” is the term used in AS/NZS 4282:2023, from which the values are taken⁵, and under which the values should be assessed in accordance with LIGHT-S6.

5.2 In my view the language in SIGN-S9 and LIGHT-TABLE3 should be consistent. The substantive discussion of this issue relates to SIGN-S9 and is discussed by Sean Bellamy in his rebuttal evidence on Signs⁶. I concur with his recommendation that while this change is fine in principle, the submitter will need to identify scope to make

³ Evidence of Russ Kern, 29 September 2026, paras 4.13-4.15.

⁴ Evidence of Ian Campbell, 6 October 2026, para 29, attached to rebuttal evidence of Sean Bellamy on Signs, 6 October 2026.

⁵ AS/NZS 4282:2023 “Control of the obtrusive effects of outdoor lighting”, Table 3.4

⁶ Rebuttal evidence of Sean Bellamy – Signs, 6 October 2026.

the change. In the meantime, I recommend LIGHT-TABLE3 remain as recommended in the s42A report.

6.0 Noise – responses to submitter evidence and statements

- 6.1 Council engaged extensively with KiwiRail and NZTA together prior to notification of the PDP, and those two organisations have similar (but not identical) concerns and submissions on the Noise chapter. I would like to note my appreciation that the two submitters have worked together prior to the hearing and provided joint planning and acoustic evidence (from Catherine Heppelthwaite and Dr Stephen Chiles respectively), and that this will assist the Council in addressing the issues in this topic efficiently.

Acoustic insulation standards within Highway and Railway Noise Overlays

(NOISE-S5, NOISE-S6)

- 6.2 Michelle Grinlinton-Hancock, Catherine Heppelthwaite, and Dr Stephen Chiles each provide evidence around the submissions of KiwiRail (442) and NZTA (385) seeking that the approach of a target indoor noise level be used for acoustic insulation requirements, instead of the standardised level difference approach in the PDP as notified⁷.
- 6.3 I adopt the evidence of Malcolm Hunt⁸, who discusses the additional matters raised in the submitters' evidence. I support his conclusion that the standardised level difference approach remains the most suitable. I particularly note that consistency with the acoustic insulation requirements for sensitive activities in commercial and mixed use zones is a benefit.

⁷ Evidence of Michelle Grinlinton-Hancock, 29 September 2026, paras 3.6 to 3.8, evidence of Catherine Heppelthwaite, 29 September 2026, paras 6.12 to 6.16, evidence of Dr Stephen Chiles, 29 September 2026, paras 6.7, 6.8, and 7.9 to 7.14.

⁸ Additional evidence of Malcolm Hunt, 6 October 2026, paras 4.1 to 4.19

- 6.4 Ms Heppelthwaite in her evidence⁹ also gives the view that clause 1.c of each standard (the pathway to not include acoustic insulation where existing outdoor screening renders it unnecessary) should be modified to ensure that the screening is retained and maintained.
- 6.5 While I agree that this is an issue in principle, a permitted activity condition does not allow an obvious mechanism to require this, as there is no process to attach conditions to permitted activities under the RMA¹⁰. Furthermore, the people responsible for maintaining the screening would be themselves as occupiers who, or be the landlords of the tenants who, are directly subject to the noise effects the screening prevents. There are both obvious incentives and existing non-district plan relationships that render this an unlikely issue in practice and one that the occupiers could solve themselves without regulatory intervention.

Separation of high and moderate noise overlays

(NOISE-R6, NOISE-R7, NOISE-S5, NOISE-S6, Highway and Railway Noise Overlay – High, Highway and Railway Noise Overlay – Moderate)

- 6.6 Michelle Grinlinton-Hancock, Catherine Heppelthwaite, and Dr Stephen Chiles each provide evidence around the submissions of KiwiRail (442) and NZTA (385) seeking that the High and Moderate Highway and Railway Noise Overlays be replaced with a single overlay, potentially then separated out instead by whether it applies to the highway or railway network¹¹.
- 6.7 I adopt the evidence of Malcolm Hunt, who discusses the additional matters raised in the submitters' evidence¹². I support his

⁹ Evidence of Catherine Heppelthwaite, 29 September 2026, para 6.16.

¹⁰ As opposed to the now in force, but yet to be implemented Planning Act 2026, which provides for registered permitted activities with potentially ongoing conditions.

¹¹ Evidence of Michelle Grinlinton-Hancock, 29 September 2026, paras 3.6 to 3.8, evidence of Catherine Heppelthwaite, 29 September 2026, paras 6.17 to 6.19, evidence of Dr Stephen Chiles, 29 September 2026, paras 6.2 to 6.6 and 7.1 to 7.8.

¹² Additional evidence of Malcolm Hunt, 6 October 2026, paras 5.1 to 5.5.

conclusion that retaining the two-tier approach is a more effective way of having acoustic insulation requirements be proportional to the likely noise issue in any given location. In my view, the panel's decision on this is largely consequential on the issue of the form of the acoustic insulation standard itself, discussed above.

Extent of rail noise overlay

(Highway and Railway Noise Overlay – High, Highway and Railway Noise Overlay – Moderate)

- 6.8 Michelle Grinlinton-Hancock, Catherine Heppelthwaite, and Dr Stephen Chiles each provide evidence around the submission of KiwiRail (442) seeking that the Highway and Railway Noise Overlay be extended to a buffer of 100 metres from the rail corridor boundary rather than 40 metres as notified¹³.
- 6.9 I adopt the evidence of Malcolm Hunt, who discusses the additional matters raised in the submitters' evidence¹⁴, and support his conclusion that the 40 metre distance is most appropriate.
- 6.10 Ms Grinlinton-Hancock in her evidence¹⁵ notes the potential for growth on the rail network. I agree that growth in rail network use is likely, given the long-term strategic goal of the Wellington Regional Council to improve passenger rail services. However, and as noted by Malcolm Hunt in his evidence¹⁶, this growth will be in trains using electric propulsion, including new multiple units replacing existing diesel Wairarapa services¹⁷. Passenger rail services also operate only during the day and earliest parts of the night. There is no evidence to suggest growth in freight or other diesel-hauled services. It does not follow that growth in the passenger rail network

¹³ Evidence of Michelle Grinlinton-Hancock, 29 September 2026, paras 3.6 to 3.8, evidence of Catherine Heppelthwaite, 29 September 2026, paras 6.17 to 6.19, evidence of Dr Stephen Chiles, 29 September 2026, paras 6.2 to 6.6 and 7.1 to 7.8.

¹⁴ Additional evidence of Malcolm Hunt, 6 October 2026, paras 6.1 to 6.24.

¹⁵ Evidence of Michelle Grinlinton-Hancock, 29 September 2026, para 3.8.

¹⁶ Additional evidence of Malcolm Hunt, 6 October 2026, paras 6.20 to 6.21.

¹⁷ <https://www.gw.govt.nz/your-region/news/new-tuhono-trains-to-supercharge-regional-passenger-rail-and-strengthen-lower-north-island-economic-connections/>

will result in significantly increased noise overall, whose peaks are driven by freight movements that are currently, and likely to remain, rare.

Quarry Zone noise limits

(NOISE-App1)

- 6.11 Philip Heffernan and Jamie Exeter provide evidence around the submission of Winstone Aggregates (444) seeking a daytime noise limit for the Quarry Zone of 68 dB LAeq instead of 67 dB LAeq¹⁸.
- 6.12 I adopt the evidence of Malcolm Hunt¹⁹, who discusses the additional matters raised in the submitter's evidence, and support his conclusion that 67 dB LAeq remains the more appropriate limit.

Construction noise

(NOISE-R2, NOISE-S2, NOISE-App2)

- 6.13 Philip Heffernan and Jamie Exeter provide evidence²⁰ around the submission of Winstone Aggregates (444) around the application of construction noise standards to buildings that may be unoccupied.
- 6.14 I adopt the evidence of Malcolm Hunt²¹, who discusses the additional matters raised in the submitter's evidence, and support his conclusion that the provisions as set out in the s42A report remain appropriate.

¹⁸ Evidence of Philip Heffernan, 29 September 2026, paras 5.1-5.3, and evidence of Jamie Exeter, 29 September 2026, paras 2-12.

¹⁹ Additional evidence of Malcolm Hunt, paras 7.1-7.7

²⁰ Evidence of Philip Heffernan, 29 September 2026, paras 6.1-6.2, and evidence of Jamie Exeter, 29 September 2026, pages 4-6, sequence of paragraphs numbered as 13, 11, 12, 13, 14 (errors in numbering in original document).

²¹ Additional evidence of Malcolm Hunt, 6 October 2026, paras 8.1-8.5.

Vibration – nature of standard

(NOISE-R5)

- 6.15 Philip Heffernan and Jamie Exeter provide evidence²² around the submission of Winstone Aggregates (444) seeking the use of PPV (peak particle velocity) vibration limits for construction activities. David Gibson provides evidence for Te Kārearea Ltd / Rosco Ice Cream (447), Angela Goodwin provides evidence for Waste Management NZ (461), and Micky Yang provides evidence for both submitters²³, around the relief of the submitter seeking to separate the vibration rule into separate rules for construction activities and other activities.
- 6.16 I adopt the evidence of Malcolm Hunt²⁴, who addresses the additional matters raised in the submitters' evidence around:
- The use of PPV (peak particle velocity) limits for construction activities
 - The general merits of qualitative and quantitative standards
 - Whether a different approach should be taken for construction and other vibration
- 6.17 I support his conclusion, that NOISE-R5.1.a be amended as follows, and the rule otherwise remain as recommended in the s42A report:

The activity is managed in such a way that ground vibration effects are contained as far as practical within the boundary of the site and do not unreasonably compromise public health or safety, or well-being and amenity values within any other site, and...

²² Evidence of Philip Heffernan, 29 September 2026, paras 4.1-4.5, and evidence of Jamie Exeter, 29 September 2026, paras 15-29.

²³ Evidence of David Gibson, 29 September 2026, section 4, evidence of Angela Goodwin, 29 September 2026, paras 4.1-4.8, and evidence of Micky Yang, 29 September 2026, paras 4.1 to 4.15.

²⁴ Additional evidence of Malcolm Hunt, 6 October 2026, paras 9.1-9.16.

- 6.18 I will generally note my view that while there may be good reason to provide separate treatment for construction activities and temporary activities, and this would be consistent with NOISE-P2, there is only a benefit in doing so if there is a meaningful difference in the standard to be applied, which is not the case with a qualitative standard.
- 6.19 Evidence has been provided by David Gibson, Angela Goodwin, and Micky Yang around the relief sought by the Manor Park and Hayward Residents Community Incorporated Society²⁵ (MPHRCIS) seeking changes to NOISE-R5, to provide for a rule condition based on “discernible” vibration and a more onerous activity status. Malcolm Hunt also briefly discusses this in his evidence²⁶. All of this evidence is in support of my recommendation in the s42A report to reject this relief. Thus these issues, while still in contention for the PDP, are not in dispute between any of the people lodging evidence (including myself) and so I have nothing further to add to the discussion in the s42A report and the evidence lodged by submitters, and continue to recommend rejecting the relief sought by MPHRCIS on NOISE-R5.
- 6.20 Finally, the evidence of Mr Yang²⁷, Ms Goodwin²⁸, and the original evidence of Malcolm Hunt in the s42A report²⁹ all briefly discusses the issue of where vibration should be measured. I agree with the other witnesses that the vibration rule should not encompass vibration received on the site on which it is generated, and should be measured on the site at which the adverse effects are being received, as opposed to the example given by Ms Goodwin of vibration potentially being measured in the rail corridor separating a

²⁵ The Manor Park and Haywards Residents Community Incorporated Society is referred to as “the Association” in the evidence of Mr Gibson, Ms Goodwin, and Mr Yang, while it is abbreviated as MPHRCIS in the s42A report. To my knowledge MPHRCIS does not style itself in either of these ways. To balance brevity and precision, I will continue to refer to it as MPHRCIS.

²⁶ Additional evidence of Malcolm Hunt, 6 October 2026, para 9.16.

²⁷ Evidence of Micky Yang, 29 September 2026, para 5.3.

²⁸ Evidence of Angela Goodwin, 29 September 2026, paras 4.4-4.8.

²⁹ Evidence of Malcolm Hunt, 10 September 2026, Appendix 3 to the Section 42A Report on Light, Noise, and Temporary Activities, para 22.

construction site from sensitive activities. In my view the existing language of NOISE-R5.1.a achieves this.

Section 32AA Evaluation

- 6.21 The recommended change to add the word “unreasonably” to the qualitative test in my view is primarily a clarification, and the assessment in the Section 32 report still applies.

Alerting people to the potential of rail vibration effects

- 6.22 KiwiRail sought a spatial layer be added to the District Plan as a buffer³⁰ around the rail corridor, with no associated provisions, as an informational tool to alert people to the potential for vibration from the railway.
- 6.23 I discuss this in the Section 42A Report³¹. Catherine Heppelthwaite in her evidence for NZTA³² responds to set out her position that:
- There are four other district plans that use such a tool,
 - The evidence of Dr Stephen Chiles sets out that vibration has adverse health and amenity effects on people living near the rail corridor and planning controls are warranted, and
 - The report of Louise Taylor and Lisa Thorne³³ attached to Ms Heppelthwaite’s evidence assesses the Vibration Alert Overlay approach as being the most suitable.

³⁰ The original submission point 442.14 sought a distance of 100 metres. Michelle Grinlinton-Hancock in her 29 September 2026 evidence sets out that KiwiRail now seeks a distance of only 60 metres, at para 3.9, although this does not affect the discussion of the merits of the issue.

³¹ Section 42A Report, paras 78-82. This includes a footnote that has been cut off, while the meaning should hopefully still be apparent, the footnote was intended to finish “National Planning Standards, direction 12.2, forbids map layers that would not have a purpose listed in Table 18. None of the spatial layers listed in that table provide for a layer that would not affect any provisions, and each require that provisions be included in the plan” (truncated text underlined).

³² Evidence of Catherine Heppelthwaite, 29 September 2026, paras 6.20-6.26.

³³ This is titled “Standard Railway Noise and Vibration Reverse Sensitivity Provisions and Section 32 Report” and is Attachment B in Ms Heppelthwaite’s 29 September 2026 evidence, from page 26 onward. For short, I will call it the Taylor-Thorne report.

- 6.24 In my view those other district plans also should not use this approach, for the same reasons I set out that the Lower Hutt PDP should not. For those that do not have to implement the National Planning Standards, the logic about implementing the Standards does not apply, but I still consider that a plan should not contain superfluous material given the formal, technical nature of the document and that it requires an involved and expensive process to make changes to. These are limitations that are not present in almost any other way Council can communicate with the public.
- 6.25 I agree with Dr Chiles's evidence³⁴ that vibration from rail operations can potentially have adverse effects on people near the rail corridor and this means that potentially some district plan controls could be warranted. However, this requires such provisions being developed and a plan change proposing them or a submission seeking them. No person, including KiwiRail, sought any such provisions in a submission and so this is not relevant to the decision before the panel. KiwiRail's submission seeks a solely advisory map layer, which would not in any way affect the management of the effects of vibration, or the sensitivity of receiving land uses to those effects.
- 6.26 The Taylor-Thorne report (which was written in 2023) was submitted to Council during pre-notification engagement with KiwiRail³⁵, and so Council was aware of that report before making the decision to proceed with the PDP approach. Having reviewed the report (both in 2024 and again in preparing this evidence) I agree with the report's conclusion insofar that there "is insufficient data to confirm appropriate district-wide provisions which require physical controls for vibration"³⁶. I however do not think the report adds anything not already covered in the Section 32 and Section 42A Reports to the discussion about whether a rail vibration alert *which has no associated provisions* is warranted, as the report does not assess this option in itself.

³⁴ Evidence of Dr Stephen Chiles, 29 September 2026, paras 4.1-4.3.

³⁵ Via email, 27 June 2024.

³⁶ Pages 13-14.

- 6.27 There may well be value in alerting people who are District Plan users to the potential presence of vibration effects. In general, I consider that potential tenants, purchasers, and developers of property will benefit from having the most complete information about that property possible. If so, while this cannot be done through the content of the District Plan itself, there are other tools available to Council, such as putting relevant information on Land Information Memoranda, or an informational GIS layer which could be included Council's general GIS viewer, or in the IsoPlan e-Plan software itself, alongside other non-district plan information layers like road boundaries and names, property boundaries, and aerial imagery. I note that the current basemap for the ePlan software identifies the railway lines in the district, and the railway line is almost always clearly visible in the aerial imagery.
- 6.28 These however are day-to-day operational decisions of Council rather than RMA functions, and thus not in the scope of the decisions for which the panel is tasked with making recommendations. How that information is presented to the public, and prioritised or de-prioritised relative to the potentially significant amounts of other information Council holds on a property, is in my view best left for operational processes that can more flexibly respond to feedback and evolve to meet customer needs.
- 6.29 Finally, the district plan as proposed also contains Highway and Railway Noise Overlays (which do have associated provisions) covering much the same area (the exact area is, as discussed above, a separate matter of contention in this topic). These overlays are to control sensitive activities, rather than manage noise or vibration themselves; but are highly likely to have the side-effect of alerting people to the presence of the rail corridor and thus the associated vibration.

Application of noise rules to aircraft

(Note on application of noise rules, NOISE-R1, NOISE-R9)

- 6.30 Tony Michelle in his tabled statement for the NZ Agricultural Aviation Association (“NZAAA”) (231) and NZ Helicopter Association (“NZHA”) (215), reiterates the submitter’s various points of relief sought in the original submission, relating to providing for agricultural aviation activities and helicopter operations more broadly.
- 6.31 For some context, the proposed language around aircraft and agricultural aviation in the definition of *agricultural aviation activity*, the *Note on application of noise rules*, and NOISE-R9 is taken in large part from the equivalent provisions in the Wellington District Plan. The NZAAA also made a submission around agricultural aviation on that plan and issues around agricultural aviation were discussed in the hearings. Hutt City Council had regard to this evidence and result prior to notification of the plan³⁷. The only major difference for the Lower Hutt PDP from Wellington’s is the integration of some conditions into a rule for helicopter landing areas, which I think is appropriate as it assists plan users in determining the activity status where the conditions are not met.
- 6.32 Mr Michelle discusses his view of the legal situation around the boundaries of council’s jurisdiction over noise from aircraft. I have presented this statement to Council’s counsel and hope to have legal evidence in response available at the hearing.
- 6.33 However, for the purpose of this discussion, we only need to note that the Council does have jurisdiction over aircraft in some circumstances. This is because the *Note on application of noise rules* is not intended as a statement of the boundaries of council’s overall jurisdiction over noise, but the boundaries of the specific rules of the plan in this chapter. Sources of noise excluded by the

³⁷ Summarised in the recommendation report, <https://wellington.govt.nz/-/media/your-council/plans-policies-and-by-laws/district-plan/proposed-district-plan/files/decision-making-process-on-the-proposed-district-plan/briefing-5/5a/ihp-recommendation-report-5a---overview-and-noise-chapter.pdf>, at paras 109-117.

note may still be within the jurisdiction of the Council, but would be addressed using Council's general powers over excessive noise (if within the scope of those powers). Contrarily, not including a source of noise in the notes does not mean that it is within Council's jurisdiction, and so there are also sources of noise (e.g. noise emitted in the coastal marine area) that are not within Council's jurisdiction but are not excluded in the notes.

- 6.34 Potentially this could be clarified through removing the word "note" and making the title simply "~~Note on a~~Application of noise rules", or including the exclusions as an appendix referenced directly in the rules, in the fashion of LIGHT-R1. However, this is probably better tackled in a consistent plan-wide fashion if it is to be altered further, and I do not think there is sufficient reason yet to think this is a significant issue, so I do not recommend this change at this stage.
- 6.35 Mr Michelle raises some additional concerns about the application of the Noise rules to the low-level use of helicopters in particular scenarios:
- Transmission and power line surveys
 - Replacing conductors on power lines
 - Transporting technicians to and from remote areas to maintain communications infrastructure
- 6.36 In my view the first two scenarios would fall within the recommended definition of *construction activity*³⁸, as transmission lines are structures, infrastructure, and/or network utilities within the meaning of that definition and the Act.
- 6.37 For the latter scenario, where the helicopter is engaged directly in construction, it would fall within the meaning of *construction activity*, as above, and would presumably not take off or land at the destination and so not fall within NOISE-R9. There is also the case where the helicopter is solely transporting people to a location too

³⁸ See the Section 42A Report for the Opening Hearing (stream 1) by Kate Pascall, paras 343-351.

remote to reach by other means, rather than using the helicopter for lifting objects. In this situation, I agree that the noise while simply overflying is not in scope of Council's jurisdiction, however, there is no reason to specifically note this in the plan as distinct from the situation for all aircraft in general, as this exclusion is built in to the RMA³⁹. The noise while taking off and landing is however subject to NOISE-R9 and I think it is appropriate to so control it.

- 6.38 Mr Michelle reiterates the NZAAA's position that agricultural aviation activities should be exempt entirely from the noise rules. I do not agree with a complete exemption, and think it is appropriate to trigger consent in the situations provided for in the PDP: where the activity is at night and the noise exceeds noise limits, or where the landing area is a permanent, routinely used facility rather than intermittent and occasional. Given the details of the conditions, and the connection to matters of discretion where the conditions are not met, I think these conditions should also continue to be expressed in the rule, NOISE-R9.

7.0 Temporary Activities – responses to submitter evidence and statements

Events near significant hazardous facilities

(TEMP-O2, TEMP-R1, additional provisions requested, recommended new policy TEMP-Pxxx)

- 7.1 The Fuel Companies (471) sought a package of amendments to the chapter to manage temporary activities in the Seaview Marina Zone and Heavy Industrial Zone which may be subject to hazardous substances risk from significant hazardous facilities.
- 7.2 The general topic of hazardous substance risks, and the Hazardous Substances chapter itself, were addressed in Hearing Stream 2.

³⁹ RMA, sections 9(5) and 326(1)(a).

- 7.3 In the Section 42A Report I recommended adopting some standards for temporary activities on the basis of the evidence presented in that hearing stream⁴⁰. Since that report was prepared, I (as reporting officer for the Seaview Marina Zone) have arrived at a joint witness statement with the reporting officer for the Hazardous Substances chapter and other planning experts for Hearing Stream 2 (for the Fuel Companies, submitter 471, and Seaview Marina Ltd, submitter 343/F14) setting out a recommended approach for temporary activities, which would include controls on temporary activities near significant hazardous facilities, but would sit those relevant provisions in the Hazardous Substances chapter.
- 7.4 Georgina MacPherson for the Fuel Companies (471), who also provided evidence for Hearing Stream 2 and is a signatory for the joint witness statement, also reiterates her support for this approach⁴¹.
- 7.5 The New Zealand Defence Force (“NZDF”) (F27) also made a further submission against the relief sought by the Fuel Companies. I considered their original and further submissions in arriving at my view in the joint witness statement. However, NZDF was not involved in Hearing Stream 2 and has not yet had the opportunity to present evidence at a hearing on the issue of hazardous substances risk to temporary activities. As the recommended provisions implement relief that the Fuel Companies sought on the Temporary Activities chapter, NZDF is still entitled to provide evidence as a further submitter in opposition. No evidence has been received from NZDF at time of writing; however, my view remains subject to change based on any evidence they may present.
- 7.6 Accordingly, I recommend that provisions for managing hazardous substances risk to temporary activities be added to the PDP, as shown in Attachment 2 to the joint witness statement, but in the Hazardous Substance chapter and not the Temporary Activities

⁴⁰ Section 42A Report, paras 303-306.

⁴¹ Evidence of Georgina McPherson, 29 September 2026, section 5.

chapter. I thus also retract the changes I recommended in the s42A report around hazardous substances risk to temporary activities, as shown in Appendix 1.

Section 32AA Evaluation

- 7.7 The changes recommended are evaluated in the s32AA evaluation attached as Attachment 3 in the Joint Witness Statement for planning experts on Hearing Stream 2⁴².

Transport network safety

(TEMP-P7)

- 7.8 NZTA sought to add mention of transport safety to TEMP-P7, which I recommended not accepting⁴³ as this was already covered in TEMP-P4. Catherine Heppelthwaite in her evidence for NZTA⁴⁴ agrees that TEMP-P4 primarily addresses the issue but gives two additional reasons for also seeking such a mention in TEMP-P7:

- The “potential for operational effects wider than the immediate streets/nearby areas”, and
- That there may be residual safety effects which require mitigation

- 7.9 In my view the wording of TEMP-P4 and TEMP-P7 already covers effects generated by the activity wherever they occur, and are not limited to effects in the immediate area.

- 7.10 I also think that the wording of TEMP-P4 to “minimise” effects on safety would encompass mitigating those effects as far as practical.

- 7.11 Accordingly, while I agree that the issues raised by Ms Heppelthwaite should be relevant in the policies, I believe this is

⁴² https://www.huttcity.govt.nz/_data/assets/pdf_file/0024/78441/Hearing-2-JWS-planning-including-appendices.pdf

⁴³ Section 42A Report, paras 339-343.

⁴⁴ Evidence of Catherine Heppelthwaite, 29 September 2026, paras 7.5-7.6.

already the case in the PDP language, and so I continue to think TEMP-P4 should remain as notified.

Transport standard

(TEMP-S4)

- 7.12 NZTA sought to alter TEMP-S4 to provide a trigger for resource consent based on the number of vehicle trips generated, which I recommended not accepting⁴⁵. Catherine Heppelthwaite in her evidence for NZTA⁴⁶ sets out that NZTA is no longer pursuing the relief but raises the issue that, as the explanatory text to the Temporary Activities chapter states “[all] other district wide rules ... apply in addition to this chapter”, rule TR-R3 and TR-Table 8 would apply to temporary activities. This rule likewise sets out a trigger for resource consent based on the number of vehicles.
- 7.13 I agree with Ms Heppelthwaite that this conflict should be addressed. This dual application was not the intended approach of the PDP and in my view the plan should be fixed to state that the high trip generation thresholds in TR-R3 do not apply to temporary activities. I think this is best done in the Transport chapter itself, as other parts of the Transport chapter are still relevant to temporary activities.
- 7.14 I have raised this issue with the reporting officer for the Transport chapter who intends to make recommendations for this in either his right of reply on the Transport chapter, or in the Wrapup hearing.

Stephen Davis

Senior Policy Planner

For Hutt City Council

6 October 2026

⁴⁵ Section 42A Report, paras 378-384.

⁴⁶ Evidence of Catherine Heppelthwaite, 29 September 2026, paras 7.7-7.9.

APPENDIX 1: RECOMMENDED AMENDMENTS TO PROVISIONS

Definitions

Term	Definition
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activity sensitive to noise	means a: 1. residential activity, or 2. retirement village, or 3. supported residential care facility, or 4. marae, or 5. healthcare activity, or 6. education activity, or 7. community facility, or 8. custodial corrections facility, or 9. visitor accommodation activity, or 10. place of assembly. but excludes rooms used solely for the purposes of an entrance, passageway, toilet, bathroom, laundry, garage or storeroom.
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Highway and Railway Noise Overlay	means the areas shown in the planning maps as the Highway and Railway Noise Overlay – High and Highway and Railway Noise Overlay – Moderate
Highway and Railway Noise Overlay – High	means the area shown in the planning maps as the Highway and Railway Noise Overlay – High
Highway and Railway Noise Overlay – Moderate	means the area shown in the planning maps as the Highway and Railway Noise Overlay – Moderate

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light sensitive area	means a: 1. An Outstanding Natural Feature 2. An Outstanding Natural Landscape 3. An Outstanding Coastal Natural Character Area 4. A High or Very High Coastal Natural Character Area 5. The Coastal Margin, and 6. The Coastal Marine Area
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temporary	means an activity that:
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activity	a. is intended to have a limited duration, b. is intended to have a limited recurrence in any given year, c. is not part of, or ancillary to, a permanent activity on the same site, d. would not be a permitted activity in the location in which it occurs under this plan when excluding the provisions of the Temporary Activities chapter, and e. does not permanently alter any land, building, structure, feature, or vegetation, except where that alteration would be a permitted activity when excluding the provisions of the Temporary Activities chapter, but does not include: a. <u>a construction activity, or</u> b. any associated temporary buildings, structures, or features. Examples include, but are not limited to, festivals, parades, concerts, fairs, markets, circuses, carnivals, exhibitions, displays, theatrical productions, art installations, filming on location, <u>temporary military training activities</u>, emergency response training, cultural events, sporting events, ceremonies, public meetings, public gatherings, and other community or special events.
<u>temporary military training activity</u>	<u>means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are:</u> <u>(a) the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act;</u> <u>(b) the protection of the interests of New Zealand, whether in New Zealand or elsewhere;</u> <u>(c) the contribution of forces under collective security treaties, agreements, or arrangements;</u> <u>(d) the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations;</u> <u>(e) the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency;</u> <u>(f) the provision of any public service.</u>

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LIGHT — Light

Artificial lighting provides for people's safety and security at night, as well as enabling many activities to occur during hours of darkness, and a variety of other beneficial applications, including during the day.

However, the overuse of artificial light, or poorly designed lighting schemes, can impact on people's sleep, safety, and security, can cause annoyance, discomfort, or distraction, or interfere with other tasks, as well as degrade views of the natural night sky, and disturb terrestrial and marine wildlife.

This chapter sets out standards that lighting installations should be designed and operated to. For designs that do not meet these standards, the resource consent process allows designs to be considered on a case by case basis. As light spill and glare issues vary between day and night, the standards vary based on the time of day – there are more restrictions during the “restricted lighting period”, which lasts from 10pm until either 7am or dawn the following day, whichever is earlier.

The limits and assessment methods in this chapter are based on Australian/New Zealand Standard 4282:2023, "Control of the Obtrusive Effects of Outdoor Lighting". This standard is incorporated by reference and will be necessary to determine conformance by calculation for larger or more complex lighting schemes. However, for simple lighting schemes or where conformance is demonstrated by measurement this standard may not be needed.

Objectives

LIGHT-O1	Artificial lighting enabled
Activities that require or benefit from artificial lighting can have appropriate artificial lighting.	
LIGHT-O2	Darkness in sleeping places
Habitable spaces used for people to sleep in are sufficiently dark during the restricted lighting period so as not to disturb people's sleep.	
LIGHT-O3	Lighting protects personal safety and security
Public spaces and other areas open to the public are lit, or left unlit, in a way that: 1. Avoids glare, 2. Protects personal safety, including safety while using the transport network, and 3. Provides for personal security, which includes where compatible, the perception of personal security.	
LIGHT-O4	Unreasonable obtrusion of light
People are not unreasonably annoyed, discomforted, distracted, or interfered with in everyday tasks by light spill or glare.	
LIGHT-O5	Views of the night sky
Rural areas, regional parks, and protected dark sky areas maintain the high quality of their views of the night sky during the restricted lighting period.	
LIGHT-O6	Light sensitive areas
<u>The natural and cultural values and the character of light sensitive areas are protected from the adverse effects of excessive artificial light, including effects on:</u>	

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- ~~1. The natural character of identified outstanding natural features and landscapes and identified areas of high, very high, or outstanding coastal natural character, and~~
- ~~2. Indigenous fauna in coastal margins and the coastal marine area.~~

Policies

LIGHT-P1	Providing for and managing artificial lighting
Provide for artificial lighting that is appropriately designed in its intensity, location, direction, shielding, and other design elements so that it:	
1. Enables the safe and efficient use of indoor and outdoor areas at night, 2. Recognises the functional needs and operational needs of the transport network and other significant infrastructure, 3. Protects the darkness of habitable spaces used for sleeping during the restricted lighting period, 4. Supports the health, safety, and security of people and communities, including transport network safety and perceived personal security, 5. Protects people from unreasonable annoyance, discomfort, distraction, or interference with their everyday tasks, by minimising unreasonable light spill and glare, <u>and</u> 6. Minimises light spill and unnecessary sky glow that impacts on views of the night sky, during the restricted lighting period, in areas with high quality views, having particular regard to cumulative impacts, <u>and</u> 7. Protects the identified natural and cultural values and the character of light sensitive areas.	

Rules

Note: These rules apply to all activities that involve artificial light, in addition to any other relevant zone, precinct, overlay, or district-wide rules. Rules that vary by zone or other spatial layer apply to the location where the light is emitted - the body of the rules and standards specifies how the requirements apply to receiving locations.	
LIGHT-R1	Artificial light
All zones	1. Activity status: Permitted Where: a. The lighting complies with: i. LIGHT-S1: Light spill, <u>or and</u> ii. LIGHT-S2: Lighting within light sensitive areas, or iii. LIGHT-S3: Sky glow, <u>or and</u> iv. LIGHT-S4: Glare, <u>or and</u> v. LIGHT-S5: Illuminated surfaces, <u>or and</u> vi. LIGHT-S6: General standards, or b. The lighting is within a building or structure and the light does not spill outside that building or structure, or c. One of the exceptions in appendix LIGHT-APP1 applies.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with LIGHT-R1.1a. Matters of discretion are restricted to: 1. Any positive effects arising from the artificial lighting that would not arise if the relevant standards were met. 2. Any functional needs or operational needs of the activity requiring

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	artificial light. 3. Cumulative effects. 4. The matters of discretion in any standard not met.
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Standards

LIGHT-S1	Light spill
All Zones	- Lighting must not result in excess illuminance above background levels greater than the limits in LIGHT-TABLE1 at: - The centre of the exterior surface of any exterior window of a habitable room, - The notional boundary of any residential unit in a rural zone or open space and recreation zone, in the vertical plane through that boundary, at any point between 1.5m above ground level and the maximum permitted height for that zone, and 1 metre back from the boundary into the affected site, in the vertical plane, in any part of a site where a building containing a habitable room could be built, at any point between 1.5m above ground level and the maximum permitted height for that zone, and - The boundary of any light sensitive area, as measured in the vertical plane. - The limits in LIGHT-TABLE1 apply based on the zone of the location at which the light spill is measured, or at a site boundary that is also a zone boundary, the more restrictive limit of the two zones. Matters of discretion where standard not met: - Disturbance of people's sleep. - Any unreasonable annoyance, discomfort, distraction, or interference with everyday tasks from light spill. - Personal safety and security. - Transport network safety. - Impacts on views of the night sky. - The identified character or ecological values of the light sensitive area (where 1d is not met).
LIGHT-S2	Lighting within light sensitive areas
Light Sensitive Areas	- Lighting emitted within light sensitive areas must not result in excess illuminance above background levels greater than the limits in LIGHT-TABLE1 for light sensitive areas at any point more than 20 metres from a building as measured in the horizontal plane, or in the vertical plane perpendicular to the light source; - Luminaires shall have an upward light ratio of 0%, and - Outdoor luminaires shall have a colour corrected temperature of no greater than 3,000K. Note 1: An upward light ratio of 0% means that the luminaire is shielded so that all light is emitted downward. Note 2: For light emitted from outside a light sensitive area but illuminating a light sensitive area, see standard LIGHT-S1: Light spill. Matters of discretion where standard not met: - Personal safety and security. - Transport network safety. - Impacts on views of the night sky. - The identified character or ecological values of the light sensitive area.

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LIGHT-S3	Sky glow
Light Sensitive Areas	See requirements in standard LIGHT-S2: Lighting within light sensitive area.
Residential Zones Rural Zones Open Space and Recreation Zones (other than a Light Sensitive Area)	- Internally illuminated signs shall not exceed an upward light ratio of 50%. - Digital signs shall not exceed an upward light ratio of 45%. - Other outdoor luminaires shall not exceed an upward light ratio of 1%. - This requirement does not apply to any lighting that: - is installed and operated so that it is not lit during the restricted lighting period, or - is portable and used for a temporary activity, or - is portable and handheld. Matters of discretion where standard not met: - Impacts on views of the night sky.
Commercial and Mixed Use Zones Industrial Zones Hospital Zone Tertiary Education Zone Quarry Zone Marae Zone Seaview Marina (other than a Light Sensitive Area)	- Internally illuminated signs shall not exceed an upward light ratio of 50%. - Digital signs shall not exceed an upward light ratio of 45%. - Other outdoor luminaires shall not exceed an upward light ratio of 3%. - This requirement does not apply to any lighting that: - Is installed and operated so that it is not lit during the restricted lighting period, or - Is portable and used for a temporary activity, or - Is portable and handheld. Matters of discretion where standard not met: - Impacts on views of the night sky.
LIGHT-S4	Glare
All Zones	- No luminaire used for outdoor lighting shall have a luminous intensity greater than the limits in LIGHT-TABLE2. - Outdoor lighting shall be aimed or screened so that the light is not directed into: - Any other site, or - A legal road, where the luminaire is not within the legal road, or - A railway designation, where the luminaire is not within the railway designation. LIGHT-S4.2.b does not apply to digital signs and other illuminated signs, for which see SIGN-S9.2. Matters of discretion where standard not met: - Disturbance of people's sleep. - Any unreasonable annoyance, discomfort, distraction, or interference with everyday tasks from light spill. - Personal safety and security. - Transport network safety (if 2(b) or 2(c) are not met).
LIGHT-S5	Illuminated surfaces

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All Zones	1. Any sign, display screen, or building façade that is intentionally lit, whether externally or internally, and visible from outside the site, shall have an average luminance no greater than the limits in LIGHT-TABLE3 during the restricted lighting period. Matters of discretion where standard not met: 1. Disturbance of people's sleep. 2. Any unreasonable annoyance, discomfort, distraction, or interference with everyday tasks from light spill. 3. Personal safety and security. 4. Transport network safety. 5. Impacts on views of the night sky.	
LIGHT-S6	General standards	
All Zones	1. Where conformance with the standards in this chapter is to be determined by measurement: a. Measurements of illuminance at a boundary take place at a height of 1.5m, b. If it is not possible to measure the illuminance above background levels because the lighting cannot be turned off, measurements shall be made in areas of a similar nature that are not affected by the lighting. The result of these measurements shall be used for determining the effects of the lighting, and c. The methods in section 5 of AS/NZS 4282:2023 (Control of the obtrusive effects of outdoor lighting) can be used, except as provided in appendix LIGHT-APP2. 2. Where conformance with the standards in this chapter is to be determined by calculation, the calculation shall be performed in accordance with the methods in sections 3 and 4 of AS/NZS 4282:2023 (Control of the obtrusive effects of outdoor lighting), except as provided in appendix LIGHT-APP2. Matters of discretion where standard not met: 1. That it can be adequately demonstrated that the other standards in this chapter are met. 2. The operational requirements of and adequate enforcement of the resource management system. 3. Professional practices in lighting engineering.	
LIGHT-TABLE1	Illumination at site boundary, boundary of light sensitive area, or window	
Location where the light spill is measured	Outside of the restricted lighting period (from 7am or dawn, whichever is earlier, until 10pm)	During the restricted lighting period (from 10pm until 7am or dawn, whichever is earlier)
Natural Open Space Zone	2 lux	0.1 lux
Coastal Marine Area		
Outside Lower Hutt		
Light Sensitive Areas		
Rural Zones	5 lux	1 lux

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Open Space Zone (other than a Light Sensitive Area)		
Residential Zones (other than a Light Sensitive Area)	10 lux	2 lux
City Centre Zone Metropolitan Centre Zone Local Centre Zone Neighbourhood Centre Zone Mixed Use Zone Industrial Zones Sport and Active Recreation Zone Quarry Zone Tertiary Education Zone Hospital Zone Marae Zone Seaview Marina Zone (other than a Light Sensitive Area)	25 lux	5 lux
LIGHT-TABLE2	Maximum luminous intensity per luminaire	
Location of luminaire	Outside of the restricted lighting period (from 7am or dawn, whichever is earlier, until 10pm)	During the restricted lighting period (from 10pm until 7am or dawn, whichever is earlier)
Natural Open Space Zone Light Sensitive Areas	2,500 cd	500 cd
Rural Zones	7,500 cd	1,000 cd

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Open Space Zone Quarry Zone (other than a Light Sensitive Area)		
Residential Zones Neighbourhood Commercial Zone Mixed Use Zone (other than a Light Sensitive Area)	12,500 cd	2,500 cd
City Centre Zone Metropolitan Centre Zone Local Centre Zone Industrial Zones Sport and Active Recreation Zone Hospital Zone Tertiary Education Zone Marae Zone Seaview Marina Zone (other than a Light Sensitive Area)	25,000 cd	2,500 cd
LIGHT-TABLE3	Maximum average luminance of signs, displays, and building façades	
Natural Open Space Zone Light Sensitive Areas	0.1 cd/m²	
Rural Zones Open Space Zone Quarry Zone	150 cd/m²	

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(other than a Light Sensitive Area)	
Residential Zones	250 cd/m ²
(other than a Light Sensitive Area)	
City Centre Zone	350 cd/m ²
Metropolitan Centre Zone	
Local Centre Zone	
Mixed Use Zone	
Neighbourhood Centre Zone	
Industrial Zones	
Sport and Active Recreation Zone	
Hospital Zone	
Tertiary Education Zone	
Marae Zone	
Seaview Marina Zone	
(other than a Light Sensitive Area)	
LIGHT-APP1	Lighting that is not required to meet standards
Lighting does not need to meet the standards in this chapter when: a. T he lighting is operated by a road controlling authority for street lighting in any legal road, and the lighting has an upward light ratio of no more than 3%, b. The lighting is operated by a road controlling authority for the purpose of traffic signalling in any legal road, c. The lighting is operated by central government, local government, or a foreign diplomatic mission to illuminate a flag in accordance with Appendix D of AS/NZS 4282:2023, d. The lighting is for the purpose of railway signalling (including level crossings) and is in a railway designation, e. The lighting is for an aeronautical navigation installation, f. The lighting is for a maritime navigation installation, g. The lighting is on a train or other rail vehicle approved for use on the national rail network, h. The lighting is on a vehicle that may be lawfully used on a legal road,	

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NOISE — Noise

Many activities unavoidably generate some noise. Noise can have adverse effects, particularly on people's health and wellbeing such as sleep disturbance and annoyance. Noise also impacts on amenity values.

However, the negative effects of noise need to be balanced against the need for those activities and considered in the context of existing background noise. The level of acceptability of noise or sensitivity to noise varies between different areas within the city, the characteristics of the noise, and the needs of the activity. The noise rules and standards in this chapter provide the noise limits for each zone and for specific activities.

This chapter also sets out zones and mapped overlays where sound insulation and mechanical ventilation is required for activities sensitive to noise. Rules in some zones also restrict the locations of activities sensitive to noise. In general, noise insulation is expected in High Noise areas (expected to be over 65dB Ldn) and Moderate Noise areas (expected to be over 57dB Ldn).

Except where expressly provided for, noise levels must be measured in accordance with NZS 6801:2008 (Acoustics - Measurement of environmental sound) and assessed in accordance with NZS 6802:2008 (Acoustics - Environmental noise).

Objectives

NOISE-O1	Adverse effects of noise
Adverse effects from noise: 1. Do not compromise people's health, and 2. Are compatible with people's wellbeing, and the planned purposes, characters, and amenity values of zones and precincts, except: a. To the degree necessary to provide for short-term construction activities or temporary activities, and b. To the degree necessary to provide for an infrequent number of major events in public places in the city where these have traditionally occurred.	
NOISE-O2	Reverse sensitivity
Existing noise generating activities, and future noise generating activities in locations anticipated for such activities, are not unreasonably constrained in their operations by reverse sensitivity from inappropriately located or designed activities sensitive to noise.	

Policies

NOISE-P1	Appropriate noise generating activities
Enable the generation of noise from any activity where that noise: 1. Does not compromise people's health, and 2. Is compatible with people's wellbeing and the planned purposes, characters, and amenity values of the relevant receiving zones and precincts.	
NOISE-P2	Short-term noise generating activities
Provide for the generation of noise where the noise does not compromise people's health, and: 1. The noise is from a construction activity, or	

2. The noise is from a major event or other temporary activity, and is adequately managed using the best practicable option to avoid adverse effects that are unreasonable considering the scale, benefits, operational needs, and functional needs of the activity, and to avoid, remedy or mitigate other adverse effects.	
NOISE-P3	Reverse sensitivity
Require sound insulation where practical for activities sensitive to noise: 1. Near the rail network, 2. Near major highways, including State Highways, and 3. Within zones that anticipate higher levels of noise.	

Rules

Note on application of noise rules The rules in this chapter do not apply to the following sources of noise: a. Aircraft being operated above 1,000 feet (305m) above ground over the urban environment or above 500 feet (152m) above ground over the rural environment, b. Aircraft being used in agricultural aviation activities, while in flight, c. Aircraft being used in emergencies, or as air ambulances, d. Vehicles being driven on a road (within the meaning of section 2(1) of the Transport Act 1998), or being driven within a site as part of or compatible with a normal residential activity, e. Trains or other rail vehicles on railway lines (public or private) and crossing bells within a road, including at railway yards, railway sidings or stations. This exemption does not apply to the testing (when stationary), maintenance, loading or unloading of rail vehicles, f. Any warning device or siren used by emergency services for civil defence or emergency purposes, and including testing and routine maintenance conducted between 7:00am and 7:00pm, g. The use of generators and mobile equipment (including vehicles) when used solely for civil defence or emergency purposes, including testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities, or for the continuation of radiocommunication broadcasts, h. Residential activities in the Residential Zones and Mixed Use Zone, other than vehicles, fixed plant, mobile plant, and construction, i. Rural activities including, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis in the Rural Zones, which are a permitted activity in the relevant Rural Zone, other than any fixed plant, j. Crowd noise from activities in the Open Space and Recreation Zones between 7:00am and 10:00pm, k. Wind turbines that form part of a community-scale renewable electricity generation or commercial-scale renewable electricity generation activity (for rules on which, see the Renewable Electricity Generation chapter).	
Note on requirements of the Building Act Noise insulation standards in this chapter apply in addition to, and do not affect the requirements of, the Building Act 2004.	
Note on application of insulation rules to changes of land use Noise insulation rules only cover new buildings, additions, and alterations. Changes in land use that do not involve a new building, addition, or alteration, do not need to meet the requirements of these rules.	
NOISE-R1	Emission of noise except where otherwise provided for in this chapter
All zones	1. Activity status: Permitted

	Where: a. Compliance is achieved with NOISE-S1: Emission of noise. Emissions of noise meet the limits in NOISE-APP1: Noise limits by emitting and receiving zone.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R1.1. Matters of discretion are restricted to: - Any positive effects of the activity that cannot be achieved while complying with NOISE-R1.1. - Effects of the noise on people's health. - Background noise levels and any special character of noise from any existing activities. - The nature and character of any changes to the sound received at receiving sites, and the degree to which such sounds are compatible with: - The surrounding activities, - Anticipated future activities, and - Planned purposes, characters, and amenity values of the relevant zones and precincts. - Any mitigation of the noise proposed, in accordance with a best practicable option approach, such as through site layout and design, design and location of structures, buildings and equipment and the timing of operations.
NOISE-R2	Emission of noise from construction activities
All zones	1. Activity status: Permitted Where: 1. Compliance is achieved with NOISE-S2: Emission of noise from construction activities. Emissions of noise meet the limits in appendix NOISE-APP2: Noise limits for construction activities.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R2.1. Matters of discretion are restricted to: - Any positive effects of the activity that cannot be achieved while complying with NOISE-R2.1. - Effects of the noise on people's health. - Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at receiving sites, and the degree to which such sounds are compatible with the surrounding activities, anticipated future activities, and planned purposes, characters, and amenity values of the relevant zones and precincts. Whether the sites and buildings that are affected by noise in excess of the limits in appendix NOISE-APP2 are occupied, and the sensitivity of the use they are occupied by. - Any mitigation of the noise proposed, in accordance with a best

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	practicable option approach, such as through site layout and design, design and location of structures, buildings and equipment and the timing of operations.
NOISE-R3	Emission of noise from temporary activities, other than Major Events within the Major Events Overlay
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with NOISE-S3: Emission of noise from temporary activities. a. <u>Emissions of noise (other than for temporary military training activities) meet the limits in appendix NOISE-APP3: Noise limits for temporary activities, and</u> b. <u>Emissions of noise from temporary military training activities meet the limits in appendix NOISE-APPxxx: Noise limits for temporary military training activities.</u>
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R3.1. Matters of discretion are restricted to: 1. Any positive effects of the activity that cannot be achieved while complying with NOISE-R3.1. 2. Effects of the noise on people's health. 3. Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at receiving sites, and the degree to which such sounds are compatible with the surrounding activities, anticipated future activities, and planned purposes, characters, and amenity values of the relevant zones and precincts. 4. Any mitigation of the noise proposed, in accordance with a best practicable option approach, such as through site layout and design, design and location of structures, buildings and equipment and the timing of operations.
NOISE-R4	Emission of noise from major events within the Major Events Overlay
Major Events Overlay	1. Activity status: Permitted Where: a. Compliance is achieved with NOISE-S3: Emission of noise from temporary activities. <u>Emissions of noise meet the limits in appendix NOISE-APP3: Noise limits for temporary activities.</u>
Major Events Overlay	2. Activity status: Controlled Where: a. Compliance is not achieved with NOISE-R4.1, but b. Compliance is achieved with NOISE-S4: Emission of noise from major events (controlled activity limits). <u>Emissions of noise meet the limits in appendix NOISE-APP4: Noise limits for major events.</u>

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	Matters of control are limited to: 1. The provision of an Operational Noise Management Plan which must include, at minimum: a. Purpose of the plan, b. Map of the site and surrounding area (including noise sensitive receiver sites), c. Overview of the activity (including the nature and scale of the activity, operating hours, duration), d. Site layout map, e. List of sound sources and locations, f. Applicable noise limits for all activities and assessment locations, g. Persons responsible for specific tasks and their contact details, h. Noise control methods (breakdown for set up, take down and operations), i. Community liaison (letter drop, signage, ads etc), j. Community notification protocols and procedures, k. Operational noise monitoring (scope, procedure and reporting), l. Noise compliance reporting, m. Complaints procedures and methods, and n. Review procedures, and compliance statement. 2. The management of the event in accordance with that plan
Major Events Overlay	3. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R4.1 or NOISE-R4.2. Matters of discretion are restricted to: 1. Any positive effects of the activity that cannot be achieved while complying with NOISE-R4.1. 2. Effects of the noise on people's health. 3. Background noise levels and any special character of noise from any existing activities, the nature and character of any changes to the sound received at receiving sites, and the degree to which such sounds are compatible with the surrounding activities, anticipated future activities, and planned purposes, characters, and amenity values of the relevant zones and precincts. 4. Any mitigation of the noise proposed, in accordance with a best practicable option approach, such as through site layout and design, design and location of structures, buildings and equipment and the timing of operations.
NOISE-R5	Activities that result in vibration
All zones	1. Activity status: Permitted Where: a. The activity is managed in such a way that ground vibration effects are contained as far as practical within the boundary of the site and do not <u>unreasonably</u> compromise public health or safety, or well-being and amenity values within any other site, and b. The activity is managed to avoid damage to buildings, by ensuring vibration levels received at any building except for any building located on the same site do not exceed vibration guideline values

Commented [SD7]: Te Kārearea Ltd / Rosco Ice Cream (447.12c)

	set out in Tables 1 and 3 of DIN 4150-3:1999-02 Structural vibration – Part 3: Effects of vibration on structures DIN 4150-3:2016 Vibration in buildings – Part 3: Effects on structures .
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R5.1. Matters of discretion are restricted to: 1. Any positive effects of the activity that cannot be achieved while meeting NOISE-R5.1. 2. Effects of the vibration on people's health, safety, and wellbeing. 3. The planned purposes, characters, and amenity values of the relevant zones and precincts of the areas that would be subject to ground vibration effects.
NOISE-R6	Construction of New buildings, or alteration and additions to existing buildings, to be used by an activity sensitive to noise within the Highway and Railway Noise Overlay - High
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with NOISE-S5: Acoustic insulation and ventilation for activities sensitive to noise in the Highway and Railway Noise Overlay - High, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R6.1. Matters of discretion are restricted to: 1. Any positive effects of the activity that cannot be achieved while meeting NOISE-R6.1. 2. Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people's health and wellbeing, given existing and anticipated future activities in the relevant highway or railway corridor. 3. Ambient noise levels and any special character of noise from any existing activities in the relevant highway or railway corridor, and the likely noise levels and special character of noise from likely future activities in the relevant highway or railway corridor. 4. Whether any special nature of the activity means that protection from noise from the relevant highway or railway corridor is of lesser importance than it would be in general. 5. Special constraints on achieving NOISE-R6.1, such as being a heritage item. Public notification is precluded for any application required under this rule, and limited notification is precluded except to the operators of the relevant highway or railway. The normal test of the RMA applies to these parties.
NOISE-R7	Construction of New buildings, or alterations and additions to existing buildings, to be used by an activity sensitive to noise, within the Highway and Railway Noise Overlay - Moderate

Commented [SD8]: Winstone Aggregates (444.13)

Commented [CN9]: New Zealand Heavy Haulage Association (429.03 and 429.08)

Commented [CN10]: New Zealand Heavy Haulage Association (429.03 and 429.08)

All zones	1. Activity status: Permitted Where: a. Compliance is achieved with NOISE-S6: Acoustic insulation and ventilation for activities sensitive to noise in the Highway and Railway Noise Overlay - Moderate, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R7.1. Matters of discretion are restricted to: 1. Any positive effects of the activity that cannot be achieved while meeting NOISE-R7.1. 2. Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people's health and wellbeing, given existing and anticipated future activities in the relevant highway or railway corridor. 3. Ambient noise levels and any special character of noise from any existing activities in the relevant highway or railway corridor, and the likely noise levels and special character of noise from likely future activities in the relevant highway or railway corridor. 4. Whether any special nature of the activity means that protection from noise from the relevant highway or railway corridor is of lesser importance than it would be in general. 5. Special constraints on achieving NOISE-R7.1, such as being a heritage item. Public notification is precluded for any application required under this rule, and limited notification is precluded except to the operators of the relevant highway or railway. The normal test of the RMA applies to these parties.
NOISE-R8	Construction of New buildings, or alterations and additions to existing buildings, to be used by an activity sensitive to noise
City Centre Zone Metropolitan Centre Zone Industrial Zones Quarry Zone Seaview Marina Zone	1. Activity status: Permitted Where: a. Compliance is achieved with NOISE-S7: Acoustic insulation and ventilation for activities sensitive to noise in certain high noise zones, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
Neighbourhood Centre Zone Local Centre Zone	2. Activity status: Permitted Where: a. Compliance is achieved with NOISE-S8: Acoustic insulation and ventilation for activities sensitive to noise in certain moderate noise

Commented [CN11]: New Zealand Heavy Haulage Association (429.03 and 429.08)

Mixed Use Zone Sport and Active Recreation Zone Hospital Zone Tertiary Education Zone	zones, or b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater.
City Centre Zone Metropolitan Centre Zone Neighbourhood Centre Zone Local Centre Zone Mixed Use Zone Industrial Zones Sport and Active Recreation Zone Hospital Zone Tertiary Education Zone Quarry Zone	3. Activity status: Restricted discretionary Where: a. Compliance is not achieved with NOISE-R8.1 or NOISE-R8.2. Matters of discretion are restricted to: - Any positive effects of the activity that cannot be achieved while meeting the standard. - Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people's health and wellbeing. - Ambient noise levels and any special character of noise from any existing activities, and the likely noise levels and special character of noise from likely future activities in the area. - Whether any special nature of the activity means that protection from noise is of lesser importance than it would be in general. - Special constraints on achieving NOISE-R8.1 or NOISE-R8.2, such as being a heritage item. Public notification is precluded for any application under this rule.
NOISE-R9	Noise from aircraft at helicopter landing areas
General Rural Zone Natural Open Space Zone	1. Activity status: Permitted Where: - The helicopter landing area is used solely: - For agricultural aviation activities between dawn and dusk, on no more than 30 days in any calendar year, or - In unforeseen emergencies, and The helicopter landing area is managed to comply with the recommended noise limits and noise management provisions set out in NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas (excluding clause 4.3 Averaging).

Commented [SD12]: Fix number to "3" - Winstone Aggregates (444.16a), minor correction

Commented [SD13]: NZ Helicopter Association (215.6), NZ Agricultural Aviation Association 231.8)

General Rural Zone <u>Heavy Industrial Zone</u> <u>Hospital Zone</u> Natural Open Space Zone	2. Activity status: Restricted discretionary Where: 1. NOISE-R9.1 is not met. Matters of discretion are restricted to: 1. Positive effects of the use of helicopters, to the degree that those effects cannot be achieved by other means 2. People's health and wellbeing 3. The amenity of the surrounding area 4. The degree to which the activity is managed in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas (excluding clause 4.3 Averaging).
<u>Heavy Industrial Zone</u> <u>Hospital Zone</u>	3. Activity status: Restricted discretionary Matters of discretion are restricted to: 1. <u>Positive effects of the use of helicopters, to the degree that those effects cannot be achieved by other means</u> 2. <u>People's health and wellbeing</u> 3. <u>The amenity of the surrounding area</u> 4. <u>The degree to which the activity is managed in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas (excluding clause 4.3 Averaging).</u>
Residential Zones Rural Lifestyle Zone General Industrial Zone Light Industrial Zone Commercial and Mixed Use Zones Tertiary Education Zone Seaview Marina Zone Marae Zone Quarry Zone Open Space Zone Sport and Active Recreation	4. Activity status: Non-complying Public notification is required for any application under this rule.

Commented [SD14]: Minor correction, Laura Skilton (314.91)

Zone	
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Standards

NOISE-S1	Emission of noise
All Zones	1. Emissions of noise must meet the limits in NOISE APP1: Noise limits by emitting and receiving zone. 2. The noise shall be: a. Measured in accordance with NZS 6801:2008 (Acoustics—Measurement of Environmental Sound), and b. Assessed in accordance with NZS 6802:2008 (Acoustics—Environmental Noise), including consideration of special audible characteristics, except where the type of noise being assessed does not fall within the scope of that standard.
NOISE-S2	Emission of noise from construction activities
All Zones	1. Emissions of noise must meet the limits in appendix NOISE APP2: Noise limits for construction activities. 2. The noise shall be measured, assessed, and managed in accordance with NZS 6803:1999 (Acoustics—Construction Noise).
NOISE-S3	Emission of noise from temporary activities
All Zones	1. Emissions of noise must meet the limits in appendix NOISE APP3: Noise limits for temporary activities. 2. The noise shall be: a. Measured in accordance with NZS 6801:2008 (Acoustics—Measurement of Environmental Sound), and b. Assessed in accordance with NZS 6802:2008 (Acoustics—Environmental Noise), including consideration of special audible characteristics, except where the type of noise being assessed does not fall within the scope of that standard.
NOISE-S4	Emission of noise from major events (controlled activity limits)
All Zones	1. Emissions of noise must meet the limits in appendix NOISE APP4: Noise limits for major events. 2. The noise shall be: a. Measured in accordance with NZS 6801:2008 (Acoustics—Measurement of Environmental Sound), and b. Assessed in accordance with NZS 6802:2008 (Acoustics—Environmental Noise), except: i. That no duration adjustment or correction for special audible characteristics provided for in sections 6.3 and 6.4 of the standard shall be applied, and ii. The standard shall not be applied where the type of noise being assessed does not fall within the scope of that standard. 3. Noise from sound testing must only occur between the hours of 7:00am and 5:00pm on weekdays, and 10:00am and 5:00pm on Saturday, Sunday, or public holidays. 4. Helicopters must not be used (except for emergency purposes). 5. Drones must not be used outside the Major Events Overlay. 6. For concert events, the event organiser shall ensure a letter drop is undertaken informing local residents of the time and duration of the

Commented [SD15]: Laura Skilton (314.84)

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Commented [SD17]: Laura Skilton (314.87), consequential, minor correction

Commented [SD18]: Laura Skilton (314.88a)

	concert and any sound checks. Letters shall be delivered to all properties within 200m of the venue as well as any additional properties which may be subject to noise levels above the permitted noise limits in NOISE-APP4: Noise limits by emitting and receiving zone. Letters must arrive at least one week prior to an event taking place.
NOISE-S5	Acoustic insulation and ventilation for activities sensitive to noise in the Highway and Railway Noise Overlay - High
Highway and Railway Noise Overlay - High	- Any building in which an activity sensitive to noise occurs must either: - Be designed, constructed, and maintained in accordance with the minimum construction schedule in appendix NOISE-APP5: Minimum construction schedule for noise insulation (to achieve $D_{tr,2m,nTw} > 35dB$), or - Be designed, constructed, and maintained in accordance with a design that is certified by a qualified acoustic expert as meeting an acoustic performance of $D_{tr,2m,nTw} > 35dB$ assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation, and this certification is provided in writing to the Council before the activity commences, or - Be located where an acoustic screen (such as a solid noise barrier fence, terrain, or a building) is present on the same site, and which is certified in writing by a qualified acoustic expert or environmental noise officer before commencement of the activity, that: - The level of noise incident on the most exposed part of the building in which an activity sensitive to noise occurs will, under a reasonable maximum use scenario, not exceed 55 dB $L_{Aeq}(24h)$ at all points 1.5m above ground level, or - The level of noise incident on the most exposed part of the building in which an activity sensitive to noise occurs, where that building complies with NOISE-S6.1.a or NOISE-S6.1.b will, under a reasonable maximum use scenario, not exceed 60 dB $L_{Aeq}(24h)$ at all points 1.5m above ground level. - Where compliance with this standard is met through NOISE-S5.1.a, or where the acoustic performance of NOISE-S5.1.b can only be met with the windows closed, ventilation, heating, and cooling must be provided in accordance with appendix NOISE-APP7: Ventilation.
NOISE-S6	Acoustic insulation and ventilation for activities sensitive to noise in the Highway and Railway Noise Overlay - Moderate
Highway and Railway Noise Overlay - Moderate	- Any building in which an activity sensitive to noise occurs must either: - Be designed, constructed, and maintained in accordance with the minimum construction schedule in appendix NOISE-APP6: Minimum construction schedule for noise insulation (to achieve $D_{tr,2m,nTw} > 30dB$), or - Be designed, constructed, and maintained in accordance with a design that is certified by a qualified acoustic expert as meeting an acoustic performance of $D_{tr,2m,nTw} > 30dB$ assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation, and this certification is provided in writing to the

	Council before the activity commences, or c. Be located where an acoustic screen (such as a solid noise barrier fence, terrain, or a building) is present on the same site, and which is certified in writing by a qualified acoustic expert or environmental noise officer before commencement of the activity, that the level of noise incident on the most exposed part of the building in which an activity sensitive to noise occurs will, under a reasonable maximum use scenario, not exceed 55 dB L_{Aeq} (24h) at all points 1.5m above ground level. 2. Where compliance with this standard is met through NOISE-S6.1a, or where the acoustic performance of NOISE-S6.1b can only be met with the windows closed, ventilation, heating, and cooling must be provided in accordance with appendix NOISE-APP7: Ventilation.
NOISE-S7	Acoustic insulation and ventilation for activities sensitive to noise in certain high noise zones
City Centre Zone Metropolitan Centre Zone Industrial Zones Quarry Zone Seaview Marina Zone	1. Any building in which an activity sensitive to noise occurs must either: a. Be designed, constructed, and maintained in accordance with the minimum construction schedule in appendix NOISE-APP5: Minimum construction schedule for noise insulation (to achieve $D_{tr,2m,nTw} > 35dB$), or b. Be designed, constructed, and maintained in accordance with a design that is certified by a qualified acoustic expert as meeting an acoustic performance of $D_{tr,2m,nTw} > 35dB$ assessed in accordance with ISO 717-1:2020 <i>Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation</i>, and this certification is provided in writing to the Council before the activity commences. 2. Where compliance with this standard is met through NOISE-S7.1.a, or where the acoustic performance of NOISE-S7.1.b can only be met with the windows closed, ventilation, heating, and cooling must be provided in accordance with appendix NOISE-APP7: Ventilation.
NOISE-S8	Acoustic insulation and ventilation for activities sensitive to noise in certain moderate noise zones
Neighbourhood Centre Zone Local Centre Zone Mixed Use Zone Sport and Active Recreation Zone Hospital Zone Tertiary Education Zone	1. Any building in which an activity sensitive to noise occurs must either: a. Be designed, constructed, and maintained in accordance with the minimum construction schedule in appendix NOISE-APP6: Minimum construction schedule for noise insulation (to achieve $D_{tr,2m,nTw} > 30dB$), or b. Be designed, constructed, and maintained in accordance with a design that is certified by a qualified acoustic expert as meeting an acoustic performance of $D_{tr,2m,nTw} > 30dB$ assessed in accordance with ISO 717-1:2020 <i>Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation</i>, and this certification is provided in writing to the Council before the activity commences. 2. Where compliance with this standard is met through NOISE-S8.1.a, or where the acoustic performance of NOISE-S8.1.b can only be met with the windows closed, ventilation, heating, and cooling must be provided in accordance with appendix NOISE-APP7: Ventilation.

NOISE-APP1	Noise limits by emitting and receiving zone			
Zone where noise emitted	Zone of receiving site	Daytime Limit (7:00am - 7:00pm)	Evening Limit (7:00pm - 10:00pm)	Night Limit (10:00pm - 7:00am)
Residential Zones	Residential Zones	55 dB LAeq (15min)	50 dB LAeq (15min)	40 dB LAeq (15min)
Rural Zones	Marae Zone			70 dB LAFmax
Local Centre Zone	(at any point in site)			
Neighbourhood Centre Zone	Rural Zones	55 dB LAeq (15min)	50 dB LAeq (15min)	45 dB LAeq (15min)
Mixed Use Zone	(within the notional boundary of an activity sensitive to noise)			75 dB LAFmax
Open Space Zone				
Natural Open Space Zone	City Centre Zone	65 dB LAeq (15min)	65 dB LAeq (15min)	65 dB LAeq (15min)
Hospital Zone	Metropolitan Centre Zone			85 dB LAFmax
Tertiary Education Zone	Industrial Zones			
Marae Zone	Seaview Marina Zone			
	(at any point in site)			
	Local Centre Zone	65 dB LAeq (15min)	65 dB LAeq (15min)	55 dB LAeq (15min)
	Neighbourhood Centre Zone			75 dB LAFmax
	Mixed Use Zone			
	Open Space and Recreation Zones			
	Tertiary Education Zone			
	Hospital Zone			
	(at any point in site)			
City Centre Zone	Residential Zones	55 dB LAeq (15min)	55 dB LAeq (15min)	45 dB LAeq (15min)
Metropolitan Centre Zone	Marae Zone			75 dB LAFmax
	(at any point in site)			

Industrial Zones	site)			
Sport and Active Recreation Zone	Rural Zones (within the notional boundary of an activity sensitive to noise)	55 dB LAeq (15min)	55 dB LAeq (15min)	45 dB LAeq (15min) 75 dB LAFmax
Seaview Marina Zone	City Centre Zone Metropolitan Centre Zone Industrial Zones Seaview Marina Zone (at any point in site)	65 dB LAeq (15min)	65 dB LAeq (15min)	65 dB LAeq (15min) 85 dB LAFmax
	Local Centre Zone Neighbourhood Centre Zone Mixed Use Zone Open Space and Recreation Zones Tertiary Education Zone Hospital Zone (at any point in site)	65 dB LAeq (15min)	65 dB LAeq (15min)	55 dB LAeq (15min) 75 dB LAFmax
Quarry Zone	All zones other than the Quarry Zone (at the boundary of, or outside, the Quarry Zone)	67 dB LAeq (15min)	55 dB LAeq (15min)	45 dB LAeq (15min) 75 dB LAFmax

The noise shall be:

- Measured in accordance with NZS 6801:2008 (Acoustics - Measurement of Environmental Sound), and
- Assessed in accordance with NZS 6802:2008 (Acoustics - Environmental Noise), including consideration of special audible characteristics, except where the type of noise being assessed does not fall within the scope of that standard.

Where it is impractical to measure outside the building on any site within a Commercial and Mixed Use

Commented [SD19]: Laura Skilton (314.84)

Zone, measurements may be made indoors within habitable receiver rooms, with windows closed.

Where indoor measurements are undertaken, compliance with the above noise limits shall be determined by adopting the above limits reduced by 18dB. Where habitable rooms have been noise insulated to protect activities sensitive to noise (including residential activities), then compliance determined indoors shall not allow activities to increase noise emission levels above those that would apply if the noise insulation had not been undertaken.

NOISE-APP2		Noise limits for construction activities						
These limits are measured, and assessed, <u>and the noise managed</u> in accordance with NZS 6803:1999 (Acoustics - Construction Noise).								
Zone of receiving site (measured 1 metre from any building in which an activity sensitive to noise occurs)	Time period		Short term work (14 days or less)		Typical work (more than 14 days but not more than 20 weeks)		Long term work (more than 20 weeks)	
			dBA Leq	dBA Lmax	dBA Leq	dBA Lmax	dBA Leq	dBA Lmax
Rural Zones Residential Zones Mixed Use Zone Marae Zone	Weekdays	6.30am-7.30am	65	75	60	75	55	75
		7.30am-6.00pm	80	95	75	90	70	85
		6.00pm-8.00pm	75	90	70	85	65	80
		8.00pm-6.30am (next day)	45	75	45	75	45	75
	Saturday	6.30am-7.30am	45	75	45	75	45	75
		7.30am-6.00pm	80	95	75	90	70	85
		6.00pm-8.00pm	45	75	45	75	45	75
		8.00pm-6.30am (next day)	45	75	45	75	45	75
	Sunday and Public Holidays	6.30am-7.30am	45	75	45	75	45	75
		7.30am-6.00pm	55	85	55	85	55	85
		6.00pm-8.00pm	45	75	45	75	45	75

Commented [SD20]: Laura Skilton (314.85)

		8.00pm-6.30am (next day)	45	75	45	75	45	75
City Centre Zone	Any day	6.30am-7.30am	65	85	65	85	65	85
Metropolitan Centre Zone		7.30am-6.00pm	80	95	75	90	70	85
Local Centre Zone		6.00pm-8.00pm	75	90	70	85	70	85
Neighbourhood Centre Zone		8.00pm-6.30am (next day)	65	85	65	85	65	85
Hospital Zone								
Tertiary Education Zone								
Light Industrial Zone								
Heavy Industrial Zone	Any day	7.30am-8.00pm	80	-	75	-	70	-
General Industrial Zone		8.00pm-7.30am (next day)	85	-	80	-	75	-
Open Space and Recreation Zones								
Quarry Zone								
Note: Red shaded rows have noise limits that are likely to mean that no construction work would comply with the limits.								

NOISE-APP3		Noise limits for temporary activities		
<u>The noise shall be:</u> a. <u>Measured in accordance with NZS 6801:2008 (Acoustics - Measurement of Environmental Sound), and</u> b. <u>Assessed in accordance with NZS 6802:2008 (Acoustics - Environmental Noise), including consideration of special audible characteristics, except where the type of noise being assessed does not fall within the scope of that standard.</u>				
Area where noise emitted	Zone of receiving site	Daytime Limit (7:00am - 7:00pm)	Evening Limit (7:00pm - 10:00pm)	Night Limit (10:00pm - 7:00am)
General Rural Zone	Residential Zones	67 dB LAeq (15min)	67 dB LAeq (15min)	40 dB LAeq (15min)

Commented [SD21]: Laura Skilton (314.87)

Commercial and Mixed Use Zones	Marae Zone (at any point in site)			70 dB LAFmax
Industrial Zones	Rural Zones (within the notional boundary of an activity sensitive to noise)	67 dB LAeq (15min)	67 dB LAeq (15min)	45 dB LAeq (15min) 75 dB LAFmax
Open Space and Recreation Zones				
Hospital Zone				
Tertiary Education Zone	City Centre Zone	67 dB LAeq (15min)	67 dB LAeq (15min)	65 dB LAeq (15min) 85 dB LAFmax
Marae Zone	Metropolitan Centre Zone			
	Industrial Zones (at any point in site)			
	Other Zones (at any point in site)	67dB LAeq (15min)	67 dB LAeq (15min)	55 dB LAeq (15min) 75 dB LAFmax
Other Zones	The limits in NOISE-APP1: Noise limits by emitting and receiving zone apply.			

NOISE-APPxxx	Noise limits for temporary military training activities
Noise from temporary military training activities from weapons firing or the use of explosives	
<u>Notice of the activity must be provided to the Council in writing at least 5 working days prior to the commencement of the activity.</u> <u>The activity must either:</u> <u>Be separated from any activity sensitive to noise by at least:</u> <u>500 metres, from 7am to 7pm, and</u> <u>1250 metres, from 7pm to 7am, or</u> <u>Not exceed a peak sound pressure level of:</u> <u>95 dBC from 7am to 7pm, and</u> <u>85 dBC from 7pm to 7am.</u> <u>In clause 2, the assessment location is:</u> <u>From 7am-7pm:</u> <u>At any location within the notional boundary of the activity sensitive to noise in any Rural Zone or Natural Open Space Zone, and</u> <u>At any location within a site containing an activity sensitive to noise in any other zone, and</u> <u>From 7pm-7am:</u> <u>Within 1m of the façade of a building containing an activity sensitive to noise.</u> <u>Note: noise from the activity from all sources other than weapons firing and explosives must meet the conditions in the table row below.</u>	
Noise from temporary military training activity from all other sources	

Commented [SD22]: NZDF (404.22a)

1. <u>The noise shall be:</u> a. <u>Measured in accordance with NZS 6801:2008 (Acoustics - Measurement of Environmental Sound), and</u> b. <u>Assessed in accordance with NZS 6802:2008 (Acoustics - Environmental Noise), including consideration of special audible characteristics, except where the type of noise being assessed does not fall within the scope of that standard.</u> 2. <u>The activity shall comply with the following noise levels:</u> a. <u>From 7am-7pm: 55 dB $L_{Aeq(15\ min)}$</u> b. <u>From 7pm-7am: 55 dB $L_{Aeq(15\ min)}$ and 75 dB L_{AFmax}</u> 3. <u>In clause 2, the assessment location is:</u> a. <u>From 7am-7pm:</u> i. <u>At any location within the notional boundary of the activity sensitive to noise in any Rural Zone or Natural Open Space Zone, and</u> ii. <u>At any location within a site containing an activity sensitive to noise in any other zone, and</u> b. <u>From 7pm-7am:</u> i. <u>Within 1m of the façade of a building containing an activity sensitive to noise.</u>
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NOISE-APP4	Noise limits for major events
1. <u>The noise shall be:</u> a. <u>Measured in accordance with NZS 6801:2008 (Acoustics - Measurement of Environmental Sound), and</u> b. <u>Assessed in accordance with NZS 6802:2008 (Acoustics - Environmental Noise), except:</u> i. <u>That no duration adjustment or correction for special audible characteristics provided for in sections 6.3 and 6.4 of the standard shall be applied, and</u> ii. <u>The standard shall not be applied where the type of noise being assessed does not fall within the scope of that standard.</u> 2. The limits in this table apply only to activities of the major event occurring within the relevant Major Event Overlay, during the hours specified. At other times or locations, the standards in NOISE-S3/NOISE-APP3 apply. 3. The noise limits apply at: a. Any point within the notional boundary of an activity sensitive to noise in a Rural Zone, and b. Any point within another site in a zone other than the Rural Zone or the Open Space and Recreation Zones. 4. <u>Noise from sound testing must only occur between the hours of 7:00am and 5.00pm on weekdays, and 10:00am and 5:00pm on Saturday, Sunday, or public holidays.</u> 5. <u>Helicopters must not be used (except for emergency purposes).</u> 6. <u>Drones must not be used outside the Major Events Overlay.</u> 7. <u>For concert events, the event organiser shall ensure a letter drop is undertaken informing local residents of the time and duration of the concert and any sound checks. Letters shall be</u>	Commented [SD23]: Numbering added to organise new provisions - minor change for usability Commented [SD24]: Laura Skilton (314.88a)

delivered to all properties within 200m of the venue as well as any additional properties which may be subject to noise levels above the permitted noise limits in NOISE-APP1: Noise limits by emitting and receiving zone. Letters must arrive at least one week prior to an event taking place.

Commented [SD25]: Laura Skilton (314.88a)

Major Event Overlay	Hours during which major event noise limits apply	Noise limits
Hutt Recreation Ground McEwan Park	10:00am to 11:00pm (Friday and Saturday) 10:00am to 10:00pm (other days)	75 dB LAeq (15min) 95 dB Lzeq (15min) at 63 Hz 90 dB Lzeq (15min) at 125 Hz 85 dB LAFmax
Williams Park	10:00am to 9:00pm	75 dB LAeq (15min) 95 dB Lzeq (15min) at 63 Hz 90 dB Lzeq (15min) at 125 Hz 85 dB LAFmax

NOISE-APP5	Minimum construction schedule for noise insulation (to achieve $D_{tr,2m,nTw} > 35dB$)	
Building Element	Minimum Construction Requirement	
	Note: This schedule assumes and requires construction that complies with the Building Code. These requirements are in addition to the requirements of that Code. Where compliance with this schedule is not met, or for other building or construction materials not included in this schedule, compliance with NOISE-S5 or NOISE-S7 must be demonstrated by a suitably qualified specialist. The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size. In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.	
External walls of habitable rooms	Option A	Light cladding on timber or steel framed stud walls Timber weatherboard or sheet materials with surface mass between 16kg/m ² and 30kg/m ² of wall cladding, and Internal lining of minimum 17kg/m ² plasterboard, such as two layers of 10mm thick high-density plasterboard, on resilient/isolating mountings.
	Option B	Medium cladding on timber or steel framed stud walls Surface mass between 30kg/m ² and 65kg/m ² , and Internal lining of minimum 17kg/m ² plasterboard, such as two layers of 10mm thick high-density plasterboard.
	Option C	Heavy cladding on timber or steel framed stud walls Surface mass over 65kg/m ² , and Internal lining of minimum 6kg/m ² plasterboard, such as one layer of 10mm thick plasterboard.
	Option D	Mass wall: concrete block

		Minimum concrete block thickness of 190mm, strapped, and internal lining of minimum 6kg/m ² plasterboard, such as one layer of 10mm thick plasterboard.
	Option E	Mass wall: solid concrete Minimum concrete wall thickness of 150mm.
External wall cavities of habitable rooms		Wall cavity infill of fibrous insulation, batts or similar, with a minimum density of 9kg/m ³ .
Glazed areas of habitable rooms (including glazed exterior doors)	Option A	Double-glazing with: a. At least one laminated pane of glass of at least 6mm thick, b. A cavity between the two panes of glass at least 12mm deep, and c. At least one more pane of glass at least 6mm thick.
	Option B	Any other glazing with minimum performance $R_w + C_{tr}$ 34dB.
	Required for both options	Aluminium, timber, or vinyl frame, Fixed panes and/or compression seals on opening panes (other than sliding doors and windows), and Glazed areas must be no more than 35% of room floor area.
Exterior doors of habitable rooms (excluding where glazed)	Option A	Solid core exterior door, minimum surface mass 20kg/m ² with compression seals.
	Option B	Other door set with minimum performance R_w 30dB.
	Option C	Door has edge and threshold compression seals and is shielded by the building so that there is no line of sight to the highway road surface or any point 3.8m directly above railway tracks. (This option is only available where compliance is required with NOISE-S5, due to being within the Highway and Railway High Noise Overlay, but compliance is not required with NOISE-S7).
Roof	Option A	Skillion roof with light cladding Surface mass up to 43kg/m² 20kg/m² of roof cladding, and Internal lining of minimum 47kg/m² 25kg/m² plasterboard, such as two layers of 40mm 13mm thick high-density plasterboard.
	Option B	Pitched roof with light cladding Surface mass up to 20kg/m ² of roof cladding, and Internal lining of minimum 17kg/m ² plasterboard, such as two layers of 10mm thick high-density plasterboard.
	Option C	Any roof with heavy cladding Surface mass over 20kg/m ² of roof cladding, and Internal lining of minimum 6kg/m ² plasterboard, such as one layer of 10mm thick plasterboard.
		Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in.
Ceiling cavity		Ceiling cavity infill of fibrous insulation, batts or similar, with a minimum density of 7kg/m ² .

Commented [SD26]: Policy Planning Team (440.58)

NOISE-APP6	Minimum construction schedule for noise insulation (to achieve $D_{tr,2m,nTw} > 30dB$)	
Building Element	Minimum Construction Requirement Note: This schedule assumes and requires construction that complies with the Building Code. These requirements are in addition to the requirements of that code. Where compliance with this schedule is not met, or for other building or construction materials not included in this schedule, compliance with NOISE-S6 or NOISE-S8 must be demonstrated by a suitably qualified specialist. The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size. In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the joining capping and guttering detail used in normal construction. For each building element in this table, compliance may alternatively be achieved with the relevant requirement in NOISE-APP5 instead.	
External walls of habitable rooms	Option A	Light cladding on timber or steel framed stud walls Timber weatherboard or sheet materials with surface mass between $8kg/m^2$ and $25kg/m^2$ of wall cladding, and Internal lining of minimum $17kg/m^2$ plasterboard, such as two layers of 10mm thick high-density plasterboard, on resilient/isolating mountings, and Combined superficial density of at least $25kg/m^2$, being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than $10kg/m^2$ on each side of structural elements.
	Option B	Medium or heavy cladding on timber or steel framed stud walls Surface mass over $25kg/m^2$ of wall cladding, and Internal lining of minimum $6kg/m^2$ plasterboard, such as one layer of 10mm thick plasterboard, and Combined superficial density of at least $25kg/m^2$, being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than $10kg/m^2$ on each side of structural elements.
	Option C	Mass wall: concrete block Minimum concrete block thickness of 190mm, strapped, and internal lining of minimum $6kg/m^2$ plasterboard, such as one layer of 10mm thick plasterboard.
	Option D	Mass wall: solid concrete Minimum concrete wall thickness of 150mm.
External wall cavities of habitable rooms	Wall cavity infill of fibrous insulation, batts or similar, with a minimum density of $9kg/m^3$.	
Glazed areas of habitable rooms	Option A	At least one pane at least 6mm thick, with glazed area no more than 10% of floor area.

(including glazed exterior doors)	Option B	At least one laminated pane at least 6mm thick, with glazed area no more than 35% of floor area.
	Option C	Any other glazing with minimum performance R_w 33dB, with glazed area no more than 35% of floor area.
	Required for all options	Aluminium, timber, or vinyl frame, and Fixed panes and/or compression seals on opening panes (other than sliding doors and windows).
Exterior doors of habitable rooms (excluding where glazed)	Option A	Solid core exterior door, minimum surface mass 24kg/m^2 with edge and threshold compression seals.
	Option B	Other door set with minimum performance R_w 30dB.
	Option C	Door has edge and threshold compression seals and is shielded by the building so that there is no line of sight to the highway road surface or any point 3.8m directly above railway tracks. (This option is only available where compliance is required with NOISE-S6, due to being within the Highway and Railway Moderate Noise Overlay, but compliance is not required with NOISE-S8).
Roof	Option A	Skillion roof with light cladding Surface mass up to 20kg/m^2 13kg/m^2 of roof cladding, and Internal lining of minimum 25kg/m^2 17kg/m^2 plasterboard, such as two layers of 43mm 10mm thick high-density plasterboard.
	Option B	Pitched roof with light cladding Surface mass up to 20kg/m^2 of roof cladding, and Internal lining of minimum 17kg/m^2 plasterboard, such as two layers of 10mm thick high-density plasterboard.
	Option C	Any roof with heavy cladding Surface mass over 20kg/m^2 of roof cladding. No other requirements over Building Code.
	Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in.	
Ceiling cavity	Ceiling cavity infill of fibrous insulation, batts or similar, with a minimum density of 7kg/m^2 .	

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NOISE-APP7	Ventilation
Minimum Ventilation Requirement Note: This schedule assumes and requires construction that complies with the Building Code. These requirements are in addition to the requirements of that code. A positive supplementary source of fresh air ducted from outside must be provided which complies with the following: 1. Each habitable room is to be provided with a mechanical ventilation system with air flow rates adjustable by the occupant in increments up to a high air flow setting of at least three air changes per hour, 2. Each habitable room is provided with cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C, 3. Noise from the operation of the ventilation system must not exceed $30\text{ dB LAeq}(30\text{s})$ when measured 1m away from any internal grille or diffuser.	

TEMP — Temporary Activities

A wide range of temporary activities contribute to the vibrancy, diversity, and prosperity of Lower Hutt. These activities include community, cultural, and economic events on a large and small scale, open to the public or in private.

The benefits of temporary activities and the limited duration of adverse effects mean that those effects are likely to be more acceptable to the community. This chapter therefore provides a more liberal pathway for certain temporary activities in zones where they might not otherwise be provided for. Temporary activities are permitted where they meet certain standards. Where they exceed the thresholds in those standards, operators can apply for resource consents which assess the effects of those activities case by case.

Temporary Activities in the Hazardous Substances Risk Management Overlay, and also in the remainder of the Seaview Marina Zone face an additional standard to manage residual risk from activities using hazardous substances in the area.

Commented [SD1]: Fuel Companies (471.227)

Temporary activities are also managed by the Council through bylaws and other local government powers such as by being the road controlling authority on roads, and being the owner of many public open space sites frequently used for events.

Objectives

TEMP-O1	Benefits of temporary activities
A broad range of temporary activities contribute to making Lower Hutt a vibrant, diverse, and prosperous city.	
TEMP-O2	Adverse effects of temporary activities
Temporary activities occur in ways that: 1. Protect cultural and heritage values, people's health and safety, and the natural environment, 2. Protect public access to lakes, rivers, and the coast, 3. Do not detract from public access to public spaces (other than any public space in which the temporary activity occurs) and the operations and capacity of the transport network more than is reasonable considering the benefits of the activity, 4. Do not detract from amenity values more than is reasonable considering the benefits of the activity, and 5. Have only temporary adverse effects.	

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Policies

TEMP-P1	Recognise benefits of temporary activities
Recognise that a wide range of temporary activities have social, economic, cultural, and environmental benefits for the wellbeing of people and communities.	
TEMP-P2	Recognise limited duration of effects
Recognise that the limited duration and infrequent recurrence of temporary activities limits the impact of their adverse effects and makes those effects more likely to be acceptable to the community.	
TEMP-P3	Provide for temporary activities
Provide for temporary activities where the adverse effects are temporary and are acceptable,	

considering the scale of the benefits of those temporary activities.	
TEMP-P4	Minimising certain effects of temporary activities
Minimise the adverse effects of temporary activities on:	
1. Cultural values of listed sites of significance to Māori, where those effects are unreasonable in duration or irreversible; 2. Heritage values of listed heritage items, where those effects are unreasonable in duration or irreversible; 3. People's health and safety, including the safety of the transport network, <u>and</u> 4. The natural environment, and 5. Public access to lakes, rivers, and the coast.	
TEMP-P5	When effects of temporary activities on public access to public spaces must be mitigated
Mitigate the adverse effects of temporary activities on public access to public spaces, including streets, but not including any public space in which the temporary activity occurs, that are:	
1. Unreasonable in duration, or 2. Disproportionate to the scale and benefits of the activity.	
TEMP-P6	When effects of temporary activities on amenity values must be mitigated
Mitigate the adverse effects of temporary activities on the peace, privacy, quiet, and other amenity values of nearby areas, particularly rural areas, residential areas, and public spaces, including streets, that are:	
1. Unreasonable, considering the planned place function of those streets and the planned purpose and character of the zones and precincts covering those other nearby areas, or 2. Unreasonable in duration, or 3. Disproportionate to the scale and benefits of the activity.	
TEMP-P7	When effects of temporary activities on transport network operations and capacity must be mitigated
Mitigate the adverse effects of temporary activities on the operations and capacity of the transport network that are:	
1. Unreasonable, considering the planned place function and movement function of the relevant parts of the transport network, or 2. Unreasonable in duration, or 3. Disproportionate to the scale and benefits of the activity.	
TEMP-P8	Encourage events to be conveniently accessible
Maximise the community benefits of large temporary activities that are open to the public (whether for a fee or otherwise) by encouraging them to be located and managed to be accessible to the widest possible range of people by active transport and public transport, while recognising that those activities may have functional needs or operational needs for their location.	
TEMP-Pxxx	Manage hazardous substances risk to temporary activities within the Hazardous Substances Risk Management Overlay and the remainder of the Seaview Marina Zone
Manage larger scale or longer duration temporary activities within the Hazardous Substances Risk Management Overlay and the remainder of the Seaview Marina Zone by:	
1. Requiring temporary activities to be assessed to ensure that they do not expose people to unacceptable residual risk;	

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2. ~~Ensuring temporary activities are timed and operated in a manner that reduces potential exposure to hazardous substance risk, including through coordination with nearby hazardous facilities; and~~
3. ~~Minimising reverse sensitivity on existing significant hazardous facilities while enabling appropriate temporary use of land consistent with the purpose of the zone.~~

Rules

Where the rules in this chapter apply, they take precedence over the rules of any zone or precinct, and take precedence over the rules of the Signs chapter.

All other district-wide rules and the rules of any overlay in Part 2 of the plan apply in addition to this chapter. Where resource consent is required for a temporary activity under a rule in any other chapter the objectives and policies of this chapter should still be considered.

Where an activity is not included in any rule in this chapter, the chapter does not apply, and all relevant zone, precinct, and district-wide rules apply.

TEMP-R1	Temporary activities
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with: i. TEMP-S1: Duration, ii. TEMP-S2: Recurrence, iii. TEMP-S3: Hours of operation, iv. TEMP-S4: Transport, and v. TEMP-S5: Restoration of site, and vi. Within the Hazardous Substances Risk Management Overlay or Seaview Marina Zone, TEMP-Sxxx: Hazardous substance risk

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	relevant zone and any precincts apply.
TEMP-R2	Construction of temporary buildings, structures, and features
All zones	1. Activity status: Permitted Where: a. Compliance is achieved with TEMP-S6: Buildings, Structures, and Features, and b. The buildings, structures, and features relate to: i. A temporary activity that is permitted by TEMP-R1.1, or ii. A temporary activity that is authorised by a resource consent under TEMP-R1.2, or iii. An activity other than a temporary activity that is permitted under this plan.
All zones	2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with TEMP-S6: Buildings, Structures, and Features, and b. The buildings, structures, and features relate to: i. a temporary activity that is permitted by TEMP-R1.1, or ii. a temporary activity that is authorised by a resource consent under TEMP-R1.2, or iii. an activity other than a temporary activity that is permitted under this plan. Matters of discretion are restricted to: 1. Positive effects. 2. The matters of discretion in any standard not met. Note: Where compliance is not achieved with TEMP-R2.1 or TEMP-R2.2, this rule does not apply and the rules of the relevant zone and any precincts apply.

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Standards

TEMP-S1	Duration
All zones	1. The duration of temporary activities, including multiple temporary activities on the same site, must not exceed 6 consecutive days, excluding: a. The erection and removal of associated temporary buildings, structures, and features, b. Other associated set up and pack up activities, and c. The removal of waste and restoration of the site as required by TEMP-S5. 2. The duration of temporary activities including the associated set up and pack up activities of TEMP-S1.1b and the removal of waste and restoration of the site required by TEMP-S1.1c must not exceed 10 consecutive days. Matters of discretion if the standard is breached: 1. Cultural values of sites of significance to Māori listed in SCHED6 – Sites and Areas of Significance to Māori. 2. People's health and safety. 3. Public access to lakes, rivers, the coast, and public spaces, including streets. 4. The amenity values of nearby areas, including streets.

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	5. The safe and efficient transportation of people to and from the event. 6. The extent to which transportation of people to and from the event can make use of active transport and public transport. 7. The effects of the event on transport network operations, safety and capacity.
Commercial and mixed use zones Open Space and Recreation Zones Light Industrial Zone Hospital Zone Tertiary Education Zone Marae Zone Quarry Zone (except in legal road)	1. A site must not be occupied for temporary activities on more than 60 days in any calendar year. Matters of discretion if the standard is breached: 1. Cultural values of sites of significance to Māori listed in SCHED6 – Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 – Heritage Buildings and Structures or SCHED2 – Heritage Areas. 3. People's health and safety. 4. Public access to lakes, rivers, the coast, and public spaces, including streets. 5. The amenity values of nearby areas, including streets. 6. The safe and efficient transportation of people to and from the event. 7. The extent to which transportation of people to and from the event can make use of active transport and public transport. 8. The effects of the event on transport network safety and capacity.
Residential Zones Rural Zones (except in legal road)	1. A site must not be occupied for temporary activities that consist of filming on location, temporary military training activities, or emergency response training, on more than 30 days in any calendar year. 2. A site must not be occupied for any other temporary activities on more than 10 days in any calendar year. 3. A site must not be used for more than 3 temporary activities in any calendar year. Matters of discretion if the standard is breached: 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 - Heritage Buildings and Structures or SCHED2 - Heritage Areas. 3. People's health and safety. 4. Public access to lakes, rivers, the coast, and public spaces, including streets. 5. The amenity values of nearby areas, including streets. 6. The safe and efficient transportation of people to and from the event. 7. The extent to which transportation of people to and from the event can make use of active transport and public transport. 8. The effects of the event on transport network safety and capacity.
Heavy Industrial Zone General Industrial Zone Seaview Marina Zone	1. A site must not be occupied for temporary activities that consist of filming on location, temporary military training activities, or emergency response training, on more than 30 days in any calendar year. 2. A site must not be occupied for any other temporary activities on more than 10 days in any calendar year. 3. A site must not be used for more than 3 temporary activities in any calendar year. Matters of discretion if the standard is breached:

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(except in legal road)	1. Cultural values of sites of significance to Māori listed in SCHED6 – Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 – Heritage Buildings and Structures or SCHED2 – Heritage Areas. 3. People's health and safety. 4. Public access to lakes, rivers, the coast, and public spaces, including streets. 5. The amenity values of nearby areas, including streets. 6. The safe and efficient transportation of people to and from the event. 7. The extent to which transportation of people to and from the event can make use of active transport and public transport. 8. The effects of the event on transport network safety and capacity. 9. Reverse sensitivity effects on major hazard facilities and other heavy industrial activities.
In legal road	1. This standard does not apply in legal road. Note: The Council as road controlling authority has the power to restrict and manage activities in legal road.
TEMP-S3	Hours of operation
City Centre Zone	There are no requirements of this standard.
General Rural Zone	1. Temporary activities must only operate between the hours of: a. Sunday to Thursday - 7.00am to 10.00pm. b. Friday and Saturday - 7.00am to 11.00pm. 2. Associated set up and pack up activities may also occur up to one hour before or after the times in TEMP-S3.1. 3. Filming on location may occur outside the hours in TEMP-S3.1 for up to 10 nights per site per calendar year. 4. This standard does not apply to any associated overnight accommodation for staff. 5. This standard does not apply to the evening of New Year's Eve, the morning of New Year's Day, the morning of ANZAC Day, and the morning of Matariki (observed). Matters of discretion if the standard is breached: 1. Cultural values of sites of significance to Māori listed in SCHED6 – Sites and Areas of Significance to Māori. 2. People's health and safety. 3. The amenity values of nearby areas, including streets. 4. The safe and efficient transportation of people to and from the event. 5. The extent to which transportation of people to and from the event can make use of active transport and public transport. 6. The effects of the event on transport network safety and capacity.
Industrial Zones	
Metropolitan Centre Zone	
Local Centre Zone	
Neighbourhood Centre Zone	
Mixed Use Zone	
Seaview Marina Zone	
Hospital Zone	
Tertiary Education Zone	
Marae Zone	
Quarry Zone	
Natural Open Space Zone	
Sport and Active	

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Recreation Zone	
Open Space Zone	
Residential Zones Rural Lifestyle Zone	1. Temporary activities must only operate between the hours of: a. Sunday to Thursday - 7.30am to 9.00pm, and b. Friday and Saturday - 7.30am to 10.00pm. 2. Associated pack up activities may also occur up to one hour after the times in TEMP-S3.1. 3. Filming on location may occur outside the hours in TEMP-S3.1 for up to 5 nights per site per calendar year. 4. This standard does not apply to any associated overnight accommodation for staff. 5. This standard does not apply to the evening of New Year's Eve, the morning of New Year's Day, the morning of ANZAC Day, and the morning of Matariki (observed). Matters of discretion if the standard is breached: 1. Cultural values of sites of significance to Māori listed in SCHED6— Sites and Areas of Significance to Māori. 2. People's health and safety. 3. The amenity values of nearby areas, including streets. 4. The safe and efficient transportation of people to and from the event. 5. The extent to which transportation of people to and from the event can make use of active transport and public transport. 6. The effects of the event on transport network safety and capacity.
TEMP-S4	Transport
City Centre Zone Metropolitan Centre Zone Major Events Overlay	1. Temporary activities may not have more than 2,000 persons on site at any one time. 2. Temporary activities may not be a drive-through activity. Matters of discretion if the standard is breached: 1. The safe and efficient transportation of people to and from the event. 2. The extent to which transportation of people to and from the event can make use of active transport and public transport. 3. The effects of the event on transport network safety and capacity. 4. An event transport management plan to address those matters. 5. Management of the event in accordance with that plan.
Local Centre Zone Light Industrial Zone Open Space Zone Sport and Active Recreation Zone Tertiary Education Zone Hospital Zone Marae Zone	1. Temporary activities may not have more than 1,000 persons on site at any one time. 2. Temporary activities may not be a drive-through activity. Matters of discretion if the standard is breached: 1. The safe and efficient transportation of people to and from the event. 2. The extent to which transportation of people to and from the event can make use of active transport and public transport. 3. The effects of the event on transport network safety and capacity. 4. An event transport management plan to address those matters. 5. Management of the event in accordance with that plan.

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Seaview Marina Zone (except in the Major Events Overlay)	
Natural Open Space Zone Quarry Zone Rural Zones General Industrial Zone Heavy Industrial Zone Residential Zones Neighbourhood Centre Zone Mixed Use Zone (except in the Major Events Overlay)	1. Temporary activities may not have more than 500 persons on site at any one time. 2. Temporary activities may not be a drive-through activity. Matters of discretion if the standard is breached: 1. The safe and efficient transportation of people to and from the event. 2. The extent to which transportation of people to and from the event can make use of active transport and public transport. 3. The effects of the event on transport network safety and capacity. 4. An event transport management plan to address those matters. 5. Management of the event in accordance with that plan.
TEMP-S5	Restoration of site
All Zones	1. All waste must be removed and the site restored following the temporary activity. 2. The required site restoration excludes any permanent alterations that would be permitted activities if not for the provisions of this chapter. Note: TEMP-S1 sets out the time limit in which this standard must be met, and the matters of discretion if that time limit is exceeded. Note: Where this standard is not met, then the activity will not meet the definition of a temporary activity. In such a case this chapter does not apply and the relevant zone and precinct rules apply.
TEMP-S6	Buildings, structures, and features
Commercial and mixed use zones Industrial zones Open Space and	1. Any temporary buildings, structures, and features that do not comply with any relevant standards for buildings, structures and features in the relevant zone or precinct: a. Must not begin construction earlier than 7 days before the temporary activity, if they relate to a temporary activity, b. Must be removed within 7 days of the end of the temporary

Recreation Zones Seaview Marina Zone Hospital Zone Tertiary Education Zone Marae Zone	activity, if they relate to a temporary activity, and c. Must be completely removed within 21 days of construction beginning. Matters of discretion if the standard is breached: Cultural values of sites of significance to Māori listed in SCHED6 – Sites and Areas of Significance to Māori. Heritage values of heritage items listed in SCHED1 – Heritage Buildings and Structures or SCHED2 – Heritage Areas. - People's health and safety, including the safety of the transport network. - Effects on the natural environment. - Public access to lakes, rivers, the coast, and public spaces, including streets. - The amenity values of nearby areas, including streets. - The capacity of the transport network. - Effects from construction and demolition. Note: In this standard, "relevant standards" in zones includes only the zone's standards (i.e. those numbered S1, S2, etc.), and not conditions within rules.
Residential Zones Rural Zones Quarry Zone	- Any temporary buildings, structures, and features must comply with any relevant standards for buildings, structures, and features in the relevant zone or precinct. Matters of discretion if the standard is breached: Cultural values of sites of significance to Māori listed in SCHED6 – Sites and Areas of Significance to Māori. Heritage values of heritage items listed in SCHED1 – Heritage Buildings and Structures or SCHED2 – Heritage Areas. - People's health and safety, including the safety of the transport network. - Effects on the natural environment. - Public access to lakes, rivers, the coast, and public spaces, including streets. - The amenity values of nearby areas, including streets. - The capacity of the transport network. - Effects from construction and demolition. Note: In this standard, "relevant standards" in zones includes only the zone's standards (i.e. those numbered S1, S2, etc.), and not conditions within rules.
TEMP-Sxxx	<u>Hazardous substances risk</u>
<u>Hazardous Substances Risk Management Overlay</u> <u>Seaview Marina Zone</u>	Temporary activities may not have more than 250 persons on site at any one time. Matters of discretion if the standard is breached: The extent to which people are exposed to unacceptable residual risk from existing significant hazardous facilities. The timing and operation of the temporary activity, including coordination with hazardous substance activities and operational practices. Measures to avoid, remedy, or mitigate residual risk, including layout of the temporary activity, type and duration of the activity and expected demographic and number of people attending the activity, and emergency, evacuation and management plan.

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