

12

Noise



12.1 Introduction

The Otago Regional Council, in conjunction with the Minister of Conservation, is responsible for the control of the emission of noise and the mitigation of the effects of noise within the coastal marine area (Section 30(1)(d)(vi) of the Act). Section 16 of the Act requires that every person carrying out an activity in, on, or under the coastal marine area shall adopt the best practicable option to ensure that the emission of noise from the land or water does not exceed a reasonable level.

This Plan can only consider the generation of noise within the coastal marine area. Noise that is generated on land, but which may affect the users or values associated with the coastal marine area, is under the control of the territorial local authority with responsibility for that land area.

A major source of noise in the coastal marine area is from the operation of ships, both commercial and recreational. Other activities, such as marine farms, marinas, and temporary military training, which also have the potential to generate noise, can be considered through the management framework established by this Plan.

12.2 Issue

12.2.1 **The emission of excessive noise within Otago's coastal marine area can adversely affect amenity values, conservation values and the use of the coastal marine area.**

Explanation

The emission of noise is often associated with activities using the coastal marine area. While some level of noise emission is acceptable, the threshold of acceptable noise levels in different areas of the coast will depend on the sensitivity of those areas.

Objective 12.3.1

Policy 12.4.1

12.3 Objective

12.3.1 **To manage and control noise levels within the coastal marine area to minimise any adverse effect on amenity values, conservation values and the use of the coastal marine area.**

Principal reasons for adopting

Section 30(1)(d)(vi) of the Act provides the Otago Regional Council with the function of controlling, in conjunction with the Minister of Conservation, the emission of noise and the mitigation of the effects of noise. The discharge of noise at excessive levels can affect the public of Otago, wildlife in the area and amenity values associated both within the coastal marine area and on land areas adjacent to that area.

Other Objectives 5.3.4, 6.3.1, 7.3.2, 8.3.1

Policy 12.4.1

12.4 Policy

12.4.1 In managing and controlling noise levels within the coastal marine area:

- (a) Particular regard will be had to ensuring consistency with any noise control provisions or standards in any district plan for adjacent land; and
- (b) Regard will be had to the New Zealand Standards NZS 6801 (1991), NZS 6802 (1991), NZS 6803P (1984) and NZS 6807 (1994); and
- (c) Regard will be had to any other relevant information relating to the emission and effects of noise, and the measures which may be taken to avoid, remedy or mitigate those effects; and
- (d) Regard will be had to the duration and nature of noise produced.

Explanation

Noise generated in the coastal marine area can adversely affect values in the coastal marine area and on the adjacent land. In considering the generation of noise within the coastal marine area, regard will be had to any noise control provisions stated in any relevant district plan. Regard will also be had to the standards established by the Standards Association of New Zealand applicable to the generation of noise:

NZS 6801 (1991): Measurement of Sound,

NZS 6802 (1991): Assessment of Environmental Sound,

NZS 6803P (1984): The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work,

NZS 6807 (1994): Noise Management and Land Use Planning for Helicopter Landing Areas.

Principal reasons for adopting

Noise controls within district plans provide protection for residents of residential and rural properties from excessive noise generated as a result of activities on land. Activities in the coastal marine area should meet the same noise control standards in terms of the effect on people on the land. Where no provisions are stated, the standards established by the Standards Association of New Zealand provide guidance when considering the discharge of noise, and the potential impacts of that noise. Other relevant information relating to particular activities and the available means to avoid, remedy or mitigate any noise emission also needs to be considered.

Other Policies 5.4.2, 5.4.4, 5.4.6, 6.4.1

Methods 12.6.1, 12.6.2

12.5 Rules

There are no rules contained within this Chapter. The objective and policy contained within this Chapter give guidance to the consideration of activities that require resource consents under any or all of the other chapters of this Plan.

12.6 Other methods

12.6.1 Consultation

- 12.6.1.1** Recognise and take account of Iwi Management Plans as a basis for consultation with Kai Tahu.
- 12.6.1.2** To liaise with district and city councils with responsibility for areas adjacent to the coastal marine area over the management and control of noise within the coastal environment.

Principal reasons for adopting

The use of consultation to address Kai Tahu values is seen by them as being the most appropriate way to recognise and protect the cultural relationship that Kai Tahu hold with the tai whenua (coastal domain). Iwi Management Plans would form a basis for consultation with Kai Tahu. To achieve the integrated management of the coastal environment, noisy activities which may affect areas on both sides of the mean high water springs boundary are best considered in liaison with the appropriate territorial local authorities.

12.6.2 Enforcement

- 12.6.2.1** To use the enforcement provisions of the Act to deal with excessive or unreasonable noise. This includes:
- (a) The seeking of an enforcement order (Section 316 of the Act); or
 - (b) The issuing of an abatement notice (Section 322 of the Act); or
 - (c) The issuing of an excessive noise direction (Section 327 of the Act).
- 12.6.2.2** To have regard to any provisions contained within adjacent district plans of any relevant territorial local authority and the standards established by the Standards Association of New Zealand in determining reasonable noise levels.
- 12.6.2.3** To review noise control provisions of the Regional Plan: Coast when district plan provisions are finalised.

Principal reasons for adopting

Section 16 of the Act requires that every person carrying out an activity in, on, or under the coastal marine area shall adopt the best practicable option to ensure that the emission of noise from the land or water does not exceed a reasonable level. The use of the excessive noise provisions of the Act, based on any noise control provisions of any relevant district plan or on the Standards Association of New Zealand standards, establishes the reasonable level and allows action to be taken where noise exceeds that level. Because the adverse effects of noise generated within the coastal marine area is primarily experienced on land adjacent to the coastal marine area, it is important that the Regional Plan: Coast has controls which are consistent with the provisions of district plans. Consistency with district plans can only

be achieved when the preparation of district plans is complete. Once the district plans have been completed the Regional Plan: Coast will be reviewed to ensure consistency.

12.7 Anticipated environmental results

- 12.7.1 Noise emissions resulting from activities within the coastal marine area do not adversely affect amenity values, and the cultural and environmental values of the coastal marine area.**

