

DRAFT DISTRICT PLAN
Topic summary:

GENERAL DISTRICT-WIDE

KEY OUTCOMES

- *Great urban areas*
- *Regional approach to industry*
- *City living for a vibrant CBD*



NOISE

Most of Napier's residents live in our residential zones, and we spend a lot of our lives at home. The layout and design of neighbourhoods, and homes within those neighbourhoods, can impact on our health and wellbeing. It is therefore important that the rules of our residential zones encourage quality development.

Below are the key provisions proposed within the noise chapter of the draft District Plan.

CONSTRUCTION NOISE AND VIBRATION

Construction noise limits are consistent with the New Zealand Standard (see NOISE-R2). Council has also introduced vibration controls for construction and demolition activities (see NOISE-R2(7)) to encourage consideration of potential effects on the occupants of adjacent buildings when selecting when and how these activities take place.

NOISE GENERATED FROM HELICOPTER LANDING AREAS

Helicopters are often utilised for a range of activities including tourism, farming, forestry and other rural production. Council aims to achieve a balance between allowing the use of helicopters and reducing noise impacts on nearby residents. While we can't manage the impacts of helicopters in flight, we can put provisions in place that help control the location of landing areas and the arrival and departure of helicopters to and from them.

Noise generated from the use of a helicopter landing area is permitted without resource consent provided that:

1. Use of the helicopter landing area does not exceed any of the following:
 - a. 2 flights per day
 - b. 5 flights per week
 - c. 12 flights per month
2. The location of the Helicopter Landing Area and any flight paths comply with the required setbacks from noise sensitive activities (including houses and schools). (see NOISE-R3)

NOISE GENERATED FROM RURAL PRODUCTION ACTIVITIES

In rural areas, noise associated with rural production activities should be expected by residents. However, the timing and use of tools and equipment can be managed under the District Plan in order to reduce impacts, especially on sleep.

The draft District Plan sets rules for the use of audible bird scaring devices. Under the plan, these should not be used from half an hour after sunset to half an hour before sunrise (see NOISE-R5(1)-(11)). There are also minimum setback distances from property boundaries for frost protection fans (see NOISE-R5(12)-(13)). For those developing or building homes within 300m from an established frost fan, the building is required to be sound insulated, in order to reduce potential complaints and to ensure a quiet sleeping space for occupants.

ROAD NOISE

Vehicles travelling on roads and rail are exempt from any Council noise rules. However, Council does have a role to play in managing the effects of noise. The draft District Plan seeks to enable efficient use of the road network while protecting nearby homes, schools and businesses from noise. This is achieved by the following rules:

1. New or altered roads are required to be designed to comply with the New Zealand Standard NZS6806:2010 Acoustics - Road Traffic Noise - New or Altered Roads to reduce potential noise generation from the road (see NOISE-R6)
2. New noise sensitive activities in the High Land Transport Noise Overlay (i.e. within 80m of a state highway or rail corridor) are required to provide acoustic insulation and mechanical ventilation to ensure a safe and healthy internal noise environment for the activity, without compromising use of the adjacent transport corridor (see NOISE-R10).

NOISE GENERATED FROM TEMPORARY EVENTS

Large events are important for the vibrancy and economy of our city - they help make Napier an enjoyable place to live and to visit. However, they also have the potential to generate noise that can impact on the health and wellbeing of those living or working nearby. The current District Plan allows for a noise limit of 90dB LAeq (15 min) for temporary events anywhere in the city (this means the noise must not exceed 90 decibels when averaged over a 15 minute period). This is a higher limit than that permitted in most other District Plans throughout the country and our acoustic consultant has recommended that we tighten the conditions attached to the limit (see NOISE-R7). We therefore propose some changes in the draft District Plan including:

- Retaining the 90dB LAeq (15 min) limit for temporary events within the Marine Parade Recreation control area, the City Centre Zone and the Stadium Zone. These are places where large events can be expected by to occur and the temporary impacts of noise

on neighbours is balanced against the wider social and economic benefits associated with the events;

- Reducing the limit for temporary events elsewhere in the city to 75dB LAeq (5 min) for events Sunday to Thursday, and 80dB LAeq (5 min) for events held on Fridays or Saturdays, or any day preceding a public holiday;
- Resolving that amplified sound equipment may only be used between 10am and 10pm Sunday to Thursday inclusive, and 10am to 11pm Friday and Saturdays (except for New Year's Eve where amplified sound equipment may be used until 1am the following day).

NOISE IN THE CITY CENTRE ZONE, MIXED USE ZONE AND INDUSTRIAL ZONE

A mix of activities in the City Centre and Mixed Use Zones provides for vibrant areas and walkable neighbourhoods. However, this mix can also generate conflict between legitimate businesses and their neighbours. For example, hospitality and entertainment activities are important to contribute toward developing Great Urban Areas and a beneficial quality of life for Napier's communities. However, late night noise can disturb the sleep of residents in neighbouring apartments. Enabling activities to co-exist requires a combination of managing how the noise is generated and installing appropriate acoustic insulation so that residents can live well and sleep well.

Noise sensitive activities are generally not permitted in Industrial zones but where they do establish, the same potential conflicts between noise from industrial activities and the need for quiet sleeping areas also apply.

The District Plan provides for this potential conflict by:

- Setting noise limits that accommodate expected noise levels from legitimate activities in each zone (see NOISE-S1), including extending the evening noise limit in the City Centre Zone of 60 dB LAeq(15min) from 10pm to midnight on Thursdays, Fridays, Saturdays, and the day before a public holiday (compared with 50 dB LAeq(15 min) for other days of the week).
- Requiring acoustic insulation and mechanical ventilation for all new noise sensitive activities, such as housing, establishing in the City Centre Zone, Mixed Use Zone and Industrial Zones (see NOISE-R9).

PORT AND AIRPORT NOISE CONTOURS

These are addressed in separate discussion documents.

LIGHT

The Draft District Plan allows for artificial outdoor lighting throughout the city where it is required for security, night-time work, rural production activities, recreation activities, sport, entertainment activities, transportation and public health and safety. The chapter on light also ensures that lighting is designed and managed to prevent as much light spill and glare as possible. Only a very limited amount of artificial light is permitted to spill beyond the boundaries of the site on which it is generated.

Council plans to make no fundamental changes to the existing light rules. However one exception is that we plan to remove the height limit for light support structures in the Stadium Zone, Port Zone, and Airport Zone, and the height limit for light support structures in the Sport and Active Recreation Zone will sit at 25 metres (see LIGHT-S1). This is to facilitate the types of activities anticipated in these zones.

SIGNS

Signage has a range of functions, from identifying business premises and advertising, to communicating safety messages such as temporary road work. Signage is an important part of a functioning city, but it must maintain safety and amenity.

The appropriate size and design of signage depends on the characteristics of the zone - for example, large billboards may have fewer adverse effects in an industrial area than a residential area.

Changes to the signage rules in the Napier City Heritage Area precinct are addressed in the heritage discussion document (see also rules SIGN-R2 to SIGN-R9). The Draft District Plan does not propose any other significant changes to the existing signage rules in our city.

GENETICALLY MODIFIED ORGANISMS

A Genetically Modified Organism (GMO) is any organism in which any of the genes or other genetic material:

- a) have been modified by in-vitro techniques; or
- b) are inherited or otherwise derived, through any number of replications, from any genes or other genetic material which has been modified by in-vitro techniques.

In 2015, Hastings District Council introduced rules restricting the release of GMOs.

In response, we are proposing that our draft District Plan rules and management approach align with the Hastings District, mitigating any potential cross boundary effects from having different rules in Napier.

This helps achieve our key outcome of a “Regional Approach to Industry”. The provisions adopt a precautionary approach and seek to achieve the potential economic benefits of marketing a GE-free primary production region, as well as maintaining environmental and community wellbeing.

GMO research within contained laboratories or in medical and veterinary applications is permitted (see GMO-R1). All outdoor release or outdoor field trials of GMOs are proposed to be prohibited (see GMO-R2 and GMO-R3) meaning that a plan change would be required before these activities take place in Napier City.

TEMPORARY ACTIVITIES

Temporary activities have the potential to significantly contribute to the quality and vibrancy of Napier City. Events provide entertainment and an opportunity to bring people together to build community spirit. Construction activities contribute to growth and rejuvenation of urban areas.

However, temporary activities can also create noise, light and affect the transport network. It can be more difficult to access established activities, and events place a heavy load on our infrastructure capacity.

The Draft District Plan temporary activities provisions seek to maximise the benefits of temporary activities and minimise adverse effects so they can contribute to achieving Great Urban Areas in Napier.

There are no fundamental changes to the temporary activities rules, other than those for noise (see above). The relevant rules are:

- Temporary construction activities (see TEMP-R1) continue to allow small buildings without resource consent to facilitate development works
- Temporary events (see TEMP-R2) are permitted throughout the city provided they comply with duration limits and restrictions on the number of events each calendar year
- Temporary military training activity (see TEMP-R3) is permitted, provided notice is given to the Council in advance, and appropriate noise limits are met.