

## 9. Public Health and Safety

### 9.1. Introduction

The importance of the health and safety of people and communities is acknowledged within the purpose of the Resource Management Act 1991 and is a worldwide concern acknowledged through institutions such as the World Health Organisation. Throughout Dunedin, land use and development activities have the potential to affect the health and safety of people, including effects resulting from excessive or unreasonable **{PHS 917.23}** noise, light spill, the storage and use of hazardous substances, and threats to the City's water, wastewater, and stormwater systems.

Almost all land use activities generate some degree of noise, and where this noise is excessive or unreasonable **{PHS 917.23}**, or extended over long durations, there is the risk that the health of people will be adversely affected. Some environments and activities are particularly vulnerable to excessive or unreasonable **{PHS 917.23}** noise, and these 'noise sensitive activities' require protection to ensure that adverse effects on the health of people are suitably managed, and reverse sensitivity issues are avoided.

Similarly, while artificial light is essential for security and safety, activities that generate artificial light have the potential to impact upon other activities, particularly when in proximity to residential areas and other places where people sleep. Light spill has the potential to disrupt sleeping patterns and adversely affect the health of people, and also the safety of people if light spills to the roading network. Therefore, activities that generate light need to be managed to ensure that these activities do not compromise the health and safety of people.

Hazardous substances are necessary for the operation of many commercial and other activities and need to be provided for. However, if not appropriately managed, and **{PHS 634.55}** their storage and use are potential threats to the health and safety of Dunedin's people and natural environment. ~~Activities which involve hazardous substances also pose a risk to the economic well-being of the city's people and businesses.~~ **{PHS 634.55}** Hazardous substances encompass those identified in the Hazardous Substances and New Organisms Act 1996 (HSNO) and may include substances such as industrial, agricultural, horticultural and household chemicals, medical wastes, petroleum products including LPG and lubricating oils, and radioactive substances. ~~HSNO and associated regulations set~~ **{PHS 634.55}** ~~controls minimum performance standards~~ **{PHS 1090.22}** ~~for the management of these substances. The RMA enables plans to include additional land use controls for the prevention or mitigation of the~~ **{PHS 634.55}** ~~adverse effects of~~ **{PHS 1090.22}** ~~storage, use, disposal and transport of hazardous substances~~ **{PHS 634.55}** ~~where this is necessary to address a clear resource management issue~~ **{PHS 1090.22}**. Such controls may relate to matters such as the location of hazardous **{PHS 634.55}** facilities substances **{PHS 1090.22}** and their potential impacts on other land uses and the natural environment. ~~Given the risks that the storage and use of hazardous substances pose to the health and safety of people, these must be managed to ensure that these substances are able to be used in a safe and secure manner.~~ **{PHS 634.55}**

The efficiency and affordability of water supply, wastewater and stormwater networks are also essential in enabling people to provide for their health and well-being and are among the most essential infrastructure networks in the city. While these networks are also captured by provisions in the Network Utilities and Energy Generation **{NU 360.233}** section of the District Plan, these systems are also managed through provisions in this section to ensure that existing activities, and new development, do not adversely affect this infrastructure. By taking this approach to management, these essential networks are protected, thus maintaining the ability of people throughout the city to provide for their well-being.

Inappropriately sited forestry and tree planting shelterbelts and small woodlots **{RU cl.16}** activities pose potential risks to the safety of people when planted in close proximity to boundaries; creating the potential for trees to fall onto other activities or increase fire risk to other activities.

Fences that cannot be seen through or that are too high restrict passive surveillance between the street/ public places and private property and create environments that are potentially unsafe and encourage increased criminal

and anti-social behaviour.

Earthworks activities often remove considerable amounts of soil, which if not undertaken appropriately, can create silt and sediment runoff, often be contaminated and which **{PHS 634.59}** may enter sources of groundwater and other water bodies **{PHS 634.59}** and cause risks to the **{PHS 634.59}** water supplies.

In response to these issues, the ~~Second Generation Plan 2GP~~ **{PO cl.16}** ~~proposes to controls~~ **{PHS cl.16}** the way that activities must operate. These controls include restricting the amount of noise and light spill that activities can generate; requiring appropriate acoustic insulation in identified areas; setting appropriate limits on the amount of hazardous substances allowed; setting requirements in relation to ~~connecting or providing water supply for firefighting or potable~~ **{PHS cl.16}** public water, stormwater, and wastewater public **{PHS cl.16}** infrastructure; requiring water supply for firefighting in un-reticulated areas **{PHS cl.16}** ~~controlling the emission effects~~ **{PHS cl.16}** of electrical interference; requiring forestry and ~~tree planting~~ shelterbelts and small woodlots **{RU cl.16}** to be set back from boundaries; setting controls on fencing to ensure that passive surveillance is provided for; and requiring earthworks to take into account the potential effects on groundwater.

By implementing these controls, the potential adverse effects of land use and development can be managed in a way that ensures people's health and safety and ensures that the efficiency and affordability of water supply, wastewater and stormwater infrastructure is maintained or enhanced.

## 9.2 Objectives and Policies

Objective 9.2.1	
Land use, development and subdivision activities maintain or enhance the efficiency and affordability of <u>public</u> water supply, wastewater and stormwater <del>public</del> <b>{PO cl.16}</b> infrastructure.	
Policy 9.2.1.1	Only allow land use or subdivision activities that may result in land use or development activities where: <ol style="list-style-type: none"> <li>in an area with <u>public</u> water supply and/or wastewater <del>public</del> infrastructure, it will not exceed the current or planned capacity of that <del>public</del> <b>{PO cl.16}</b> infrastructure or compromise its ability to service any activities permitted within the zone; and</li> <li>in an area without <u>public</u> water supply and/or wastewater <del>public</del> infrastructure, it will not lead to future pressure for unplanned expansion of that <del>public</del> <b>{PO cl.16}</b> infrastructure.</li> </ol>
Policy 9.2.1.2	Require development in the residential zones and the Mercy Hospital, Wakari Hospital, Moana Pool and Schools zones to provide adequate permeable areas to enable a reasonable level of rain water ground absorption.
Policy 9.2.1.3	Require subdivisions <del>activities</del> <b>{PO cl.16}</b> to provide any available <u>public</u> <b>{PO cl.16}</b> water supply and wastewater <del>public</del> <b>{PO cl.16}</b> infrastructure services to all resultant sites that can be developed, unless on-site or multi-site services are proposed that will have positive effects on the overall <u>public</u> <b>{PO cl.16}</b> water supply and/or wastewater <del>public</del> <b>{PO cl.16}</b> infrastructure services, or any adverse effects on them are insignificant.
Policy 9.2.1.4	Only allow supported living facilities where <u>public water supply, wastewater and stormwater</u> <b>{PO 881.11 and 881.13}</b> infrastructure has capacity and where this would not compromise the capacity required for any future permitted activities within the zone.
Policy 9.2.1.5	Require earthworks to be designed to ensure adverse effects from sediment run-off from the site on any drains, channels, soakage and treatment systems or stormwater reticulation will be avoided or, <del>if avoidance is not possible, would be insignificant</del> <u>minimised, as far as practicable.</u> <b>{PHS 308.464}</b> .
Policy 9.2.1.6	Require development and subdivision in an <b>infrastructure constraint mapped area</b> to be at a density which does not compromise the current or planned capacity of the <u>public</u> wastewater <del>public</del> infrastructure, or compromise the ability of the <u>public</u> wastewater <del>public</del> <b>{PO cl.16}</b> infrastructure to service any activities permitted within the zone.

## Objective 9.2.2

Land use, development and subdivision activities maintain or enhance people's health and safety.

Policy 9.2.2.1	Require activities to be designed and operated to avoid adverse effects from noise on the health of people or, where avoidance is not possible <u>practicable</u> <b>{PO 908.3 and others}</b> , ensure any adverse effects would be insignificant.
Policy 9.2.2.2	Require <u>those parts of</u> <b>{PHS 308.215}</b> buildings used for noise sensitive activities in the following areas to provide adequate acoustic insulation to avoid, <u>as far as practicable</u> , <b>{PO 308.497}</b> significant <u>adverse</u> <b>{PO 308.497}</b> effects from the higher noise environment anticipated in these areas: <ul style="list-style-type: none"> <li>a. Central Business District (CBD) Zone;</li> <li>b. Warehouse Precinct (WP) Zone;</li> <li>c. Princes, Parry and Harrow Street (PPH) Zone;</li> <li>d. Harbourside Edge (HE) Zone;</li> <li>e. <b>port noise control mapped area;</b></li> <li>f. <b>airport noise inner control mapped area;</b></li> <li>g. <b>airport noise outer control mapped area;</b></li> <li>h. within 20m of an industrial zone;</li> <li>i. within 40m of a state highway;</li> <li>j. within 40m of the Taieri Aerodrome Zone;</li> <li>k. within 70m of a railway line;</li> <li>l. in-patient areas in the Dunedin Hospital Zone; or</li> <li>m. the Stadium Zone.</li> </ul>
Policy 9.2.2.3	Avoid residential and visitor accommodation activity within the <del>Dunedin International Airport</del> <b>{PHS cl.16} airport noise inner control mapped area.</b>
Policy 9.2.2.4	Require activities to be designed and operated to avoid adverse effects from light spill on the health of people or, where avoidance is not possible <u>practicable</u> , <b>{PHS 634.14}</b> ensure any adverse effects would be insignificant.
Policy 9.2.2.5	Require forestry and <del>tree planting</del> <u>shelterbelts and small woodlots</u> <b>{RU cl.16}</b> to be set back from boundaries an adequate distance to avoid risks to safety from fire or tree fall or, if avoidance is not possible <u>practicable</u> <b>{PO 908.3 and others}</b> , ensure any adverse effects would be insignificant.
Policy 9.2.2.6	Only allow mining <u>or mineral exploration</u> <b>{CP 458.1 and others}</b> where <u>any adverse effects there would be no significant effects</u> <b>{PHS 308.477}</b> from air blast and vibration on people's health and safety or on surrounding properties <u>are avoided or, if avoidance is not practicable, no more than minor.</u> <b>{PHS 308.477}</b>

## Objective 9.2.2

Land use, development and subdivision activities maintain or enhance people's health and safety.

Policy 9.2.2.7	Only allow land use, development, or subdivision activities that may lead to land use and development activities, in areas without public <u>wastewater and stormwater</u> <b>{PO 881.11 and 881.13}</b> infrastructure where the land use, development or the size and shape of resultant sites from a subdivision, <u>these activities</u> <b>{PHS cl.16}</b> ensure wastewater and stormwater can <u>will</u> <b>{PO cl.16}</b> be disposed of in such a way that avoids adverse effects on the health of people on the site or on surrounding sites <b>{PHS cl.16}</b> or, if avoidance is not possible <u>practicable</u> <b>{PHS 308.477}</b> , ensures any adverse effects <u>would on the health of people on the site or on surrounding sites will</u> <b>{PHS cl.16}</b> be insignificant.
Policy 9.2.2.8	Require fences in <u>residential, recreation and some major facility zones</u> <b>{PHS 919.17 and 306.216}</b> to be designed to allow a visual connection between buildings and public places, to enable opportunities for informal surveillance.
Policy 9.2.2.9	Require all new residential buildings, or subdivisions <u>activities</u> <b>{PO cl.16}</b> that may result in new residential buildings, to have access to suitable water supply for fire fighting purposes.
Policy 9.2.2.10	Require earthworks in a <b>groundwater protection mapped area</b> to not disturb or contaminate groundwater.
Policy 9.2.2.11	Require hazardous substances to be stored and used in a way that avoids risk of adverse effects on the health and safety of people on the site or surrounding sites or, if avoidance is not possible <u>practicable</u> <b>{PHS 634.17}</b> , ensures any adverse effects <u>is are no more than low</u> <del>would be</del> insignificant. <b>{PHS 634.17}</b>
Policy 9.2.2.12	Require activities to be designed and operated to avoid adverse effects from electrical interference on the health of people or, if avoidance is not possible <u>practicable</u> <b>{PO 908.3 and others}</b> , ensure any adverse effects would be insignificant.
Policy 9.2.2.13	Require public amenities, <del>network utility activities,</del> <b>{NU 457.169 and others}</b> and signs located on or above footpaths to avoid adverse effects on the safety of people or, if avoidance is not possible <u>practicable</u> <b>{PHS 308.477}</b> , ensure any adverse effects <u>will be no more than minor</u> <del>would be</del> insignificant. <b>{PHS 308.477}</b>
Policy 9.2.2.14	Require buildings and structures within the <b>Taieri Aerodrome flight fan mapped area</b> to be of a height that enables the safe operation of the aerodrome.
Policy 9.2.2.15 <b>{PHS 906.1}</b>	<u>Only allow sensitive activities within a hazard facility mapped area where the risk to people from a low probability but high consequence emergency event at the hazard facility are no more than low.</u> <b>{PHS 906.1}</b>

## Rules

### Rule 9.3 Performance Standards

#### 9.3.1 Acoustic Insulation

1. Any kitchen, dining area, living room, study or bedroom in a building or parts of buildings **{PHS 308.215 and 807.16}** to be used for noise sensitive activities in any of the following locations must have acoustic insulation that achieves a minimum design standard of DnT, w + Ctr > 30:
  - a. Central Business District (CBD) Zone;
  - b. Warehouse Precinct (WP) zone;
  - c. Princes, Parry and Harrow Street (PPH) Zone;
  - d. Harbourside Edge (HE) Zone;
  - e. CEC - North Zone **{CMU 551.13}**
  - f. **airport noise inner control mapped area;**
  - g. **airport noise outer control mapped area;**
  - h. within 20m of an industrial zone;
  - i. within 40m of a state highway;
  - j. within 40m of the Taieri Aerodrome Zone;
  - k. within 70m of a railway line;
  - l. in-patient areas in the Dunedin Hospital Zone; or
  - m. the Stadium Zone.
2. Any kitchen, dining area, living room, study or bedroom in a building or parts of buildings **{PHS 308.215 and 807.16}** to be used for noise sensitive activities within the **port noise control mapped area** must have acoustic insulation that achieves a minimum indoor design standard of 40 dBA Ldn.
3. Habitable rooms Rooms **{PHS 807.16 and 807.59}** other than those exempted in clause 5 below **{PHS 807.16}** must be supplied with a positive supplementary source of ventilation fresh air ducted from outside **{PHS 807.59}** that achieves a minimum of 7.5 litres per second per person, to enable adequate ventilation when windows are closed.
4. The schedule in Appendix 9A describes the minimum requirements necessary to achieve an external sound noise **{PHS 881.102}** insulation level of DnT, w + Ctr > 30.
5. Rules 9.3.1.1 to 9.3.1.4 do not apply to the following parts of buildings: any bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, or other space of a specialised nature occupied neither frequently nor for extended periods. **{PHS 807.16}**
6. Any development activity **{PHS cl.16}** that contravenes the performance standard for acoustic insulation is a discretionary activity.

**Note 9.3.1A - Other relevant District Plan provisions {PHS 881.101}**

Refer to Rule 9.8.2 Special Information Requirements – Acoustic insulation {PHS 881.101}

### 9.3.2 Electrical Interference

1. Activities must be designed and located to ensure that there are no effects from electrical interference on surrounding sites.
2. Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

### 9.3.3 Fire Fighting

1. Subdivision activities must ensure resultant sites have access to sufficient water supplies for fire fighting consistent with the SNZ/PAS:4509:2008 New Zealand Fire Service firefighting water supplies code of practice, except sites created and used solely for the following purposes are exempt from firefighting requirements:
  - a. reserve;
  - b. Scheduled ASGV ASBV **{NatEnv 958.60}** or QEII covenant;
  - c. access;
  - d. network utilities; or
  - e. road.
2. New residential buildings must either:
  - a. connect to the public **{PO cl.16}** water supply (where it is provided) public infrastructure **{PO cl.16}**; or
  - b. provide an hardstand **{PHS 945.24}** area of minimum dimensions of 4.5m x 11m with suitable fire engine access, water storage of 45,000 litres (45m³) or equivalent fire fighting capacity, and have the water supply located within 90m of the fire risk or otherwise provide for water supply and access to water supplies for fire fighting purposes consistent with the SNZ/PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. **{PHS 945.24}**
3. Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

### 9.3.4 Hazardous Substances Quantity Limits and Storage Requirements

1. The storage and use of hazardous substances must comply with the quantity limits and storage requirements specified in Appendix A6, as follows:

Zones and activities		Appendix
a.	Residential activities in all zones, and all activities in the residential zones, Smith Street and York Place (SSYP), and Schools zones	A6.1
b.	Commercial <u>and</u> mixed use <b>{CMU cl.16}</b> zones (except Smith Street and York Place (SSYP)), industrial, <b>{PHS 85.1}</b> Stadium, Moana Pool, Edgar Centre and Taieri Aerodrome zones	A6.2
c.	Invermay and Hercus, Dunedin Public Hospital, Campus, and Otago Museum zones	A6.3
d.	Recreation, rural, rural residential, and Dunedin Botanic Garden zones	A6.4
e.	<u>Port Zone Industrial zones within a hazard 2 and 3 (flood), hazard 2 (land instability), hazard 3 (alluvial fan) or hazard 3 (coastal) overlay zone.</u> <b>{PHS 85.1}</b>	A6.5 A6.2 <b>{PHS 85.1}</b>
f.	Dunedin International Airport Zone	A6.6
g.	Ashburn Clinic, Mercy Hospital, and Wakari Hospital zones	A6.7

- h. There are no quantity limits and storage requirements in the Port Zone; or in the Port Industrial Zone or Industrial Zone, where located outside a hazard 2 and 3 (flood), hazard 2 (land instability), hazard 3 (alluvial fan) or a hazard 3 (coastal) overlay zone. {PHS 85.1}
  
2. The storage and use of hazardous substances with explosive or flammable properties {PHS 634.19} must be set back 12m from National Grid transmission lines, support structures and substations, except:
  - a. the storage and use of hazardous substances which comply with the residential zones hazardous substances quantity limits in Appendix A6.1;
  - b. the storage and use of transformer cooling oils in electricity transformers;
  - c. fuel in motor vehicles, boats and small engines;
  - d. gas and oil pipelines;
  - e. trade waste sewers; and
  - f. waste treatment and disposal facilities. **{PHS 634.19}**
  
3. The following facilities and quantities are exempt from this standard: {PHS 634.6 and others}
  - a. storage of substances in or on vehicles being used in transit on public roads: {PHS 634.6}
  - b. the storage and use of transformer cooling oils in electricity transformers: {PHS 457.54}
  - c. fuel in mobile plant, motor vehicles, boats and small engines: {PHS 634.6}
  - d. gas and oil pipelines and associated equipment: {PHS 634.6}
  - e. waste treatment and disposal facilities not within Hazard 1 and 2 (flood) overlay zones, and waste in process in the DCC's trade waste sewers, municipal liquid waste treatment and disposal facilities not within Hazard 1 and 2 (flood) overlay zones, which may contain hazardous substance residues: {PHS 634.6}{PHS 945.25}
  - f. the application of agrichemicals and fertilisers at a rate and in a manner consistent with their intended purpose: {PHS 634.6 and 1090.24}
  - g. storage at fire stations and on emergency response appliances of specialist hazardous substances for firefighting including compressed air, oxidising gas (medical oxygen), and foam (excluding within the Hazard 1 and 2 (flood) Overlay Zone and **groundwater protection mapped area**) : {PHS 945.25}
  - h. retail outlets selling domestic scale usage of hazardous substances, such as supermarkets, trade suppliers, and pharmacies: {PHS 634.6}
  - i. the accessory use and storage of hazardous substances in minimal domestic scale quantities: {PHS 634.6}
  - j. activities involving substances of HSNO sub-classes 1.4, 1.5, 1.6, 6.1D, 6.1E, 6.3, 6.4, 9.1D and 9.2D unless other hazard classification applies; and {PHS 634.6}
  - k. the temporary storage, handling and distribution of national or international cargo containers. {PHS 634.6}
  
4. The storage and use of hazardous substances that contravenes this standard is a restricted discretionary activity, except:
  - a. contravention of Rule 9.3.4.2 is a non-complying activity.

### Note 9.3.4A - Other requirements outside of the District Plan

1. The Hazardous Substances and New Organisms Act 1996 (HSNO) and Health and Safety at Work (Hazardous Substances) Regulations 2017 in places of work **{PHS cl.16}** also specifies other requirements for activities involving hazardous substances. The Environmental Protection Authority (EPA) Hazardous Substances (Hazardous Property Controls) Notice 2017 prescribe controls for places that are not workplaces. **{PHS cl.16}**
2. Sections 15 and 17 of the Resource Management Act 1991 (RMA) are also relevant and specify the requirements for discharges and the duty to avoid, remedy or mitigate adverse effects.
3. Activities involving hazardous substances may also require resource consent from the Otago Regional Council.
4. Table 10. **{PHS cl.16}** Schedule 12 of the Health and Safety at Work (Hazardous Substances) Regulations 2017 Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004 (as amended) **{PHS cl.16}** provides maximum quantities for the indoor storage and use of LPG as follows: <sup>1</sup> **{PHS cl.16}**

Location		a. Maximum quantity of LPG	b. Maximum cylinder size
1.	A detached house or single storey attached dwellings; and multi-storey attached dwellings up to three storeys	20kg per dwelling	10kg cylinder
2.	Multi-storey attached dwellings over three storeys	10kg per dwelling	10kg cylinder
3.	Hotels, bars, restaurants, public buildings, places of worship, shops, offices and laboratories not attached to a dwelling	10kg per 10m <sup>2</sup> of the indoor floor area, up to a maximum total quantity of 100kg	10kg cylinder
4.	Hotels, bars, restaurants, public buildings, places of worship, shops, offices and laboratories attached to a dwelling	20kg per premises	10kg cylinder
5.	Factories and warehouses	45kg per 50m <sup>2</sup> of the indoor floor area, up to a maximum total quantity of 180kg per occupancy	45kg cylinder

<sup>1</sup> The maximum quantity of LPG and cylinder size are subject to change through any updates to Schedule 12 of the Hazardous Substances (Dangerous Goods and Scheduled Toxic Substances) Transfer Notice 2004. **{PHS cl.16}**

### 9.3.5 Light Spill

1. Light spill measured at any point of the vertical plane that marks **{PHS 165.3}** the boundary of a residential zone, or any site used for within a residential purposes zone, or in any other zone the notional boundary of any residential building **{PHS 1088.28}** must not exceed the following limits:

Time	Limit
a. 7.00am - 10.00pm	10 Lux
b. 10.00pm - 7.00am	3 Lux

- c. This standard does not apply to light spill from the headlights of motor vehicles or from street lighting. **{PHS 881.103}**
2. Light spill must not be emitted in the angles above the horizontal. **{PHS 165.3}**
  3. All outdoor lighting, except street lighting, must be shielded from or directed away from adjacent roads and site boundaries. **{PHS 881.103}**

4. Activities that contravene any light spill limit in Rule 9.3.5.1 by 25% or less are discretionary activities.
5. Activities that contravene any light spill limit in Rule 9.3.5.1 by greater than 25% are non-complying activities.

**Note 9.3.5A - General advice {PHS 366.1}**

1. Outdoor lighting such as security lights or strobe lights on irrigators that are not shielded or directed away from site boundaries will generally contravene this standard. {PHS 366.1}

### 9.3.6 Noise

Land use activities, public amenity activities, network utilities utility {NU cl.16} activities, and temporary activities must not exceed the following noise emission limits:

Zoning of receiving property		Noise level measured at the boundary of the receiving property or the notional boundary of noise sensitive activities in a rural, rural residential or Ashburn Clinic zone		
		a. 7.00am to 7.00pm	b. 7.00pm to 10.00pm	c. 10.00pm to 7.00am
1.	Residential, Recreation, Smith Street and York Place, schools, Dunedin Botanic Garden, Wakari Hospital, Mercy Hospital and Moana Pool zones	50 dB LAeq (15 min)	45 dB LAeq (15 min)	i. 40 dB LAeq (15 min); and ii. 70 dB LAFmax
2.	Rural, rural residential, centres and Ashburn Clinic zones (at notional boundary of noise sensitive activities); <u>except in those parts of rural zones that are within 350m of the Industrial Zone {PHS 807.18}</u>	55 dB LAeq (15 min)	50 dB LAeq (15 min)	i. 40 dB LAeq (15 min); and ii. 70 dB LAFmax
X.	<u>Those parts of a rural zone that are within 350m of the Industrial Zone {PHS 807.18}</u>	55 dB LAeq (15 min)	50 dB LAeq (15 min)	i. <u>45 dB LAeq (15 min); and</u> ii. <u>75 dB LAFmax</u>
3.	Rural, rural residential and Ashburn Clinic zones (at property boundaries, where there are no noise sensitive activities within 20 metres of boundary)	60 dB LAeq (15 min)	60 dB LAeq (15 min)	i. 60 dB LAeq (15 min); and ii. 85 dB LAFmax
4.	Commercial and mixed use (except centres, and Smith Street and York Place), Dunedin Hospital, Otago Museum, Campus, and Invermay and Hercus zones	60 dB LAeq (15 min)	60 dB LAeq (15 min)	i. 60 dB LAeq (15 min); and ii. 85 dB LAFmax
5.	Industrial, Industrial Port, Dunedin International Airport, Taieri Aerodrome, Edgar Centre, Port and Stadium zones	65 dB LAeq (15 min)	60 dB LAeq (15 min)	i. 60 dB LAeq (15 min); and ii. 85 dB LAFmax

6. Except, the following activities are exempt from this standard:
  - a. noise generated by port activities in the Port Zone (see Rule 30.5.4);
  - b. noise generated by aircraft within the Dunedin International Airport Zone;
  - c. noise generated by events in the Stadium Zone (see Rule 32.5.6);

- d. noise generated by aircraft within the Taieri Aerodrome Zone between the hours of 7.00am - 10.00pm;
  - e. noise generated as part of normal residential activities, other than from building utilities;
  - f. noise associated with early childhood education and schools between the hours of 8.00am - 6.00pm;
  - g. sport and recreation not involving the use of motor vehicles, amplified sound, or firearms;
  - h. vehicles operating on public roads or trains on rail lines (including at railway yards, railway sidings or stations and level crossing warning devices);
  - i. emergency services, including any warning device used by emergency services for emergency purposes;
  - j. noise generated by wind generators with a swept rotor area greater than 200m<sup>2</sup>, provided that when measured or assessed in accordance with NZS 6808:2010 Acoustics - Wind Farm Noise they do not exceed the LA90 (10min) background sound level by more than 5 dB or a level of 40 dB LA90 (10 min), whichever is greater; {PHS 917.8}
  - k. construction, temporary events in CBD, and military exercises (see Rule 4.5.54 **{TA cl.16}**);
  - l. noise generated as part of a normal farming activities activity {PO cl.16} within the rural zones and rural residential zones;
  - m. noise generated as part of normal forestry activities activity {PO cl.16} within the rural zones;
  - n. noise generated by pyrotechnics and firing of a ceremonial cannon (see Rule 4.5.4.2.c); and
  - o. noise generated by blasting in rural zones, as part of mineral exploration (see Rule 16.5.14). {CP 458.1 and others}
7. For the purpose of this standard, noise levels will be measured at the boundary of the receiving property, or the notional boundary of a noise sensitive activity in a rural, rural residential or Ashburn Clinic zone. If it is not possible to measure noise levels at the boundary, noise levels will be measured at the closest practical point within the boundary. Unless stated otherwise noise 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. {PHS 917.8}
  8. Activities that contravene this performance standard by less than 5dB LAeq (15 min) are discretionary activities.
  9. Activities that contravene this performance standard by 5dB LAeq (15 min) or more are non-complying activities.

### 9.3.7 Service Connections

1. Subdivision activities must provide to all sites the following infrastructure where available {PO cl.16}: telecommunication (including Ultra Fast Broadband) and power supply, and connections to public water supply, wastewater, and stormwater networks. ~~where available; and public infrastructure, where available but not in the no DCC reticulated wastewater mapped area or in rural or rural residential zones. {PO cl.16}~~ These services must be laid at least 600mm into all resultant sites, except those created and used solely for the following purposes:
  - a. Scheduled ASGV ASBV {NatEnv 958.60} or QEII covenant;
  - b. reserves;
  - c. access;
  - d. network utilities; or
  - e. roads.

2. For the purpose of this rule 'where available' means: {PO cl.16}
  - a. for water supply networks, all areas except the rural, and rural residential zones; and {PO cl.16}
  - b. for wastewater networks, all areas except the no DCC reticulated wastewater mapped area and rural, and rural residential zones. {PO cl.16}
3. Activities that contravene this performance standard are restricted discretionary activities. {PO cl.16}

#### **9.3.8 Location (hazard facility mapped area) {Confirmed for addition - PHS 906.1}**

1. Community and leisure - large scale, early childhood education, entertainment and exhibition, major facility activities (other than major recreation facility in the Stadium Zone and port activity in industrial zones), registered health practitioners, residential, training and education and visitor accommodation activities must not be located within the **hazard facility mapped area**.
2. Activities that contravene this performance standard are discretionary activities. {PHS 906.1}

## **Rule 9.3A - Assessment of Controlled Activities {Confirmed for addition - MF 308.353}**

<b>9.3A.1 Assessment of controlled activities {MF 308.353}</b>		
Activity	Matters of control	Guidance on the assessment of resource consents
1. <u>Student hostels in the Campus Zone {MF 308.353}</u>	a. Effects on efficiency and/or <b>{PHS cl.16}</b> affordability of infrastructure	<p><i>Relevant objectives and policies:</i></p> <p>i. Objective 9.2.1</p> <p>ii. <u>Public water supply, wastewater and stormwater {PO 881.11 and 881.13}</u> infrastructure has capacity for supported living facilities and the facilities do and the supported living facility will <b>{PHS cl.16}</b> not compromise the capacity required for any future permitted activities within the zone (Policy 9.2.1.4).</p>

<sup>1</sup> **MF 308.353:** Student hostels in the Campus Zone has been split from Supported living facilities in Rule 9.5.2.2 and the activity status has been changed from restricted discretionary to a controlled activity

## Rule 9.4 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)

### Rule 9.4.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rules 9.4.2 and 9.4.3:
  - a. list the matters Council will restrict its discretion to; and
  - b. provide guidance on how consent applications will be assessed, including:
    - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
    - ii. potential circumstances that may support a consent application;
    - iii. general assessment guidance; and
    - iv. conditions that may be imposed.

### 9.4.2 Assessment of all performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. Performance standard contraventions	<p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> <li>a. The degree of non-compliance with the performance standard is minor.</li> </ol> <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> <li>b. Where more than one standard is contravened, the combined effects of the contraventions should be considered.</li> </ol>

### 9.4.3 Assessment of performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
1. <del>Buildings and structures</del> <u>Public amenities {PA cl.16}</u> located on or above the footpath (Rule 6.7.2) <del>{PHS cl.16}</del>	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. <del>Public amenities, network-utility activities, {NU 457.169 and others}</del> and signs located on or above footpaths avoid adverse effects on the safety of people or, if avoidance is not possible <u>practicable {PHS 308.477}</u>, ensure any adverse effects would <u>will {PHS cl.16}</u> be insignificant <u>no more than minor {PHS 308.477}</u> (Policy 9.2.2.13).</li> </ol>

### 9.4.3 Assessment of performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
2.	Density (papakāika) in residential zones (Rule 15.5.2) <b>{PHS cl.16}</b>	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. <del>In areas without public infrastructure land use and development ensure wastewater and stormwater</del> <u>Only allow land use and development in areas without public</u> <b>{PHS cl.16}</b> <u>wastewater and stormwater</u> <b>{PO 881.11 and 881.13}</b> <u>infrastructure where these activities ensure wastewater and stormwater</u> <b>{PHS cl.16}</b> <u>can will</u> <b>{PO cl.16}</b> be disposed of in such a way that avoids adverse effects on the health of people on the site or on surrounding sites <b>{PHS cl.16}</b> or, if avoidance is not practicable <b>{PHS 308.477}</b> possible, ensures any adverse effects <u>would on the health of people on the site or on surrounding sites will</u> <b>{PHS cl.16}</b> be insignificant (Policy 9.2.2.7).</li> </ul>
3.	Density - standard residential in General Residential 2 Zone <b>infrastructure constraint mapped area</b> (Rule 15.5.2) <b>{PHS cl.16}</b>	a. Effects on efficiency and/or <b>{PHS cl.16}</b> affordability of infrastructure	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.1</li> <li>ii. Development in an <b>infrastructure constraint mapped area</b>, is at a density which does not compromise the current or planned capacity of the <u>public</u> wastewater <del>public</del> infrastructure, or compromise the ability of the <u>public</u> wastewater <del>public</del> <b>{PO cl.16}</b> infrastructure to service any activities permitted within the zone (Policy 9.2.1.6).</li> </ul>
4.	Density - residential activity on an existing site not in a <b>no DCC reticulated wastewater mapped area</b> <b>{Res 542.2 and 542.3}</b>	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. <del>In areas without public infrastructure land use and development ensure wastewater and stormwater be disposed of in such a way that avoids adverse effects on the health of people on the site or on surrounding sites or, if avoidance is not possible, ensures any adverse effects would be insignificant (Policy 9.2.2.7).</del></li> </ul>
5.	Earthworks standards: Sediment control (Rule 8A.5.7) <b>{PHS cl.16}</b>	a. Effects on efficiency and/or <b>{PHS cl.16}</b> affordability of infrastructure	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.1</li> <li>ii. Adverse effects from sediment run-off from the site on any drains, channels, soakage and treatment systems or stormwater reticulation are avoided or, if avoidance is not possible, are insignificant <u>minimised as far as practicable</u> <b>{PHS 308.464}</b> (Policy 9.2.1.5).</li> </ul>

### 9.4.3 Assessment of performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
6.	Electrical interference	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. Activities <del>to be</del> <u>are</u> <b>{PHS cl.16}</b> designed and operated to avoid adverse effects from electrical interference on the health of people or, if avoidance is not possible <u>practicable</u> <b>{PO 908.3 and others}</b>, ensure any adverse effects <del>would be</del> <u>are</u> <b>{PHS cl.16}</b> insignificant (Policy 9.2.2.12).</li> </ul>
7.	Fence height and design	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. Fences <u>in residential, recreation and some major facility zones</u> <b>{PHS 919.17 and 308.216}</b> are designed to allow a visual connection between buildings and public places, to enable opportunities for informal surveillance (Policy 9.2.2.8).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. The increased height or reduced visual permeability is necessary to provide security for a business or protect public well-being.</li> <li>iv. Due to topography, the fence still enables a visual connection between buildings and public places.</li> </ul>
8.	Fire fighting	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. New residential buildings, or subdivisions <u>activities</u> <b>{PO cl.16}</b> that may result in new residential buildings, have access to suitable water supply for fire fighting purposes (Policy 9.2.2.9).</li> <li>iii. Subdivision that may result in new residential buildings ensures there is access to suitable water supply for fire fighting purposes (Policy 9.2.2.9).</li> </ul>

#### 9.4.3 Assessment of performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
9.	Forestry and tree planting shelterbelts and small woodlots {RU cl.16} setbacks	<p>a. Effects on health and safety</p> <p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. Forestry and <del>tree planting</del> shelterbelts and small woodlots {RU cl.16} are set back from boundaries an adequate distance to avoid risks to safety from fire or tree fall or, if avoidance is not possible practicable {PO 908.3 and others}, ensure any adverse effects would be insignificant (Policy 9.2.2.5).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. Mitigation measures will be used to avoid risk to buildings in the event of fire originating from the forestry or <del>tree planting</del> shelterbelts and small woodlots {RU cl.16} activity.</li> <li>iv. The topography or characteristics of the site mean that there would be no risk or insignificant risk to buildings or people from tree fall and fire.</li> </ul>

### 9.4.3 Assessment of performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
<p>10. Hazardous substances quantity limits and storage requirements</p>	<p>a. Effects on health and safety</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. Hazardous substances are stored and used in a way that avoids risk of adverse effects on the health and safety of people on the site or surrounding sites or, if avoidance is not possible <del>practicable</del> <b>{PHS 634.17}</b>, ensures any adverse effects are no more than low <del>would be insignificant.</del> <b>{PHS 634.17}</b> (Policy 9.2.2.11).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. Hazardous substances are stored in a way that meets HSNO requirements <u>and Hazardous Substances Regulations.</u> <b>{PHS cl.16}</b></li> <li>iv. There is little or no risk of any discharge of hazardous substances into the <u>public</u> stormwater <del>public</del> <b>{PO cl.16}</b> infrastructure.</li> <li>v. The proposed hazardous site or hazardous sub-facility is located an appropriate distance from sensitive activities including population, services, schools, emergency services, hospitals or arterial routes.</li> <li>vi. A site management plan and emergency response plan appropriately addresses any potential adverse effects on health and safety (see Special Information Requirements - Rule 9.8.1).</li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>vii. In assessing the potential effects from hazardous substances, Council will consider: <ul style="list-style-type: none"> <li>1. any additional risk from natural hazards;</li> <li>2. implications on the future use of the site through any associated HAIL classification;</li> <li>3. cumulative effects from other hazardous substances stored on-site, or the storage of hazardous substances on adjacent sites, and whether they are incompatible when considered holistically;</li> <li>4. the nature and size of the proposed development or activity; and</li> <li>5. the sensitivity of other activities on the same or surrounding sites.</li> </ul> </li> </ul>

### 9.4.3 Assessment of performance standard contraventions

Performance standard		Matters of discretion	Guidance on the assessment of resource consents
X.	<u>In a hazard overlay zone:</u> <ul style="list-style-type: none"> <li><u>Hazardous substances quantity limits and storage requirements {PO cl.16}</u></li> </ul>	a. Risk from natural hazards <b>{PO cl.16}</b>	<u>See Rule 11.4 {PO cl.16}</u>
11.	Maximum building site coverage and impermeable surfaces	a. Effects on efficiency and affordability of infrastructure	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.1</li> <li>ii. Development in the residential zones, Mercy Hospital, Wakari Hospital, Moana Pool and Schools zones provides adequate permeable areas to enable a reasonable level of rain water ground absorption (Policy 9.2.1.2).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. There is a genuine need to have additional impermeable surfaces and:               <ul style="list-style-type: none"> <li>1. mitigation measures such as stormwater storage are proposed; and</li> <li>2. there is no net increase in the amount or rate of stormwater leaving the site.</li> </ul> </li> </ul>
12.	Service connections	a. Effects on efficiency and affordability of infrastructure	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.1</li> <li>ii. Subdivision activities provide any available <u>public</u> water supply and wastewater <u>public</u> infrastructure services to all resultant sites that can be developed, unless on-site or multi-site services are proposed that will have positive effects on the overall <u>public</u> wastewater and/or water supply <u>public</u> <b>{PO cl.16}</b> infrastructure services, or any adverse effects on them are insignificant (Policy 9.2.1.3).</li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>iii. When assessing the suitability of any proposed on-site or multi-site services, Council will consider any adverse effects on the natural environment and risk from hazards.</li> </ul> <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> <li>iv. Require on-site systems to be included in the subdivision.</li> </ul>
13.	Maximum height within the <b>Taieri Aerodrome flight fan mapped area</b>	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. Buildings and structures within the <b>Taieri Aerodrome flight fan mapped area</b> are a height that enables the safe operation of the aerodrome (Policy 9.2.2.14).</li> </ul>

## Rule 9.5 Assessment of Restricted Discretionary Activities

### Rule 9.5.1 Introduction

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rule 9.5.2:
  - a. lists the matters Council will restrict its discretion to; and
  - b. provides guidance on how a consent application will be assessed, including:
    - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
    - ii. potential circumstances that may support a consent application;
    - iii. general assessment guidance; and
    - iv. conditions that may be imposed.

### 9.5.2 Assessment of restricted discretionary activities

Activity	Matters of discretion	Guidance for the assessment of resource consents
1. <del>Factory farming</del> <del>Intensive farming</del> <b>{RU 1090.3}</b>	a. Effects on health and safety	<i>Relevant objectives and policies:</i> <ol style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. <del>Wastewater</del> <u>Only allow land use and development in areas without public infrastructure where these activities ensure wastewater {PHS cl.16} and stormwater is able to be disposed of in such a way that avoids adverse effects on the health of people on the site or surrounding properties are avoided or, if avoidance is not possible practicable {PHS 308.477}, ensures adverse effects on the health of people on the site or surrounding sites {PHS cl.16} are insignificant (Policy 9.2.2.7).</u></li> </ol>
2. Supported living facilities <del>(except student hostels in the Campus Zone)</del> <b>{MF 308.353}</b>	a. Effects on efficiency and/or <del>{PHS cl.16}</del> affordability of infrastructure	<i>Relevant objectives and policies:</i> <ol style="list-style-type: none"> <li>i. Objective 9.2.1</li> <li>ii. <u>Public water supply, wastewater and stormwater {PO 881.11 and 881.13} infrastructure has capacity for supported living facilities and the facilities do and the supported living facility will {PHS cl.16} not compromise the capacity required for any future permitted activities within the zone (Policy 9.2.1.4).</u></li> </ol>
3. Earthworks - large scale (that exceed scale thresholds for a GPMA)	a. Effects on health and safety	<i>Relevant objectives and policies:</i> <ol style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. Earthworks in a <b>groundwater protection mapped area</b> do not disturb or contaminate groundwater (Policy 9.2.2.10).</li> </ol> <i>General assessment guidance:</i> <ol style="list-style-type: none"> <li>iii. Council will consider the degree to which earthworks could breach or reduce the protective mantle of the <b>groundwater protection mapped area</b> and increase the risk of groundwater contamination.</li> </ol>

### 9.5.2 Assessment of restricted discretionary activities

Activity	Matters of discretion	Guidance for the assessment of resource consents
4. All subdivision activities	a. Effects on efficiency and/or <b>{PHS cl.16}</b> affordability of infrastructure	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.1</li> <li>ii. Subdivisions <u>activities</u> <b>{PHS cl.16}</b> are designed to ensure any future land use or development: <ul style="list-style-type: none"> <li>1. where in an area with <u>public</u> water supply and/or wastewater <u>public</u> infrastructure, will not exceed the current or planned capacity of that <u>public</u> <b>{PO cl.16}</b> infrastructure or compromise its ability to service any activities permitted within the zone; and</li> <li>2. where in an area without <u>public</u> water supply and/or wastewater <u>public</u> infrastructure, will not lead to future pressure for unplanned expansion of that <u>public</u> <b>{PO cl.16}</b> infrastructure (Policy 9.2.1.1).</li> </ul> </li> </ul> <p><i>Design considerations that may support a consent application:</i></p> <ul style="list-style-type: none"> <li>iii. The subdivision will not require any ratepayer-funded public infrastructure upgrades other than as already programmed.</li> <li>iv. Resultant sites accommodate on-site retention of stormwater where needed.</li> </ul> <p><i>Design considerations for large subdivisions that involve new stormwater management systems that may support a consent application:</i></p> <ul style="list-style-type: none"> <li>v. Stormwater management areas are integrated into the layout of the subdivision and neighbourhood including in reserves.</li> <li>vi. The subdivision integrates design elements to minimise adverse effects on the stormwater infrastructure, for example through: <ul style="list-style-type: none"> <li>1. minimum impermeable surfaces</li> <li>2. grassed/landscaped swales and other vegetation areas</li> <li>3. infiltration trenches/bio-retention systems</li> <li>4. wetlands/sediment ponds</li> <li>5. rainwater tanks- harvesting and reuse</li> <li>6. rain gardens, rooftop greening and planting, and</li> <li>7. porous surface treatments.</li> </ul> </li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>vii. If required, Council will consider the contents of an integrated stormwater catchment management plan or approved stormwater discharge consent.</li> </ul> <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> <li>viii. A requirement for wastewater connections.</li> <li>ix. A requirement that a local purpose reserve be vested in Council as a site for public utility for wastewater treatment/ disposal purposes.</li> </ul>

### 9.5.2 Assessment of restricted discretionary activities

Activity	Matters of discretion	Guidance for the assessment of resource consents
5. Subdivision activities (in areas without public <u>water supply, wastewater and stormwater</u> <b>{PO 881.11 and 881.13}</b> infrastructure)	a. Effects on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 9.2.2</li> <li>ii. <del>The size and shape of resultant sites from a subdivision</del> <u>Subdivision activities that may lead to land use and development activities, in areas without public water supply, wastewater and stormwater infrastructure {PO 881.11 and 881.13}, ensure wastewater and stormwater can will {PHS cl.16} be disposed of in such a way that avoids adverse effects on the health of people on the site or on surrounding sites can be avoided {PHS cl.16} or, if avoidance is not possible practicable{PHS 308.477}, ensures adverse effects on the health of people on the site or surrounding sites {PHS cl.16} would will {PHS cl.16} be insignificant (Policy 9.2.2.7).</u></li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. A design for a wastewater and stormwater disposal system is prepared by a suitably qualified engineer.</li> </ul> <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> <li>iv. Requirement wastewater and stormwater disposal design to be included in the subdivision.</li> </ul>

<sup>2</sup> Rule for student hostels in the Campus Zone has been moved to section 9.3A **{MF 308.353}**

## Rule 9.6 Assessment of Discretionary Activities

### Rule 9.6.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 9.6.2 - 9.6.4 provide guidance on how a consent application for the listed discretionary activities will be assessed, including:
  - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
  - b. potential circumstances that may support a consent application;
  - c. general assessment guidance, including any effects that will be considered as a priority; and
  - d. conditions that may be imposed.

9.6.2 Assessment of all discretionary activities	
Activity	Guidance on the assessment of resource consents
1. All discretionary activities <u>that are linked to Section 9.6, including but not limited to the activities listed below</u> <b>{PHS cl.16}</b>	<p><u><i>Relevant objectives and policies (priority considerations):</i></u> <b>{PHS cl.16}</b></p> <ol style="list-style-type: none"> <li>a. <u>Objective 9.2.2</u> <b>{PHS cl.16}</b></li> <li>b. <u>Activities are designed and operated to avoid adverse effects from noise on the health of people or, where avoidance is not</u> <b>{PHS cl.16}</b> <u>practicable</u> <b>{PO 908.3 and others}</b>, <u>ensure any adverse effects would be insignificant (Policy 9.2.2.1).</u> <b>{PHS cl.16}</b></li> <li>c. <u>Activities are designed and operated to avoid adverse effects from light spill on the health of people or, where avoidance is not</u> <b>{PHS cl.16}</b> <u>practicable</u> <b>{PHS 634.14}</b>, <u>ensure any adverse effects would be insignificant (Policy 9.2.2.4).</u> <b>{PHS cl.16}</b></li> </ol> <p><u><i>General assessment guidance:</i></u></p> <ol style="list-style-type: none"> <li>d. In assessing the significance of effects, consideration will be given to:           <ol style="list-style-type: none"> <li>i. both short and long term effects, including effects in combination with other activities; and</li> <li>ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent.</li> </ol> </li> </ol>

### 9.6.3 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
1. Mining	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 9.2.2</li> <li>b. <del>There are no significant</del> <u>Any adverse</u> <b>{PHS 308.477}</b> effects from air blast and vibration on people's health and safety or on surrounding properties <u>are avoided or, if avoidance is not practicable, no more than minor</u> <b>{PHS 308.477}</b> (Policy 9.2.2.6).</li> <li>c. <del>Wastewater</del> <u>Only allow land use and development in areas without public infrastructure where these activities ensure wastewater</u> <b>{PHS cl.16}</b> and stormwater <del>can</del> <u>will</u> <b>{PO cl.16}</b> be disposed of in such a way that <u>avoids</u> <del>adverse effects on the health of people on the site or on surrounding properties are avoided</del> <b>{PHS cl.16}</b> or, if avoidance is not possible <u>practicable</u><b>{PHS 308.477}</b>, <u>ensures adverse effects on the health of people on the site or surrounding sites</u> <b>{PHS cl.16}</b> are insignificant (Policy 9.2.2.7).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>d. Blasting will be carried out in accordance with appropriate industry standards.</li> <li>e. Blast noise (air blast) measured at the notional boundary on adjoining properties will not exceed a peak overall sound pressure level of 128 dBZ.</li> <li>f. Vibration - the limit of peak particle velocity of vibration from blasting measured on the foundation or any suitable location on or adjacent to residential buildings on adjoining properties will not exceed 10mm/second.</li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>g. The assessment for a resource consent application for mining will consider the information provided by any site management plan and emergency response plan (see Special Information Requirements - Rule 9.8.1).</li> </ul>

### 9.6.3 Assessment of discretionary activities

Activity	Guidance on the assessment of resource consents
<p>2. • Rural industry</p> <p>• Landfills</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 9.2.2</p> <p>b. <u>Wastewater Only allow land use and development in areas without public infrastructure where these activities ensure wastewater {PHS cl.16} and stormwater can will {PO cl.16} be disposed of in such a way that avoids adverse effects on the health of people on the site or on surrounding properties are avoided {PHS cl.16} or, if avoidance is not possible practicable{PHS 308.477}, ensures adverse effects on the health of people on the site or surrounding sites {PHS cl.16} are insignificant (Policy 9.2.2.7).</u></p> <p><i>General assessment guidance:</i></p> <p>c. The assessment for a resource consent for <del>rural industry or landfills or rural industry</del> {PO cl.16} activities will consider the information provided by any site management plan and emergency response plan (see Special Information Requirements - Rule 9.8.1).</p>
<p>3. <u>In a hazard facility mapped area: {PHS 906.1}</u></p> <ul style="list-style-type: none"> <li>• <u>Early childhood education - large scale (Recreation Zone)</u></li> <li>• <u>Registered health practitioners (Stadium Zone)</u></li> <li>• <u>Training and education (Stadium Zone)</u></li> <li>• <u>Visitor accommodation (Stadium Zone)</u></li> </ul>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <p>a. Objective 2.2.6</p> <p>b. Objective 9.2.2</p> <p>c. <u>The risk to people from a low probability but high consequence emergency event at the hazard facility is no more than low (Policy 9.2.2.15).</u></p> <p><i>Potential circumstances that may support a consent application include:</i></p> <p>d. <u>the layout of the buildings on the site (including the orientation of main building entrances) maximises the separation of higher occupancy areas (such as offices) from the hazard facility.</u></p> <p>e. <u>glazing is located away from the hazard facility, or where this is not practicable, mitigation measures (such as strengthened glass / protective films) are used to reduce the risk of harm to people.</u></p> <p>f. <u>emergency egress points are located away from the hazard facility.</u></p> <p>g. <u>the type and hours of operation, and number of people accommodated, minimises the risk to people if an emergency event occurs.</u></p> <p><i>Conditions that may be imposed include:</i></p> <p>h. <u>Council may require the development of an Emergency Management Plan which outlines how the activity will respond to a potential emergency arising from the hazard facility.</u></p>

#### 9.6.4 Assessment of discretionary performance standard contraventions

Activity	Guidance on the assessment of resource consents
<p>1. Acoustic insulation</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 9.2.2</li> <li>b. <del>Buildings</del> <u>Those parts of buildings</u> <b>{PHS 308.215}</b> used for noise sensitive activities in identified areas provide adequate noise <u>acoustic</u> <b>{PHS cl.16}</b> insulation to avoid, <u>as far as practicable</u>, <b>{PO 308.497}</b> significant <u>adverse</u> <b>{PO 308.497}</b> effects from the higher noise environments anticipated in those areas (Policy 9.2.2.2).</li> <li>c. The location of noise sensitive activities is such that the insulation and/or supplementary ventilation are not necessary to achieve an acceptable internal noise environment.</li> <li>d. The orientation of a room subject to the acoustic insulation performance standard is such that the insulation and/or supplementary ventilation are not necessary to achieve an acceptable internal noise environment.</li> <li>e. Council may consider the extent to which it is practical to acoustically insulate or provide supplementary ventilation without compromising a protected part of a scheduled heritage building.</li> <li>f. Council will consider whether development will lead to an unacceptable internal noise environment or insufficient ventilation of sleeping areas compromising the health and safety of occupants.</li> <li>g. <u>Council will consider the information provided by an acoustic engineer (see Rule 9.8.2 Acoustic insulation).</u> <b>{PHS 881.101}</b></li> </ul>
<p>2. Minimum site size (Rule 17.7.5.2)</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. <del>Subdivisions are designed to ensure any future</del> <u>Subdivision activities that may result in</u> <b>{PHS cl.16}</b> land use or development: <ul style="list-style-type: none"> <li>i. where <b>{PHS cl.16}</b> in an area with <u>public</u> <b>{PO cl.16}</b> water supply and/or wastewater <u>public</u> <b>{PO cl.16}</b> infrastructure, will not exceed the current or planned capacity of that <u>public</u> <b>{PO cl.16}</b> infrastructure or compromise its ability to service any activities permitted within the zone; and</li> <li>ii. where <b>{PHS cl.16}</b> in an area without <u>public</u> <b>{PO cl.16}</b> water supply and/or wastewater <u>public</u> <b>{PO cl.16}</b> infrastructure, will not lead to future pressure for unplanned expansion of that <u>public</u> <b>{PO cl.16}</b> infrastructure (Policy 9.2.1.1).</li> </ul> </li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>b. Subdivision activities where the parent site contains significant topographical features such as waterways or human-made features such as roads or rail corridors which make meeting the minimum site size impractical</li> </ul>

#### 9.6.4 Assessment of discretionary performance standard contraventions

Activity	Guidance on the assessment of resource consents
<p>3. Density (papakāika) in rural zones</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 9.2.2</li> <li>b. <u>Wastewater Only allow land use and development in areas without public water supply, wastewater and stormwater infrastructure where these activities ensure wastewater {PO 881.11 and 881.13} and stormwater can will {PO cl.16} be disposed of in such a way that avoids adverse effects on the health of people on the site or on surrounding properties are avoided {PHS cl.16} or, if avoidance is not possible practicable{PHS 308.477}, ensures adverse effects on the health of people on the site or surrounding sites {PHS cl.16} are insignificant (Policy 9.2.2.7).</u></li> </ul> <p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 9.2.1</li> <li>b. Development will not lead to future pressure for unplanned expansion of the public wastewater and/or water supply public {PO cl.16} infrastructure (Policy 9.2.1.1.b).</li> </ul>
<p>4. Noise - where the limit is exceeded by less than 5dB LAeq (15 min)</p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 9.2.2</li> <li>b. Activities are designed and operated to avoid adverse effects from noise on the health of people or, where avoidance is not possible <u>practicable {PO 908.3 and others}</u>, ensure any adverse effects would be insignificant (Policy 9.2.2.1).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>c. The exceedance will be infrequent and/or short term.</li> <li>d. Sufficient ambient levels of noise exist that the exceedance will be insignificant in the circumstances.</li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>e. Council will consider the sensitivity of activities on surrounding sites <u>to the noise source {PHS 917.22}</u>, and the distance of noise sensitive activities from the <u>site {PHS 917.22}</u> boundary of the noise source.</li> <li>f. Council may use the following <u>potential {PHS 917.22}</u> 'FIDOL' factors to guide the assessment of a resource consent application: <ul style="list-style-type: none"> <li>i. Frequency, which refers to how often the exceedance will occur;</li> <li>ii. Intensity, which refers to the level of the noise experienced;</li> <li>iii. Duration, which refers to the length of time the exceedance will occur and the time of day;</li> <li>iv. Offensiveness, which refers to the character of the noise; and</li> <li>v. Location, which refers to where the noise will occur.</li> </ul> </li> </ul>

#### 9.6.4 Assessment of discretionary performance standard contraventions

Activity	Guidance on the assessment of resource consents
<p>5. Light spill - <u>where the light spill limit is exceeded by 25% or less, or where rules 16.5.4.1 or 16.5.4.2 are contravened, or where the light spill limit in Rule 16.5.4.3 is exceeded by 25% or less</u> <b>{PHS cl.16}</b></p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 9.2.2</li> <li>b. Activities are designed and operated to avoid adverse effects from light spill on the health of people or, where avoidance is not <u>possible practicable</u> <b>{PHS 634.14}</b>, ensure any adverse effects would be insignificant (Policy 9.2.2.4).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>c. The exceedance will be infrequent and/or short term.</li> <li>d. Sufficient ambient levels of light exist that the exceedance will be insignificant in the circumstances.</li> </ul>
<p>6. <b>{CP 458.1 and others}</b> <u>Blasting (mineral exploration)</u> <b>{CP 458.1 and others}</b></p>	<p><i>Relevant objectives and policies (priority considerations):</i> <b>{CP 458.1 and others}</b></p> <ul style="list-style-type: none"> <li>a. <u>Objective 9.2.2</u> <b>{CP 458.1 and others}</b></li> <li>b. <u>Any adverse effects from air blast and vibration on people's health and safety or on surrounding properties are avoided or, if avoidance is not practicable, no more than minor</u> (Policy 9.2.2.6). <b>{CP 458.1 and others and PHS 308.477}</b></li> </ul>
<p>7. <u>Location (hazard facility mapped area)</u> <b>{PHS 906.1}</b></p>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. <u>Objective 2.2.6</u></li> <li>b. <u>Objective 9.2.2</u></li> <li>c. <u>the risk to people from a low probability but high consequence emergency event at the hazard facility is no more than low</u> (Policy 9.2.2.15).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>d. <u>the layout of the buildings on the site (including the orientation of main building entrances) maximises the separation of higher occupancy areas (such as offices) from the hazard facility.</u></li> <li>e. <u>glazing is located away from the hazard facility, or where this is not practicable, mitigation measures (such as strengthened glass / protective films) are used to reduce the risk of harm to people.</u></li> <li>f. <u>emergency egress points are located away from the hazard facility.</u></li> <li>g. <u>the type and hours of operation, and number of people accommodated, minimises the risk to people if an emergency event occurs.</u></li> </ul> <p><i>Conditions that may be imposed include:</i></p> <ul style="list-style-type: none"> <li>h. <u>Council may require the development of an Emergency Management Plan (see Rule 9.8.1) which outlines how the activity will respond to potential emergency arising from the hazard facility.</u></li> </ul>

## Rule 9.7 Assessment of Non-complying Activities

### Rule 9.7.1 Introduction

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rules 9.7.2 - 9.7.3 provides **{PHS cl.16}** guidance on how a consent application for the listed non-complying activities will be assessed, including:
  - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
  - b. potential circumstances that may support a consent application;
  - c. general assessment guidance, including any effects that will be considered as a priority; and
  - d. conditions that may be imposed.
3. Rules 9.7.2 - 9.7.3 apply as follows: **{PHS cl.16}**
  - a. Rule 9.7.2 applies to non-complying performance standard contraventions. **{PHS cl.16}**
  - b. Rule 9.7.3 applies to all non-complying land use activities that are linked to Section 9.7. **{PHS cl.16}**

### 9.7.2 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
1. All non-complying activities performance standard contraventions that are linked to Section 9.7 <b>{PO cl. 16}</b>	<p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> <li>a. In assessing the significance of effects, consideration will be given to:               <ol style="list-style-type: none"> <li>i. both short and long term effects, including effects in combination with other activities; and</li> <li>ii. the potential for cumulative adverse effects arising from similar activities occurring as a result of a precedent being set by the granting of a resource consent.</li> </ol> </li> </ol>
2. Density	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> <li>a. Objective 9.2.1, Policy 9.2.1.1</li> </ol>
3. Hazardous substances quantity limits and storage requirements - (Rule 9.3.4.2) - Setback from National Grid <b>{PHS cl.16}</b>	<p><i>Relevant objectives and policies (priority considerations):</i> <b>{PHS cl.16}</b></p> <ol style="list-style-type: none"> <li>a. Objective 2.7.1, policies 2.7.1.1, 2.7.1.3 <b>{PHS cl.16}</b></li> <li>b. See Rule 5.10</li> </ol>
4. Light spill - where the limit is exceeded by greater than 25%	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> <li>a. Objective 9.2.2, Policy 9.2.2.4</li> <li>b. Objective 2.2.6, Policy 2.2.6.1</li> </ol> <p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> <li>c. The exceedance will be infrequent and/or short term.</li> <li>d. Sufficient ambient levels of light exist such that the exceedance will be insignificant in the circumstances.</li> </ol>
5. Minimum site size	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ol style="list-style-type: none"> <li>a. Objective 9.2.1, Policy 9.2.1.1</li> <li>b. Objective 2.7.1, policies 2.7.1.1 and 2.7.1.3</li> </ol>

### 9.7.2 Assessment of non-complying performance standard contraventions

Performance standard	Guidance on the assessment of resource consents
<p>6.</p> <ul style="list-style-type: none"> <li>Noise - where the limit is exceeded by 5dB LAeq (15 min) or more</li> <li>Noise limits where the limit in Rule 32.5.6.2.a is exceeded</li> </ul>	<p><i>Relevant objectives and policies (priority considerations):</i></p> <ul style="list-style-type: none"> <li>a. Objective 9.2.2, Policy 9.2.2.1</li> <li>b. Objective 2.2.6, Policy 2.2.6.1</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>c. The exceedance will be infrequent and/or short term.</li> <li>d. Sufficient ambient levels of noise exist that the exceedance will be insignificant in the circumstances.</li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>e. Council will consider the following <del>potential</del> <b>{PHS 917.22}</b> 'FIDOL' factors as part of the assessment of a resource consent application: <ul style="list-style-type: none"> <li>i. Frequency, which refers to how often the exceedance will occur;</li> <li>ii. Intensity, which refers to the level of noise experienced;</li> <li>iii. Duration, which refers to the length of time and the time of day;</li> <li>iv. Offensiveness, which refers to the character of the noise; and</li> <li>v. Location, which refers to where the noise will occur.</li> </ul> </li> <li>f. Council will consider the sensitivity of activities on surrounding sites <u>to the noise source</u>, <b>{PHS 917.22}</b> and the distance of noise sensitive activities from the <u>site</u> boundary of the noise source.</li> </ul>

<sup>1</sup> **PHS cl.16:** Removed as link to strategic directions for infrastructure already included in Rule 5.10 and do not need to be repeated here.

### 9.7.3 Assessment of non-complying land use activities {PHS 906.1}

Activity {PHS 906.1}	Guidance on the assessment of resource consents {PHS 906.1}
<p>1. <u>All non-complying land use activities that are linked to Section 9.7, including but not limited to the activities listed below {PHS cl.16}</u></p>	<p>a. <u>Objective 9.2.2 {PHS cl.16}</u></p> <p>b. <u>Activities are designed and operated to avoid adverse effects from noise on the health of people or, where avoidance is not {PHS cl.16} practicable {PO 908.3 and others}, ensure any adverse effects would be insignificant (Policy 9.2.2.1). {PHS cl.16}</u></p> <p>c. <u>Activities are designed and operated to avoid adverse effects from light spill on the health of people or, where avoidance is not {PHS cl.16} practicable {PO 908.3 and others}, ensure any adverse effects would be insignificant (Policy 9.2.2.4). {PHS cl.16}</u></p>
<p>2. <u>In a hazard facility mapped area:</u></p> <ul style="list-style-type: none"> <li>• <u>Community and leisure - large scale (industrial zones)</u></li> <li>• <u>Major facility activities (industrial, recreation and PPH zones)</u></li> <li>• <u>Major facility activities (other than a major recreation facility) in the Stadium Zone</u></li> <li>• <u>Early childhood education (industrial and stadium zones)</u></li> <li>• <u>Entertainment and exhibition (industrial, recreation, PPH and stadium zones)</u></li> <li>• <u>Registered health practitioners (industrial, recreation and PPH zones)</u></li> <li>• <u>Residential (industrial, recreation and stadium zones)</u></li> <li>• <u>Training and education (industrial and recreation zones)</u></li> <li>• <u>Visitor accommodation (industrial and recreation zones) {PHS 906.1}</u></li> </ul>	<p><u>Relevant objectives and policies:</u></p> <p>a. <u>Objective 2.2.6 {PHS 906.1}, Policy 2.2.6.2 {PHS cl.16}</u></p> <p>b. <u>Objective 9.2.2 {PHS 906.1}</u></p> <p>c. <u>The risk to people from a low probability but high consequence emergency event at the hazard facility is no more than low (Policy 9.2.2.15). {PHS 906.1}</u></p> <p><u>Potential circumstances that may support a consent application include:</u></p> <p>d. <u>The layout of the buildings on the site (including the orientation of main building entrances) maximises the separation of higher occupancy areas (such as offices) from the hazard facility. {PHS 906.1}</u></p> <p>e. <u>Glazing is located away from the hazard facility, or where this is not practicable, mitigation measures (such as strengthened glass / protective films) are used to reduce the risk of harm to people. {PHS 906.1}</u></p> <p>f. <u>Emergency egress points are located away from the hazard facility. {PHS 906.1}</u></p> <p>g. <u>The type and hours of operation, and number of people accommodated, minimises the risk to people if an emergency event occurs. {PHS 906.1}</u></p> <p><u>Conditions that may be imposed include:</u></p> <p>h. <u>Council may require the development of an Emergency Management Plan (see Rule 9.8.1) that outlines how the activity will respond to a potential emergency arising from the hazard facility. {PHS 906.1}</u></p>

<sup>1</sup> **PHS cl.16:** Of minor consequence as guidance only.

## **Rule 9.8 Special Information Requirements**

### **9.8.1 Site management and emergency response plans**

Council may require a site management plan and an emergency response plan to be provided with an application for resource consent for the following activities:

1. rural industry;
2. landfills;
3. mining (these plans may form part of a quarry management plan) **{CP 458.40}**;
4. any activity that contravenes the Hazardous Substances Quantity Limits and Storage Requirements performance standard 9.3.4;
5. Activities within a hazard facility mapped area. **{PHS 906.1}**

### **9.8.2 Acoustic insulation {PHS 881.101}**

Where new or altered rooms in a building are proposed to be constructed using methods and materials that differ from the schedule in Appendix 9A, an acoustic design certificate must be provided to Council by a suitably qualified and experienced acoustic engineer, accepted by Council. This confirms that when built to the recommended design and specifications, the minimum acoustic insulation standard of Rule 9.3.1.1 will be achieved.

For the purposes of this rule, suitably qualified and experienced means a person who can provide sufficient evidence to demonstrate their suitability and competence.

## Appendices

### Appendix 9A. Acoustic Insulation Requirements

1. Compliance with the acoustic insulation performance standard can be achieved by ensuring that habitable rooms are designed and constructed in accordance with either:
  - a. a construction specification approved as an acceptable solution in the New Zealand Building Code for the provision of Airborne Sound Insulation that is specifically designed to protect against noise from the external environment and that will achieve compliance with the acoustic insulation performance standard; or
  - b. an acoustic design certificate signed by a suitably qualified acoustic engineer stating that the design as proposed will achieve compliance with the acoustic insulation performance standard; or
  - c. in all areas other than the **port noise control mapped area**, the schedule of typical building construction in Table 9A.1A.
2. Table 9A.1A 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.
3. 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.

**Table 9A.1A Schedule of typical building construction to achieve acoustic insulation**

Building element		Minimum construction requirement	
a.	External walls of habitable room	i. Stud Walls: Exterior cladding	20mm timber or 9mm compressed fibre cement sheet over timber frame (100mm x 50mm).
		ii. Cavity Infill	Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m <sup>3</sup> ) required in cavity for all exterior walls. Minimum 90mm wall cavity.
		iii. Interior lining	One layer of 12mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25kg/m <sup>2</sup> (e.g. brick veneer or minimum 25mm stucco plaster), internal wall linings need to be no thicker than 10mm gypsum plasterboard.
		iv. Combined superficial density	Minimum not less than 25kg/m <sup>2</sup> 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 <sup>2</sup> on each side of structural elements.
		v. Mass Walls	190mm concrete block, strapped and lined internally with 10mm gypsum plasterboard, or 150mm concrete wall.

Building element		Minimum construction requirement	
b.	Glazed areas of habitable rooms	i. Glazed areas up to 10% of floor area	6mm glazing single float.
		ii. Glazed areas between 10% and 35% of floor area	6mm laminated glazing.
		iii. Glazed areas greater than 35% of floor area	Require a specialist acoustic report to show conformance with the insulation rule.
		iv. Frames to be aluminium window frames with compression seals.	
c.	Skillion roof	i. Cladding	0.5mm profiled steel or 6mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.
		ii. Sarking	17mm plywood (no gaps).
		iii. Frame	Minimum 100mm gap with fibrous acoustic blanket (batts or similar of a mass of 9kg/m <sup>3</sup> ).
d.	Ceiling	Two layers of 10mm gypsum plasterboard (no through-ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m <sup>3</sup> ).	
e.	Combined superficial density	Combined mass of cladding and lining of not less than 25kg/m <sup>2</sup> with no less than 10kg/m <sup>2</sup> on each side of structural elements.	
f.	Pitched Roof (all roofs other than skillion roofs)	i. Cladding	0.5mm profiled steel or tiles, or membrane over 15mm thick ply.
		ii. Frame	Timber truss with 100mm fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m <sup>3</sup> ) required for all ceilings.
		iii. Ceiling	12mm gypsum plasterboard.
		iv. Combined superficial density	Combined mass with cladding and lining of not less than 25kg/m <sup>2</sup> .
g.	Floor areas open to outside	i. Cladding	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12mm ply.
		ii. Combined superficial density	Floors to attain a combined mass not less than 25kg/m <sup>2</sup> for the floor layer and any external cladding (excluding floor joists or bearers).
h.	External door to habitable rooms	Solid core door (minimum 25kg/m <sup>2</sup> ) with compression seals (where the door is exposed to exterior noise).	

