

TO: Melissa Shipman- Planning

FROM: Karen Heathman

DATE: 07 August 2018

SUBJECT: **LUC-2018-219 261 TOMAHAWK ROAD PROPOSED
FUNCTION VENUE RURAL TOURIST ACTIVITY AUGUST
2018**

Proposal is for the use of this rural zoned small working farm to operate a function venue from an existing wool shed building for up to 150 people. There will be areas set aside for outdoor activities. There will be paddock car parking allowing for up to 40 cars, and coach parking for three to four buses as anticipated. A limit of 8 functions per month is proposed. Road access runs north east off Tomahawk Road to this property and services the DOC reserve area and four other properties have frontage to the property.

The site is located within 'Peninsula Coast Outstanding Natural Landscape' and adjoins the Tomahawk Lagoon, a regionally significant wetland in the Otago Regional water Plan. The District Plan identifies the Lagoon and its fringes as a significant conservation value. The wool shed setting is within the landscape and is adjacent to the Lagoon. This Rural Tourist Activity is a controlled activity in the District Plan.

Catering facilities

The wool shed is to be renovated to include a kitchen and bar facility, but the intention is for those that hire the premises to make their own arrangements for the provision of food and liquor. Kitchen facilities should be suitable and sufficient for caterers to use including wash up areas and back up refrigeration.

Self Supporting water supply

The applicant has provided limited information. The site operates a private water supply, the safety of which is unknown. All caterers/clients must be informed that a potable supply of water is not available on site and all drinking water will be required to be brought onto the site. This includes water for the making of ice.

If this proposal is approved, it is recommended that a water treatment system is installed to ensure the water supply meets the NZ Drinking Water Standards. The applicant will be required to test the water supply on a regular basis in accordance with the standard. The applicant must contact Public Health South for further information from a suitably qualified Drinking Water Assessor regarding a Water Risk Management Plan, water treatment and sampling requirements.

Waste water disposal.

Contact the Dunedin City Council Trade Waste department for information on waste water disposal options.

Lighting

Lighting for the main function centre, carpark and access pathways may create potential glare and spill nuisance to other properties. The applicant must ensure lighting limits from a boundary of any other property does not exceed 8 lux. Traffic departures at night will have potential light glare nuisance from vehicles and could impact on residential properties bounding entry from Tomahawk Road.

Noise - Background

The site is situated in a rural setting with access on a gravel road off Tomahawk Road. The property runs along and bounds onto the Tomahawk Lagoon. Residential dwellings are also located across the lagoon and to the West. The land to the north and east is largely rural pastoral properties. The settlement of Ocean Grove is situated to the south, beyond the eastern Lagoon. The suburb of Andersons Bay is located on the ridgeline beyond the western lagoon to the east.

There is an expectation that rural zoned properties have a quiet and more protected amenity value than those in built up areas of the city. Noise generally associated with rural areas also differs from urban areas. For example, background noise sources are predominantly animals and farm machinery operating during day time hours.

As the proposed activity is within a rural zone, the following noise limits (L10) apply as per the Dunedin City District Plan (Volume 2).

Note: These limits apply within 50 metres of a dwelling.

Time Period	L10 Limit (dBA)
Daytime (7am – 9pm daily)	55 dBA
Night time (9pm – 7am daily) including 24hours on Sundays and statutory holidays	40 dBA

On Site Noise associated with function activities

The applicant identifies possible noise sources from the following activities;

It was noted that music will include pre-recorded music with no outdoor speakers. There could be live acoustic music played in the outdoor area such as harps, string quartets during the day time hours only. All other music sources will be restricted to within the building. Residential properties in Ocean Grove situated south across the Lagoon may experience noise carried across the body of water. As a condition for all bookings music will be turned off by 12 midnight and guests will leave the site by 12.30 am. All outside music would cease by 9pm to comply with the District plan noise limits.

Traffic movements arriving and leaving each function will generate noise especially on the gravel parts of the road leading to the site and on the site to and from parking sites and the movement of people between the car park and the wool shed. Traffic departures at night will have more noise nuisance from vehicles and could impact on residential properties bounding the entry road from Tomahawk Road.

Noise may still be deemed a noise nuisance of unreasonable nature whether it complies with a District Plan noise limit or not. The Resource Management Act 1991 Section 16 places a duty on every occupier of land to ensure emissions of noise from that land do not exceed a reasonable level.

Section 16 - Resource Management Act 1991

S.16 Duty to avoid unreasonable noise

- *(1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, shall adopt the best practicable option to ensure that the emission of noise from the land or water does not exceed a reasonable level.*
- The applicant must have due regard for the design and installation of any equipment such as compressors, sound systems, fans or ventilation systems which have the

potential to cause noise nuisance and ensure an appropriate internal noise environment is created and avoid any noise spill if windows and or doors are open during an event.

- The proposal must operate within the noise limits as set out by the District Plan as described below:

Construction Noise

- Should consent be granted, all construction work on the site will be designed and conducted to ensure that construction noise from the site does not exceed the noise limits in the following table. Noise levels will be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics Construction noise as defined in table 2-Recommended upper limits for construction noise received in residential zones and dwellings in rural areas.
- The period of construction applied for by the applicant is expected to be of 'Typical duration'. The **New Zealand Standard Acoustics - Construction Noise (NZS 6803:1999)** states that "Typical duration" of construction, means construction work at any one location for more than 14 calendar days but less than 20 weeks. If the applicant is proposing that construction times are not of 'typical duration' the applicant is advised to contact this department for clarification on the noise limits that apply.

Recommendations

Overall Environmental Health has no specific objection to this proposal; however the following is recommended:

- Speakers should be located and positioned so as to direct sound away from neighbouring residences.
- No sub drivers (which amplify bass) to be used, and sound technicians must ensure that music is not bass heavy.
- Entrances and exits to the wool shed should be kept closed during some functions to prevent excessive noise.
- All activities on site shall be designed and managed to ensure that noise from the site does not exceed the stated levels in the Dunedin City Council district plan.
- Music will be turned off by 12 midnight and guests will leave the site by 12.30 am.
- All outside music would cease by 9pm to comply with the District plan noise limits.
- The District Plan states that lighting limits at the windows of any other site used for residential purposes must not exceed 8 lux during night-time hours. All tower lighting shall be fitted with down lighting units to prevent overspill and glare.
- It is recommended that the water supply meets the NZ Drinking Water Standards and is registered as a community water supply with the Ministry of Health. The applicant shall be required to test the water supply on a regular basis in accordance with the standard. The applicant must contact Public Health South for further information from a suitably qualified Drinking Water Assessor regarding Water Risk Management plans, water treatment and sampling requirements.
- Contact the Dunedin City Council Trade Waste department for information on waste water disposal options.