

# Memorandum

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**TO:** Robert Buxton- Planning Consultant

**FROM:** Karen Heathman- Environmental Health Officer

**DATE:** 2 March 2020

**SUBJECT:** **LUC-2019-122-27 BELMONT LANE SHORT TERM VISITOR ACCOMMODATION**

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In addition to my memorandum I have read the submissions and the summary Assessment of Effects on the Environment. I am familiar with the locality.

Additional Environmental health comments on this application relate to the operation of short-term accommodation and noise management. The following standards, guidelines, plan rules and legislative requirements should be considered.

## Noise

The site is zoned as Residential1. It is noted that people and vehicles will come and go throughout the day and evening. The applicants should provide a noise management policy for guests to make sure there is no risk of noise nuisance to surrounding properties. For example, guests should, avoid playing music outside or keep doors and windows closed to avoid noise escaping to other properties at all times.

**Please note;** There are no Dunedin City Council records of noise complaints regarding this property. Environmental Health Department currently has no records to evidence that there is any correlation of noise complaints with short term accommodation properties.

**Please note:** Section 16 of the Resource Management Act 1991 places a duty on occupiers to avoid creating unreasonable noise and comply within the noise limits of the District Plan and the 2G Residential 1 noise limits.

Environmental Health duties rest with the enforcement of the following statutory provision:

Resource Management Act 1991

S.16 Duty to avoid unreasonable Noise

(1) Every occupier of land shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level

The noise control provisions under this act are designed to:

- Protect the public from unreasonable noise.
- Protect the rights of people and industry who adopt best practicable options to make a reasonable amount of noise.
- Set out obligations for all of us to keep noise to a reasonable level.
- The applicant must have due regard for the design and installation of any equipment such as sound systems, fans or ventilation systems which have the potential to cause noise nuisance.
- The proposal must operate within the noise limits as set out by the District Plan and the 2GP as described to follow

**Table 1:** Operative district plan Residential noise limits.

| <b>Daytime</b>          | <b>Night time</b>                                                             | <b>Shoulder period</b>                                |
|-------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------|
| 0700 – 2100 hours       | 2100 – 0700 hours<br>Including 24 hours on<br>Sundays and public<br>holidays. | 0700 – 0800, 1800 – 2100 Hours<br>Monday to Saturday. |
| 50 <sub>L10</sub> dB(A) | 40 <sub>L10</sub> dB(A)                                                       | 45 <sub>L10</sub> dB(A)                               |

**Table 2:** 2GP Residential 1 noise limits.

| <b>Daytime 7AM TO 7PM</b>      | <b>Night time 10 PM to 7 AM</b>                                                  | <b>Shoulder period 7pm to 10 pm</b>                          |
|--------------------------------|----------------------------------------------------------------------------------|--------------------------------------------------------------|
| 0700am – 19.00 hours           | 2200 – 0700 am hours<br>Including 24 hours on<br>Sundays and public<br>holidays. | 1900 – 2200 Hours                                            |
| 50 dB <sub>LAeq</sub> (15 min) | 40 dB <sub>LAeq</sub> (15 min)                                                   | 1. 45 dB <sub>LAeq</sub> (15 min); and<br>11. 70 dB LAF max. |

**Summary of Recommendations**

My comments around noise management remain the same as follows;

The proposal must operate within the noise limits as set out by the operative district plan until such time as the 2GP noise limits are in place. These limits apply when not conducting construction work.

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 operative district plan and 2GP. With a large number of guests at the proposed site, it may be that the host will need to put in place a 'Noise Management Policy' that may include rules for guests such as vehicle movement and events in outdoor areas, and regular checks by the host. I would also strongly recommend there is to be no amplification in the outside area.

Air conditioning units, fans, ventilation, heat pumps or similar mechanisms must be installed and located in such a manner as to not create a nuisance. If complaints are lodged and are found to be a nuisance, Environmental Health is likely to require any such unit to be re-located.

Environmental Health has no objection for the approval of this application.

Karen Heathman

**ENVIRONMENTAL HEALTH OFFICER**