

UNITARY PLAN UPDATE REQUEST MEMORANDUM

TO Warren MacLennan, Manager, North, West and Islands

FROM Tony Reidy, Senior Policy Planner, North, West and Islands



DATE 15 July 2021



SUBJECT **Plan Modification to the Auckland Unitary Plan (AUP)
Operative in part (15 November 2016) – PC53
Temporary Activities Standards and Pukekohe Park
Precinct**



This memorandum requests an update to Auckland Unitary Plan Operative in part

Reason for update – Approved Plan Change 53 Temporary Activities Standards and Pukekohe Precinct	
Chapter	<ul style="list-style-type: none"> • E25 Noise and Vibration • E40 Temporary Activities • I434 Pukekohe Park Precinct
Section	<ul style="list-style-type: none"> • E25 <ul style="list-style-type: none"> ○ E25.14(2)(b) • E40 <ul style="list-style-type: none"> ○ E40.4 Note 2 ○ Table E40.4.1 rows A5 & A6 ○ E40.6.2 plus new note ○ E40.6.4(a) ○ E40.6.5(a) • I434 <ul style="list-style-type: none"> ○ I434.6.1(b)
Designation only	
Designation #	N/A
Locations:	N/A
Lapse Date	N/A
Purpose	N/A
Changes to text (shown in underline and strikethrough)	See attached chapters E25, E40 and I434.
Changes to diagrams	N/a
Changes to spatial data	N/a
Attachments	<ul style="list-style-type: none"> • PC 53 Temporary Activities Standards and Pukekohe Precinct Decision • E25 Noise and Vibration • E40 Temporary Activities • I434 Pukekohe Park Precinct

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Signature: 	

Decision following the hearing of a Plan Modification to the Auckland Unitary Plan under the Resource Management Act 1991



Proposal

This plan change seeks to amend some of the temporary activity standards so that they are less onerous, and also amend the Pukekohe Park Precinct provisions to enable events on the afternoon of Anzac Day.

This plan modification is **APPROVED**, with modifications. The reasons are set out below.

Plan modification number:	53
Site address:	Plan Change 53 - Temporary Activities and Pukekohe Park Precinct
Plan Change Initiator:	Auckland Council
Hearing commenced:	Tuesday 16 March 2021, 9.30am.
Hearing panel:	Philip Brown
Appearances:	<p><u>For Council:</u> Phil Reid, Auckland wide Planning Manager Tony Reidy, Senior Policy Planner Liesl Dawson, ATEED Event Operations Manager Marie Jenkins, ATEED Screen Facilitation Manager Bevan Donovan, Hearings Advisor</p> <p><u>For the Submitters:</u> Marian Whitehead</p> <p><u>Local Boards:</u> Albert-Eden Local Board represented by Chairperson Margi Watson Waitematā Local Board represented by Alexandra Bonham Franklin Local Board tabled a statement</p>
Hearing adjourned	Tuesday 16 March 2021
Hearing Closed:	Thursday 18 March 2021

Introduction

1. This decision is made on behalf of the Auckland Council (“**the Council**”) by Independent Hearing Commissioner Philip Brown (sitting alone), appointed and

acting under delegated authority under section 34A of the Resource Management Act 1991 (“**the RMA**”).

2. I have been given delegated authority by the Council to make a decision on Plan Change 53 (“**PC53**”) to the Auckland Council Unitary Plan Operative in Part (“**the Unitary Plan**”) after considering all the submissions, the section 32 evaluation, the reports prepared by the Council officers for the hearing, material and information provided to satisfy obligations for further evaluation under section 32AA, and evidence presented during the hearing of submissions.
3. PC53 is a Council-initiated plan change that has been prepared following the standard RMA Schedule 1 process (that is, the plan change is not the result of an alternative, 'streamlined' or 'collaborative' process as enabled under the RMA).
4. The plan change was publicly notified on 24 September 2020 following a feedback process involving Iwi, as required by Clause 4A of Schedule 1. Notification involved a public notice, together with letters to directly affected landowners and occupiers adjacent to the Pukekohe Park Precinct alerting them to the plan change. The latter step was aimed at ensuring that those landowners and occupiers were made aware of the changes that related to amendments to the Precinct provisions.
5. The submission period closed on 22 October 2020. A summary of submissions received was notified for further submissions on 19 November 2020. A total of four submissions and two further submissions were made on the plan change.

SUMMARY OF THE PLAN CHANGE

6. The proposed plan change is described in detail in the hearing report. A summary of key components of the plan change is set out below.
7. The objectives of PC53 are to:
 - (a) Ensure the Unitary Plan’s management of temporary activities (in particular, events and filming) strikes an appropriate balance between enabling temporary activities to occur whilst avoiding or mitigating adverse environmental effects;
 - (b) Ensure the tools used to manage temporary activities result in an efficient process and avoid any unnecessary duplication between (for example) the Event Permit requirements, Film Auckland Protocols, and the methods in the Unitary Plan; and
 - (c) Address a gap in the coastal temporary activity provisions.
8. PC53 seeks to provide some additional flexibility for temporary activities to occur as permitted activities (i.e. without triggering the need for a resource consent), while retaining a reasonable level of control over potential adverse effects. The amendments proposed to the Unitary Plan in order to achieve this outcome and give effect to the objectives noted above are summarised as:

- (a) Exclude the time required to establish and remove all structures and activities associated with the activity and reinstate the site to its original condition from the duration of temporary activities specified in Table E40.4.1 and to apply the construction noise standards in E25.6.28 to such activities;
 - (b) Amend rows A5 and A6 in the Temporary Activities “Activity Table” to refer to “temporary activities in public places or on private land” (i.e. recognising that public places and private land are mutually exclusive);
 - (c) Require a traffic management plan (as a permitted activity standard) for an event in a rural or Future Urban zone where more than 500 vehicle movements per day on adjacent roads are generated;
 - (d) Increase the duration of those temporary activities that are defined as noise events (i.e. they exceed the noise standards for the zone) from six to eight hours;
 - (e) Add a noise standard for temporary coastal activities that generate noise but are not defined as “noise events” in the noise chapter of the Auckland – wide provisions; and
 - (f) Align Anzac Day in the Pukekohe Park Precinct to the definition under the Anzac Day Act 1966.
9. PC53 proposes amendments to Unitary Plan Chapter E25 (Noise and vibration), Chapter E40 (Temporary activities), and Chapter I434 (Pukekohe Park Precinct). No other changes are proposed, and none of the amendments seek to alter the policy direction of the Unitary Plan.

HEARING PROCESS

- 10. As the submitters to PC53 wishing to give evidence were not experts (or not submitting in their capacity as an expert) and did not identify expert representation, the pre-circulation of expert evidence was not required.
- 11. I did not undertake a site visit to inform my consideration of PC53 and the submissions received, as the plan change primarily addresses city-wide issues that are not attached to a specific location. The exception to this is the proposed amendment to the Pukekohe Park Precinct standard relating to motorsport noise, which proposes to alter the way in which Anzac Day is observed.
- 12. However, the change proposed would not provide for any physical alterations to the land within the Pukekohe Park Precinct and I did not consider that a site visit would be of assistance to me for that reason. Ms Whitehead, whose submission addressed the proposed change to the Pukekohe Park Precinct standards, agreed that there appeared to be no value in me conducting a site visit.

PROCEDURAL MATTERS

13. There were no procedural matters that arose during the hearing or through the processing of the plan change. All submissions and further submissions were received within the relevant statutory time frames.

RELEVANT STATUTORY PROVISIONS CONSIDERED

14. The RMA sets out an extensive set of requirements for the formulation of plans and changes to them. These requirements are set out in detail in the Council's section 32 evaluation report and in the section 42A report prepared for the hearing, and it is not necessary to repeat that information in this decision. I note, however, that I am satisfied that the plan change has been prepared in accordance with all relevant statutory obligations and has been appropriately evaluated in a manner that meets the requirements of section 32 of the RMA.
15. Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. The decision must include a further evaluation of any proposed changes to the plan change arising from submissions, with that evaluation to be undertaken in accordance with section 32AA. With regard to section 32AA, it is noted that the evidence presented by submitters and Council effectively represents this assessment, and that material should be read in conjunction with this decision, where it has been determined that a change to PC53 should be made.

SUBMISSIONS

16. Four submissions were received, from Derek Balle, The New Zealand Transport Agency (Waka Kotahi), Auckland Tourism, Events & Economic Development (ATEED), and New Zealand Defence Force (NZDF).
17. Mr Balle supported PC53 but sought removal of the lighting of fireworks as a permitted activity in the Temporary Activities standards.
18. Waka Kotahi is generally supportive of PC53, but sought an amendment to the proposed wording relating to Temporary Activities so that it can be involved in consideration of traffic management proposals associated with events that might impact on State Highways.
19. ATEED supports the plan change but requests that the proposed Pukekohe Park Precinct standard be amended to allow for events after 1.00pm if Anzac Day falls on a Sunday.
20. NZDF sought to have PC53 approved without amendments. Its support was intended to ensure that there were no changes arising through the PC53 process that would impact on its ability to undertake Temporary Military Training Activities.

21. Two further submissions were made, from Mr Balle in support of his own primary submission and from Marian Whitehead in opposition to the submission of ATEED. Mr Balle provided further detail of the impact of fireworks on horses, including the more than 20 bloodstock accommodated on his property located close to the Pukekohe Park raceway. Ms Whitehead opposed the amendments sought by ATEED as it would enable motor racing to occur on Anzac Day, which would impact on local residents' ability to observe and enjoy a day of significance to many.

SUMMARY OF EVIDENCE

22. The Council planning officer's comprehensive section 42A report was prepared by Tony Reidy, an experienced Senior Policy Planner. It was circulated prior to the hearing and taken as read. No expert evidence was pre-circulated. Mr Reidy introduced the plan change through a helpful presentation that explained its purpose, highlighted the affected provisions and the reasons for the changes, and summarised the submissions and the feedback received from Local Boards and Auckland Transport.
23. The evidence presented at the hearing responded to the issues and concerns identified in the section 42A report, the plan change itself, and the submissions and further submissions received.
24. Ms Whitehead attended the hearing and presented a written statement of evidence. Ms Whitehead is an experienced planner but her appearance was in a personal capacity and she did not purport her statement to be expert evidence.
25. Ms Whitehead is a resident of Pukekohe and lives approximately 1km from the Pukekohe Park raceway. She described how noise from motor racing disturbs the residential amenity that would otherwise be enjoyed in her neighbourhood and is concerned that allowing motor racing on Anzac Day will significantly reduce residents' ability to observe, appreciate and enjoy that nationally significant day.
26. In her submission, Ms Whitehead pointed out that ATEED's requested amendment to provide for the Supercars event at Pukekohe over the Anzac Day weekend would enable any motor racing event to use that opportunity for racing on Anzac Day. However, in her evidence at the hearing Ms Whitehead acknowledged that the three-day Australian Supercars event appeared to make a worthwhile contribution to the Pukekohe businesses and the local economy.
27. In light of that, Ms Whitehead suggested an alternative relief that would limit the Anzac Day racing to the Australian Supercars event or a similar international event. This would continue to prevent national level events on Anzac Day, but she noted that those are likely to have more control over scheduling and make less of a contribution in terms of economic activity. Ms Whitehead's suggested wording sought that motor racing could not take place on Anzac Day "*except that the track can be used for multi-day international motor sport events from 1.00pm on Anzac Day.*"

28. The hearing was also attended by Margi Watson, Chairperson of the Albert-Eden Local Board, and by Alexandra Bonham representing the Waitemata Local Board. Ms Watson stated that the Board supported the introduction of the new noise rule for coastal temporary activities, but opposed any amendment that would increase the duration of temporary activities from six hours to eight hours. Ms Bonham raised similar concerns in relation to the proposal to increase the permitted duration of temporary activities.
29. Both Ms Watson and Ms Bonham advised that parks and open spaces within their respective local board areas were under significant pressure to accommodate events given their central location within the region. They noted that residents in their areas were subject to significant noise from such events and from other sources such as hospitality businesses. Both board representatives considered that any events exceeding six hours in duration should continue to be required to obtain resource consent to ensure that impacts are assessed and properly managed.
30. In addition to the appearances at the hearing by Ms Watson and Ms Bonham, a brief written statement was tabled from the Franklin Local Board. The statement recorded the Board's support for PC53, and in particular the proposal to enable motor racing at Pukekohe Park raceway after 1.00pm on Anzac Day to ensure that such events are not cancelled or lost to the region. The Board also expressed some support for Mr Balle's concern about the potential for fireworks displays to affect horses in the vicinity of the Pukekohe Park Precinct.
31. Mr Reidy was given an opportunity to respond to matters arising from the evidence and from the local board feedback, and address questions that I had regarding the proposed wording of the amended provisions comprised in PC53. Liesl Dawson, Event Operations Manager from ATEED, also responded as required to matters that related to her role.
32. Mr Reidy noted that he agreed with Ms Whitehead's suggested amendment relating to Anzac Day motor racing, and Ms Dawson also stated that it meets the intent of ATEED's submission and she would support it.
33. With regard to my question as to whether Auckland Transport and/or Waka Kotahi should be authorising or certifying a Transport and Traffic Management Plan, Mr Reidy considered that 'authorising' was appropriate and consistent with the use of that term elsewhere in the Unitary Plan.
34. In relation to the proposed changes to the permitted duration of events, Mr Reidy acknowledged the concerns of the Waitemata and Albert-Eden local boards but considered the eight-hour duration strikes an appropriate balance between the operational needs of events and the amenity of residents. He noted that the local boards have powers under the Trading and Events in Public Places Bylaw 2015 to authorise events on public land and set limits on their duration.

PRINCIPAL ISSUES IN CONTENTION

35. Having considered the submissions and further submissions received, the hearing report, the evidence presented at the hearing and the Council officers' response to questions, the following principal issues in contention have been identified:
- Whether it is appropriate to enable motor racing at the Pukekohe Park Precinct on Anzac Day and, if so, under what terms;
 - Whether the maximum permitted duration of temporary activities should be extended from six hours to eight hours; and
 - Whether there is jurisdiction to manage fireworks displays within the scope of PC53.

FINDINGS ON THE PRINCIPAL ISSUES IN CONTENTION

36. Currently, the standards of the Pukekohe Park Precinct do not allow motor racing on Anzac Day. PC53 seeks to enable racing in the Precinct on Anzac Day by aligning the standard with the Anzac Day Act 1966.
37. However, the Anzac Day Act 1966 would not provide for racing on a Sunday where Anzac Day falls on that day of the week. This would occur once every six years, and the advice received from ATEED is that a disruption of this nature would likely be enough to prevent the Australian Supercars from basing its New Zealand three-day event at Pukekohe.
38. Mr Reidy proposed an amendment to the standard in response to this issue, to the effect that Anzac Day shall be observed until 1.00pm where it falls on a Sunday. However, as Ms Whitehead pointed out, this amendment would enable any motor racing to occur on an Anzac Day Sunday and not just the Australian Supercars event.
39. Ms Whitehead's proposed alternative amendment would limit the exception to international events such as the Australian Supercars. I am persuaded that this provides for an outcome that strikes an appropriate balance between the economic benefits of major events and the need to limit noise to provide reasonable amenity for local residents. I note that Mr Reidy and Ms Dawson agreed.
40. The Waitematā Local Board and Albert-Eden Local Board expressed concerns with regard to the proposal to extend the maximum permitted duration of events (as did the Ōrākei and Puketāpapa local boards, although they were not represented at the hearing). These concerns, and the reasons for them, are noted and acknowledged.
41. However, amendments to a proposed plan change can only be made if the change is sought through a submission or further submission. In this case, none of the submissions received raise that particular issue or seek a change of that nature and the feedback from the local boards does not constitute a submission.

42. As a consequence, scope does not exist for the amendments sought by the local boards and I have no ability to alter that part of PC53 in response to the concerns raised. Although I need go no further than that and am not obliged to assess the merits of the proposal to extend the duration of events, I do record that this proposal has been appropriately evaluated through the section 32 process and has been developed in accordance with the correct statutory procedure.
43. I also note that the local boards retain control over events that would be undertaken on public land and have an ability to set limits on their duration. These powers stem from the Trading and Events in Public Places Bylaw 2015.
44. The remaining matter in contention relates to Mr Balle's submission and further submission that sought to restrict fireworks displays within the Pukekohe Park Precinct. Mr Balle raises a legitimate point about the impact of fireworks on the health and wellbeing of horses, and it is especially pertinent as the Precinct is located within an area that is heavily associated with the bloodstock industry.
45. However, as Mr Reidy pointed out, Mr Balle's request also runs into a jurisdictional barrier and cannot be addressed through consideration of PC53. That is because the plan change did not propose any changes to the provisions that relate to fireworks displays, which are a permitted activity where the relevant standards are met. Case law¹ has clearly established that a submission must be 'on' the plan change (that is, relate to the matters that are proposed to be amended) and scope will not exist to amend provisions that were not part of the changes proposed.
46. For this reason, I am unable to grant the relief sought by Mr Balle. The matters he has raised would need to be addressed by way of a subsequent plan change or through the review of the Unitary Plan.
47. PC53 also included several other amendments that are not contested. I have considered those aspects of the plan change and I am satisfied that the proposed amendments are appropriate and meet the relevant statutory requirements. Some minor wording changes are required in my view for grammatical reasons, and I have made those amendments through this decision. Those amendments are inconsequential in terms of the effect of PC53 and no issue as to scope arises.
48. In summary, I have reached the following conclusions in relation to the submissions and further submissions received:
- Mr Balle's submission supporting PC53 is **accepted in part**, but his request for amendments to the temporary activity provisions relating to fireworks displays is **rejected** as it is beyond scope;
 - Waka Kotahi's submission supporting PC53 with amendments is **accepted**, and its request to amend the provisions so that it can review and authorise a Transport and Traffic Management Plan that may impact on the State Highway network is also **accepted**;

¹ As set out in the section 42A report.

- ATEED's submission supporting PC53 with amendments is **accepted in part**, and its request for amendments that provide for motor racing after 1.00pm on Anzac Day, where that falls on a Sunday, is also **accepted in part**;
- NZDF's submission to approve PC53 without amendments is **accepted in part** (although it is noted that neither PC53 as notified or the amendments affect the ability of NZDF to undertake Temporary Military Training Activities);
- The further submissions of Marian Whitehead opposing those aspects of PC53 that facilitate motor racing on Anzac Day are **accepted in part** to the extent described above in this decision.

STATUTORY PROVISIONS

49. The RMA sets out a range of matters that must be addressed when considering a plan change, as identified in the section 32 report accompanying the notified plan change.
50. I also note that section 32 clarifies that analysis of efficiency and effectiveness is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.
51. Having considered the evidence and relevant background documents, I am satisfied, overall, that PC53 has been developed in accordance with the relevant statutory and policy matters. The plan change will clearly assist the Council in its effective administration of the Unitary Plan.
52. I have considered the amendments arising from submissions (particularly the amendment pertaining to Anzac Day in response to Ms Whitehead's suggestion) in the context of the further evaluation required under section 32AA. I consider that the amended provisions meet the requirements of the RMA, give effect to Unitary Plan objectives, and are appropriate having regard to the benefits and costs of the effects anticipated from their implementation.

DECISION

53. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, Proposed Plan Change 53 to the Auckland Unitary Plan (Operative in Part) be approved, subject to the modifications as set out in this decision. All amendments to the Unitary Plan provisions arising from PC53 (as amended through this decision) are contained in **Attachment A**.
54. Submissions on the plan change are accepted and rejected in accordance with this decision. In general, these decisions follow the recommendations set out in the Council's section 42A report, except as identified above in relation to matters in contention.

55. The reasons for the decision are that Plan Change 53:
- (a) will assist the Council in achieving the purpose of the RMA;
 - (b) is consistent with the Auckland Regional Policy Statement;
 - (c) is consistent with the provisions of Part 2 of the RMA;
 - (d) is supported by necessary evaluation in accordance with section 32 and section 32AA; and
 - (e) will help with the effective implementation of the Unitary Plan.



Philip Brown
Independent Commissioner

Date: 30 April 2021

Appendix A – Changes to Plan Change 53 (Includes changes that did not receive a submission together with changes as a result of accepting submissions and further submissions)

Attachment A – Proposed Changes to E40. Temporary activities, I434. Pukekohe Park Precinct & E25. Noise and vibration

(Note: the Background, Objectives and Policies are shown for context only. They are unaffected by the Proposed Plan Change)

E40.1. Background

Temporary activities contribute to Auckland's vibrancy and to the social, cultural and economic well-being of communities. Temporary activities also enable filming and training activities to be undertaken. Temporary activities may restrict public access and have adverse effects on amenity values, communities and the natural environment. To manage these effects the Plan contains rules for temporary activities on land and in the coastal marine area, and the particular effects of various activities are managed through bylaws. Events on public land or water must also obtain an event licence or permit under the relevant bylaws.

E40.2. Objectives [rcp/dp]

- (1) Temporary activities and events contribute to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities.
- (2) Temporary activities are located and managed to mitigate adverse effects on amenity values, communities and the natural environment.
- (3) Temporary activities are managed to minimise any adverse effects on the use and enjoyment of open space.
- (4) Temporary activities involving large numbers of people predominantly occur in the Business – City Centre Zone, the Business – Metropolitan Centre Zone and the Auckland Domain.
- (5) Temporary activities for training purposes are undertaken in appropriate locations so that amenity values are maintained and any adverse effects are avoided, remedied or mitigated.

E40.3. Policies [rcp/dp]

- (1) Enable temporary activities and associated structures, provided any adverse effects on amenity values are avoided, remedied or mitigated, including by ensuring:
 - (a) noise associated with the activity meets the specified standards;
 - (b) activities on adjacent sites that are sensitive to noise are protected from unreasonable or unnecessary noise;
 - (c) noise from outdoor events using electronically amplified equipment is controlled through limiting the times, duration and the frequency of events;
 - (d) waste and litter are effectively managed and minimised; and
 - (e) any restrictions on public access or other users of open space areas are minimised, and any adverse effects are mitigated.
- (2) Enable temporary activities for filming purposes, including associated film sets, while managing any adverse effects.

- (3) Control traffic generated by a temporary activity, including heavy traffic, so that it does not detract from:
 - (a) the capacity of the road to safely and efficiently cater for motor vehicles, pedestrians and cyclists; and
 - (b) the well-being of residents and reasonable functioning of businesses on surrounding sites.
- (4) Require any disturbance of the foreshore or seabed from a temporary activity to be remedied, unless this can be achieved by natural processes.
- (5) Require temporary activities involving large numbers of people to locate in areas where there is:
 - (a) capacity to safely host large numbers of people;
 - (b) sufficient parking where necessary;
 - (c) sufficient road network capacity for the event;
 - (d) capacity in the public transport network to service the event, or the ability for the event to be temporarily serviced by mass passenger transport; and
 - (e) the ability to avoid, remedy or mitigate adverse effects on the environment.
- (6) Manage the effects of temporary activities so that the values of any scheduled ecological, natural character, natural features, landscape, historic heritage or Mana Whenua areas are maintained, and any adverse effects on the natural environment are avoided, remedied or mitigated.
- (7) Manage the noise effects of temporary military training activities, and any adverse effects from other temporary training activities, so that amenity values are maintained.

E40.4. Activity table

Table E40.4.1 Activity table specifies the activity status of temporary activities under section 9(3) and section 12 of the Resource Management Act 1991 unless the activity is subject to a specific rule in an overlay, zone or precinct.

The Auckland-wide transport provisions (Section [E27 Transport](#)) do not apply to temporary activities.

All other Auckland-wide provisions, including Sections [E25 Noise and vibration](#) and [E24 Lighting](#) apply, unless a more specific rule provides for an activity in this chapter.

Note 1. The standards of the relevant zone in which the temporary activity is undertaken e.g. building height and yards, do not apply to the buildings and structures that are accessory to a temporary activity.

Note 2. The duration of the temporary activities specified in Table E40.4.1 and in the standards ~~includes~~ excludes the time required to establish and remove all structures and activities associated with the activity and reinstate the site to its original condition. The construction noise requirements in E25.6.28 shall apply to the establishment and removal of all structures and activities associated with the temporary activity and the reinstatement of the site to its original condition.

Note 3. These rules apply to temporary activities in the coastal marine area, other than:

- rules for temporary military training activities (refer to Section [F2 Coastal – General Coastal Marine Zone](#)); and
- rules for temporary buildings including structures (refer to Section [F2 Coastal – General Coastal Marine Zone](#)).

Note 4. In addition to the rules in this Plan, temporary activities are also subject to the other acts and bylaws. All events on public land or water must obtain an event licence or permit under the relevant bylaws.

Note 5. For the purposes of the following activity table, standards and assessment criteria, the reference to ‘the City Centre and Metropolitan Centres’ means:

- the Business - City Centre Zone, the Business – Metropolitan Centre Zone and public openspaces (including the open space zones) within the area bound by the Business – City Centre Zone and Business – Metropolitan Centre Zones;
- the Coastal - Marina Zone at Westhaven; and
- the coastal marine area within the City Centre precincts for Westhaven, Wynyard, Viaduct Harbour, Central Wharves and the Port precincts.

Table E40.4.1 Activity table

Activity	Coastal marine area (rcp)	Land (dp)
(A5) Temporary activities in public places and <u>or</u> on private land for up to 21 consecutive days within the area of the City Centre and Metropolitan Centres	P	P
(A6) Temporary activities in public places and <u>or</u> on private land for more than 21 consecutive days within the area of the City Centre and Metropolitan Centres	RD	RD

E40.6. Standards

All activities listed as permitted in Table E40.4.1 must comply with the following standards.

(Note: only those standards that are affected by the Proposed Plan Change are shown)

E40.6.2. Traffic associated with temporary activities

Where an event in a rural zone or Future Urban Zone ~~must not~~ generates more than 500 vehicle movements per day on adjacent roads a Transport and Traffic Management Plan (prepared by a suitably qualified and experienced person and authorised by Auckland Transport and/or Waka Kotahi (where there is a potential impact on the State Highway network)) shall be prepared, and the event shall be undertaken in accordance with the authorised Transport and Traffic Management Plan.

Note: the traffic generation threshold of 500 vehicle movements per day includes vehicle movements associated with the event plus those associated with the establishment and removal of structures/facilities of the temporary activity.

E40.6.4. Noise events outside the City Centre and Metropolitan Centres

Up to 15 noise events at a venue are permitted outside the City Centre and Metropolitan Centres in any 12 month period, provided that no more than two noise events occur in any seven-day period, and the noise event complies with all of the following:

- (a) the noise event does not exceed ~~six~~ eight hours in duration, excluding;
 - (i) two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event; and
 - (ii) the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event.

- (b) the noise event (excluding the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event) does not exceed a noise limit of 70dB L_{Aeq} and 80dB L_{A01} except;
 - (i) three noise events can have a noise limit of 80dB L_{Aeq} and 90dB L_{A01} for a maximum of three hours, excluding one hour for sound testing and balancing undertaken after 9am on the day of the event; and
 - (ii) three noise events in the Auckland Domain can be held with no noise limits applying.

- (c) the noise event (excluding the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event) starts after 9am and ends by 11pm, except on New Year's Day where the noise event ends by 1am;

- (d) the noise limits applying to the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event do not exceed the construction noise requirements of E25.6.27, except that up to 10pm on all days except Sunday, the noise levels at activities sensitive to noise do not exceed 60dB L_{Aeq} and 75dB L_{Amax} for up to 3 hours following the conclusion of the event when measured and assessed in accordance with the requirements of E25.6.1(3).

E40.6.5. Noise events within the City Centre and Metropolitan Centres

Up to 18 noise events at a venue are permitted within the City Centre and Metropolitan Centres any 12-month period, provided no more than two noise events occur in any seven-day period and the noise event complies with all of the following:

- (a) the noise event does not exceed ~~six~~ eight hours in duration, excluding;
 - (i) two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event;
 - (ii) the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event.

- (b) the noise event (excluding the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event) does not exceed a noise level of 70dB LAeq and 80dB LA01 except;
 - (i) three noise events can have a noise limit of 80dB LAeq and 90dB LA01 for a maximum of three hours, excluding one hour for sound testing and balancing undertaken between 9am and 7pm on the day of the event; and
 - (ii) three noise events can have a noise limit of 90dB LAeq and 95dB LA01, for a maximum of three hours, excluding one hour for sound testing and balancing undertaken between 9am and 7pm on the day of the event.
- (c) the noise event (excluding the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event) starts after 9am and ends by 11pm, except on New Year's Day where the noise event ends by 1am;
- (d) the noise limits applying to the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event do not exceed the construction noise requirements of E25.6.28.

I434. Pukekohe Park Precinct

(Note: the Precinct description is shown as context only. It is unaffected by the Proposed Plan Change)

I434.1. Precinct description

The Pukekohe Park Precinct provides specific planning controls for the use and development of Pukekohe Park. Pukekohe Park is located adjacent to Manukau Road in Pukekohe and was established in the 1920's. The site comprises approximately 73 hectares and provides facilities for motor sports and horse racing.

The zoning of the land within the Pukekohe Park Precinct is Special Purpose – Major Recreation Facility Zone. The overlay, Auckland-wide and zone objectives and policies apply in this precinct in addition to those listed below.

Refer to the planning maps for the location and extent of the precinct.

I434.6. Standards

(Note: only those standards that are affected by the Proposed Plan Change are shown)

All permitted, controlled or restricted discretionary activities listed in Table I434.4.1 must comply with the following activity standards unless otherwise stated.

I434.6.1. Motorsport activities noise

- (1) There must not be any use of the track by motor vehicles, except for vehicles undertaking track or facility maintenance or repairs, in all of the following circumstances:
 - (a) from 24 December to January 2 inclusive;
 - (b) on Good Friday, Easter Sunday and Anzac Day, except that the track can be used for multi-day international motor sport events from 1.00pm on Anzac Day;
 - (c) on Mondays, Tuesdays or more than two Wednesdays of any month except for category E events;
 - (d) Five days before and after a Category A event except that the track can be used for one Category E event within each five day period; and
 - (e) Three days before and after a Category B event except that the track can be used for one Category E event within each three day period.

E25. Noise and vibration

(Note: only those standards that are affected by the Proposed Plan Change are shown)

E25.6.14 Noise levels at the coastal interface [rcp/dp]

- (1) The noise (rating) level generated by any activity in the coastal marine area or on a lake or river must not exceed the levels in Table E25.6.14.1 Noise levels at the coastal interface when measured within the boundary of a site in a residential zone or notional boundary of any site in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone; Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone and Rural – Waitākere Ranges Zone.

Table E25.6.14.1 Noise levels at the coastal interface

Time	Noise level
7am-10pm	50dB LAeq
10pm-7am	40dB LAeq 75dB LAFmax

- (2) The noise levels in Standard E25.6.14(1) above do not apply to:
 - (a) the operational requirements of vessels (including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels); and
 - (b) temporary activities in E40 Temporary activities defined as “noise events”.

E25 Noise and Vibration

E25. Noise and vibration

E25.1. Background

Noise and vibration may cause adverse effects on amenity depending on:

- when and where it occurs;
- its duration;
- physical characteristics, including the sound pressure level (loudness) and frequency (pitch);
- its steadiness;
- variations of these properties; and
- whether special audible characteristics are present.

Within urban areas, the background noise environment is most often dominated by traffic. Generally, the higher the traffic volumes nearby, the higher the background noise level. In low traffic areas, background noise may occur naturally from waves, high winds, animals or insects. The Plan cannot control either traffic noise or natural noise.

The objectives and policies for noise and vibration seek to control the levels of noise and vibration created by activities to limit the adverse effects of noise and vibration on amenity values, human health and to protect existing noisy activities from reverse sensitivity effects.

E25.2. Objectives [rcp/dp]

- (1) People are protected from unreasonable levels of noise and vibration.
- (2) The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.
- (3) Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.
- (4) Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects.

E25.3. Policies [rcp/dp]

- (1) Set appropriate noise and vibration standards to reflect each zone's function and permitted activities, while ensuring that the potential adverse effects of noise and vibration are avoided, remedied or mitigated.
- (2) Minimise, where practicable, noise and vibration at its source or on the site from which it is generated to mitigate adverse effects on adjacent sites.

- (3) Encourage activities to locate in zones where the noise generated is compatible with other activities and, where practicable, adjacent zones.
- (4) Use area or activity specific rules where the particular functional or operational needs of the area or activity make such rules appropriate.
- (5) Prevent significant noise-generating activities other than roads and railway lines from establishing in or immediately adjoining residential zones.
- (6) Avoid activities sensitive to noise from establishing in industrial zones where adverse effects (including reverse sensitivity effects) arise that cannot be otherwise appropriately remedied or mitigated.
- (7) Require activities to be appropriately located and/or designed to avoid where practicable or otherwise remedy or mitigate reverse sensitivity effects on:
 - (a) existing or authorised infrastructure;
 - (b) adjacent Business – Light Industry Zone and Business – Heavy Industry Zone;
 - (c) existing lawfully established rural production activities;
 - (d) major recreation facilities;
 - (e) existing lawfully established commercial activities within Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone; or
 - (f) regionally significant mineral extraction activities.

Noise arising from lakes, rivers and the coastal marine area

- (8) Require activities to be insulated or protected, from unreasonable manmade noise and vibration emitted from the use and development of neighbouring lakes, rivers or the coastal marine area.

Noise arising from or affecting rural zones

- (9) Avoid, remedy or mitigate the adverse effects of noise in the rural environment, having regard to the working nature of this environment.

Construction, demolition and maintenance activities

- (10) Avoid, remedy or mitigate the adverse effects of noise and vibration from construction, maintenance and demolition activities while having regard to:
 - (a) the sensitivity of the receiving environment; and
 - (b) the proposed duration and hours of operation of the activity; and

(c) the practicability of complying with permitted noise and vibration standards.

Events and activities

- (11) Recognise that activities occurring in the Open Space – Sport and Active Recreation Zone may generate high levels of noise and ensure that adverse effects are avoided, remedied or mitigated having regard to the sensitivity of the receiving environment.

E25.4. Activity table

Table E25.4.1 Activity table specifies the activity status of land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status of coastal use, occupation and activity pursuant to sections 12(1); 12(2) and 12(3) of the Resource Management Act 1991.

Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017

If any activity listed in rules (including standards) E25.4.1 to E25.6.33 is regulated by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017 (“NESPF”) then the NESPF applies and prevails.

However, the NESPF allows the plan to include more restrictive rules in relation to one or more of the following:

- Significant Ecological Areas Overlay;
- Water Supply Management Areas Overlay;
- Outstanding Natural Character Overlay;
- High Natural Character Overlay;
- Outstanding Natural Landscapes Overlay;
- Outstanding Natural Features Overlay; or
- activities generating sediment that impact the coastal environment.

Where there is a rule in the plan that relates to any of the matters listed above then the plan rule will apply. In the event that there is any conflict between the rules in the plan and the NESPF in relation to any of the above, the most restrictive rule will prevail.

If the NESPF does not regulate an activity then the plan rules apply.

Table E25.4.1 Activity table [rcp/dp]

Activity		Activity status
(A1)	Activities that comply with all the relevant permitted activity standards	P
(A2)	Activities that do not comply with a permitted activity standard	RD

E25.5. Notification

- (1) Any application for resource consent for an activity listed in Table E25.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

E25.6. Standards

All activities must comply with the following relevant permitted activity standards.

E25.6.1. General standards

- (1) Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply.
- (2) The application of an adjustment for noise containing special audible characteristics in terms of Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply to the A weighted level for any measurement but an adjustment must not be applied to any level measured in the 63Hz and 125Hz octave bands.
- (3) The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.
- (4) The noise limits of the Plan do not apply to emergency service sirens and callout sirens during emergency situations.
- (5) Where more than one standard applies that requires insulation of a noise-sensitive space from an external noise source, the standards must be applied cumulatively.
- (6) Where standards are provided for specific activities, the zone interface standards and the zone standards do not apply to that activity.

Noise levels arising from activities within zones

E25.6.2. Maximum noise levels in residential zones

- (1) The noise (rating) levels and maximum noise level arising from any activity in the Residential – Large Lot Zone, Residential – Rural and Coastal Settlement Zone, Residential – Single House Zone, Residential – Mixed Housing Suburban Zone, Residential – Mixed Housing Urban Zone and the Residential – Terrace Housing and Apartment Buildings Zone measured

within the boundary of an adjacent site in these residential zones must not exceed the levels in Table E25.6.2.1 Noise levels in residential zones below:

Table E25.6.2.1 Noise levels in residential zones

Time	Noise level
Monday to Saturday 7am-10pm	50dB L _{Aeq}
Sunday 9am-6pm	
All other times	40dB L _{Aeq} 75dB L _{AFmax}

- (2) The levels for the daytime hours in Table E25.6.2.1 Noise levels in residential zones may be exceeded by intermittent noise for reasonable periods where that noise is associated with normal household activities, such as lawn mowing or home handyman work.

E25.6.3. Noise levels in rural and future urban zones

- (1) The noise (rating) level from any activity in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone measured within the notional boundary on any site in any rural zone must not exceed the limits in Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone below:

Table E25.6.3.1 Noise levels in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or the Future Urban Zone

Time	Noise level
Monday to Saturday 7am-10pm	55dB L _{Aeq}
Sunday 9am-6pm	
All other times	45dB L _{Aeq} 75dB L _{AFmax}

- (2) The noise (rating) level from any activity in the Rural – Rural Conservation Zone; Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone; or the Rural – Waitākere Ranges Zone measured within the notional boundary on any site in any rural zone must not exceed the limits in Table E25.6.3.2 Noise levels in the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone; or Rural – Waitākere Ranges Zone below:

**Table E25.6.3.2 Noise levels in the Rural – Rural Conservation Zone
Countryside Living Zone, Rural – Waitākere Foothills Zone; or the Rural
– Waitākere Ranges Zone**

Time	Noise level
Monday to Saturday 7am-10pm	50 dB L_{Aeq}
Sunday 9am-6pm	
All other times	40 dB L_{Aeq} 75 dB L_{AFmax}

(3) Standards E25.6.3(1) and E25.6.3(2) above do not apply to any of the following:

- (a) animal noise on farms unless they are confined within a building or enclosure on a permanent or semi-permanent basis;
- (b) the use of mobile agricultural horticultural or forestry vehicles or machinery, or other mobile or portable agricultural, horticultural or forestry equipment; and

Note 1

The operator of such vehicles or machinery is required by the Resource Management Act 1991 to adopt the best practicable option to ensure that noise emissions do not exceed a reasonable level, which will depend on the time they are used, how loud they are, how long it is used for and how often it is used near rural dwellings.

- (c) the use of post-harvest facilities including vehicle access ways and milking sheds set back at least 100m from a notional boundary.

E25.6.4. Bird scaring devices in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone and the Future Urban Zone

(1) Bird scaring or bird repelling devices in the in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone and the Future Urban Zone must not operate:

- (a) between the hours of sunset and sunrise; and
- (b) at a frequency of more than six times in any 60-minute period with no more than three shots in rapid succession; and
- (c) where the noise level measured within the notional boundary on any other site exceeds 85dB L_{Zpeak} .

- (2) Standard E25.6.4(1) above does not apply to bird scaring devices that generate a noise level less than 70 dB L_{Zpeak} measured at the notional boundary on another site.

E25.6.5. Noise levels in the Business – Heavy Industry Zone or the Business – Light Industry Zone

- (1) The noise (rating) level arising from an activity in the Business – Heavy Industry Zone or the Business – Light Industry Zone measured within the boundary of any other site in those zones must not exceed the limits in Table E25.6.5.1 Noise levels in the Business – Heavy Industry Zone or the Business – Light Industry Zone below:

Table E25.6.5.1 Noise levels in the Business – Heavy Industry Zone or the Business – Light Industry Zone

Time	Business – Heavy Industry Zone	Business – Light Industry Zone
All times	70dB L_{Aeq}	65dB L_{Aeq}

E25.6.6. Noise levels in the Business – General Business Zone or the Business – Business Park Zone

- (1) The noise (rating) level arising from an activity in the Business – General Business Zone or the Business – Business Park Zone measured within the boundary of any other site in those zones must not exceed the limits in Table E25.6.6.1 Noise levels in the Business – General Business Zone and the Business – Business Park Zone below:

Table E25.6.6.1 Noise levels in the Business – General Business Zone or the Business – Business Park Zone

Time	Business – General Business Zone	Business – Business Park Zone
All times	65dB L_{Aeq}	60dB L_{Aeq}

E25.6.7. Noise levels in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone

- (1) The noise (rating) level and maximum noise level arising from any activity in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone measured or assessed as the incident level on the façade of any building on any other site in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone must not exceed the levels in Table E25.6.7.1 Noise levels in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone below:

Table E25.6.7.1 Noise levels in the Business – Local Centre Zone or the Business – Neighbourhood Centre Zone

Time	Business – Local Centre Zone	Business – Neighbourhood Centre Zone
7am - 10pm	60dB L _{Aeq}	60dB L _{Aeq}
10pm - 7am	50dB L _{Aeq} 60dB at 63 Hz L _{eq} 55dB at 125 Hz L _{eq} 75dB L _{AFmax}	50dB L _{Aeq} 60dB at 63 Hz L _{eq} 55dB at 125 Hz L _{eq} 75dB L _{AFmax}

E25.6.8. Noise levels in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone

The noise (rating) level and maximum noise level arising from any activity in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone measured or assessed as the incident level on the façade of any building on any other site in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone must not exceed the limits in Table E25.6.8.1 Noise levels in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone below:

Table E25.6.8.1 Noise levels in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone or the Business – Mixed Use Zone

Time	Business – City Centre Zone	Business – Metropolitan Centre Zone	Business – Town Centre Zone	Business – Mixed Use Zone
7am - 11pm	65 dB L _{Aeq}	65 dB L _{Aeq}	65dB L _{Aeq}	65dB L _{Aeq}
11pm – 7am	60dB L _{Aeq} 65dB at 63 Hz L _{Aeq} 60dB at 125 Hz L _{Aeq} 75dB L _{AFmax}	60dB L _{Aeq} 65dB at 63 Hz L _{Aeq} 60dB at 125 Hz L _{Aeq} 75dB L _{AFmax}	55dB L _{Aeq} 65dB at 63 Hz L _{eq} 60dB at 125 Hz L _{eq} 75dB L _{AFmax}	55dB L _{Aeq} 65dB at 63 Hz L _{eq} 60dB at 125 Hz L _{eq} 75dB L _{AFmax}

(2) The 63Hz and 125Hz octave band limits do not apply to fixed mechanical plant.

E25.6.9. Noise levels between units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone

- (1) In situations where common building elements such as floors and walls connect two units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone the noise (rating) level arising from any activity measured in any unit must not exceed the levels in Table E25.6.9.1 Noise levels between units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone. below:

Table E25.6.9.1 Noise levels between units in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone

Unit affected	Time	Noise level
In all units except those containing activities sensitive to noise	At all times	50dB L _{Aeq}
In bedrooms and sleeping areas within units containing activities sensitive to noise	Between 10pm and 7am in Business – Local Centre Zone and Business – Neighbourhood Centre Zone and Between 11pm and 7am in Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the Business – Mixed Use Zone	35dB L _{Aeq} 45dB at 63 Hz L _{eq} 40dB at 125 Hz L _{eq}
	Between 7am and 10pm in Business – Local Centre Zone and Business – Neighbourhood Centre Zone and Between 7am and 11pm in Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone and the Business – Mixed Use Zone	40dB L _{Aeq}
Other noise sensitive spaces	At all other times	40 dB L _{Aeq}
Note: Adjustments for noise containing Special Audible Characteristics will only apply to A weighted levels		

- (2) The 63Hz and 125Hz octave band limits do not apply to fixed mechanical plant.

E25.6.10. Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone

- (1) Noise sensitive spaces must be designed and/or insulated so that the internal noise levels do not exceed the levels in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone below:

Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone

Unit affected	Time	Level
Bedrooms and sleeping areas in the Business – Local Centre Zone and in the Business – Neighbourhood Centre Zone	Between 10pm and 7am	35dB LAeq 45dB at 63 Hz Leq; and 40dB at 125 Hz Leq
Bedrooms and sleeping areas in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone	Between 11pm and 7am	35dB LAeq 45dB at 63 Hz Leq and 40dB at 125 Hz Leq
Other noise sensitive spaces	At all other times	40 dBA LAeq

- (2) The levels in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone above must be met based on the maximum level of noise permitted by the zone or precinct standards or any adjacent zone or precinct standards.
- (3) Where a new room is constructed that is subject to Standard E25.6.10(1) (internal acoustic insulation requirement) and the noise levels in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre

Zone or the Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone (internal design noise level) can only be complied with when doors or windows to those rooms are closed, those rooms must, as a minimum:

(a) be constructed to ensure compliance with the noise limits in Table E25.6.10.1 Noise levels for noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone, Business – Mixed Use Zone, Business – Heavy Industry Zone or the Business – Light Industry Zone; and

(b) for residential dwellings be mechanically ventilated and/or cooled to achieve either:

(i) an internal temperature no greater than 25 degrees celsius based on external design conditions of dry bulb 25.1 degrees celsius and wet bulb 20.1 degrees celsius; or

Note 1

Mechanical cooling must be provided for all habitable rooms (excluding bedrooms) provided that at least one mechanical cooling system must service every level of a dwelling that contains a habitable room (including bedrooms).

(ii) a high volume of outdoor air supply to all habitable rooms with an outdoor air supply rate of no less than:

- six air changes per hour (ACH) for rooms with less than 30 per cent of the façade area glazed; or
- 15 air changes per hour (ACH) for rooms with greater than 30 per cent of the façade area glazed; or
- three air changes per hour for rooms with facades only facing south (between 120 degrees and 240 degrees) or where the glazing in the façade is not subject to any direct sunlight.

(c) for all other noise sensitive spaces provide mechanical cooling to achieve an internal temperature no greater than 25 degrees celsius based on external design conditions of dry bulb 25.1 degrees celsius and wet bulb 20.1 degrees celsius; and

(d) provide relief for equivalent volumes of spill air; and

(e) be individually controllable across the range of airflows and temperatures by the building occupants in the case of each system; and

(f) have a mechanical ventilation and/or a cooling system that generates a noise level no greater than L_{Aeq} 35 dB when measured 1m from the

diffuser at the minimum air flows required to achieve the design temperatures and air flows in Standard E25.6.10(3)(b)(i) and (ii) above.

E25.6.11. Noise levels in the Coastal – Marina Zone [rcp/dp]

- (1) The noise (rating) level arising from an activity in the Coastal – Marina Zone measured within the boundary of any other site in this zone must not exceed the levels in Table E25.6.7.1 Noise levels in the Coastal – Marina Zone.

Table E25.6.7.1 Noise levels in the Coastal – Marina Zone

Time	Coastal – Marina Zone
All times	60dB L _{Aeq}

E25.6.12. Noise levels in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone

- (1) The noise (rating) level and maximum noise level from any activity measured within the boundary of any site in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone must not exceed the levels in Table E25.6.12.1 Noise levels in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone.

Table E25.6.12.1 Noise levels in the Special Purpose – Cemetery Zone or the Special Purpose – Māori Purpose Zone

Time	Special Purpose – Cemetery Zone or Special Purpose – Māori Purpose Zone
Monday to Saturday 7am-10pm	50 dB L _{Aeq}
Sunday 9am-6pm	
All other times	40 dB L _{Aeq} 75 dB L _{AFmax}

E25.6.13. Noise levels in the Special Purpose – Healthcare Facility and Hospital Zone

- (1) The noise (rating) level from any activity measured within the boundary of any site in the Special Purpose – Healthcare Facility and Hospital Zone must not exceed the levels in Table E25.6.13.1 Noise levels in the Special Purpose – Healthcare Facility and Hospital Zone below:

Table E25.6.13.1 Noise levels in the Special Purpose – Healthcare Facility and Hospital Zone

Time	Special Purpose – Health Care Facility and Hospital Zone
Monday to Saturday	55 dB L _{Aeq}

7am-10pm	
Sunday 9am-6pm	
All other times	45 dB L _{Aeq} 75 dB L _{AFmax}

Noise levels for activities between zones

E25.6.14. Noise levels at the coastal interface [rcp/dp]

- (1) The noise (rating) level generated by any activity in the coastal marine area or on a lake or river must not exceed the levels in Table E25.6.14.1 Noise levels at the coastal interface when measured within the boundary of a site in a residential zone or notional boundary of any site in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone; Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone and Rural – Waitākere Ranges Zone.

Table E25.6.14.1 Noise levels at the coastal interface

Time	Noise level
7am-10pm	50dB L _{Aeq}
10pm-7am	40dB L _{Aeq} 75dB L _{AFmax}

- (2) The noise levels in Standard E25.6.14(1) above do not apply to:
- (a) the operational requirements of vessels (including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels); and
 - (b) temporary activities in E40 Temporary activities defined as “noise events”.

E25.6.15. Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone interface

- (1) The noise (rating) level and maximum noise level from any activity in the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone measured within the boundary of any site in a residential zone must not exceed the levels in Table E25.6.15.1 Noise levels at the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone interface below:

Table E25.6.15.1 Noise levels at the Rural – Mixed Rural Zone, Rural – Rural Production Zone, Rural – Rural Coastal Zone or Future Urban Zone interface

Time	Noise level
Monday to Saturday	55dB L _{Aeq}

E25 Noise and vibration

7am-10pm	
Sunday 9am-6pm	
All other times	45dB L _{Aeq} 75dB L _{AFmax}

(2) Standard E25.6.15(1) above does not apply to:

- (a) animal noise on farms unless they are confined within a building or enclosure on a permanent or semi-permanent basis; or
- (b) the use of mobile agricultural horticultural or forestry vehicles or machinery, or other mobile or portable agricultural, horticultural or forestry equipment; or

Note 1

The operator of such vehicles or machinery is required by the Resource Management Act 1991 to adopt the best practicable option to ensure that noise emissions do not exceed a reasonable level, which will depend on the time they are used, how loud they are, how long it is used for and how often it is used near dwellings.

- (c) the use of post-harvest facilities including vehicle access ways and milking sheds set back at least 100m from any residential zone.

E25.6.16. Rural – Rural Conservation Zone, Rural – Countryside Living Zone Rural – Waitākere Foothills Zone or Rural – Waitākere Ranges Zone interface

(1) The noise (rating) level and maximum noise level from any activity in the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone or the Rural – Waitākere Ranges Zone measured within the boundary of any site in a residential zone must not exceed the levels in Table E25.6.16.1 Noise levels at the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone or the Rural – Waitākere Ranges Zone.

Table E25.6.16.1 Noise levels at the Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone or the Rural – Waitākere Ranges Zone

Time	Noise level
Monday to Saturday 7am-10pm	50dB L _{Aeq}
Sunday 9am-6pm	
All other times	40dB L _{Aeq} 75dB L _{AFmax}

(2) Standard E25.6.16(1) above does not apply to:

- (a) animal noise on farms unless they are confined within a building or enclosure on a permanent or semi-permanent basis; or
- (b) the use of mobile agricultural horticultural or forestry vehicles or machinery, or other mobile or portable agricultural, horticultural or forestry equipment; or

Note 1

The operator of such vehicles or machinery is required by the Resource Management Act 1991 to adopt the best practicable option to ensure that noise emissions do not exceed a reasonable level, which will depend on the time they are used, how loud they are, how long it is used for and how often it is used near dwellings.

- (c) the use of post-harvest facilities including vehicle access ways and milking sheds set back at least 100m from any residential zone.

E25.6.17. Open Space – Sport and Active Recreation Zone interface

- (1) The noise (rating) level and maximum noise level arising from any recreational activity in the Open Space – Sport and Active Recreation Zone measured within the boundary of a site in a residential zone or notional boundary of a site in a rural zone must not exceed the levels in Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface below:

Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface

Time	Noise level
Monday to Saturday 7am-10pm	55dB L _{Aeq} Except that for a cumulative period of: (i) 3 hours per day between 7am and 9.30pm Monday to Friday; and (ii) 6 hours between 7am and 10pm on Saturdays. the noise level must not exceed 60dB L _{Aeq}
Sundays and Public Holidays 9am to 6pm outside the daylight saving period	55dB L _{Aeq} Except that for a cumulative period of 3 hours between 10am and 3pm on Sundays the noise level must not exceed 60dB L _{Aeq}
Sundays and Public Holidays 8am to 7pm during the daylight saving period	55dB L _{Aeq} Except that for a cumulative period of 3 hours between 10am and 3pm Sundays the noise level must not exceed 60dB L _{Aeq}
All other times	40dB L _{Aeq} 55dB L _{eq} at 63 Hz 50dB L _{eq} at 125 Hz 75dB L _{AFmax}

Note 1

Compliance with the lower noise limit of 40dB L_{Aeq} applying at all other times in Table E25.6.17.1 Noise levels at the Open Space – Sport and Active Recreation Zone interface may preclude intense, noisy activities or activities involving teams or groups from being undertaken where the receivers of noise are close to boundaries.

- (2) The noise (rating) level and maximum noise level from the use of any voice or music amplification system associated with recreational activity in the Open Space – Sport and Active Recreation Zone measured within the boundary of a site in a residential zone or notional boundary of a site in a rural zone must not exceed the levels in Table E25.6.17.2 Noise levels from any voice or music amplification system associated with recreational activity on land zoned Open Space – Sport and Active Recreation Zone below:

Table E25.6.17.2 Noise levels from any voice or music amplification system associated with recreational activity on land zoned Open Space – Sport and Active Recreation Zone

Time	Noise level
Monday to Saturday 7am-10pm	50dB $L_{Aeq(5min)}$
Sunday and Public Holidays 9am-6pm	
All other times	40dB $L_{Aeq(5min)}$ 55dB $L_{eq(5min)}$ at 63 Hz 50dB $L_{eq(5min)}$ at 125 Hz 75dB L_{AFmax}

- (a) No five minute measurement may exceed the stated limit.

E25.6.18. Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone interface

- (1) The noise (rating) level and maximum noise level from any activity in the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone when measured within the boundary of a site in a residential zone or notional boundary of a site in a rural zone must not exceed the levels in Table E25.6.18.1 Noise levels at the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone interface below:

Table E25.6.18.1 Noise limits at the Open Space – Conservation Zone, Open Space – Informal Recreation Zone, Open Space – Civic Spaces Zone or Open Space – Community Zone interface

Time	Noise level
Monday to Saturday 7am-10pm	50dB L _{Aeq}
Sunday 9am-6pm	
All other times	40dB L _{Aeq} 75dB L _{AFmax}

E25.6.19. Business zones interface

- (1) The noise (rating) and maximum noise level from any activity in the business zones must not exceed the levels in Table E25.6.19.1 Noise levels at the business zone interface when measured within the boundary of a site in a residential zone or within the notional boundary of property in a rural zone.

Table E25.6.19.1 Noise levels at the business zone interface

Time	Noise level
Monday to Saturday 7am-10pm	55dB L _{Aeq}
Sunday 9am-6pm	
All other times	45dB L _{Aeq} 60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{AFmax}

- (2) These noise limits in Standard E25.6.19(1) above do not apply to any of the following:
- (a) the noise from vehicles moving on roads controlled by Auckland Council or Auckland Transport; or
 - (b) the noise affecting 11, 13, and 15 Harrison Road as generated on the Fulton Hogan sites at 7 Reliable Way (Lot 2, DP 114222, CT NA65A/209) and 4 Reliable Way Mt Wellington (Lot 3, DP 363738, CT 259289). Instead, the noise (rating) level arising from the Fulton Hogan sites must comply with a limit of 60dB L_{Aeq} when measured within the boundary of 11, 13 or 15 Harrison Road; or
 - (c) the noise affecting the sites identified in Table E25.6.19.2 Affected sites and on Figure E25.6.19.1 Affected sites as generated on the DB Waitemata Breweries site and 3 Bairds Road, Ōtahuhu (being PT Lot 4 DP 22498, Lot 1, DP 29149, PT Lot 4 DP 15832, PT Lot 2 DP 31817, PT Lot 9 DP 26107, Lot 1 DP 31104, PT Lot 10 DP 7281 all on CT 443069). Instead, the noise (rating) level arising from the DB Waitemata Breweries site must comply with a limit of 65dB L_{Aeq} with a maximum noise limit of

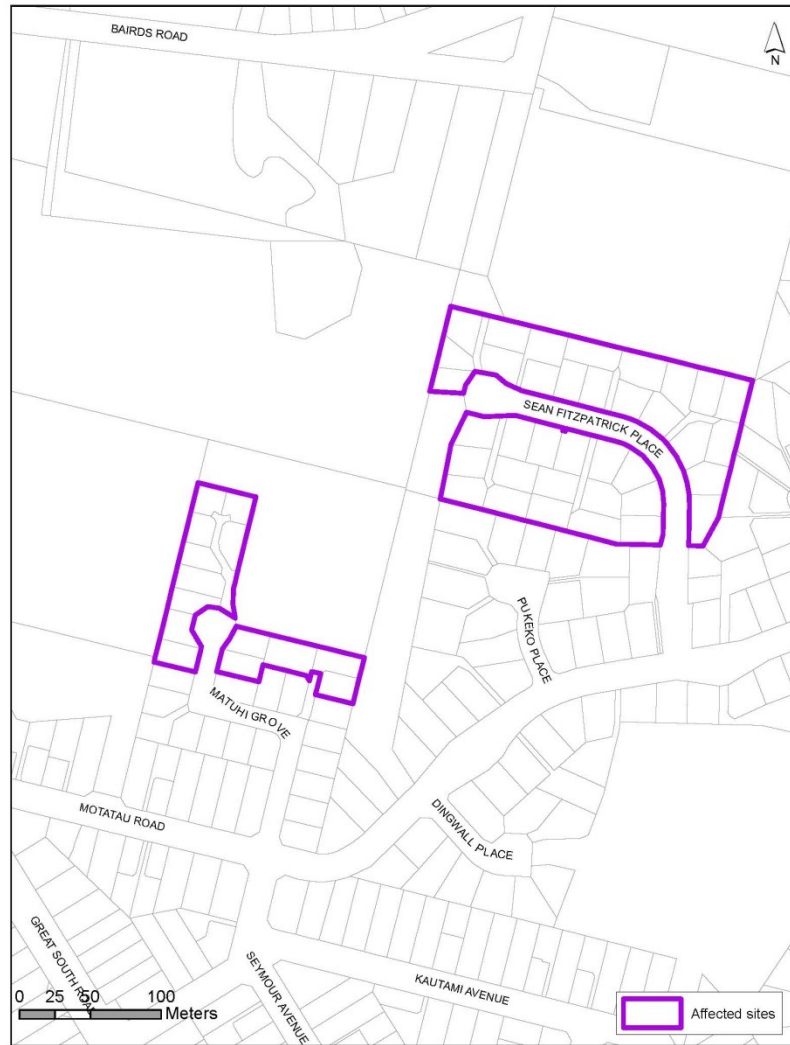
90dB L_{AFmax} applying only between the hours of 10pm and 7am when measured within the boundary of the sites identified in Table E25.6.19.2 Affected sites and shown on Figure E25.6.19.1 Affected sites below:

Table E25.6.19.2 Affected sites

Lot 1 DP 205759	Lot 10 DP 205759
Lot 14 DP 205759	Lot 2 DP 205759
Lot 22 DP 205759	Lot 4 DP 205759
Lot 25 DP 205759	Lot 8 DP 205759
Lot 26 DP 205759	Lot 17 DP 205759
Lot 31 DP 205759	Lot 12 DP 205759
Lot 304 DP 205759	Lot 11 DP 205759
Lot 6 DP 205759	Lot 15 DP 205759
Lot 302 DP 205759	Lot 300 DP 205759
Lot 301 DP 205759	Lot 24 DP 205759
Lot 18 DP 205759	Lot 28 DP 205759
Lot 19 DP 205759	Lot 34 DP 205759
Lot 23 DP 205759	Lot 35 DP 205759
Lot 29 DP 205759	Lot 14 DP 335896
Lot 33 DP 205759	Lot 18 DP 335896
Lot 13 DP 205759	Lot 7 DP 335896
Lot 16 DP 205759	Lot 8 DP 335896
Lot 7 DP 205759	Lot 9 DP 335896
Lot 9 DP 205759	Lot 13 DP 335896
Lot 3 DP 205759	Lot 15 DP 335896
Lot 5 DP 205759	Lot 16 DP 335896
Lot 21 DP 205759	Lot 17 DP 335896
Lot 27 DP 205759	Lot 31 DP 341162
Lot 30 DP 205759	Lot 28 DP 341162
Lot 32 DP 205759	Lot 29 DP 341162
Lot 303 DP 205759	Lot 30 DP 341162
Lot 36 DP 205759	Lot 100 DP 341162
Lot 37 DP 205759	Lot 27 DP 341162

- (3) For measurement of noise in the Warkworth: Clayden Road Precinct, noise shall be measured from the Noise Measurement Line as shown on Precinct Plan I552.9.1 and as set out in Rule I552.6.6 Noise Management Area, Noise Measurement Line and Covenants

Figure E25.6.19.1 Affected sites



E25.6.20. Noise levels at the Coastal – Marina Zone interface

- (1) The noise (rating) levels and maximum noise level from any activity on land in the Coastal – Marina Zone must not exceed the levels in Table E25.6.20.1 Noise levels at the Coastal Marina Zone interface when measured within the boundary of a site in a residential zone or within the notional boundary of property in a rural zone.

Table E25.6.20.1 Noise levels at the Coastal – Marina Zone interface

Time	Noise level
Monday to Saturday 7am-10pm	55dB L _{Aeq}
Sunday 9am-6pm	
All other times	45dB L _{Aeq} 60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{AFmax}

- (2) The noise levels in Standard E25.6.20(1) above do not apply to the noise from vehicles moving on roads controlled by Council or Auckland Transport.

E25.6.21. Schools interface

- (1) The noise (rating) level and maximum noise level from any neighbouring activity measured within the boundary of any school not located in the Special Purpose – School Zone must not exceed the levels in Table E25.6.21.1 Noise levels from any neighbouring activity measured within the boundary of any school not located in a Special Purpose – School Zone.

Table E25.6.21.1 Noise levels from any neighbouring activity measured within the boundary of any school not located in a Special Purpose – School Zone:

Time	Noise level
Monday to Saturday 7am-10pm	55dB L _{Aeq}
Sunday 9am-6pm	
All other times	45dB L _{Aeq} 75dB L _{AFmax}

E25.6.22. All other zone interfaces

- (1) Except as provided for in Standards E25.6.14 to E25.6.21 above, where noise generated by any activity on a site in one zone is received by any activity on a site in a different zone, the activity generating the noise must comply with the noise limits and standards of the zone at the receiving site.

*Noise arising from specific activities***E25.6.23. Noise levels for care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre**

- (1) The noise (rating) level arising from any care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre in any zone when measured within the boundary of any site in a residential zone must not exceed the levels in Table E25.6.23.1 Noise levels for care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre unless the relevant zone in which the care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre is located provides for higher levels.

Table E25.6.23.1 Noise levels for care centres for a childcare centre, creche, kindergarten, kohanga reo, play centre, play group, early childhood learning service or an after school care centre

Time	Noise level
Monday to Friday 7am-6pm	55dB L _{Aeq}
All other times	40dB L _{Aeq} 75dB L _{AFmax}

E25.6.24. Noise levels for a primary school, intermediate school, secondary school or tertiary education facility

- (1) The noise (rating) level arising from the operation of a primary, intermediate school, secondary school or tertiary education facility must comply with the noise levels in Table E25.6.24.1 Noise levels for a primary school, intermediate school, secondary school or tertiary education facility when measured within the boundary of any residentially zoned site.

Table E25.6.24.1 Noise levels for a primary school, intermediate school, secondary school or tertiary education facility

Time	Noise level
Monday to Saturday 7am to 10pm	55dB L _{Aeq}
Sunday 9am to 6pm	
All other times	45dB L _{Aeq} 75dB L _{AFmax}

Note 1

Compliance with the noise levels of 45dB L_{Aeq} and 75dB L_{AFmax} applying at all other times in Table E25.6.24.1 Noise levels for a primary school, intermediate school, secondary school or tertiary education facility may mean that functions, events, and other activities utilising buildings, car parks, accessways and open space proximate to any activity sensitive to noise may need to be restricted in terms of finishing time or noise level.

- (2) These noise limits do not apply to noise from school sports and school recreational activities occurring between 8am and 6pm Monday to Saturday.

E25.6.25. Noise levels for wind turbines or wind farms

- (1) At any wind speed, the $L_{A90 (10min)}$ sound level from a wind turbine generator or wind farm must not exceed the background sound level by more than 5dB, or a level of 40dB $L_{A90 (10min)}$ whichever is the greater when measured within the notional boundary on any property which is a noise sensitive location as defined in New Zealand Standard 6808: 2010 Acoustics – Wind farm noise.
- (2) The noise level generated by wind farms must be measured and assessed in accordance with New Zealand Standard 6808:2010 Acoustics – Wind farm noise.

E25.6.26. Noise levels for electricity generators

- (1) The noise (rating) level and maximum noise level arising from the use of any electricity generator in a rural zone or a residential zone powered by an internal combustion engine measured within the boundary of any site in a residential zone or the notional boundary of any site in a rural zone must not exceed the levels in Table E25.6.26.1 Noise levels for electricity generators.

Table E25.6.26.1 Noise levels for electricity generators

Time	Noise level
7am to 10pm	40dB L_{Aeq}
10pm to 7am	30dB L_{Aeq} 75dB L_{AFmax}

- (2) Standard E25.6.26(1) does not apply to generators in use prior to the 30 September 2013. For generators established on or before 30 September 2013 the noise limits for the relevant zone or zone interface apply.

*Construction noise***E25.6.27. Construction noise levels in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone**

- (1) Noise from construction activities in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone must not exceed the levels in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone when measured 1m from the façade of any building that contains an activity sensitive to noise that is occupied during the works.

Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone

Time of week	Time Period	Maximum noise level (dBA)	
		L _{eq}	L _{max}
Weekdays	6:30am - 7:30am	60	75
	7:30am - 6:00pm	75	90
	6:00pm - 8:00pm	70	85
	8:00pm - 6:30am	45	75
Saturdays	6:30am - 7:30am	45	75
	7:30am - 6:00pm	75	90
	6:00pm - 8:00pm	45	75
	8:00pm - 6:30am	45	75
Sundays and public holidays	6:30am - 7:30am	45	75
	7:30am - 6:00pm	55	85
	6:00pm - 8:00pm	45	75
	8:00pm - 6:30am	45	75

- (2) Noise from construction activities in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone must not exceed the levels in Table E25.6.27.2 Construction noise levels for noise affecting any other activity when measured 1m from the façade of any other building that is occupied during the works.

Table E25.6.27.2 Construction noise levels for noise affecting any other activity

Time Period	Maximum noise levels Leq dBA
7:30am – 6:00pm	75
6:00pm – 7:30am	80

- (3) For a project involving a total duration of construction work that is less than 15 calendar days, the noise levels in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.27.2 Construction noise levels for noise affecting any other activity above shall be increased by 5dB in all cases.
- (4) For a project involving a total duration of construction work that is more than 20 weeks the noise limits in Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.27.2 Construction noise levels for noise affecting any other activity above shall be decreased by 5dB in all cases.

E25.6.28. Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone

- (1) Construction activities in the Business – City Centre Zone and the Business – Metropolitan Centre Zone must comply with Standard E25.6.27(1) above for any receiver not in a Business – City Centre Zone or a Business – Metropolitan Centre Zone and must not exceed the levels in Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone when measured for any 30 minute period 1m from the façade of any building in the Business – City Centre Zone or the Business – Metropolitan Centre Zone that is occupied during the work.

Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone

Construction of less than 15 consecutive calendar days duration (total duration of works)		
Time	L_{Aeq}(30 min)	L_{AFmax}
Monday to Friday 6.30am - 10.30pm	80 dB	90 dB
Saturday 7am - 11pm	85 dB	90 dB
Sunday 9am - 7pm	80 dB	90 dB
All other times (night time)	60 dB	75 dB
All other times in the City Centre Residential Precinct and the Learning Precinct	55 dB	75 dB

Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone

Construction of 15 consecutive calendar days or more (total duration of works)		
Time	L_{Aeq}(30 min)	L_{AFmax}
Monday to Friday 6.30am-10.30pm	75 dB	90 dB
Saturday 7am-11pm	80 dB	90 dB
Sunday 9am-7pm	65 dB	85 dB
All other times (night time)	60 dB	75 dB
All other times in the City Centre Residential Precinct and the Learning Precinct	55 dB	75dB

Where external measurement of construction noise is impractical or inappropriate, the upper limits for the noise measured inside the building will be 20dB less than the relevant levels in Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone and Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone above.

E25.6.29. Construction noise and vibration levels for work within the road

- (1) Noise from any construction, maintenance and demolition activities in the road must comply with the relevant noise levels in the following relevant table:
- (a) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (b) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
 - (c) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (d) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone.

(1A) Vibration from any construction, maintenance and demolition activities in the road must comply with the relevant vibration levels in the following relevant table or standard:

- (a) the limits set out in E25.6.30(1)(a) German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures; and
- (b) Table E25.6.30.1 Vibration limits in buildings.

(2) The noise levels specified in Standard E25.6.29(1) above do not apply to unplanned repair or maintenance works or planned works in the road between the hours of 10pm and 7am where:

(a) the number of nights where the noise generated by the works exceeds the relevant noise levels in the following tables:

- (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
- (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
- (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
- (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone;

at any one receiver is 3 nights or less; and

(b) the works cannot practicably be carried out during the day or because the road controlling authority requires this work to be done at night time; or

(c) because of the nature of the works the noise produced cannot be practicably be made to comply with the relevant noise levels of the following tables:

- (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
- (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
- (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

- (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (d) for planned works, a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; or
 - (e) for minor planned works a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (3) The noise levels specified in Standard E25.6.29(1) above do not apply to unplanned repair or maintenance works or planned works in the road between the hours of 7am and 10pm where:
- (a) the number of days where the noise generated by the works exceeds the relevant noise levels in the following tables:
 - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
 - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone;at any one receiver is 10 days or less; or
 - (b) because of the nature of the works and the proximity of receivers the noise generated cannot practicably be made to comply with the relevant noise levels of the following tables:
 - (i) Table E25.6.27.1 Construction noise limits for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (ii) Table E25.6.27.2 Construction noise limits for noise affecting any other activity; or
 - (iii) Table E25.6.28.1 Construction noise limits for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

- (iv) Table E25.6.28.2 Construction noise limits for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (c) for planned works, a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; or
 - (d) for planned works where the works will take more than 8 hours to complete a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (4) The noise levels specified in Standard E25.6.29(1) do not apply to road rehabilitation works that comprise the substantial removal and replacement of the road structural base and pavement in the road where:
- (a) the number of nights where the noise generated by the works exceeds the relevant noise levels in the following tables:
 - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
 - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone;at any one receiver is 20 days or less; and
 - (b) milling, concrete cutting, percussive demolition are completed by 10.30pm; and
 - (c) the works cannot practicably be carried out during the day or because the road controlling authority requires this work to be done at night time; and
 - (d) because of the nature of the works the noise produced cannot be practicably be made to comply with the relevant noise levels of the following tables:
 - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or

- (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
 - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; and
- (e) a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; and
- (f) a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (4A) The vibration levels specified in Standard E25.6.29(1A)(b) do not apply to works within the road where:
- (a) for planned works, a copy of the works access permit issued by Auckland Transport or approval from the New Zealand Transport Agency is provided to the Council five days prior to work commencing; and
 - (b) a construction noise and vibration management plan is provided to the Council no less than five days prior to the works commencing in accordance with the applicable provisions of Standard E25.6.29(5) below.
- (5) A construction noise and vibration management plan must be prepared by a suitably qualified and experienced person and include the following:
- (a) details of the community consultation to be undertaken to advise the occupiers of properties located within 100m of the proposed works of all of the following:
 - (i) the area affected by the work;
 - (ii) why the work is required to be undertaken at night (where relevant);
 - (iii) the times and days when the noise and vibration is likely to be generated;
 - (iv) a contact name and number of the works supervisor who can be contacted if any issues arise; and
 - (v) how noise and vibration complaints will be managed and responded to;

- (b) a description of the works and its duration, anticipated equipment to be used, the processes to be undertaken and the predicted noise and vibration levels; and
- (c) identification of the best practicable options that will be undertaken to mitigate and minimise any noise and vibration being produced that is likely to exceed the relevant levels of the following tables:
 - (i) Table E25.6.27.1 Construction noise levels for activities sensitive to noise in all zones except the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (ii) Table E25.6.27.2 Construction noise levels for noise affecting any other activity; or
 - (iii) Table E25.6.28.1 Construction noise levels for construction less than 15 consecutive calendar days duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (iv) Table E25.6.28.2 Construction noise levels for construction of 15 consecutive calendar days or more duration in the Business – City Centre Zone and the Business – Metropolitan Centre Zone; or
 - (v) Table E25.6.30.1 Vibration limits in buildings.
- (6) For the purpose of Standards E25.6.29(1) to E25.6.29(4A) above:
 - (a) planned work means work that has been planned to take place at least seven days before the work commences;
 - (b) the measurement and assessment of all construction noise must be in accordance with New Zealand Standard NZS 6803:1999 Acoustics – Construction noise; and
 - (c) the measurement of all vibration must be in accordance with E25.6.30 Vibration.

Vibration

E25.6.30. Vibration

- (1) Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed:
 - (a) the limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure not on the same site; and
 - (b) the limits in Table E25.6.30.1 Vibration limits in buildings in any axis when measured in the corner of the floor of the storey of interest for multi-storey

buildings, or within 500mm of ground level at the foundation of a single storey building.

Table E25.6.30.1 Vibration limits in buildings

Receiver	Period	Peak Particle Velocity Limit millimetres/second
Occupied activity sensitive to noise	Night-time 10pm to 7am	0.3 mm/s
	Daytime 7am to 10pm	2 mm/s
Other occupied buildings	At all times	2 mm/s

Works generating vibration for three days or less between the hours of 7am to 6pm may exceed the limits in Table E25.6.30.1 Vibration limits in buildings above, but must comply with a limit of 5mm/s peak particle velocity in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building, where:

- (i) all occupied buildings within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and
 - (ii) the written advice must include details of the location of the works, the duration of the works, a phone number for complaints and the name of the site manager.
- (2) Permanently installed stationary vibrating, reciprocating and rotating machinery and all piping, ducting and other equipment attached to such machinery must be installed and maintained so that any resulting vibration does not exceed the limits of Table E25.6.30.2 Vibration levels for stationary machinery when measured in any occupied room of any building on another site or in any occupied unit under different ownership from the source of the vibration. Vibration must be measured in accordance with ISO 2631-2:2003 Mechanical vibration and shock – Evaluation of human exposure to whole-body vibration – Part 2: Vibration in buildings (1Hz to 80Hz):

Table E25.6.30.2 Vibration levels for stationary machinery

Affected occupied building or area	Time of day	Maximum vibration level in root mean square velocity (mm/s) between 8 and 80Hz
Noise sensitive spaces	7am-10pm	0.20
Bedrooms and sleeping areas only within activities sensitive to noise	10pm-7am	0.14

- (3) For vibration levels applying to work within the road, refer to E25.6.29.

Blasting

E25.6.31. Noise levels for blasting

- (1) The noise created by the use of explosives for any blasting activity measured at the boundary of the site on which the explosives are used must not exceed a peak sound pressure of 120 dB (L_{zpeak}).
- (2) The noise created by the use of explosives for construction activities must not exceed a peak sound pressure level of 120dBC measured 1m from the façade of any occupied building.

Helicopter noise

E25.6.32. Noise levels for helicopters take-off or landing

- (1) The take-off or landing of a helicopter on any site except for emergency services must not exceed L_{dn} 50dB or 85dB L_{AFmax} measured within the boundary or the notional boundary of any adjacent site containing activities sensitive to noise and L_{dn} 60dBA within the boundary of any other site.

Transport noise

E25.6.33. Noise levels for traffic from new and altered roads

- (1) All new roads and all altered roads that are within the scope of New Zealand Standard NZS 6806: 2010 Acoustics – Road traffic noise – New and altered roads must comply with the requirements of New Zealand Standard NZS 6806: 2010 Acoustics – Road traffic noise – New and altered roads.

E25.7. Assessment – controlled activities

There are no controlled activities in this section.

E25.8. Assessment – restricted discretionary activities

E25.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) for noise and vibration:
- (a) the effects on adjacent land uses particularly activities sensitive to noise;
and
 - (b) measures to avoid, remedy or mitigate the adverse effects of noise.

- (2) for internal noise levels of noise sensitive spaces in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone:
- (a) reverse sensitivity effects; and
 - (b) alternative temperature control solutions.

E25.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) for noise and vibration:
- (a) whether activities can be managed so that they do not generate unreasonable noise and vibration levels on adjacent land uses particularly activities sensitive to noise;
 - (b) the extent to which the noise or vibration generated by the activity:
 - (i) will occur at times when disturbance to sleep can be avoided or minimised; and
 - (ii) will be compatible with activities occurring or allowed to occur in the surrounding area; and
 - (iii) will be limited in duration, or frequency or by hours of operation; and
 - (iv) will exceed the existing background noise and vibration levels in that environment and the reasonableness of the cumulative levels; and
 - (v) can be carried out during daylight hours, such as road works and works on public footpaths.
 - (c) the extent to which the effects on amenity generated by vibration from construction activity:
 - (i) will be mitigated by written advice of the activity to adjacent land uses prior to the activity commencing; and
 - (ii) can be mitigated by monitoring of structures to determine risk of damage to reduce occupant concern; and
 - (iii) can be shown to have been minimised by the appropriate assessment of alternative options; and
 - (iv) are reasonable taking into account the level of vibration and the duration of the activity (where levels of 10mm/s peak particle velocity may be tolerated only for very brief periods).
 - (d) whether the measures to minimise the noise or vibration generated by the activity represent the best practicable option.

- (2) for works in the road or rail corridor:
 - (a) whether the effects on amenity values and sleep quality generated by construction activity in the road or rail corridor are reasonable taking into account the background noise levels.
- (3) for reverse sensitivity effects:
 - (a) whether the activity or infringement proposed will unduly constrain the operation of existing activities (excluding construction or demolition activities).
- (4) for noise in the Business – City Centre Zone, Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, Business – Neighbourhood Centre Zone or the Business – Mixed Use Zone:
 - (a) in addition to the assessment criteria in E25.8.2(1) above, all of the following will be considered:
 - (i) the background noise at the affected receivers and the extent to which this is proposed to be exceeded;
 - (ii) the level of existing sound insulation (where that information is available) and ventilation options for affected receivers existing as at the date of notification of the Plan; and
 - (iii) the frequency and duration of the exceedance.
- (5) for alternative temperature control solutions:
 - (a) whether alternative solutions such as passive or mixed-mode cooling can provide a sufficient thermal comfort level that can be maintained having regard to ASHRAE (US) Standard 55:2013 - Thermal environmental conditions for human occupancy, CIBSE (UK) Technical Memorandum TM52:2013 – The limits of thermal comfort: avoiding overheating in European buildings, BS EN 15251:2007 – Indoor environmental input parameters for design and assessment of energy performance of buildings addressing indoor air quality, thermal environment, lighting and acoustics.

E25.9. Special information requirements

There are no special information requirements in this section.

E40 Temporary Activities

E40. Temporary activities

E40.1. Background

Temporary activities contribute to Auckland's vibrancy and to the social, cultural and economic well-being of communities. Temporary activities also enable filming and training activities to be undertaken.

Temporary activities may restrict public access and have adverse effects on amenity values, communities and the natural environment. To manage these effects the Plan contains rules for temporary activities on land and in the coastal marine area, and the particular effects of various activities are managed through bylaws. Events on public land or water must also obtain an event licence or permit under the relevant bylaws.

E40.2. Objectives [rcp/dp]

- (1) Temporary activities and events contribute to a vibrant city and enhance the social, environmental, economic and cultural well-being of communities.
- (2) Temporary activities are located and managed to mitigate adverse effects on amenity values, communities and the natural environment.
- (3) Temporary activities are managed to minimise any adverse effects on the use and enjoyment of open space.
- (4) Temporary activities involving large numbers of people predominantly occur in the Business – City Centre Zone, the Business – Metropolitan Centre Zone and the Auckland Domain.
- (5) Temporary activities for training purposes are undertaken in appropriate locations so that amenity values are maintained and any adverse effects are avoided, remedied or mitigated.

E40.3. Policies [rcp/dp]

- (1) Enable temporary activities and associated structures, provided any adverse effects on amenity values are avoided, remedied or mitigated, including by ensuring:
 - (a) noise associated with the activity meets the specified standards;
 - (b) activities on adjacent sites that are sensitive to noise are protected from unreasonable or unnecessary noise;
 - (c) noise from outdoor events using electronically amplified equipment is controlled through limiting the times, duration and the frequency of events;
 - (d) waste and litter are effectively managed and minimised; and
 - (e) any restrictions on public access or other users of open space areas are minimised, and any adverse effects are mitigated.

E40 Temporary activities

- (2) Enable temporary activities for filming purposes, including associated film sets, while managing any adverse effects.
- (3) Control traffic generated by a temporary activity, including heavy traffic, so that it does not detract from:
 - (a) the capacity of the road to safely and efficiently cater for motor vehicles, pedestrians and cyclists; and
 - (b) the well-being of residents and reasonable functioning of businesses on surrounding sites.
- (4) Require any disturbance of the foreshore or seabed from a temporary activity to be remedied, unless this can be achieved by natural processes.
- (5) Require temporary activities involving large numbers of people to locate in areas where there is:
 - (a) capacity to safely host large numbers of people;
 - (b) sufficient parking where necessary;
 - (c) sufficient road network capacity for the event;
 - (d) capacity in the public transport network to service the event, or the ability for the event to be temporarily serviced by mass passenger transport; and
 - (e) the ability to avoid, remedy or mitigate adverse effects on the environment.
- (6) Manage the effects of temporary activities so that the values of any scheduled ecological, natural character, natural features, landscape, historic heritage or Mana Whenua areas are maintained, and any adverse effects on the natural environment are avoided, remedied or mitigated.
- (7) Manage the noise effects of temporary military training activities, and any adverse effects from other temporary training activities, so that amenity values are maintained.

E40.4. Activity table

Table E40.4.1 Activity table specifies the activity status of temporary activities under section 9(3) and section 12 of the Resource Management Act 1991 unless the activity is subject to a specific rule in an overlay, zone or precinct.

The Auckland-wide transport provisions (Section [E27 Transport](#)) do not apply to temporary activities.

All other Auckland-wide provisions, including Sections [E25 Noise and vibration](#) and [E24 Lighting](#) apply, unless a more specific rule provides for an activity in this chapter.

Note 1. The standards of the relevant zone in which the temporary activity is undertaken e.g. building height and yards, do not apply to the buildings and structures that are accessory to a temporary activity.

Note 2. The duration of the temporary activities specified in Table E40.4.1 and in the standards excludes the time required to establish and remove all structures and activities associated with the activity and reinstate the site to its original condition. The construction noise requirements in E25.6.28 shall apply to the establishment and removal of all structures and activities associated with the temporary activity and the reinstatement of the site to its original condition.

Note 3. These rules apply to temporary activities in the coastal marine area, other than:

- rules for temporary military training activities (refer to Section [F2 Coastal – General Coastal Marine Zone](#)); and
- rules for temporary buildings including structures (refer to Section [F2 Coastal – General Coastal Marine Zone](#)).

Note 4. In addition to the rules in this Plan, temporary activities are also subject to the other acts and bylaws. All events on public land or water must obtain an event licence or permit under the relevant bylaws.

Note 5. For the purposes of the following activity table, standards and assessment criteria, the reference to ‘the City Centre and Metropolitan Centres’ means:

- the Business - City Centre Zone, the Business – Metropolitan Centre Zone and public open spaces (including the open space zones) within the area bound by the Business – City Centre Zone and Business – Metropolitan Centre Zones;
- the Coastal - Marina Zone at Westhaven; and
- the coastal marine area within the City Centre precincts for Westhaven, Wynyard, Viaduct Harbour, Central Wharves and the Port precincts.

Table E40.4.1 Activity table

Activity		Activity status	
		Coastal marine area [rcp]	Land [dp]
Temporary Activities – General (temporary activities that are not provided for as a Specific Temporary Activity below)			
(A1)	Temporary activities in public places for up to six consecutive days, outside of the City Centre and Metropolitan Centres	NA	P
(A2)	Temporary activities in public places for more than six consecutive days, outside of the City Centre and Metropolitan Centres	NA	D

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(A3)	Temporary activities on private land for up to six days, but not for more than three consecutive days, in any 12 month period, outside of the City Centre and Metropolitan Centres	P	P
(A4)	Temporary activities on private land for more than six days, or for more than three consecutive days, in any 12 month period, outside of the City Centre and Metropolitan Centres	D	D
(A5)	Temporary activities in public places or on private land for up to 21 consecutive days within the area of the City Centre and Metropolitan Centres	P	P
(A6)	Temporary activities in public places or on private land for more than 21 consecutive days within the area of the City Centre and Metropolitan Centres	RD	RD
(A7)	Temporary activities in the Auckland Domain involving more than 20,000 people for up to 12 consecutive days, and up to three times between 2 October and 31 April	NA	P
(A8)	Temporary activities in the Auckland Domain not otherwise provided for	NA	RD
(A9)	Temporary activities in public places in the coastal marine area, for up to 14 consecutive days in a six-month period, outside of the City Centre and Metropolitan Centres	P	NA
(A10)	Temporary activities in public places in the coastal marine area outside of the City Centre and Metropolitan Centres not otherwise provided for	RD	NA
(A11)	Temporary activities in Significant Ecological Area - Marine -1 areas, Outstanding Natural Character areas, or Outstanding Natural Feature Type A, B, C, E, F and V areas	D	NA
Specific Temporary Activities			
(A12)	Noise events in public places	P	P
(A13)	Noise events on private land, outside of land within a residential zone	NA	RD
(A14)	Noise events on land within a residential zone	NA	D
(A15)	Filming activities up to, and including, 30 consecutive days	P	P
(A16)	Filming activities for more than 30 consecutive days	RD	RD
(A17)	Fund-raising events, including markets, up to six per site annually if undertaken by schools, churches, charities and community groups	P	P
(A18)	Temporary storage or stacking of goods for up to six consecutive months in any 24-month period within a residential zone	NA	P

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(A19)	Temporary placement and use of shipping containers for one month in any 12 month period within a residential zone	NA	P
(A20)	Temporary activities associated with building or construction, (including structures and buildings that are accessory activities), for the duration of the project, or up to 24 months, whichever is the lesser	NA	P
(A21)	Temporary activities (including accessory structures) on private land associated with construction or restoration projects for recreational purposes (for example the restoration of boats or caravans) for up to 12 months in any 24 month period	NA	P
(A22)	Lighting of fireworks	P	P
(A23)	Temporary military training activities	NA	P
(A24)	Specific temporary activities that are not provided as a permitted activity in rules (A12) to (A23)	RD	RD

E40.5. Notification

- (1) Any application for resource consent for an activity listed in Table E40.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

E40.6. Standards

All activities listed as permitted in Table E40.4.1 must comply with the following standards.

E40.6.1. Measurement of noise events

- (1) Noise limits for noise events must be met 1m from any adjacent occupied building outside the venue used for a noise event.
- (2) Noise events in the City Centre must meet the noise limits both within and outside the City Centre.
- (3) The LAeq noise levels to be met are incidence noise levels averaged over the duration of the event but are not to include sound testing or balancing.
- (4) No corrections can be made to the measured incident noise level.
- (5) Crowd noise must not be included in any noise measurement.

E40.6.2. Traffic associated with temporary activities

Where an event in a rural zone or Future Urban Zone generates more than 500 vehicle movements per day on adjacent roads a Transport and Traffic Management

Plan (prepared by a suitably qualified and experienced person and authorised by Auckland Transport and/or Waka Kotahi (where there is a potential impact on the State Highway network)) shall be prepared, and the event shall be undertaken in accordance with the authorised Transport and Traffic Management Plan.

Note: the traffic generation threshold of 500 vehicle movements per day includes vehicle movements associated with the event plus those associated with the establishment and removal of structures/facilities of the temporary activity.

E40.6.3. Temporary activities in public places in the coastal marine area, for up to 14 consecutive days in a six-month period, outside of the City Centre and Metropolitan Centres

- (1) Temporary activities for up to 14 consecutive days in a six-month period in the coastal marine area must:
- (a) not cause a hazard to safe navigation;
 - (b) remove any building material, spoil, construction equipment or litter associated with a temporary activity from the coastal marine area within 24 hours on completion of the activity;
 - (c) not be located in any Significant Ecological Area - Marine -1, Outstanding Natural Character area, or Outstanding Natural Feature Type A, B, C, E, F and V area; and
 - (d) remedy or restore any visible disturbance to the foreshore and seabed associated with a temporary activity (that cannot be achieved by natural processes) within seven days of completion of the event.

E40.6.4. Noise events outside the City Centre and Metropolitan Centres

- (1) Up to 15 noise events at a venue are permitted outside the City Centre and Metropolitan Centres in any 12 month period, provided that no more than two noise events occur in any seven-day period, and the noise event complies with all of the following:
- (a) the noise event does not exceed eight hours in duration, excluding:
 - (i) two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event; and
 - (ii) the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event.
 - (b) the noise event (excluding the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event) does not exceed a noise limit of 70dB L_{Aeq} and 80dB L_{A01} except;

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- (i) three noise events can have a noise limit of 80dB L_{Aeq} and 90dB L_{A01} for a maximum of three hours, excluding one hour for sound testing and balancing undertaken after 9am on the day of the event; and
 - (ii) three noise events in the Auckland Domain can be held with no noise limits applying.
- (c) the noise event (excluding the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event) starts after 9am and ends by 11pm, except on New Year's Day where the noise event ends by 1am;
- (d) the noise limits applying to the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event do not exceed the construction noise requirements of E25.6.27, except that up to 10pm on all days except Sunday, the noise levels at activities sensitive to noise do not exceed 60dB L_{Aeq} and 75dB L_{Amax} for up to 3 hours following the conclusion of the event when measured and assessed in accordance with the requirements of E25.6.1(3).

E40.6.5. Noise events within the City Centre and Metropolitan Centres

- (1) Up to 18 noise events at a venue are permitted within the City Centre and Metropolitan Centres any 12 month period, provided no more than two noise events occur in any seven-day period and the noise event complies with all of the following:
- (a) the noise event does not exceed eight hours in duration, excluding;
 - (i) two hours for sound testing and balancing that is undertaken between 9am and 7pm on the day of the event;
 - (ii) the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event.
 - (b) the noise event (excluding the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event) does not exceed a noise level of 70dB L_{Aeq} and 80dB L_{A01} except;
 - (i) three noise events can have a noise limit of 80dB L_{Aeq} and 90dB L_{A01} for a maximum of three hours, excluding one hour for sound testing and balancing undertaken between 9am and 7pm on the day of the event; and
 - (ii) three noise events can have a noise limit of 90dB L_{Aeq} and 95dB L_{A01} , for a maximum of three hours, excluding one hour for sound testing

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and balancing undertaken between 9am and 7pm on the day of the event.

- (c) the noise event (excluding the time required to establish and remove all structures and activities associated with the noise event and reinstate the site to its original condition prior to the noise event) starts after 9am and ends by 11pm, except on New Year's Day where the noise event ends by 1am;
- (d) the noise limits applying to the establishment and removal of all structures and activities associated with the noise event and reinstating the site to its original condition prior to the noise event do not exceed the construction noise requirements of E25.6.28.

E40.6.6. Temporary storage or stacking of goods for up to six consecutive months in any 24-month period within a residential zone

- (1) Temporary storage or stacking of goods for up to six consecutive months in any 24-month period within a residential zone must not result in any stack or material stored being greater than 2m high within 2m of the boundary of a site in a residential zone.

E40.6.7. Lighting of fireworks

- (1) The lighting of fireworks must:
 - (a) be undertaken between 5pm and 10.30pm, except for New Year's Eve;
 - (b) may be undertaken between 5pm on New Year's Eve and 1am on New Year's Day; or
 - (c) may be undertaken between 5pm and 12am with an event licence or permit.

E40.6.8. Temporary military training activities

- (1) Temporary military training activities involving weapons firing or the use of explosives must:
 - (a) provide notice, and a noise management plan prepared by a suitably qualified acoustic engineer, to the Council at least 48 hours prior to the commencement of the activity, with the notice specifying:
 - (i) whether the activity involves live firing and/or the use of explosives or firing of blank ammunition;
 - (ii) the location of the activity and the boundaries within which the activity will take place;
 - (iii) the distances to buildings used for activities sensitive to noise; and
 - (iv) the timing and duration of the activity.

- (b) meet the standards in Table E40.6.8.1 Temporary military training activities noise separation distances.

Table E40.6.8.1 Temporary military training activities noise separation distances

Type of military noise	Time (on all days)	Separation distance to activities sensitive to noise	
Live firing of weapons and single or multiple explosive events	7am to 7pm (day time)	1500m minimum	Less than 1500m if Standard E40.6.8(1) and (2) are complied with
	7pm to 7am (night time)	4500m minimum	Less than 4500m if Standard E40.6.8(1) and (3) are complied with
Firing of blank ammunition	7am to 7pm	750m minimum	Less than 750m if Standard E40.6.8(1) and (2) are complied with
	7pm to 7am	2250m minimum	Less than 2250m if Standard E40.6.8(1) and (3) are complied with

- (2) Day time noise levels must not exceed a peak sound level of 120dBC measured at or within the notional boundary of any activity sensitive to noise.
- (3) Night time noise levels must not exceed a peak sound level of 90dBC when measured at or within the notional boundary of any activity sensitive to noise.
- (4) Temporary military training activities involving mobile noise sources, other than those provided for in Table E40.6.8.1 Temporary military training activities noise separation distances, shall comply with the noise limits set out in Tables 2 and 3 in the New Zealand Standard on Acoustics – Construction Noise (NZS 6803:1999) with reference to ‘construction noise’ taken to refer to other, mobile noise sources.
- (5) Temporary military training activities involving stationary noise sources, other than those provided for in Table E40.6.8.1 Temporary military training activities noise separation distances, must not exceed the noise levels in when measured at or within the notional boundary of any activity sensitive to noise.

Table E40.6.8.2 Noise levels for temporary military training stationary noise sources

Time	Noise level
7am to 10pm	55dB L _{Aeq} (15 min)
10pm to 7am on all days	45dB L _{Aeq} (15 min) 75dB L _{AFmax}

E40.7. Assessment – controlled activities

There are no controlled activities in this section.

E40.8. Assessment – restricted discretionary activities

E40.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application for a temporary activity:

- (1) the effects from the noise, lighting, hours and duration of an activity;
- (2) the effects of the activity on traffic generation, parking, pedestrian safety and access; and
- (3) the effects of any disturbance to land, foreshore, seabed or vegetation associated with an activity.

E40.8.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

- (1) the extent to which any significant adverse effects from the noise, lighting, hours and duration of an activity on the amenity values of surrounding properties can be mitigated through:
 - (a) the proposed location, duration, hours, times and day/s of the week on which the event will occur;
 - (b) the measures proposed to mitigate noise and light spill; and
 - (c) the measures proposed to manage levels of low-frequency noise or very loud noise, particularly for night time activities.
- (2) the extent to which the activity will have adverse effects on traffic movement, parking, public transport and pedestrian safety and access, and the extent to which these effects can be adequately addressed through:
 - (a) the location, scale and intensity of the activity;
 - (b) the duration, hours, times and day/s of the week on which the event will occur;
 - (c) the provision made to address any impacts from traffic generated by the activity, including impacts on public transport, and other activities at the location;
 - (d) addressing the need for, and if necessary, the provision of adequate parking; and
 - (e) the provision made for pedestrian safety and to address any restrictions on public access.
- (3) the extent to which any land disturbance, earthworks or disturbance to the foreshore, seabed or vegetation resulting from a temporary activity can be avoided, remedied or mitigated.

E40.9. Special information requirements

There are no special information requirements in this section.

I434 Pukekohe Park Precinct

I434. Pukekohe Park Precinct

I434.1. Precinct description

The Pukekohe Park Precinct provides specific planning controls for the use and development of Pukekohe Park. Pukekohe Park is located adjacent to Manukau Road in Pukekohe and was established in the 1920's. The site comprises approximately 73 hectares and provides facilities for motor sports and horse racing.

The zoning of the land within the Pukekohe Park Precinct is Special Purpose - Major Recreation Facility Zone. The overlay, Auckland-wide and zone objectives and policies apply in this precinct in addition to those listed below.

Refer to the planning maps for the location and extent of the precinct.

I434.2. Objectives

- (1) Pukekohe Park is protected as a regionally and nationally important venue for motorsports activities and horse racing.
- (2) A range of activities compatible with, or accessory to, the primary activities are enabled.
- (3) The adverse effects of the operation of Pukekohe Park are avoided, remedied or mitigated as far as is practicable recognising that the primary activities will by virtue of their nature, character, scale and intensity, generate adverse effects on surrounding land uses which are not able to be fully internalised.

I434.3. Policies

- (4) Enable the safe and efficient operation of Pukekohe Park for its primary activities.
- (5) Protect the primary activities of Pukekohe Park from the reverse sensitivity effects of adjacent development.
- (6) Enable a range of accessory and compatible activities which:
 - (a) avoid, remedy or mitigate adverse effects; and
 - (b) are of a character and scale which will not displace the primary activities.
- (7) Manage the adverse effects of the operation of Pukekohe Park, having regard to the amenity of surrounding properties.
- (8) Recognise that Pukekohe Park's primary activities may generate adverse effects that are not able to be fully internalised and may need to be further mitigated by limiting or controlling their scheduling, duration and frequency.

I434.4. Activity table

The provisions in any relevant overlays and Auckland-wide apply in this precinct except those specified below.

- (1) [E24 Lighting](#);

- (2) [E25 Noise and vibration](#) (noise provisions only);
- (3) [E27 Transport – Rule E27.6.1](#);
- (4) [E27 Transport – Rule E27.6.2](#); and
- (5) [E40 Temporary activities](#).

Table I434.4.1 specifies the activity status of land use and development activities in the Pukekohe Park Precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table I434.4.1: Activity table

	Activity	Activity status
Use		
Primary activities		
(A1)	Horse racing	P
(A2)	Motorsport activities	P
(A3)	Any primary activity not meeting Standard I434.6.5 but meeting all other standards	C
Accessory activities		
(A4)	Accessory activities	P
(A5)	Any accessory activity not meeting Standard I434.6.5 but meeting all other standards	C
Compatible activities		
(A6)	Organised sports and recreation	P
(A7)	Informal recreation	P
(A8)	Concerts, events and festivals	P
(A9)	Displays and exhibitions	P
(A10)	Functions, gatherings, conferences and meetings	P
(A11)	Markets, fairs and trade fairs	P
(A12)	Sports, recreation and community activities	P
(A13)	Professional fireworks displays meeting Standard I434.6.10	P
(A14)	Professional fireworks displays not meeting Standard I434.6.10	RD
(A15)	Helicopter flights meeting Standard I434.6.11	P
(A16)	Helicopter flights not meeting Standard I434.6.11	RD
(A17)	Filming activities	P
(A18)	Any compatible activity not meeting Standard I434.6.5 but meeting all other standards	C

Development		
(A19)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity up to 16.5m in height	P
(A20)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity greater than 16.5m and up to 20m in height	RD
(A21)	New buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity greater than 20m in height	D
(A22)	Light towers and associated fittings up to and greater than 20m in height	P
(A23)	New buildings, building alterations or additions to a building for a primary, compatible, or accessory activity not meeting Standard I434.6.8	RD
(A24)	Demolition of buildings	P
(A25)	Temporary buildings	P
(A26)	Workers' accommodation	P

I434.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table I434.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table I434.4.1 Activity table and which is not listed in I434.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in [Rule C1.13\(4\)](#).

I434.6. Standards

All permitted, controlled or restricted discretionary activities listed in Table I434.4.1 must comply with the following activity standards unless otherwise stated.

I434.6.1. Motorsport activities noise

- (1) There must not be any use of the track by motor vehicles, except for vehicles undertaking track or facility maintenance or repairs, in all of the following circumstances:
 - (a) from 24 December to January 2 inclusive;

- (b) on Good Friday, Easter Sunday and Anzac Day, except that the track can be used for multi-day international motor sport events from 1.00pm on Anzac Day;
 - (c) on Mondays, Tuesdays or more than two Wednesdays of any month except for category E events;
 - (d) Five days before and after a Category A event except that the track can be used for one Category E event within each five day period; and
 - (e) Three days before and after a Category B event except that the track can be used for one Category E event within each three day period.
- (2) The use of the track for any motorsport activity, except for vehicles undertaking track or facility maintenance or repairs, may only take place between:
- (a) Category A & B days between 7am to 7pm;
 - (b) *[deleted]*
 - (c) Category C, D and E days between 10am to 5pm.
- (3) The use of the track for any motorsport activity, except for vehicles undertaking track or facility maintenance or repairs, must not exceed all of the following:
- (a) 4 consecutive Category A days;
 - (b) 3 consecutive Category B days; and
 - (c) 3 consecutive days of Category C or D days.
- (4) The noise (rating) level from any motorsport activity or from motor vehicles using the track must not exceed the noise limits in Table I434.6.1.1.
- (5) Vehicles associated with the repair and maintenance of the track and/or facilities are excluded from Standard I434.6.1.

Table I434.6.1.1: Motorsport noise standards

Motorsport category	Number of days in any 12 month period	Noise limit (LAeq)	Timeframe
Category A	Not more than 6	90dB	12 hours
Category B	Not more than 24	85dB	12 hours
Category C	Not more than 50	80dB	7 hours
Category D	Not more than 40	70dB	7 hours
Category E	Any other day	60dB	7 hours

- (6) The measurement point for the noise limits in Table I434.6.1.1 is 2m above ground level at the existing 'Bravo' location, 22.5m from the edge of track at coordinates 37°12'54.95"S and 174°54'55.29"E.
- (7) Any motor vehicle using the track must not exceed a noise limit of 95dB_{LA_Fmax} when measured 30 meters at a right angle from the track at points where the vehicle is under maximum power.
- (8) Vehicles using the track on Category E days must have an exhaust system meeting the requirements of Rule 2.7(8) of the Land Transport Rule – Vehicle Equipment Amendment 2007 (Rule 32017/2).
- (9) In the last week of February, May, August and November, the operator of Pukekohe Park Raceway must do both of the following:
 - (a) Publish a calendar identifying all Category A, B, C and D days booked or available at the track for the following 3 months. This must be published in a locally available paper (which is published at least weekly) and must be available on the operator's website; and
 - (b) Provide written notice to the Council of the use of the motor racing track identifying all Category A, B, C and D events held at the track for the previous 3 months.

I434.6.2. Public address system noise

- (1) The noise (rating) level from any public address system or any outdoor amplified sound system used for broadcasting voice or music within the site must comply with a noise limit of 50dB L_{Aeq} when measured at any notional boundary. This excludes Category A, B and C event days when the noise limit must be 65dB $L_{Aeq(5min)}$ at any notional boundary;
- (2) Any public address system or outdoor amplified sound system must not be used at any of the following times:
 - (a) before 7am or more than one hour before a motorsport activity is programmed to start, whichever is later; and
 - (b) after 7pm or more than one hour after programmed motorsport activity has finished, whichever is the earlier.
- (3) There must be no adjustment for special audible characteristics in relation to noise from the public address system.
- (4) Where $L_{Aeq(5min)}$ is specified, no 5 minute measurement sample can exceed the stated limit.

I434.6.3. General noise

- (1) The noise (rating) level from any activity (other than activities provided for in rules I434.6.1 and I434.6.2) as measured at any notional boundary must not exceed the noise limits in Table I434.6.3.1.

Table I434.6.3.1 General noise standards

Timeframes	Noise limit
Monday to Saturday 7am to 10pm Sunday 9am to 6pm	55dB L _{Aeq}
At all other times	45dB L _{Aeq} 75dB L _{AFmax}

- (2) On up to 2 days in any 12 month period, any activity can take place provided that the following standards are met. Standard I434.6.3(2) does not apply to motorsport and horse racing activities:
- (a) the noise (rating) level does not exceed a limit of 65dB L_{Aeq} when measured at any notional boundary; and
 - (b) the activity does not exceed 6 hours in duration and does not start before 9am and finishes no later than 10pm.
- (3) Professional fireworks displays and helicopter flights are excluded from this standard.

I434.6.4. Lighting

- (1) Lighting limits must be measured and assessed in accordance with Standard AS 4282-1997 (Control of the Obtrusive Effects of Outdoor Lighting). In the event of any conflict between these documents and the lighting standards set out below, the below standards will prevail.
- (2) Any calculation must be based on a maintenance factor of 1.0 (i.e. no depreciation).
- (3) Where measurements of any illuminance above background levels from the use of artificial lighting cannot be made because the owner will not turn off artificial lighting, measurements may be made in areas of a similar nature that are not affected by the artificial light. The result of these measures may be used for determining the effect of the artificial light.
- (4) For the purposes of Standard I434.6.4, the curfew and pre-curfew times are as stated in Table I434.6.4.1.

Table I434.6.4.1: Pre-curfew and curfew times

	Times
Pre-curfew	7am – 10pm
Curfew	10pm – 7am

- (5) The added illuminance from the use of any artificial lighting on any site must not exceed either one of the following:

- (a) The limits in Table I434.6.4.2 when measured at the boundary of any adjacent site containing a lawfully established dwelling. The illuminance limit will apply horizontally and vertically at any point on the boundary and at any height; or

Table I434.6.4.2: Horizontal and vertical illuminance at a boundary

	Illuminance limit
Pre-curfew	100 lux (above the background level)
Curfew	10 lux (above the background level)

- (b) The vertical illuminance limits in Table I434.6.4.3 when measured at the windows of habitable rooms of a lawfully established dwelling within a residential zone.

Table I434.6.4.3: Vertical illuminance at a window

	Vertical illuminance limit
Pre-curfew	10 lux
Curfew	2 lux

- (6) Outdoor artificial lighting operating on any site between sunset and sunrise must not exceed a threshold increment limit of 15% (based on an adaption luminance of 2 cd/m²) on any public road, calculated within each traffic lane in the direction of travel.
- (7) Any exterior lighting must be selected, located, aimed, adjusted and/or screened to ensure that glare resulting from the lighting does not exceed 10,000 cd for pre-curfew times and 1,000 cd for curfew times at the windows of habitable rooms of a lawfully established dwelling.
- (8) The average surface luminance for an intentionally artificially lit building façade must not exceed 10 cd/m². The values may be determined by calculation or measurement in accordance with CIE 150:2003 (Guide on the limitation of the effects of obtrusive light from outdoor lighting installations) – International Commission on Illumination ISBN 3 901 906 19 3.
- (9) Professional fireworks displays are excluded from this standard.

I434.6.5. Traffic management

All activities must meet at least one of the following traffic management standards:

- (1) The activity and management of associated transport and traffic effects is undertaken in accordance with a Transport and Traffic Management Plan authorised by Auckland Transport; or

- (2) The activity generates a crowd of less than 5,000 people and does not require the closure of a public road.

I434.6.6. Parking

- (1) Any loss of existing formed and marked parking spaces from 30 September 2013 must be accommodated elsewhere within the precinct unless the number of parking spaces provided exceeds the requirements set out in [E27 Transport – district rule E27.6.2](#).

I434.6.7. Screening

- (1) Any outdoor storage or rubbish collection areas that are visible from a residential zone or an open space zone must be screened from those areas.

I434.6.8. Interface control areas

- (1) New buildings, external building alterations or additions to a building must be located outside the Interface Control Area (ICA) as illustrated on the precinct plan. Temporary buildings are excluded from this standard.

I434.6.9. Height in relation to boundary

- (1) Where the Pukekohe Park Precinct directly adjoins another zone, the height in relation to boundary standard that applies in the adjoining zone also applies to the adjoining Pukekohe Park Precinct boundary.
- (2) Where the Pukekohe Park Precinct directly adjoins a road or a zone with no height in relation to boundary standard, buildings must not project beyond a 45 degree recession plane measured from a point 8.5m vertically above ground level on the precinct boundary.
- (3) Temporary buildings, light towers and associated fittings are excluded from this height in relation to boundary standard.

I434.6.10. Professional fireworks displays

- (1) Displays are limited to 3 in any 12 month period.
- (2) Displays must not exceed 15 minutes in duration.
- (3) Displays must be finished by 10:30pm.
- (4) Fireworks must be discharged at least 120 meters from any residential zone.
- (5) Displays must comply with 140dB L_{Zpeak} at any point in the audience area and within the boundary of any activity sensitive to noise.

I434.6.11. Helicopter flights

- (1) Landing and departures must take place at least 150m from any neighbouring site.
- (2) The helicopter movements must not exceed the numbers in Table I434.6.11.1 where an arriving flight and a departing flight are counted as two movements.

Table I434.6.11.1 Helicopter Movements

Motorsport category	Number of movements
Category A day	Limited to 30 movements per Category A day
Category B day	Limited to 30 movements (in any 12 month period)
Category C day	
Category D day	
Category E day	

I434.6.12. Temporary buildings

- (1) Temporary buildings must be erected for a continuous period of no greater than 90 days, excluding set up and dismantling time.

I434.7. Assessment – controlled activities**I434.7.1. Matters of control**

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant controlled activities in the overlay or Auckland-wide provisions:

- (1) The effects of the proposed activity on the safety and efficiency of the transport network.

I434.7.2. Assessment criteria

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant activities in the overlay and Auckland-wide provisions:

- (1) Effects on the safety and efficiency of the transport network:
- (a) the extent to which there are likely to be adverse effects on the safe and efficient operation of the transport network and pedestrian movements;
 - (b) the extent to which entry and exit points to the precinct will be managed to accommodate traffic and pedestrian movements; and
 - (c) the extent to which any proposed mitigation measures will address adverse traffic and parking effects. Such measures may include travel planning, providing alternatives to private vehicle trips and the preparation and implementation of a Transport and Traffic Management Plan (prepared by a suitably qualified and experienced person).

I434.8. Assessment – restricted discretionary activities

I434.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant activities in the overlay and Auckland-wide provisions:

- (1) Any activity that does not comply with noise and/or lighting standards:
 - (a) The effects of non-compliance with a noise and/or lighting standard on the amenity values of surrounding properties and safety of transport networks.
- (2) Any activity that does not comply with permitted helicopter flight standards:
 - (a) The effects of non-compliance with the permitted helicopter flight standards on the amenity of surrounding properties.
- (3) Any activity that does not comply with permitted professional fireworks display standards:
 - (a) The effects of non-compliance with the permitted fireworks display standard on the amenity of surrounding properties.
- (4) Any new buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity greater than 16.5m and up to 20m in height and/or which does not comply with height in relation to boundary standards:
 - (a) The visual effects of the additional bulk and scale of buildings on the amenity of private properties, streets and public open spaces.
- (5) Any new buildings, external building alterations or additions to a building for a primary, compatible, or accessory activity not meeting Standard I434.6.8:
 - (a) The visual effects of the building design and external appearance on the amenity of private properties, streets and public open spaces.
- (6) Any activity that does not comply with screening standards:
 - (a) The visual effects of rubbish and storage areas on residential and open space sites.

I434.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant activities in the overlay and Auckland-wide provisions:

- (1) The effects of non-compliance with a noise and/or lighting standard on the amenity values of surrounding properties and safety of transport networks:
 - (a) Whether the effects of the activity will give rise to noise effects that are unreasonable, having regard to all of the following:

- (i) the cumulative noise effects of other activities which are permitted on the site;
 - (ii) the cumulative effect of numerous infringements of noise standards; and
 - (iii) the degree of non-compliance;
- (b) Whether people likely to be affected by the exceedance of noise standards will be given reasonable notice of the likely effects of the infringement including start time and end time;
- (c) The extent to which duration and hours of operation are managed to minimise the effects of the infringement having regard to the operational requirements and reason for the infringement;
- (d) The extent to which any artificial lighting will create a traffic safety issue;
- (e) Whether the number, placement, design, height, colour, orientation and screening of light fittings and light support structures minimise light spill, glare, and loss of night time viewing;
- (f) The extent to which the amount of light falling into habitable rooms of during the hours of darkness is minimised to control effects on indoor amenity and sleep disturbance; and
- (g) Whether the artificial lighting is necessary, suitable and adequately protects the amenity of the surrounding environment.
- (2) The effects of non-compliance with the permitted helicopter flight and/or fireworks display standard on the amenity of surrounding properties:
- (a) The extent to which the additional activities adversely affect the amenity of surrounding properties, having regard to all of the following:
 - (i) the sensitivity of the surrounding environment;
 - (ii) the cumulative effect of numerous infringements of this standard;
 - (iii) the additional number of activities; and
 - (iv) whether there is an operational need for the exceedance.
- (3) The visual effects of the additional bulk and scale of buildings on the amenity of private properties, streets and public open spaces.
- (a) The extent to which the height, location and design of the building allow reasonable sunlight and daylight access to:
 - (i) streets and public open spaces; and
 - (ii) adjoining sites, particularly those in residential zones;

- (b) The extent to which the building avoids, remedies or mitigates any potential loss of privacy for surrounding properties (particularly those in residential zones);
 - (c) Whether there is an operational, technical or locational need to exceed height and/or height in relation to boundary standard/s; and
 - (d) The extent to which adverse effects of the visual dominance of the building on the surrounding area (including roads) are avoided, remedied or mitigated having regard to the amenity and character of the surrounding area and the functional and operational needs of the facility.
- (4) The visual effects of the building design and external appearance on the amenity of private properties, streets and public open spaces:
- (a) The extent to which the building design and external appearance avoids, remedies or mitigates adverse effects on the surrounding area having regard to all of the following:
 - (i) the amenity values and character of the surrounding area;
 - (ii) the functional and operational requirements of the precinct;
 - (iii) whether crime prevention through environmental design (CPTED) principles have been integrated into external building and layout design;
 - (iv) whether long unrelieved frontages and excessive bulk and scale when viewed from the public realm and residential zones have been avoided;
 - (v) whether mechanical and electrical equipment has been integrated into the building design as far as is practicable;
 - (vi) whether quality, durable, fit for purpose and easily maintained materials have been used for building design and construction; and,
 - (vii) whether landscape design is utilised to enhance the visual appearance of the development, including around parking areas and service areas.
- (5) The visual effects of rubbish and storage areas on residential and open space zoned sites:
- (a) The extent to which screening is practicable; and
 - (b) The extent to which distance and topographical matters mitigate likely adverse visual effects.

I434.9. Special information requirements

There are no special information requirements for this precinct.

I434.10. Precinct plans

I434.10.1. Pukekohe Park: Precinct plan 1

