

Nelson City Council's Whakamahere Whakatū Nelson Plan: Chapters relating to Noise

19 October 2021

For more information please contact:

Jane Murray

NMDHB Public Health Service

Email: jane.murray@nmdhb.govt.nz

Phone: (03) 543 7805

Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Nelson City Council's Noise Chapters of the Draft Whakamahere Whakatū Nelson Plan
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to the Public Health Service, NMH.

Specific Comments

Port noise

4. The key information sheet briefly outlines four options for port noise controls, but no details are provided on each option that would allow comment and no details are provided about the nature of complaints which are referenced as triggering consideration of more stringent controls. More details on the various options are needed so that technical issues can be reviewed and adequately assessed.

Airport noise

5. There is difficulty with the way this consultation has been arranged. Airport noise controls are split between designations and the district plan. Designation conditions should regulate noise emissions from airport activity and district plan rules should regulate noise immissions for new surrounding land uses. The consultation document only covers the district plan elements and as such it is not possible to determine the effectiveness of the proposal at managing noise effects on public health. Good practice would be for the Council to manage this process (accepting the notices of requirement for the designations come from the airport company) so that all airport noise issues are consulted on and addressed holistically. Currently there is a significant risk of matters falling between the two processes.
6. Good practice at other airports (e.g. Auckland, Rotorua, Queenstown) and also ports (e.g. Nelson, Lyttelton, Chalmers) is for the airport company to progressively treat existing houses exposed to elevated airport noise. Typically

the treatment involves provision of mechanical ventilation so windows can be kept closed to reduce noise, other than in areas of highest exposure where upgrades to windows and wall/ceiling linings can also be required. Currently the proposed provisions only address treatment in new houses but do not cover existing houses. This is likely to be a matter best addressed through the designations, but again, must be considered holistically with the current process.

NOISE-R10/R11

7. The rule prohibits residential activities in parts of residential zones, that fall within the "air noise boundary". This indicates that the zoning is inappropriate and should be changed rather than applying an overlay (the air noise boundary) contradicting the purpose of the zones (rather than say an overlay requiring additional controls but still allowing the primary activity).

NOISE-R28

8. Rule 4(b) needs to specify ventilation requirements. There should be a single consistent set of ventilation requirements for all types of sound insulation rules (airport, port, city centre, roads). The requirements for ventilation need to result in ventilation that provides thermal comfort (rather than just meeting building code minima) so that people have a genuine option of leaving windows closed to mitigate noise such as sought in the port rules.

NOISE-R30

9. It is unclear why engine testing is subject to district plan noise limits rather than designation conditions. It is recommended there should only be one set of noise emission controls and these should be holistic for all aircraft activity including engine testing. These controls should be in the designation conditions and not plan rules.
10. In rule 1(b) it is unclear how by definition emergency situations can be subject to a limited number of occasions. It is recommended the limit of 12 events be deleted.
11. In rule 1(c) "high power jet" is undefined and ambiguous.

NOISE R31

12. It is unclear why airport noise is subject to district plan noise limits rather than designation conditions. It would be bad practice to duplicate noise controls between plan rules and designation conditions as this would inevitably result in alternate versions and ambiguity (e.g. current situation at Wellington Airport).

APP40

13. Nelson is an oddity in that airport noise is specified in terms of dB and "Pasques". The use of Pasques arose from a minority opinion that made its way as an option into New Zealand Standards and this particular district plan. Internationally, use of dB is universal and all scientific literature and regulations are in terms of dB. Most NZ practitioners favour use of dB and all other district plans are thought to use dB. For clarity and consistency, all references to Pasques should be removed from the Nelson Plan.

14. As per the comment on NOISE-R28 above, ventilation requirements in APP40 should be specified as for port noise, and consistent for all sound insulation rules.

Conclusion

15. The Public Health Service, NMH thanks the Nelson City Council for the opportunity to comment on the Whakamahere Whakatū Nelson Plan: Noise Chapters.

16. The Public Health Service has engaged Dr Stephen Chiles, Environmental Acoustics Noise Specialist, to provide comments from a public health perspective on the Noise Chapters. We are happy to discuss any matters raised in this submission further

Yours sincerely



Peter Burton
Strategic Advisor Public Health
Peter.burton@nmhs.govt.nz