

Submitter Details

First Name: **Chris**
 Last Name: **Streat**
 Organisation: **Arthurs Point Protection Society**
 On behalf of: **NA**
 Street: **89 Arthurs Point Road**
 Suburb: **RD 1**
 City: **Queenstown**
 Country:
 PostCode: **9371**
 Daytime Phone: **03 442 6789**
 Mobile: **0274 856 236**
 eMail: **streatcg@xtra.co.nz**

Trade competition and adverse effects:

I could I could not

gain an advantage in trade competition through this submission

I am I am not

directly affected by an effect of the subject matter of the submission that :

- a. adversely affects the environment, and
- b. does not relate to the trade competition or the effects of trade competitions.

Wishes to be heard:

Yes

No

Preferred hearing location:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Ch 1 - Introduction | <input type="checkbox"/> Ch 2 - Definitions | <input type="checkbox"/> Ch 3 - Strategic Direction | <input type="checkbox"/> Ch 4 - Urban Development |
| <input type="checkbox"/> Ch 5 - Tangata Whenua | <input type="checkbox"/> Ch 6 - Landscape | <input type="checkbox"/> Ch 7 - Low Density Residential | <input type="checkbox"/> Ch 8 - Medium Density Residential |
| <input type="checkbox"/> Ch 9 - High Density Residential | <input type="checkbox"/> Ch 10 - Arrowtown Residential Historic Management Zone | <input type="checkbox"/> Ch 11 - Large Lot Residential | <input type="checkbox"/> Ch 12 - Queenstown Town Centre |
| <input type="checkbox"/> Ch 13 - Wanaka Town Centre | <input type="checkbox"/> Ch 14 - Arrowtown Town Centre | <input type="checkbox"/> Ch 15 - Local Shopping Centres | <input type="checkbox"/> Ch 16 - Business Mixed Use Zone |
| <input type="checkbox"/> Ch 17 - Queenstown Airport Mixed Use | <input type="checkbox"/> Ch 21 - Rural Zone | <input type="checkbox"/> Ch 22 - Rural Residential and Rural Lifestyle | <input type="checkbox"/> Ch 23 - Gibbston Character Zone |
| <input type="checkbox"/> Ch 26 - Historic Heritage | <input type="checkbox"/> Ch 27 - Subdivision and Development | <input type="checkbox"/> Ch 28 - Natural Hazards | <input type="checkbox"/> Ch 30 - Energy and Utilities |
| <input type="checkbox"/> Ch 32 - Protected Trees | <input type="checkbox"/> Ch 33 - Indigenous Vegetation and Biodiversity | <input type="checkbox"/> Ch 34 - Wilding Exotic Trees | <input type="checkbox"/> Ch 35 - Temporary Activities and Relocated Buildings |
| <input checked="" type="checkbox"/> Ch 36 - Noise | <input type="checkbox"/> Ch 37 - Designations | <input type="checkbox"/> Ch 41 - Jacks Point Zone | <input type="checkbox"/> Ch 42 - Waterfall Park |
| <input type="checkbox"/> Ch 43 - Millbrook Resort Zone | | | |

Submission

Consultation Document Submissions

Part Five - District Wide Matters > 36 Noise > 36.5 Rules- Standards

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

That the Hearing Panel reject proposed rule 36.5.13 seeking the introduction of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas in the Second Generation District Plan, in particular Table 1 Ldn averaging to replace the Leq method currently in the District Plan.

My submission is

What is your position in this chapter/provision? Do you: Support Oppose Other Our Arthurs Point Protection Society Inc (APPS) submission is: APPS oppose the introduction of NZ Standard NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas, in particular NZS6807 Table 1 Ldn 24 hour averaging of noise. The Helicopter Standard NZS6807 s4.1.1 states: "...Nothing in the Standard [Helicopter Standard] shall be used to increase noise limits in conditions of resource consents or rules in plans which have been set to ensure a high standard of environmental protection." APPS submit the current rule in the plan with Leq 15 minute averaging does provide a high level of protection compared to the proposed 24 hour averaging!!! When the NZ acoustic standards for residential areas in our current District Plan were created, that APPS support, the NZ Standards Committee included Local Government NZ and Ministry for the Environment. But neither Local Government NZ, or Ministry for the Environment were on the committee that created NZS6807 helicopter noise standard, but the Helicopter line were. All NZ standards state at the beginning who created them. Differences between current noise rule and proposed rule 36.5.13. Current Rule: Assessment of helicopter noise pursuant to NZS 6807: 1994, excluding the levels contained in Table 1 of Section 4.2.2 [NZS6807] to the intent that the levels specified in Table 1 do not override the noise limits specified in Rule [in the zone eg residential or rural]. The proposal is to introduce 50dba Ldn averaging to Table 1 NZS6807 which allows significantly more noise than the current zone rule for residential and rural areas of 50DBaLeq 15 minute averaging. Ldn is defined as: "The day night noise [i.e. "dn"] level which is calculated from the 24 hour Leq, with a 10dba penalty applied to night time Leq 2200-0700 hours)." "Leq is defined as: The time averaged noise level, that is, the constant noise level which would contain an equal amount of sound energy to the actual fluctuating noise level." The District Plan currently has noise limits for aircraft in the various zone rules, they are now proposed in a separate noise section. Please refer 3 page pdf attachment herein with noise tests that provide a comparison between the current and proposed rules. Effects of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas. NZS6807 Helicopters s1.1 allows 90 dBa SEL (SEL= instantaneous noise) 20m from a dwelling. The Helicopter Standard NZS6807 averages this 90 dBa SEL noise down over 24 hours to become the proposed 50 dBa Ldn (dn = day night, 24 hour average). NZS6807 1994 Helicopters 50dBa Ldn (24 hour averaging) is not in line with the World Health Organisation (WHO) Guidelines for Noise Specific Environments 1999 . These guidelines were referenced in the landmark noise case Ports of Auckland v Auckland City Council CP306/98 at page 11, where acoustic consultants for both parties Mr Hegley and Mr Day: "Both agreed that for New Zealand conditions the maximum level of noise that may reasonably be permitted to enter residential premises, if the occupiers are to enjoy a tolerable standard of enjoyment of life, is 35 dBA L10". The helicopter standard allows far higher indoor levels, refer ENV 2009 CHC 003 Statement of acoustic evidence Via Strada at 11.8 The Helicopter Standard 1994 5.2 Heli-noise boundary process will prevent building on surrounding land once a helipad is established. At present, in the Queenstown Lakes District, existing homes, existing development consents to build homes or subdivide, or simply land zoned for development of buildings are well protected from helicopter noise by existing rules in QLDC District Plan. Once the Helicopter Standard is introduced, they are not. In Auckland Regional Council v Auckland City Council A010/97 page 2 . 'reverse sensitivity' is referred to as "the effects of the existence of sensitive activities on other

activities in their vicinity, particularly by leading to restraints in the carrying on of those activities.” The NZ Journal of Environmental law pages 99-103 are of relevance. The Journal submits that “restricting harmless activities in order to protect hazardous activities is not consistent with such purpose [purpose here was RMA s104(1)(a) when considering consent applications any actual and potential effects of allowing the activity be considered.] The effects of introducing the helicopter standard on properties neighbouring helipads will be significant due to frequent noise from helicopter landings, takeoffs and idling, and from fumes. Implication of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas. Under the Helicopter Standard, helipads could pop up unpredictably anywhere at any time and spoil the lifestyle of numerous surrounding residents, and lead to many appeals. Private helipads are different to an airport, which provides public service with anticipated noise effects. We seek the following decision That the Hearing Panel reject proposed rule 36.5.13 seeking the introduction of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas in the Second Generation District Plan, in particular Table 1 Ldn averaging to replace the Leq method currently in the District Plan.

Part Five - District Wide Matters > 36 Noise > 36.5 Rules- Standards

- Support
- Oppose
- Other - Please clearly indicate your position in your submission below

I seek the following decision

That the Hearing Panel reject proposed rule 36.5.13 seeking the introduction of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas in the Second Generation District Plan, in particular Table 1 Ldn averaging to replace the Leq method currently in the District Plan.

My submission is

What is your position in this chapter/provision? Do you: Oppose Our Arthurs Point Protection Society Inc (APPS) submission is: APPS oppose the introduction of NZ Standard NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas, in particular NZS6807 Table 1 Ldn 24 hour averaging of noise. The Helicopter Standard NZS6807 s4.1.1 states: “... Nothing in the Standard [Helicopter Standard] shall be used to increase noise limits in conditions of resource consents or rules in plans which have been set to ensure a high standard of environmental protection.” APPS submit the current rule in the plan with Leq 15 minute averaging does provide a high level of protection compared to the proposed 24 hour averaging!!! When the NZ acoustic standards for residential areas in our current District Plan were created, that APPS support, the NZ Standards Committee included Local Government NZ and Ministry for the Environment. But neither Local Government NZ, or Ministry for the Environment were on the committee that created NZS6807 helicopter noise standard, but the Helicopter line were. All NZ standards state at the beginning who created them. Differences between current noise rule and proposed rule 36.5.13. Current Rule: Assessment of helicopter noise pursuant to NZS 6807: 1994, excluding the levels contained in Table 1 of Section 4.2.2 [NZS6807] to the intent that the levels specified in Table 1 do not override the noise limits specified in Rule [in the zone eg residential or rural]. The proposal is to introduce 50dba Ldn averaging to Table 1 NZS6807 which allows significantly more noise than the current zone rule for residential and rural areas of 50Dbaleq 15 minute averaging. Ldn is defined as: “The day night noise [i.e. “dn”] level which is calculated from the 24 hour Leq, with a 10dba penalty applied to night time Leq 2200-0700 hours.” “Leq is defined as: The time averaged noise level, that is, the constant noise level which would contain an equal amount of sound energy to the actual fluctuating noise level.” The District Plan currently has noise limits for aircraft in the various zone rules, they are now proposed in a separate noise section. Please refer 3 page pdf attachment herein with noise tests that provide a comparison between the current and proposed rules. Effects of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas. NZS6807 Helicopters s1.1 allows 90 dBa SEL (SEL= instantaneous noise) 20m from a dwelling. The Helicopter Standard NZS6807 averages this 90 dBa SEL noise down over 24 hours to become the proposed 50 dBa Ldn (dn = day night, 24 hour average). NZS6807 1994 Helicopters 50dBa Ldn (24 hour averaging) is not in line with the World Health Organisation (WHO) Guidelines for Noise Specific Environments 1999 . These guidelines were referenced in the landmark noise case Ports of Auckland v Auckland City Council CP306/98 at page 11, where acoustic consultants for both parties Mr Hegley and Mr Day: “Both agreed that

for New Zealand conditions the maximum level of noise that may reasonably be permitted to enter residential premises, if the occupiers are to enjoy a tolerable standard of enjoyment of life, is 35 dBA L10". The helicopter standard allows far higher indoor levels, refer ENV 2009 CHC 003 Statement of acoustic evidence Via Strada at 11.8 The Helicopter Standard 1994 5.2 Heli-noise boundary process will prevent building on surrounding land once a helipad is established. At present, in the Queenstown Lakes District, existing homes, existing development consents to build homes or subdivide, or simply land zoned for development of buildings are well protected from helicopter noise by existing rules in QLDC District Plan. Once the Helicopter Standard is introduced, they are not. In Auckland Regional Council v Auckland City Council A010/97 page 2 . 'reverse sensitivity' is referred to as "the effects of the existence of sensitive activities on other activities in their vicinity, particularly by leading to restraints in the carrying on of those activities." The NZ Journal of Environmental law pages 99-103 are of relevance. The Journal submits that "restricting harmless activities in order to protect hazardous activities is not consistent with such purpose [purpose here was RMA s104(1)(a) when considering consent applications any actual and potential effects of allowing the activity be considered.] The effects of introducing the helicopter standard on properties neighbouring helipads will be significant due to frequent noise from helicopter landings, takeoffs and idling, and from fumes. Implication of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas. Under the Helicopter Standard, helipads could pop up unpredictably anywhere at any time and spoil the lifestyle of numerous surrounding residents, and lead to many appeals. Private helipads are different to an airport, which provides public service with anticipated noise effects. We seek the following decision That the Hearing Panel reject proposed rule 36.5.13 seeking the introduction of NZS6807:1994, NZS Noise Management and Land Use Planning for Helicopter Landing Areas in the Second Generation District Plan, in particular Table 1 Ldn averaging to replace the Leq method currently in the District Plan.

Attached Documents

File
APPS attachment 23 Oct 2015

Rule Number	Specific Standards				Non-compliance Status
	Activity or sound source	Assessment location	Time	Noise Limits	
36.5.9	<p>Vibration</p> <p>Vibration from any activity shall not exceed the guideline values given in DIN 4150-3:1999 Effects of vibration on structures at any buildings on any other site.</p>	On any structures or buildings on any other site.	Refer to relevant standard	Refer to relevant standard	NC
36.5.10	<p>Helicopters</p> <p>Sound from any helicopter landing area must be measured and assessed in accordance with NZ 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.</p> <p>Sound from helicopter landing areas must comply with the limits of acceptability set out in Table 1 of NZS 6807.</p> <p>In assessing noise from helicopters using NZS 6807: 1994 any individual helicopter flight movement, including continuous idling occurring between an arrival and departure, shall be measured and assessed so that the sound energy that is actually received from that movement is conveyed in the Sound Exposure Level (SEL) for the movement when calculated in accordance with NZS 6801: 2008.</p> <p>For the avoidance of doubt this rule does not apply to Queenstown Airport and Wanaka Airport.</p> <p>Advice Note: See additional rules in Rural Zone Chapter at 21.10.1 and 21.10.2.</p>	<p>At any point within the notional boundary of any residential unit, other than residential units on the same site as the activity.</p> <p>*Note: The applicable noise limit in this rule and in rule 36.5.11 below for informal airports/landing strips used by a combination of both fixed wing and helicopters shall be determined by an appropriately qualified acoustic engineer on the basis of the dominant aircraft type to be used.</p>	At all times	50 dB L _{dn}	NC