

## **BACKGROUND INFORMATION**

### **PROPOSED DISTRICT PLAN CHANGE 23 – CENTRAL AREA NOISE INSULATION RULES**

#### **Introduction**

The management of inner city noise has been a longstanding issue for Council, particularly in relation to acoustic insulation of inner city residences.

In responding to this issue, Council notified Proposed Plan Change 16 – Central Area Noise Rules on 7 May 2003. The purpose of Plan Change 16 was to introduce a new rule to apply to the Central Area requiring new buildings and conversions of existing buildings for noise sensitive activities to be protected against external noise. To achieve this, the plan change:

- € defined “habitable rooms” and “noise sensitive activities”;
- € introduced a new performance standard for acoustic insulation against external noise;
- € introduced a new condition to the permitted rules requiring habitable rooms in buildings used by noise sensitive activities to be acoustically insulated in accordance with the new performance standard; and
- € provided criteria for the evaluation of noise sensitive activities as a Discretionary (Restricted) activity if the proposed development does not meet the new performance standard.

The plan change also amended the existing acoustic insulation requirements for the Te Ara Haukawa Precinct (the rail-yards site) within the Central Area to be consistent with the new performance standard as proposed above.

#### **Re-notification of Proposed District Plan Change 16 as Proposed Plan Change 23**

Due to an unforeseen technical anomaly with the rules in Proposed Plan Change 16, Council decided to withdraw the plan change and concurrently re-notify a re-worked plan change as Proposed Plan Change 23. Re-notification was considered by Council to be the best way to address technical issues associated with the rule while ensuring the noise attenuation outcomes achieved through Proposed Plan Change 16 would not be lost.

The approach used in Proposed Plan Change 23 is very similar to that used in Proposed Plan Change 16, subject to the following key changes:

- € criteria for the evaluation of noise sensitive activities as a Discretionary (Restricted) Activity have been revised and duplicated to apply to Rule 13.3.1 and Rule 13.3.2.
- € the definition of “noise sensitive activity” has been amended to ensure the rule only applies to activities associated with residential living and where sleeping is required (educational activities and hospital have been removed from the definition).

- € the requirement for mechanical ventilation has been amended to apply only to bedrooms with ‘openable’ windows (as opposed to all habitable rooms with openable windows). This is required to provide sufficient air and at the same time enable people to sleep with the windows shut.

### **Proposed Plan Change 23 - Summary of Proposed Changes**

- € Defines “habitable room” to exclude rooms not required for domestic living
- € Defines “noise sensitive activities” to mean:
  - 4 any residential activity
  - 4 any hotel, motel or other premises where residential accommodation for five or more travellers is offered at a daily tariff or other specified time
  - 4 early childhood centres
- € Introduces a performance standard for acoustic insulation against external noise - designed to achieve the minimum international standard for internal noise of 35dBA.
- € Requires new noise sensitive activities moving into existing buildings within the Central Area to meet specified acoustic insulation standards.
- € Requires habitable rooms in new buildings for noise sensitive activities to meet specified acoustic insulation standards.
- € Provides criteria for the evaluation of noise sensitive activities as a discretionary (restricted) activity if it does not meet the standards for noise insulation.
- € Updates the existing noise insulation rule in the Te Ara Haukawakawa Precinct (the rail-yards site) to be consistent with the proposed rule for rest of the Central Area.

### **Conclusion**

Provisions in the District Plan for inner city noise require refinement in order to better achieve the purpose of the Resource Management Act 1991 and ensure noise is managed in the most sustainable manner.

For inner city noise, the need for noise insulation rules stems from continuing problems that have arisen over the last few years, particularly as the move to inner city apartment living has increased. Investigations over the last two years have confirmed that the non regulatory approach to insulation of noise sensitive activities is not having the desired effect. Most residences are not being properly insulated even though the public are informed through the District Plan of higher noise emission levels in the Central Area and are encouraged to insulate.

Re-notification (through Proposed Plan Change 23) will ensure that new residential buildings and existing buildings accommodating new noise sensitive activities are insulated to protect against external noise.

#### **Contact Officer:**

*Paul Kos, Policy Advisor District Plan*

*Ph: 801 3820*

*Email: paul.kos@wcc.govt.nz*