

Attachment 2: Proposed Rule

1. Permitted Activity Rule Indoor Noise

Either:

a. Within the Noise Corridor Boundary Overlay, where:

- a new building that contains a noise sensitive activity (as identified in Table 1); or
- an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity;
or
- a new noise sensitive activity is located in an existing building;

is proposed, it is to be:

- (i) Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and
- (ii) If windows must be closed to achieve the design noise levels in (1)(a)(i), the building is designed, constructed and maintained with a mechanical ventilation system that:

a. For habitable rooms for a residential activity, achieves the following requirements:

- i Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
- ii is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
- iii provides relief for equivalent volumes of spill air; and
- iv provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18C and 25C; and
- v does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.

b. For other spaces, is as determined by a suitably qualified and experienced person.

- (iii) A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1)(a)(i) and (ii) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.

Or

b. Within the Noise Corridor Boundary Overlay where:

- a new building that contains a noise sensitive activity; or
- an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity;
or
- a new noise sensitive activity is located in an existing building;

Is at least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows to the road surface.

Table 1: Noise Sensitive Activities and Their Maximum Permissible Road Noise Level

<u>Occupancy/activity</u>	<u>Maximum road noise level</u> <u>LAeq(24h) *Note 1</u>
<u>Building type: Residential</u>	
<u>Sleeping spaces</u>	<u>40 dB</u>
<u>All other habitable rooms</u>	<u>40 dB</u>
<u>Building type: Education</u>	
<u>Lecture rooms/theatres, music studios, assembly halls</u>	<u>35 dB</u>

<u>Teaching areas, conference rooms, drama studios, sleeping areas</u>	<u>40 dB</u>
<u>Libraries</u>	<u>45 dB</u>
<u>Building type: Health</u>	
<u>Overnight medical care, wards</u>	<u>40 dB</u>
<u>Clinics, consulting rooms, theatres, nurses' stations</u>	<u>45 dB</u>
<u>Building type: Cultural</u>	
<u>Places of worship, marae</u>	<u>35 B</u>

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

2. Permitted Activity Rule Outdoor Living Area

Either:-

- a. Where an outdoor living or outdoor activity space required by another rule in the Plan is within the Noise Corridor Boundary Overlay and the outdoor space is required for a noise sensitive activity, the required outdoor living space is to be designed and maintained to achieve noise levels not exceeding the maximum values in Table 2; and
- b. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (2)(a) above prior to the construction or alteration of the any building to which the outdoor living space relates.

Or

- c. Is at least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of the outdoor living space to the road surface.

Table 2

<u>Activity</u>	<u>Maximum road noise level Note 1</u> <u>L_{Aeq}(24h)</u>
<u>Required Outdoor Living Space</u>	<u>57 dB</u>

3. Restricted Discretionary Activity Rule

Any new or altered noise sensitive activity which does not comply with Permitted Activity (1) ~~or (2)~~.

Restricted Discretionary Activity – Matters of Discretion

Discretion is restricted to:

- (a) Location of the building ~~and outdoor living space~~;
- (b) The effects of the non-compliance on the health and amenity of occupants; and
- (c) The outcome of any consultation with Waka Kotahi NZ Transport Agency.

Restricted Discretionary Activity – Assessment Criteria

Discretion is restricted to:

- (a) Whether the location of the building minimises effects;
- (b) Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants; and
- (c) The outcome of any consultation with Waka Kotahi NZ Transport Agency.