

# PRACTICE NOTE: HOROTIU ACOUSTIC AMENITY OVERLAY (WAIKATO SECTION)



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/WaikatoDistrictCouncil

VERSION 1 – 20/07/2017

## DOES THIS AFFECT ME?

This note is relevant to anyone in the Horotiu Acoustic Amenity Overlay area who is proposing to construct a new dwelling or alter an existing dwelling.

## WHAT DOES IT MEAN FOR ME?

Additional noise mitigation measures may be required depending on the location of the dwelling in relation to sources of noise (road, rail, industrial zones). An appropriately qualified acoustic specialist is required to determine if mitigation is required and, if required, what measures are appropriate. This Practice Note has been prepared with input from a qualified acoustic specialist.

### 1. Background

In 2016, Plan Change 17 to the Waikato District Plan rezoned around 40ha of land in Horotiu as follows:

- Rural Zone to New Residential and Country Living Zone
- Industrial Zone to Business Zone, Country Living Zone and New Residential Zone.

Part of the plan change was the introduction of the "Horotiu Acoustic Amenity Overlay" which sets minimum acoustic insulation standards for "sensitive" activities in the rezoned areas. See Map attached to this Practice Note.

The permitted activity rules for the construction or alteration of dwellings within the Horotiu Acoustic Amenity Overlay area follow this general structure:

- Construction or alteration of a dwelling within the Horotiu Acoustic Amenity Overlay is a permitted activity if:*
- the building is designed and constructed to comply with Table A – Internal Sound Levels in Appendix M6 (Acoustic Insulation), and*
  - it is setback at least 40m from the Industrial Zone boundary.*

### 2. Setbacks

The first point to determine is whether the proposed dwelling is within 40m of the Industrial Zone boundary – this boundary is interpreted to mean the boundary of both the Heavy Industrial zone and the Industrial Park zone.

If the proposed construction or alteration is within this setback, resource consent is required as a discretionary activity. Noise will be an important consideration of any such consent application.

The plan does not stipulate that input from an appropriately qualified acoustic specialist is required. Due to the complex nature of noise, specialist input is required to demonstrate compliance to the level of certainty that Council requires.

Postal Address	Huntly Office	Ngaruawahia Office	Raglan Office	Te Kauwhata Office	Tuakau Office
Waikato District Council Private Bag 544 Ngaruawahia	142 Main Street, Huntly	15 Galileo Street, Ngaruawahia	7 Bow Street, Raglan	1 Main Road, Te Kauwhata	2 Dominion Road, Tuakau

### 3. Design and construction

It will generally be at the Building Consent stage when the Horotiu Acoustic Amenity Overlay noise rules are implemented.

Building Consents applicants are required to:

- (a) Identify the location of the building site of the proposed dwelling construction/alteration;
- (b) Seek input from an appropriately qualified acoustic specialist to determine and report on the external noise that the building site will be subject to;
- (c) If the noise at the building site requires mitigation to ensure compliance with the internal design sound levels in Table A of Appendix M6, have the appropriately qualified acoustic specialist design and report on a mitigation package to ensure compliance;
- (d) Provide a copy of (a), (b) and, if required, (c) to Council with the building consent application to demonstrate compliance with the rule.

The District Plan does not require the consideration of the cumulative effects of industrial / traffic / rail noise.

The guidance below aims to help an applicant and their appropriately qualified acoustic specialist determine the noise level at a proposed dwelling site.

### 4. Road & Rail Noise

The supporting documents for Plan Change 17 indicate that the reason for the overlay is because of the industrial zone noise and also because the area will be affected by noise from traffic movements in the Te Rapa Bypass, Great South Road and the North Island Main Trunk Railway.

The plan is silent on what traffic volumes to use to determine road noise. It is considered sensible to plan for future traffic volumes (*NZS 6806:2010 Acoustics – Road-traffic noise – New and altered roads* recommends 10 years). However that is not a requirement and current traffic volumes can be used.

An appropriately qualified acoustic specialist will be able to obtain information to determine the noise from the roads and railway line.

### 5. Industrial Zone Noise

One of the key drivers to introduce the overlay was to reduce the risk of reverse sensitivity effects on the industrial zone.

The most appropriate noise levels to use for the industrial zone is the maximum permitted noise limits for the nearby industrial zones as well as any noise limits in resource consents that have been issued for activities in the industrial zone. It is not considered reasonable for an appropriately qualified acoustic specialist to obtain information from all resource consents that have been granted nearby. Designs should therefore be based on the maximum permitted activity noise limits for the industrial zones. These are outlined in the table below.

Note: 75dBA  $L_{10}$  may be taken as equivalent to 2dB less than the  $L_{10}$  value at 73dBA  $L_{eq}$  for design purposes.

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## 6. Permitted noise limits for Heavy Industrial Zone and Industrial Park

Zone	Maximum permitted noise
Heavy Industrial Zone – rule 24.19.1	<p>Any activity in the Heavy Industrial Zone (except activities on the Te Rapa Dairy Factory) is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site:</p> <p>(a) does not exceed 75dBA (<math>L_{10}</math>) at any time, and</p> <p>(b) in another zone, (except the Light Industrial Zone) does not exceed</p> <p>i. 55dBA (<math>L_{10}</math>), 7am to 10pm</p> <p>ii. 45dBA (<math>L_{10}</math>) and 75dBA (<math>L_{max}</math>), 10pm to 7am the following day, and</p> <p>(c) in the Light Industrial Zone, does not exceed the permitted activity standards for noise generated in that zone.</p> <p>Despite the above, construction noise is not subject to this rule.</p>
Industrial Park – rule 24B.19.1	<p>Any activity is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site:</p> <p>(a) does not exceed 75dBA (<math>L_{10}</math>) at any time; and</p> <p>(b) in another zone (except the Living Zone) does not exceed</p> <p>i. 55dBA (<math>L_{10}</math>), 7am to 10pm</p> <p>ii. 45dBA (<math>L_{10}</math>) and 70dBA (<math>L_{max}</math>), 10pm to 7am the following day; and</p> <p>(c) in the Living Zone does not exceed</p> <p>i. 55dBA (<math>L_{10}</math>), 7am to 10pm</p> <p>ii. 40dBA (<math>L_{10}</math>) and 70dBA (<math>L_{max}</math>), 10pm to 7am the following day.</p> <p>Despite the above, construction noise and emergency sirens are not subject to this rule.</p>

## 6. Internal Design Sound Levels - Table A, Appendix M6

Type of occupancy/activity	Internal Design Sound Level, dBA (Leq24hr)
Residential Activity buildings: - bedrooms - other habitable rooms	35 40
Travellers accommodation/ Home occupation / Home-stays and Papakainga housing: - bedrooms	35
Educational buildings (teaching spaces)	35
Hospitals - wards - all other noise sensitive areas	35 40

## 7. Legend for attached map

### LEGEND

-  Building/Construction
-  Noise Control Boundary
-  Property
-  Zones
  -  Business (W)
  -  Heavy Industrial
  -  Industrial Park
  -  Living
  -  New Residential
  -  Country Living
  -  Rural (W)

**Postal Address**  
Waikato District Council  
Private Bag 544  
Ngaruawahia

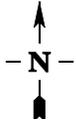
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# Waikato District Plan

