

Evidence in respect of Genesis Energy Limited Submitter #924

BEFORE THE INDEPENDENT HEARINGS PANEL FOR THE PROPOSED WAIKATO  
DISTRICT PLAN

**IN THE MATTER OF**      the Resource Management Act 1991

**AND**

**IN THE MATTER OF**      Proposed Waikato District Plan, Stage 1: Hearing 7, Industrial  
and Heavy Industrial Zone

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**PRIMARY STATEMENT OF EVIDENCE BY RICHARD MATTHEWS**

9 DECEMBER 2019

FOR GENESIS ENERGY LIMITED SUBMITTER #924

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## **Executive Summary**

1. I consider that the Proposed Waikato District Plan should make it clear which industrial activities within the district are “Regionally Significant Industries”, and that the HPS needs to be explicitly identified as such. This could be achieved by way of a schedule added to Chapter 30 of the District Plan identifying Regionally Significant Industries (including the Huntly Power Station), or alternatively, by a change to Policy 4.6.2 as proposed in Genesis submission point 924.44 identifying the HPS as regionally significant industry in accordance with the Regional Policy Statement definition.
2. I consider that educational facilities are not appropriate or efficient uses of industrial zoned land and that permitted or restricted discretionary status for such activities in industrial zones is not appropriate. I agree with the recommendation (paragraph 243) in Part B of the section 42A Report on submissions and further submissions on the Industrial Zone and Heavy Industrial Zone provisions that the Ministry of Education submission regarding education facilities in industrial zones be rejected.
3. Section 8.4.8 of NZS 6802:2008 Acoustics – Environmental Noise recognises that when a notional boundary noise limit is adopted, a potential issue arises where new dwellings or sensitive activities may be established, causing a change in the location of the boundary relative to the noise emitter which can lead to reverse sensitivity effects. In my opinion, in order to define a noise compliance limit, the location of the notional boundary relative to existing noise sensitive activities needs to be fixed.
4. I consider that the notional boundary compliance limit in Rule 21.2.3.2 should be tagged to dwellings existing at a specific date. The date adopted by the Environment Court (and Waikato District Council) for the present Operative District Plan was 25 September 2004. I consider that this date should be included within Rule 21.2.3.2.
5. I support the changes to the noise rules proposed by Mr Ellerton in his evidence.
6. In my opinion, Rule 21.3.1 Height – General should be amended to include the Operative Plan building height limits in the PDP rule in order to continue provide for the existing HPS building envelope.

7. In order to ensure that the electricity generation activities on the HPS are explicitly provided for, I consider that Rule 21.1.1 (1) should be amended by explicitly providing for electricity generation activities and associated coal stockpiling activities at the HPS.
8. I agree with Genesis, other submitters and the author of the s42A Report relating to the Industrial and Heavy Industrial Zone that signage for health and safety or asset identification purposes or that is required by legislation be identified as a permitted activity in the PDP.
9. As the PDP does not have a chapter dealing specifically with general rules that have District-wide application, I consider that it would be prudent to include a rule with the wording recommended for Rule 14.3.1 P11 in each Zone identified in the PDP.
10. In addition to ensuring that the rule does apply to any signage for health and safety or asset identification purposes or that is required by legislation be identified as a permitted activity, I consider that it would be helpful to clarify that “required by legislation” includes required by regulations associated with legislation.

### **Evidence Summary**

11. Genesis owns and operates nationally significant electricity generation facilities in the Waikato District and therefore has a significant interest in how land use is managed under the Proposed Waikato District Plan.
12. I support the recognition and provision for electricity generation assets such as the Huntly Power Station as recognised through Policy 6.6 and Policy 4.4 of the Regional Policy Statement.
13. Both Section 42A reports that have been prepared for Hearing 1 and 2 do not accept Genesis submission points that Regionally Significant Industry needs to be explicitly identified in a District Plan.
14. The definition of Regionally Significant Industry in the Waikato Regional Policy Statement requires that such activities be “*identified in regional or district plans*”. In that regard, I do not agree with the approach used in the s42A reports where such activities are explicitly identified. In my opinion, the Huntly

Power Station needs to be explicitly identified as a Regionally Significant Industry in the Proposed Waikato District Plan.

15. I consider that provision should be made in all zones for health and safety signs as a permitted activity, as sought in the Z Energy, BP Oil NZ Limited and Mobil Oil NZ Limited submissions.
16. I generally agree with the Hearing 1 and Hearing 2 s42A report recommendations in relation to other Genesis submission and further submission points but consider that the words "*electricity generation infrastructure and energy corridor*," should be added to section 1.5.5(d) as sought in the Genesis submission point 924.4.
17. I have summarised the changes that I propose in **Appendix 1**.

### **Introduction**

18. My name is Richard John Matthews. I hold the qualifications of Master of Science (Hons) degree specialising in Chemistry and have been working on resource consent applications (and their former descriptions under legislation prior to the commencement of the Resource Management Act 1991) since 1979 and advising on Regional and District Plan provisions since 1991.
19. I am a partner with Mitchell Daysh Limited, a specialist environmental consulting practice with offices in Auckland, Hamilton, Tauranga, Taupo, Napier, Wellington and Dunedin. Mitchell Daysh Limited was formed on 1 October 2016, as a result of merger between Mitchell Partnerships Limited and Environmental Management Services.
20. I prepared evidence for the Proposed Waikato District Plan, Stage 1: Hearing 1, Chapter 1 Introduction and Hearing 2, Plan Structure and All of Plan hearings. My experience is set out in that evidence.
21. I have been providing planning advice to Genesis with respect to Huntly Power Station activities since 1999 and am familiar with the power station operations, the resource consents applicable to the site and the Operative Regional and District Plan provisions relevant to the site.

### **Code of Conduct**

22. While not directly applicable to this hearing, I confirm that I have read the “Code of Conduct for Expert Witnesses” contained in the Environment Court Consolidated Practice Note 2014. I agree to comply with this Code of Conduct. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

### **Scope of Evidence**

23. My evidence discusses the Genesis Energy Limited (“**Genesis**”) Submissions (submitter ID 924) and Further Submissions (submitter ID 1345) on the Proposed Waikato District Plan (“**PDP**”) with respect to the matters addressed in the Section 42A reports for Hearing 7: Industrial Zone & Heavy Industrial Zone, comprising:
- a) Hearing 7: Industrial Zone s42A Report A, Introduction, Objectives and Policies;
  - b) Hearing 7: Industrial Zone s42A Report B, Industrial Zone Rules;
  - c) Hearing 7: Industrial Zone s42A Report C, Heavy Industrial Zone; and
  - d) Hearing 7: Industrial Zone s42A Report D, Horotiu Industrial Park.

### **Genesis Energy Limited Background and Submissions**

24. Section 2 of the Genesis submission and my Hearing 1 and 2 evidence sets out the background to Genesis’ interests in the Waikato District. Genesis Energy owns and operates the Huntly Power Station (“**HPS**”). The HPS is located on Heavy Industrial Zone land and activities related to the power station operation, such as coal receipt and delivery activities and ash removal, are located on Rural Zone land.
25. The Submissions made by Genesis in respect of the Industrial Zone and Heavy Industrial Zone fall into broad categories, as follows:
- (a) Ensuring that the ongoing operation, maintenance and upgrading of the nationally significant HPS is not compromised through or affected by noise provisions in the Heavy Industrial Zone;

- (b) Ensuing that activities typically undertaken at the HPS are appropriately provided for; and
  - (c) Ensuring that where matters required under separate and unrelated regulations (such as signs relating to hazardous substances) the rules in the Industrial Zones do not unnecessarily hinder giving effect to those requirements.
26. I have read the s42A Reports relevant to Hearing 7. I do not propose to repeat the matters addressed in those reports other than to highlight particular points and focus on the aspects addressed in the Genesis submissions and further submissions.

**Industrial Zone s42A Report A – Submission Point 924.44**

27. Genesis sought a new clause in Policy 4.6.2 *Provide Industrial Zones* to recognise and provide for the Huntly Power Station as a regionally significant industry, to give effect to the Waikato Regional Policy Statement definitions requiring that regionally significant industry be specifically identified in District Plans.
28. The Industrial Zone Objectives and Policies s42A Report<sup>1</sup> recommends rejecting this submission point, in part by referring to a recommended change to Policy 5.3.17 recommended by Mr Eccles in rebuttal evidence for Hearing 2, where he states:
- The most appropriate place within the PWDP for this recognition to occur is in my view in the existing Rural policy 5.3.17 that recognises facilities at Huntly Power Station. The alternative was to insert provisions into Chapter 6 Infrastructure and Energy however given the subtle difference between Industry and Infrastructure the recommended amendment below was preferred.*
29. While I agree with Mr Eccles that such a change to Policy 5.3.17 could be made in the manner that he suggests, I note that Policy 5.3.17 relates to the Rural Zone and to HPS activities located in that zone, namely coal storage

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<sup>1</sup> Section 42A Report, Report on submissions and further submissions on the Proposed Waikato District Plan – Stage 1, Hearing 7: Industrial Zone & Heavy Industrial Zone Part A, prepared by J Macartney, November 2019.

and delivery (Huntly West) and ash management (north of the HPS) and not to the HPS located in the Heavy Industrial Zone.

30. As I stated in my Hearing 1 and 2 evidence,<sup>2</sup> I consider that the Proposed Waikato District Plan should make it clear which industrial activities within the district are “Regionally Significant Industries”, and that the HPS needs to be explicitly identified as such in terms of its overall activities, not just with respect to those ancillary aspects occurring in the Rural Zone.
31. I stated in my Hearing 1 and 2 evidence that this could be achieved by way of a schedule added to Chapter 30 of the District Plan identifying Regionally Significant Industries (including the Huntly Power Station).<sup>3</sup> This would ensure that such industries are appropriately identified irrespective of the zone that they are located in.
32. Alternatively, a change to Policy 4.6.2 as proposed in Genesis submission point 924.44 would identify the HPS as regionally significant industry in accordance with the Regional Policy Statement definition.

#### **Industrial Zone s42A Report B – Further Submission Point 1345.130**

33. The Ministry of Education submission 781.24 seeks an amendment to Rule 20.1.1 P2 for any education facility which is not incidental to a trade and industry training activity to be a permitted activity<sup>4</sup> and to add a new restricted discretionary activity rule for educational facilities in the Industrial Zone.
34. I consider that educational facilities are not appropriate or efficient uses of industrial zoned land primarily because of the lower level of amenity (such as increased noise and traffic levels) expected in such zones. In that regard, I consider that permitted or restricted discretionary status for such activities in industrial zones is not appropriate.

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<sup>2</sup> For example, paragraphs 54 and 55, Proposed Waikato District Plan, Stage 1: Hearing 1, Chapter 1 Introduction and Hearing 2, Plan Structure and All of Plan, Primary Statement of Evidence by Richard Matthews for Genesis Energy, September 2019.

<sup>3</sup> *Ibid*, paragraph 48.

<sup>4</sup> I assume that this is the intent of the submission, even though read literally the submission requests a permitted activity that is also a restricted discretionary activity.

35. I agree with the recommendation (paragraph 243) in Part B of the section 42A Report on submissions and further submissions on the Proposed Waikato District Plan – Stage 1, Hearing 7: Industrial Zone & Heavy Industrial Zone Part A, prepared by J Macartney, November 2019 that the Ministry of Education submission regarding education facilities in industrial zones be rejected.

### **Industrial Zone s42A Report C – Noise**

36. It is acknowledged in the PDP that industrial activities can result in noise levels being elevated across site and zone boundaries through establishing rules that prescribe the noise standards to be achieved at various locations, such as noise measured within any other site in the zone or within any site in another zone.
37. For the HPS, the PDP prescribes a specific noise rule that recognises the significance of the site and the fact that various activities at the site (not just those associated with the original Rankine generators at the site) have been established based on both historical and present Operative District Plan rules. These historical rules typically adopted notional boundary<sup>5</sup> limits for dwellings in the Rural Zone.
38. I support the use of a notional boundary limit for dwellings or sensitive activities in the rural zone. However, such a limit depends on where the dwelling or sensitive activity is located, which can change as new dwellings are built or new activities sensitive to noise are established. The notional boundary limit for the HPS as proposed in the PDP (“Rule 21.2.3.2 P2 *“Noise measured at the notional boundary within any site in the Rural Zone must not exceed...”*”) does not provide any guidance to anyone seeking to locate closer to the HPS than any existing dwelling that noise levels could be higher than what the standard Rural Zone noise provisions allow for. Conversely, there would be pressures on Genesis to alter noise levels at the HPS in order to comply with the new (and closer) notional boundary established by the new activity.

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<sup>5</sup> For noise assessments, the notional boundary is defined in the PDP as “a *line measured 20 metres, and parallel to any side of a residential unit or a building occupied by a sensitive land use, or the site boundary where this is closer to the residential unit or sensitive land use*”.



39. In my opinion, this is contrary to the reverse sensitivity policies objectives and policies in the PDP. I understand that it can be very difficult to retrofit noise control measures to an existing activity such as the HPS.

40. Noise Rule 21.2.3.2 P4(b) for the HPS (and other rules in the PDP) states that “Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 Acoustics – Environmental Noise”. Section 8.4.8 of NZS 6802:2008 recognises the potential issue that arises where new dwellings or sensitive activities may be established, noting that a distinction may need to be made between existing and potential future dwellings.

41. Section 8.4.8 of NZS 6802 states:

*An important distinction will often need to be made between existing dwellings and future. For reasons now called “reverse sensitivity” the concept of people coming to a noise source or nuisance not being entitled to an amenity level as if the noise source did not exist has long been upheld. Thus it is common to find the noise assessment location specified as:*

*“at any point within the notional boundary of an existing dwelling”.*

*Sometimes this is expressed as:*

*“at any point within the notional boundary of any existing dwelling shown on map X attached” or*

*“dwellings existing at the date this consent comes into effect”.*

42. Using a notional boundary for measurement of noise is appropriate. However, in order to define a noise compliance limit, the location of the notional boundary relative to existing noise sensitive activities needs to be fixed.

43. This matter was canvassed extensively in respect of the present Operative Waikato District Plan, culminating in an Environment Court consent order specifying that the notional boundary noise limit be tagged to dwellings existing at a specific date, as discussed by Mr Ellerton in his evidence.

44. The date adopted by the Environment Court (and Waikato District Council) for the present Operative District Plan was the date that plan was formally

proposed, 25 September 2004. This date serves to fix in time where the notional boundary is and provides certainty for both Genesis and anyone wishing to establish any activity near the HPS.

45. I consider that this date should be included within Rule 21.2.3.2 as recommended by Mr Ellerton in his evidence.
46. I support the changes to the noise rules proposed by Mr Ellerton in his evidence.
47. I also wish to clarify one further matter in relation to noise levels and reverse sensitivity issues potentially relating to the HPS, which relates to KiwiRail Holdings Limited submission point 986.22 and Genesis further submission point 1345.141 where changes to the wording of Policy 4.4.2 were sought in respect of noise sensitive activities.
48. The changes sought by KiwiRail (supported by Genesis) were generally accepted by the reporting officer in the Village Zone section 42A report,<sup>6</sup> with Ms Butler proposing some adjustments in her evidence<sup>7</sup> on this point.
49. While the reporting officer generally supported the changes proposed by KiwiRail, those changes were not reflected in full in the proposed changes set out in Appendix 4 "*Recommended Amendments Chapters 4-3 and 4-4*" to the s42A Report, in particular with respect to changes 4.4.2(a)(iv) that are not shown in the recommended changes in Appendix 4.
50. I support changing Policy 4.4.2(a) as follows:
  - (a) The adverse effects of noise on residential amenity are minimised by:
    - (i) Ensuring that the maximum sound levels are compatible with the surrounding residential environment;
    - (ii) Limiting the timing and duration of noise-generating activities, including construction and demolition activities;

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<sup>6</sup> Section 42A Report, Report on submissions and further submissions on the Proposed Waikato District Plan Stage 1 Hearing 6: Village Zone Part A – Land use, prepared by: K Cattermole, November 2019.

<sup>7</sup> Evidence of Pam Butler Senior RMA Adviser, Submitter: KiwiRail Holdings Ltd, submitter 986, Hearing 6 – Village Zone.

- (iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses and noise-sensitive activities;
- (iv) Managing the location of sensitive land uses and noise-sensitive activities, particularly in relation to lawfully-established high noise generating activities; and
- (v) Requiring acoustic insulation where sensitive land uses and noise-sensitive activities are located within high noise environments.

### **Industrial Zone s42A Report C – Submission Point 924.35**

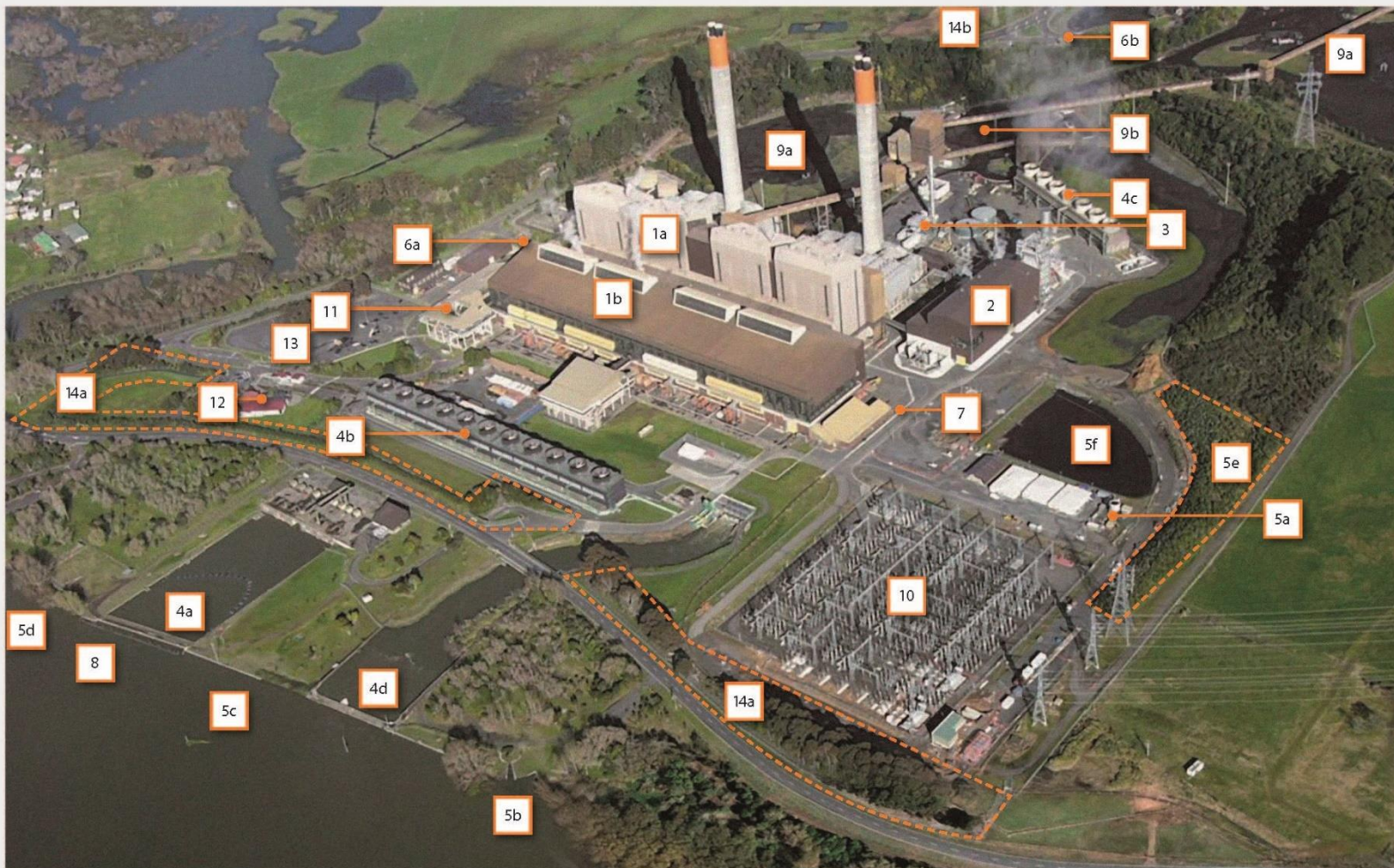
- 51. Rule 21.3.1 specifies standards for building height in the Heavy Industrial Zone. Genesis submission point 924.35 seeks height limits more consistent with the Operative District Plan height controls than those provided for in the PDP.
- 52. In paragraph 900 of the s42A Report,<sup>8</sup> the reporting officer observes that with respect to the Operative Plan Rule 24.42 “*the 35 metre height limit appears to relate primarily to the main power station building, while the 50m height limit presumably relates to the stacks*”.
- 53. By way of clarification of the Operative Rule 24.42, the 50 metre height limit relates to the main boiler hall building envelope at the HPS while the 35 metre height limit relates to buildings other than the boiler hall envelope. The two main stacks on the site are approximately 150 metres tall. These features are shown in the figure below.
- 54. Newer developments (such as units 5 and 6 and the helper cooling tower) on the HPS site have largely occurred within the envelope provided for under Operative Plan Rule 24.42. Units 5 and 6 have stacks approximately 50 metres high.

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<sup>8</sup> Section 42A Report, Report on submissions and further submissions on the Proposed Waikato District Plan – Stage 1, Hearing 7: Industrial Zone & Heavy Industrial Zone Part C, prepared by J Macartney, November 2019.

55. Genesis submission point 924.35 requested a maximum building height of 60 metres for the HPS. This was to accommodate the existing building envelope (including vents etc. on the existing buildings).

Evidence in respect of Genesis Energy Limited Submission #924



- |                            |                                     |                              |                                    |                             |
|----------------------------|-------------------------------------|------------------------------|------------------------------------|-----------------------------|
| 1a. Units 1-4 Boiler House | 4c. Unit 5 Cooling Tower            | 5d. South Stormwater Outfall | 7. Ash Treatment and Disposal Line | 11. Administration Building |
| 1b. Units 1-4 Turbine Hall | 4d. Cooling Water Outfall           | 5e. Unit 5 Bund              | 8. In-River Iowa Vanes             | 12. Seminar Building        |
| 2. Unit 5                  | 5a. Stormwater Treatment Facilities | 5f. Flocculation Pond        | 9a. Coal Stockpiles                | 13. Staff Carpark           |
| 3. Unit 6                  | 5b. North Stormwater Outfall        | 6a. Water Treatment Plant    | 9b. Coal Handling Area             | 14a. Screen Planting        |
| 4a. Cooling Water Intake   | 5c. Central Stormwater Outfall      | 6b. Truck Wash               | 10. Transpower Switchyard          | 14b. Clean Fill Site        |
| 4b. Helper Cooling Tower   |                                     |                              |                                    |                             |

56. In paragraph 901 of the s42A Report, the report author notes that the “*Huntly Power Station is already substantially developed and as such, has existing use rights for their existing buildings*”. While I agree that the existing site enjoys existing use rights, the intention of the submission was to preserve the existing envelope for possible future site development. Future development could include peaker generation units (which Genesis has secured air discharge consents for) that are likely to be necessary to support future renewable generation in New Zealand.
57. In my opinion, Rule 21.3.1 should be amended to include the Operative Plan building height limits in the PDP rule as follows:

21.3.1 Height – General

P1	<b><u>Except within the Huntly Power Site, T</u></b> he maximum height of any building shall be: (i) 35m for 2% of the net site area; and (ii) 20m over the balance of the net site area.
<b><u>P2</u></b>	<b><u>Within the Huntly Power Site, the maximum height of any building shall be:</u></b> <b><u>(i) 50m; and</u></b> <b><u>(ii) 35m over 90% of the net site area.</u></b>
RD1	(a) A building that does not comply with Rule 21.3.1 P1 (b) Council’s discretion is restricted to the following matter: (i) effects on amenity.

**Industrial Zone s42A Report C – Further Submission Point 1345.80**

58. Genesis submission point 1345.80 opposed changes to the Outdoor Storage Rule 21.2.8 proposed by Waikato District Council. The HPS site includes extensive coal stockpile areas necessary to maintain generation activity at the site.
59. The reporting officer’s recommendations (section 61.4 of the s42A Report) are to delete the outdoor storage rule 21.2.8 entirely, largely on the basis that such stockpiles would be covered by the “ancillary activities” definition now proposed for the PDP (adopting the National Planning Standards definition) and that amenity matters are addressed by other Heavy Industrial Zone rules.

60. I agree with the intent of that recommendation and that stockpiling activities can be regarded as an ancillary activity to the main activity (electricity generation) on the site. However, as noted in its submission point 924.27 on Rule 14.6.1 in the Energy and Infrastructure section of the PDP, there is some uncertainty as to whether “electricity generation” is an industrial activity provided for within the Heavy Industry Zone. Genesis sought amendments to Rule 14.6 in the PDP to address this point.
61. In addition to potential uncertainty as to whether electricity generation is provided for within the Heavy Industry Zone, I note that while the coal stockpiles on the site are ancillary to the electricity generation activity, they are a significant component of and are integral to the overall site activity.
62. In order to ensure that the electricity generation activities on the HPS are explicitly provided for, I consider that Rule 21.1.1 (1) should be amended by explicitly providing for electricity generation activities and associated coal stockpiling activities at the HPS as follows (recommendations from the s42A Report accepted):

Activity		Activity specific conditions
P1	Industrial Activity	Nil
P2	Trade and industry training activity	Nil
P3	Truck stop for refuelling	Nil
P4	Office ancillary to an industrial activity	Less than 100m <sup>2</sup> , or 30% gross floor area of all buildings on the site.
P5	Food outlet	Less than 200m <sup>2</sup> gfa. gross floor area
P6	Ancillary retail	Does not exceed 10% of all building on the site.
P7	Emergency services training and management activities	Nil
P8	Ancillary activity	Nil
P9	Construction or demolition of, or alteration or addition to, a building	Nil
<b><u>P10</u></b>	<b><u>Electricity generation at the Huntly Power Station site and associated coal stockpiling</u></b>	<b><u>Rule 21.2.3.2 Noise – Huntly Power Station</u></b>

**Industrial Zone s42A Report C – Further Submission Points 1345.60, 61, and 63**

63. Genesis further submissions 1345.60, 1345.61 and 1345.63 supported submissions made by Synlait Milk Limited and the “Oil Companies” (Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited) requesting that signage for health and safety or asset identification purposes or that is required by legislation be identified as a permitted activity in the Heavy Industrial Zone.
64. The Report C s42A report recommends that rather than a Heavy Industry Zone specific rule permitting such signs, these signs should be a permitted activity wherever they occur and accordingly recommends a change to Rule 14.3.1 P11 (a “General Infrastructure” rule) such that it would apply across the District and not just to “infrastructure”.
65. While I agree that removing the words “associated with infrastructure” from Rule 14.3.1 P11 could be seen as a pragmatic way to ensure that such signs are permitted wherever they are required in the District, the recommended change does not alter the fact that the rule lies in a chapter and section devoted to management of “infrastructure”, so the rule itself would still be interpreted as applying to “infrastructure” as defined in the PDP.
66. As the PDP does not have a chapter dealing specifically with general rules that have District-wide application, I consider that it would be prudent to include a rule with the wording recommended for Rule 14.3.1 P11 in each Zone identified in the PDP.
67. In addition to ensuring that the rule does apply to any signage for health and safety or asset identification purposes or that is required by legislation be identified as a permitted activity, I consider that it would be helpful to clarify that “required by legislation” includes required by regulations associated with legislation, as follows:

*Signage required for health and safety or asset identification purposes and/or required by legislation **or any associated regulations***

Richard Matthews

9 December 2019



**Appendix One: Summary of Proposed Changes**

**Policy 4.4.2 – Noise**

- (a) The adverse effects of noise on residential amenity are minimised by:
  - (i) Ensuring that the maximum sound levels are compatible with the surrounding residential environment;
  - (ii) Limiting the timing and duration of noise-generating activities, including construction and demolition activities;
  - (iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses **and noise-sensitive activities**;
  - (iv) Managing the location of sensitive land uses **and noise-sensitive activities**, particularly in relation to lawfully-established high noise generating activities; and
  - (v) Requiring acoustic insulation where sensitive **land uses and noise-sensitive** activities are located within high noise environments.

**Rule 21.2.3.2 Noise – Huntly Power Station**

P1	Noise generated by emergency generators and emergency sirens.
P2	<ul style="list-style-type: none"> <li>(a) Noise measured <b><u>within</u></b> the notional boundary <b><u>of any dwelling existing as at 25 September 2004</u></b> in the Rural Zones shall not exceed:                             <ul style="list-style-type: none"> <li>(i) 55dB (LA<sub>eq</sub>) 7am to 10pm; and</li> <li>(ii) 45dB (LA<sub>eq</sub>) and 75dB (LA<sub>max</sub>) 10pm to 7am the following day.</li> </ul> </li> <li>(b) Noise measured within <b><u>any Residential Zone land where a dwelling exists as at 25 September 2004</u></b> shall not exceed:                             <ul style="list-style-type: none"> <li>(i) 50dB (LA<sub>eq</sub>) 7am to 7pm; and</li> <li>(ii) 45dB (LA<sub>eq</sub>) 7pm to 10pm; and</li> <li>(iii) 40dB (LA<sub>eq</sub>) and 65dB (LA<sub>max</sub>) 10pm to 7am the following day.</li> </ul> </li> <li>(c) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 “Acoustics Measurement of Environmental Sound”</li> <li>(d) Noise levels must be assessed in accordance with the requirements of NZS 6802: 2008 “Acoustics Environmental Noise”</li> </ul>

**Appendix 1: Acoustic Insulation**

Table 14: Internal sound level

Area	<u>Type of occupancy/activity</u>	Internal design sound level, dB LA <sub>eq</sub> (24 hour)
Within 350m of Huntly Power Station	<u>Bedrooms in residential activity buildings, travellers accommodation, home occupation, home-stays and Papakainga housing</u>	<u>35</u>
Dwellings in the Business Zone	<u>Educational buildings (teaching spaces)</u>	<u>35</u>
Dwellings in the Business Town Centre Zone	<u>Other habitable rooms in residential activity</u>	40
Within 100m of the Tamahere Commercial Areas A, B and C	<u>Hospital wards</u>	<u>35</u>
Multi-Unit Development	<u>Hospital, all other noise sensitive areas</u>	40
Comprehensive Development – Rangitahi Peninsula	<u>Residential</u>	<u>35</u>

**Rule 21.3.1 Height – General**

P1	<u>Except within the Huntly Power Site, T</u> the maximum height of any building shall be: (i) 35m for 2% of the net site area; and (ii) 20m over the balance of the net site area.
<u>P2</u>	<u>Within the Huntly Power Site, the maximum height of any building shall be:</u> <u>(i) 50m; and</u> <u>(ii) 35m over 90% of the net site area.</u>
RD1	(a) A building that does not comply with Rule 21.3.1 P1 (b) Council's discretion is restricted to the following matter: (i) effects on amenity.

**Rule 21.1.1 Permitted Activities**

Activity		Activity specific conditions
P1	Industrial Activity	Nil
P2	Trade and industry training activity	Nil
P3	Truck stop for refuelling	Nil
P4	Office ancillary to an industrial activity	Less than 100m <sup>2</sup> , or 30% gross floor area of all buildings on the site.
P5	Food outlet	Less than 200m <sup>2</sup> gfa. gross floor area
P6	Ancillary retail	Does not exceed 10% of all building on the site.
P7	Emergency services training and management activities	Nil
P8	Ancillary activity	Nil
P9	Construction or demolition of, or alteration or addition to, a building	Nil
<b><u>P10</u></b>	<b><u>Electricity generation at the Huntly Power Station site and associated coal stockpiling</u></b>	<b><u>Rule 21.2.3.2 Noise – Huntly Power Station</u></b>

**Rule 14.3.1 Permitted Activities P11** in each Zone identified in the PDP.

Signage required for health and safety or asset identification purposes and/or required by legislation **or any associated regulations**

In addition, a rule similar to that proposed for Rule 14.3.1 (P11) be inserted into each Zone identified in the Proposed District Plan