

The Proposed Auckland Unitary Plan (notified 30 September 2013)

1.5 High Land Transport Noise

1. Notification

1. Applications to infringe the land use controls will be considered as a restricted discretionary activity. Such applications will be considered without the need for public or limited notification or the need to obtain written approval of any affected parties.

2. Land use controls

2.1 Noise

Except in centres and mixed use zones, where additional requirements may apply, the following rule in Table 1 applies to any new or altered activities sensitive to noise located within the High Land Transport Noise overlay.

Any new activities sensitive to noise and any new bedroom, sleeping area, habitable room or classroom added to an existing activities sensitive to noise within the High Land Transport overlay must be designed and/or insulated, or screened by suitable barriers on the property so that the internal noise levels, measured in those rooms do not exceed:

Table 1:

Type of use	Maximum internal noise level
Bedrooms and sleeping areas	35dB $L_{Aeq}(1 \text{ hour})$ at all times
Habitable rooms (except bedrooms and sleeping areas), and classrooms in an educational facility	40dB $L_{Aeq}(1 \text{ hour})$ at all times

2. Except where noise measurements demonstrate otherwise, in determining compliance with clause 2.1.1 above, train noise will be deemed to be 72dB $L_{Aeq}(1 \text{ hour})$ at a distance of 12m from the edge of the rail line for the purpose of compliance with the maximum internal noise levels in Table 1 and will be deemed to drop off at a rate of 3dB per doubling of distance up to 40m. The noise measurements will be made at a position representative of 1m from the most exposed façade of the building or room to be constructed and must assume that four freight trains per hour will go past that measurement point.
3. In determining compliance with clause 2.1.1 traffic noise must be based on a one-hour measurement of the external sound level, on a weekday between 2pm and 6pm during school term-time, at a position representative of the most exposed part of the building or room to be constructed. Noise levels must be measured under normal traffic flow conditions. 1dB must be added to the measured level to account for possible increases in the number or type of motor vehicles and 2dB to account for possible increases in the number, type or length of trains likely to use that road or rail line in the next 10 years.

2.2 Ventilation

1. Where a new bedroom, sleeping area, habitable room or classroom is an addition to or alteration of an existing building and it increases the GFA of the building by no more than 10 per cent, those rooms must meet the ventilation requirements of the Building Code (G4) if windows or doors to that room have to be shut to meet the standards in Table 1.
2. Where a new building is constructed with rooms subject to clause 2.1 above or where a new room or rooms that are included in Table 1 are additions to or alterations of an existing building which increase the GFA of that building by more than 10 per cent and the noise levels in Table 1 are only met when doors or windows to those rooms are shut the rooms must be provided with:

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- a. a mechanical kitchen extractor fan capable of extracting 50 litres of air per second ducted directly to the outside to serve any cooking hob, and if necessary a toilet extract fan capable of extracting 25 litres of air per second to the outside air, and
- b. a mechanical ventilation system or systems capable of:
 - i. providing at least six air changes of outdoor air per hour all sleeping areas and habitable rooms and 10 air changes of outdoor air per hour in classrooms
 - ii. enabling the rate of airflow to be controlled across the range by increments of approximately 0.15m/s from a minimum of 0.5 air changes per hour from a minimum of 0.5 air changes per hour up to the maximum airflow capacity
 - iii. being individually switched on and off by the building occupants, in the case of each system
 - iv. operating at a noise level of no more than 35dB LAeq(1 min) in bedrooms and sleeping areas and no more than 40dB LAeq(1 min) in the other habitable rooms, hallways of dwellings and classrooms
 - v. noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser, or
- c. air conditioning plus mechanical outdoor air ventilation capable of:
 - i. providing internal temperatures in sleeping areas, habitable rooms and classrooms not greater than 25 degrees Celsius with all external doors and windows of those rooms closed
 - ii. providing six air changes of outdoor air per hour in all sleeping areas and habitable rooms and 10 air changes per hour in classrooms
 - iii. being individually switched on and off by the building occupants
 - iv. operating at a noise level of no more than 35dB LAeq(1 min) in bedrooms and sleeping areas and no more than 40dB LAeq(1min) in the other habitable rooms, classrooms and hallways of dwellings
 - v. noise levels from the mechanical system(s) must be measured at least 1m away from any diffuser

3. Assessment - Land use control infringements

3.1 Matters of discretion

When considering an application for restricted discretionary activity to infringe the land use controls, the council will restrict it discretion to:

1. the effects of the land transport noise on the activity
2. the reverse sensitivity effects of the infringement.

3.2 Assessment criteria

1. The extent to which the type of activity proposed is likely to be adversely affected by the expected levels of transport noise.
2. The extent to which any characteristics of the proposed use or area make compliance with the standard unnecessary.

4. Special information requirements

1. A report prepared by a suitably qualified and experienced person demonstrating compliance with clause 2.1.1 above must be provided to the council prior to the construction of any building or room subject to the rule.

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