

The Proposed Auckland Unitary Plan (notified 30 September 2013)

3.10 Residential

The activities, controls and assessment criteria in the underlying City Centre zone and Auckland-wide rules apply in the following precinct, unless otherwise specified below.

Refer to the planning maps for the location and extent of the precincts.

1. Activity table

1. The activities in the underlying City Centre zone apply in the Residential precinct unless otherwise specified in the activity table below.

Activity table – Residential precinct	
Activity	Activity Status
Commerce	
Entertainment facilities	RD
Food and beverage	RD
Community	
Community facilities	RD
Emergency services	RD

2. Land use controls

The land use controls in the City Centre zone apply in the Residential precinct unless specified below.

2.1 Noise

1. The A-weighted Leq noise level, the Leq noise level at 63Hz and 125 Hz respectively and the maximum noise level (Lmax) arising from any activity, measured one metre from the façade of an occupied building within a residential precinct, must not exceed the following limits:

7.00am to 10pm	L _{aeq} (15 mins) 65dBA
10.00pm to 7.00am	L _{aeq} (15 mins) 55dBA L _{eq} (15 mins) 65dB @ 63Hz L _{eq} (15 mins) 60dB @ 125Hz L _{max} 75dBA

2. The noise levels must be measured in accordance with the requirements of New Zealand Standard on Acoustics – Measurement of Environmental Sound (NZS 6801:2008) and during the day time must be assessed in accordance with New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).
3. At night time, noise must be assessed in accordance with New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008) except clause 4.4 shall not be used.
4. The noise must be measured with a sound level meter complying at least with the International Standard IEC 651 (1979) Sound Level Meters, Type 1.
5. In situations where common building elements such as floors and walls are shared by two units under different ownership, the noise level arising from any activity measured in an adjacent unit within a residential precinct which is under different ownership from the noise source must not exceed the following levels:

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7.00am to 10pm	L _{aeq} (15 mins) 50dBA
10.00pm to 7.00am	L _{aeq} (15 mins) 45dBA L _{eq} (15 mins) 55dB @ 63Hz L _{eq} (15 mins) 50dB @ 125Hz L _{max} 65dBA

- Noise measurements must be taken in the affected adjacent unit while all windows, doors and other openings between the units are closed.

3. Assessment - Restricted discretionary activities

3.1 Matters of discretion

For activities that are a restricted discretionary activity in the Residential precinct, the council will restrict its discretion to the following matters.

- All activities listed as restricted discretionary in the Residential Precinct activity table
 - noise, lighting and hours of operation.

3.2 Assessment criteria

For activities that are a restricted discretionary activity in the Residential precinct, the following assessment criteria apply.

- Noise, lighting and hours of operation
 - Activities within the residential precincts should not generate noise levels that would adversely affect residential amenity and prevent residents from sleeping at night. In particular, activities that have excessive amplified music or a high volume of patrons entering and leaving the premises at night that would disturb neighbouring residents should be avoided. In this regard, the Council may impose conditions on the activity's hours of operation and/or permitted levels of low frequency noise.
 - When assessing application against the above criterion, the council will consider whether the site is able to internalise any adverse noise or amenity effects, the cumulative effect of clustering activities that may generate adverse effects not in keeping with the residential area and whether adequate visual and/or aural privacy is provided through landscaping/buffer areas and sound insulation.

4. Assessment - Land use control infringements

4.1 Matters of discretion

- Refer to the matters of discretion in [clause 6.2.2.1](#) of the Auckland-wide - Noise rules.

4.2 Assessment criteria

- Refer to the assessment criteria in [clause 6.2.2.2](#) of the Auckland-wide - noise rules.

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