

BEFORE THE HEARINGS PANEL

PORIRUA CITY COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Porirua District Plan (General District-Wide Matters: Amateur Radio, Earthworks, Light, Noise, Signs and Temporary Activities)

**SUMMARY OF EVIDENCE OF ALEX GIFFORD (PLANNING) ON BEHALF OF
THE NEW ZEALAND DEFENCE FORCE**

SUBMITTER 124

9 FEBRUARY 2022

INTRODUCTION

- 1 My name is Alex Gifford. I am a Senior Planner at Tonkin & Taylor Limited. This document provides a summary of my evidence in chief and matters which have been agreed through expert conferencing and the outstanding matters which are yet to be resolved.

EXPERT CONFERENCING

- 2 Expert conferencing was undertaken between noise experts Mr Humpheson and Mr Lloyd on 21 January 2022. As outlined in their joint witness statement and the suggested amendments to APP2-Table 1, a number of matters were agreed.
- 3 Relying on their expert opinions, I agree that APP2-Table 1 in the proposed Plan should be amended to reflect their agreed amendments. This resolves the majority of the points raised in my evidence.
- 4 However, I note that the terms 'other mobile noise sources' and 'other stationary noise sources' are retained under the "noise source" column of APP2-Table 1 in Attachment 1 of the joint witness statement. In my evidence I outlined that, in my opinion, the inclusion of 'other' was unnecessary (para 25). I maintain this opinion.

OUTSTANDING MATTERS

- 5 The outstanding matter of disagreement is whether weapons firing and explosive use at night-time should be a permitted activity within the Plan, subject to permitted activity standards, or require resource consent.
- 6 My evidence covers weapons firing and explosive use at night-time in detail. However, I would like to emphasise the following points:
 - a Construction and demolition activities (which can include impulsive noise such as blasting activities) are included in the proposed Plan as a permitted activity in all zones (rule NOISE-R2) subject to compliance with *NZS 6803:1999 Acoustics – Construction Noise*. As outlined by Mr Humpheson, the proposed night-time standard of 85 dBC for night-time weapons firing and explosive use is lower than the absolute peak sound pressure level limit of 120 dBC in *NZS 6803:1999 Acoustics – Construction Noise*.

- b As Ms Davies has noted it is standard practice for NZDF to provide prior notice to neighbouring landowners and the wider community. Notifications will typically include the location, number of personnel involved, the time and duration, and the type of noise, such as firing of blank rounds and use of pyrotechnics. As explained by Mr Humpheson, if people are aware of the presence of a noise and the character of that noise, they are much less likely to be startled when it occurs.
- c It is clear from Mr Humpheson's evidence that the activity is well understood and in his expert opinion the noise effects are acceptable subject to compliance with the proposed permitted activity standards. Therefore, in my opinion, a resource consent process is not necessary to better understand the activity or to develop mitigation to manage noise effects. As such, obtaining a resource consent would add little benefit in terms of managing environmental effects but creates an economic cost of obtaining and complying with a resource consent, and is therefore, in my opinion, less efficient than a permitted activity pathway.
- d As Mr Davies has explained, TMTA are important to ensure that NZDF personnel are trained to respond to real world scenarios, including being trained in night-time weapons firing and explosive use. A resource consent pathway creates uncertainty as to whether TMTA, an activity that is in the nation's interest (as explained by Ms Davies), can occur due to the risk of a resource consent not being granted.
- e Consideration should be given to whether a resource consent or permitted pathway would best achieve objective TEMP-O3¹. This objective is for TMTA to contribute to local and national security and provide for the wellbeing of the community, while adverse effects are mitigated. As night-time weapons firing and explosive use would be enabled by a permitted activity pathway, in my opinion, this better facilitates TMTA to contribute to local and national security and to provide for the wellbeing of the community. Also, as Mr Humpheson notes, the adverse noise effects will be acceptably mitigated through the proposed noise limits without relying on a consent process. Therefore, in my opinion, providing for night-time weapons firing and explosive use as a permitted activity subject to

¹ pPDP objective TEMP-O3: Temporary military training activities contribute to local and national security and provide for the wellbeing of the community, while adverse effects are mitigated.

permitted activity standards would better achieve objective TEMP-O3 than a resource consent process.

- f This is not an issue isolated to the Porirua District. Other district councils have provided for night-time weapons firing and explosive use as a permitted activity subject to conditions, including, but not limited to, South Taranaki District Council, Horowhenua District Council and South Waikato District Council.
- 7 Overall, in my opinion, night-time weapons firing and explosive use should be provided for as a permitted activity as requested by NZDF, subject to the permitted activity standards proposed by NZDF. I have attached an updated set of suggested provisions for TMTA to this summary statement.

Alex Gifford

9 February 2022

Attachment 1: Amended TMTA rules and noise standards

| | |
|----------------|---|
| TEMP-R6 | Temporary military training activities |
| All zones | <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. No permanent structures are constructed;</p> <p>b. The duration of the activity does not exceed a period of 31 consecutive days (excluding set up and pack down activities); and</p> <p>c. No live firing weapons and single or multiple explosive events occur between 7pm and 7am in any 24-hour period; and</p> <p>d.c. Noise does not exceed the levels in APP2 - Noise Standards for Temporary Military Training Activities.</p> |

| APP2 - Noise Standards for Temporary Military Training Activities | | |
|--|-------------------------|---|
| APP2- Table 1 Noise standards for temporary military training activities | | |
| Noise source | Time | Noise standard |
| <p>Live firing wWeapons firing and single or multiple explosive events</p> <p><u>Noise from weapons firing and use of explosives shall not be assessed using NZS 6802:2008 Acoustics – Environmental Noise.</u></p> | <p>7.00am to 7.00pm</p> | <p>A peak sound level of 95dBC measured at or within the notional boundary of a noise sensitive activity.</p> <p><u>a. Notice is provided to the Council at least 5 working days prior to the commencement of the activity.</u></p> <p><u>b. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity in the rural zone and the site boundary in all other zones:</u></p> <ul style="list-style-type: none"> • <u>0700 to 1900 hours: 500m</u> • <u>1900 to 0700 hours: 1,250m</u> <p><u>c. Where the minimum separation distances specified above cannot be met, then the activity shall comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity in the rural zone and the site boundary in all other zones:</u></p> <ul style="list-style-type: none"> • <u>0700 to 1900 hours: 95 dBC</u> • <u>1900 to 0700 hours: 85 dBC</u> |

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|---|---|---|
| Firing of blank ammunition | 7.00am to 7.00pm | A peak sound level of 95dBC measured at or within the notional boundary of a noise sensitive activity |
| <p>Other m Mobile noise sources</p> <p>This includes: Personnel, light and Heavy vehicles, Self-propelled equipment; and Earthmoving equipment.</p> <p>But excludes: The firing of weapons and explosives.</p> | Shall comply with the noise limits set out in tables two and three in NZS 6803:1999 Acoustics – Construction Noise with reference to 'construction noise' taken to refer to mobile noise sources. | |
| <p>Other s Stationary noise sources</p> <p>This includes: Power generation Heating, ventilation or air conditioning systems, Water and wastewater pumping/treatment systems.</p> <p><u>Noise shall be measured at the notional boundary of any building housing a noise sensitive activity in the rural zone and the site boundary in all other zones.</u></p> | 7.00am to 7.00pm | 55 dB LAeq(15 min) |
| | 7.00pm to 10.00pm | 50 dB LAeq(15 min) |
| | 10.00pm to 7.00am | 45 dB LAeq(15 min) 75 dB LAmax |
| Helicopter Landing Areas | Helicopter landing areas shall comply with NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas ² . | |

² This document will be incorporated into the PDP and as such the Council will need to hold a certified copy in accordance with Part 3, Schedule 1 to the RMA.