

Before Palmerston North City Council

Under the Resource Management Act 1991

In the matter of a proposed plan change to rezone
land at 611 Rangitikei Line to establish
the Whiskey Creek Residential Area

**SUMMARY OF EVIDENCE OF NIGEL ROBERT LLOYD
IN SUPPORT OF FLYGERS INVESTMENT GROUP LIMITED**

NOISE

2 JUNE 2022

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INTRODUCTION

1. My full name is Nigel Robert Lloyd and this is a summary of my evidence presented in my evidence in Chief (EIC).

Qualifications and Experience

2. My qualifications and experience are set out in my EIC and where I state I have read the Environment Court Practice Note 2014 and I continue to comply with it.

Involvement in Proposed Plan Change

3. I prepared a draft report dated 17 August 2020 which is included as Appendix 9 of the supporting documentation for the Plan Change request. At that time, I was only asked to consider the reverse sensitivity impacts of traffic noise from Rangitikei Line (SH3). I made recommendations for a 40 metre set back from the carriageway edge and for noise insulation for dwellings within 80 metres of the road to meet a 40 dB $L_{Aeq(24h)}$ internal noise limit.
4. In preparing my evidence I read the s42A report, where it dealt with noise matters, and, in particular the noise review by Mr Wood (Appendix F of the S42A Report),

S42A Report

5. I substantially agree with the matters raised in the S42A report and with Mr Wood's reasoning in his review. The two differences I have with Mr Wood are:
 - (a) the residential zone noise rules should not apply to the proposed commercial area rather the Local Business Zone (**LBZ**) noise rules should apply, and
 - (b) I consider that construction vibration limits should not be applied.
6. I consider that the District Plan rules are appropriate in the Operative District Plan, which is current, and they are therefore appropriate for the different zones proposed for the Whiskey Creek Plan Change.

7. I disagree with Mr Wood where he recommends that the Residential Zone noise rules are appropriate for the small commercial area. Rule 10.7.3.5 (in the Residential Zone Rules) permits any commercial activity shown on a lot which is part of a Comprehensive Development Plan for Greenfield Residential Area as Restricted Discretionary, and performance standards are identified as R11.10.7.1(a) and (b) – these are part the LBZ noise rule.
8. Since writing my EIC have looked further at the LBZ noise rule R11.10.7.1 and I note that R11.10.7.1 (a) is noise and (b) is the **noise insulation standard** which is different to what I said in para 15 of my EIC. This means that R11.10.7.1 (a) and (b) appropriately manage noise in and around the commercial area and in respect of noise insulation of any habitable rooms.
9. What is missing from the reference in 10.7.3.5 is a requirement for ventilation to be provided should residents choose to keep their windows closed against any noise. This requirement is R11.10.7.1 (c) (which links to the ventilation requirements in R11.6.6.1(c)). While it would be ideal to include this ventilation requirement, I understand that there may be an issue of scope.

CONSTRUCTION VIBRATION

10. Mr Wood recommends that construction vibration should be measured and assessed in accordance with a German Standard. I note that this recommendation is not picked up in Appendix A of the S42A report (where changes to the Proposed Plan Change are recommended).
11. In my EIC I explain why I do not consider that separate construction vibration conditions should apply. I consider that vibration is best controlled by sensibly selecting low vibration equipment (such as avoiding impact pile driving for example). This can be achieved as part of a Construction Noise and Vibration Plan. My concern is that a construction vibration condition would apply to all construction activities taking place within the subdivision, which would include the individual dwelling constructions. This would be unnecessarily expensive and time consuming.
12. My experience of the Palmerston North City District Plan has been that there have not been significant complaints about construction vibration and I do not consider the vibration condition is necessary.

LOCAL TRAFFIC NOISE

13. The RFI identifies the proposed four-arm roundabout for the current intersection of Meadowbrook Drive with Benmore Avenue. I understand that a signalled intersection is also being considered.
14. The construction of the road is a Restricted Discretionary Activity and I consider that noise attenuation and management can be appropriately included in the design of the new road and its mitigation which can be undertaken in consultation with the owners of 125 Benmore Avenue and 1 Meadowbrook Drive.

SUBMISSIONS

15. The submissions for noise effects are summarised in 3.23 of the S42A Report.
16. The submitters are concerned about transportation noise and construction noise. I have been closely involved in the preparation of the District Plan and I am confident that, when the provisions are applied to the proposed Whiskey Creek Plan Change Area, then the District Plan noise standards provide suitable framework to protect future infrastructure development with respect to noise.

Nigel Robert Lloyd

2 June 2022