

Addendum to 'Otaika Quarry, Proposed Overburden Disposal Area, - Application for Land Use Consent and Assessment of Environmental Effects, prepared for GBC Winstone, Updated 1 June 2017.

Section 4.1.11 – Noise and Vibration

The noise rules of the Whangarei District Plan have been subject to a Plan Change (Plan Change 110) and are set out in the relevant noise rules area set out in NAV, of the Whangarei District Plan.

NAV Rule 6 specifies that any activity that can comply with the standards set out in NAV.6.1. – NAV.6.15 and all other relevant Environment and District Wide rules is a permitted activity.

NAV Rule 7 states, unless specifically stated otherwise, any activity shall be a discretionary activity where it does not comply with all of the permitted noise and vibration provisions given in the previous sections NAV 6.1 – NAV 6.15. When assessing discretionary applications, pursuant to these sections, the assessment shall include but not be limited to) – the matters listed in clauses (a) to (m) of Rule NAV.7.

The Assessment of Noise and Vibration Effects (in Appendix 6), by Marshall Day Acoustics (dated 22 May 2017), predicts from the detailed noise modelling undertaken of the proposed activities “*that compliance with the relevant noise limits can be achieved at all properties except two (5-7 Grove Lane and 11 Grove Lane¹) during the General Works phase.*

Written approvals have been obtained from the owners of 5-7 Grove Lane, and 11 Grove Lane. In accordance with s.104(3)(a)(ii) of the RMA, a consent authority must disregard any effect on persons who have given written approval to the applications.

Section 4.3 Activity status - Land use consent

As the proposal has been predicted to exceed the noise limits at two properties (albeit written approval has been obtained from these two properties and as such any effects on these persons must be disregarded), strictly, if a bundling approach to the consents applied for, is taken by Council, this means that overall the application is deemed to be a discretionary activity, as a result of non-compliance with rule NAV.7 of the District Plan. However, given these circumstances, the effect of written approvals obtained and broad nature of the assessments required under the rules (which have been assessed in the AEE), it is considered that a change of activity status has little consequence.

¹ Refer Para 2, Page 17 of the Assessment of Acoustics Effects, by Marshall Day Acoustics (May 2017).