

Assessment of Environmental Noise Effects

Renewal Of Nelson City Council Resource Consents RM125012 and RM155195

*Renewal of Existing Resource Consents Authorising Specified
Outdoor and Indoor Entertainment Events Held At Open Space &
Reserve & Inner City Sites In Nelson City*

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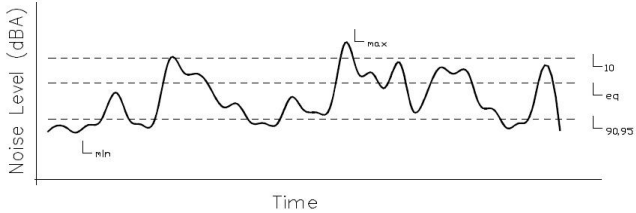
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Glossary of Noise Terms

dB[A]	A weighted Decibel. A measurement of sound which has its frequency characteristics modified by a filter [A-weighted] so as to more closely approximate the frequency bias of the human ear.
L_{max} or L_{max}	The single highest sampled level of sound. Used in night time emission limits as a means of ensuring sleep protection.
LA10 or LA10	The A-weighted level of sound exceeded for 10% of the monitoring period. Equates to the 'average maximum' sound level. Widely adopted within noise emission limits if set using the older 1991 version of noise assessment standard NZS6802:2008 (NZS6802:1991 <i>Assessment of Environmental Sound</i>). L _{A10} is said to correlate reasonably well with the subjective reaction to sound.
L_x as function of Time	
L_{Aeq}	The constant A-weighted sound level that results in the same total sound energy being produced over a given period. L _{Aeq} is the main measurement parameter recommended within NZS6802:2008 and is designed to represent a varying sound source over a given time as a single number.
NZS 6802:2008	NZ Standard 'Measurement of Environmental Sound'
NZS 6802:2008	NZ Standard 'Environmental Noise'
Sound Pressure	Sound Pressure Level ('sound level' or 'noise level') is defined as varying pressure fluctuations caused by sound waves. The ear converts these fluctuations into what we call audible sound, which is the sensation [as detected by the ear] of very small rapid changes in the air pressure above and below a static value. This "static" value is atmospheric pressure. Received sound pressure levels detected at the ear are variously interpreted by the brain as 'sound' or 'noise'.

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1 Background

Malcolm Hunt Associates [MHA] have been commissioned by Nelson City Council Events Team to prepare an "Assessment of Environmental Noise Effects" to accompany a resource consent Application to replace existing consents RM125012V2 and RM155195V1 which authorise special events held at the following nominated public reserves and open spaces;

- Trafalgar Park
- Trafalgar Centre
- Rutherford Park
- Saxton Stadium
- Saxton Oval Pavilion
- Tahunanui Reserve
- Botanic Playing Field and Reserve
- Fairfield Park
- Church Steps/1903 Square/Hardy Street/Upper Trafalgar Street area

The existing resource consents allow, on limited occasions per year, the use of electronically amplified sound, noise levels, closing times and ancillary structures which may breach specified rules in the Nelson Resource Management Plan (NRMP).

Nelson is well known for its festivals and events. Nelson City Council runs the annual Nelson Arts Festival and Summer Festival, in addition to third parties which, by arrangement, can utilise Council facilities for privately organised public events. As an example, the *Masked Parade/Carnival Event* is run by Council and authorised under RM155195V1 is an iconic event held during the Nelson Arts Festival. Most, if not all, of the events for which consent is sought have the potential to emit significant outdoor sound in the form of music and other amplified sounds. Using amplification is considered necessary in order to cater for large audience areas spread out in the streetscape or gathered in open playing fields or similar.

These recreational, cultural and entertainment events originally required a Resource Consent because they typically involved the emission of amplified sound which would not be able to fully comply with the provisions of the Nelson Resource Management Plan (NRMP) for the following zones:

a) Open Space & Reserve Zone

Noise limits of OSr.37.2 for activities within Open Space & Reserve Zone. Rule OSr.37.2 requires that "any event involving electric amplification of sound" be undertaken via a controlled activity resource consent, except for events at "Trafalgar Park, Rutherford Park, or Saxton Field" where amplified sound is permitted subject to certain noise limit & time constraints.

b) Inner City Zone

Activities taking place within the Inner City Zone such as Trafalgar Street and activities associated with the Masked parade authorised under RM155195V1 which, although not able to comply with daytime noise limits, are less noise-intensive compared to many concerts and open air events held in the City. These event are completed by 9.30pm therefore not affecting night time noise levels at inner city or residentially zoned sites. The relevant rules are Rule ICr.42A.3 *Noise Generating Activities* and Rule ICr.43.3 *Noise received at sites in the Residential Zone*.

The assessment below is that, while consented events have the potential to cause adverse noise effects, the experience is that due to the precautions and management steps put in place under existing consents, few if any adverse noise effects arise in practice. This is considered to be due to the efforts Council Events Team make when organising and overseeing events and in the steps taken to ensure compliance with consent conditions attached to RM125012V1 and RM155195V1. The result is, as described below, no noise complaints received by Council from the affected community in relation to events held under those resource consents.

A summary provided below of noise monitoring results indicates a high degree of compliance across the monitoring reports we have been able to access. Only two instances are identified where measurements at noise sensitive sites confirmed a breach in applicable noise limits.

Overall, this assessment finds that noise effects of events of the types sought to be authorised by the current Application are likely to have a *less than minor* effect when received at residential and other affected sites, yet the sound levels involved could (at times) clearly exceed the normally applying permitted noise standards of the NRMP and ambient sound levels normally occurring at the time of the event. Key factors driving the low levels of noise effects at sensitive receiver sites are that event noise emissions are controlled to reasonable levels at source, events comply with time limits, with events on any one site limited in occurrence so that they occur only infrequently. The application increases the number of events from 52 to 58, specified outlines some changes to current consent conditions, although does not involve any increases in allowable noise limits.

Based on available evidence, amplified sound and other sounds (including crowd sounds) from council-led events in Nelson on the subject sites are being reasonably well managed under existing resource consents RM125012V1 and RM155195V1 without any significant demonstrable adverse noise effects on affected communities. On this basis the assessment below recommends the consents be renewed, with minor amendments as suggested by the applicant.

2 Scope

Nelson City Council Events Team are applying for the renewal of consents they hold to host (or otherwise enable) a wide range of public events under Consents RM125012V1 and RM155195V1. As these consents have a finite life, they require renewal in order to provide for, in the case of this assessment, noise effects which would otherwise exceed the normally applying permitted noise standards of the operative NRMP.

The renewal of existing consents intends that Consents RM125012V1 and RM155195V1 be integrated so that one updated resource consent would apply to the full range of specified venues and events. Although no changes to the numerical noise limits are proposed, one notable amendment to existing consents is the change in noise metric from LA10 to LAeq, the minor effects of which are explained below. Consistent with best practice, the Draft (non-statutory) Nelson District Plan, National Planning Standards and the recommendations of NZS6802:2008 *Acoustics – Environmental Noise* the preferred unit is the LAeq unit in place of the LA10 unit¹ specified in the original consents. The assessment below is that adopting the existing decibel limits and changing to the unit LAeq (as per TABLE 1, APPENDIX A) will result in a level of noise effects that would be similar to those effects using noise limits specified in units LA10, as is currently the situation.

The application outlines some changes to current consent conditions, including the proposal to include Rutherford Park on the list of permitted events (with limitations) which is consistent with events held at Tauhunanui Reserve, an event site similarly located near to residential sites on which infrequent events are also held under this consent.

This report is based on experience to date with noise effects of events authorised under existing consents which indicates, to date, these events are being successfully run and appropriately organised, managed and operated by Council's Events Team (or authorised third parties) in terms of noise effects. Section 3 below summarises noise level monitoring that has taken place. Noise effects of concern that are mostly related to amplified sound from events which can be experienced within a wide range of affected receiver sites, including at residential sites during night time in some cases. That Council

¹ The operative NRMP is based on the 1991 version of NZS6802 and employs the LA10 unit where noise limits are stipulated.

records show very few complaints of excessive noise associated with Council-led events supports the finding that noise from events authorised to date by the consents involved, are not known as causing community noise issues. Similarly, results of compliance monitoring of event noise levels show a positive picture of compliance with applicable limits. On the basis of acceptable performance to date, the recommendation below is that the renewal be approved on noise grounds.

A review has taken place by Council's event staff of the way noise management plans are applied within RM125012V1 and RM155195V1 are applied to each event category. As a result of this consent renewal proposes to increase the proportion of events that are controlled under *Site-specific Noise Management Plans* (SNMP's) as opposed to requiring a new *Event Management Plan* (ENMP) be prepared for each specific event. Noise management plans have proven a successful component of the way Council controlled events are run, ensuring noise management initiatives for each venue or event are effective and well-communicated to key players to ensure precautions are taken to manage noise effects (e.g. procedures for handling noise complaints). There is a fair degree of common ground between the two types of management plans. For example, both plans include a requirement to report the process for notifying neighbours regarding event details and for this to include notifying Council's after-hours noise complaint telephone number. The change to a greater proportion of SNMP's is considered likely to deliver improved efficiency at Council while not being likely result in any increase in noise effects.

These changes to Noise Management Plan requirements are designed to reduce unnecessary costs and administration involved in submitting one-off ENMP's when, in fact, a similar noise effects result would occur if the noise management methods were implemented using as SNMP which applies to all consented events held at the same venue. The move to an SNMP is requested for 3 events at Trafalgar Park, Trafalgar Centre and for 2 events at Tahunanui Reserve.

Wording of the recommended noise-related conditions of consent for the combined, renewed resource consent is attached as APPENDIX A. **Table 1** of APPENDIX A sets out the list of authorised events, locations and noise limits, including maximum events per year and & time limits. The last TWO columns indicate which noise management plan would apply. The righthand-most column recommends the type of Noise Management Plan that should apply to each event (should consent be granted). The column to the left (indicating current Noise Management Plan type) is for information purposes only and should be removed from the finally worded consent conditions. The intent is to show where a requirement for an ENMP has been substituted with a requirement for a site-specific SNMP.

3 Noise Monitoring Records

Noise monitoring is identified in conditions 6 and 7 to RM125012V1 within a list of matters to be covered in both a Site Noise Management Plan (SNMP) or an Event Noise Management Plan (ENMP). However, this does not mean noise monitoring & reporting was a mandatory requirement at all events held under that consent. Regarding, RM155195V1 noise monitoring & reporting is required by Condition 9.

Although our research is insufficient to check compliance that a monitoring report was lodged with Council for each event, we have identified a useful list of historical monitoring results. **APPENDIX B** (attached) sets out a list of monitoring reports whereby field measurements were taken at compliance assessment locations during actual events. Eleven noise monitoring reports have been able to tracked down, summarised in **APPENDIX B**.

The review of monitoring reports indicates only two reports within this random selection of 11 monitoring reports refer to a breach of noise limits. The overall picture is that compliance with stipulated noise limits has been officially recorded since 2014, in most cases with compliance achieved by a 'margin a safety'.

4 Noise Complaint Record

In reviewing the performance of Consents RM125012V1 and RM155195V1, Council's Events team have advised that, over the life of these consents, no noise complaints have been received by Council during daytime or using Council's after hours service. The search of complaint records reveals over the last eight years there have been 4 noise complaints related to events that came under their own resource consent.

The complaint record indicates the exercise of Consents RM125012V1 and RM155195V1 has not generated any noise effects in the community. Based on the potential that any noise-affected person may lodge a complaint to Council

regarding noise emitted during the events held to date, this is an encouraging track record that should be able to be continued under the renewed consent, given the consistency in noise management methods, noise limits, etc. that will apply (if granted).

5 Noise Metrics – Changing To LAeq

Measurement units used to quantify event noise limits in existing consents held are specified in units LA10. Variation RM155195V1 (dated 30 September 2016) also covered by this report does include noise units already specified in terms of LAeq. The LA10 descriptor was used within the original consents due to the use of the 1991 versions of NZ Standards NZS6801 and NZS6802 referred to in the NRMP which recommend that unit of measurement for controlling community noise. While it has been demonstrated that noise quantified using the LA10 unit provides reasonably good correlation with the degree of annoyance experienced, this unit has been replaced with the LAeq unit since the publication of the latest versions of NZS6801 and NZS6802 in 2008.

It is recommended that the replacement consent adopt LAeq in place of the currently specified LA10 noise limits. LAeq is considered a technical improvement consistent with best practice, the Draft (non-statutory) Nelson District Plan, National Planning Standards and the recommendations of NZS6802:2008 *Acoustics – Environmental Noise*. International research had shown that the LAeq descriptor has a higher degree of correlation to noise annoyance than LA10, and for this reason is widely accepted as being the preferred noise descriptor for use in environmental noise standards and community noise limits. Furthermore the LAeq level, being unrelated to the statistical variation in sound levels, is more readily predicted, which is a considerable advantage over LA10. LAeq readings are specified for a specific measurement time interval on the basis that LAeq readings will only provide a valid description of a sound environment if the measurements cover a representative range and variability of that sound environment.

The relationship between LA10 and LAeq is that, for the same variable sound level, LA10 may typically measure slightly 1 to 3 dB above the LAeq, depending upon the variability of the sound. The degree of noise difference is small and may not be measurable at all. Anecdotally, for a receiver of noise it would not generally be possible for a receiver to notice a sound level compliant with a limit specified using LAeq compared to the effect of a level of sound compliant with the same limit measured using the LA10 unit.

It has therefore been determined that no adjustment to the noise limits applied for is necessary to account for any event where sound measured is made using LAeq in place of LA10. This is consistent with subjective reaction to sound where generally this change would not be likely to be perceived as noticeable.

Overall, we do not consider the above matters associated with the change in unit as having any materially noticeable effect on the levels of noise associated with the events for which consent is being sought.

6 Inclusion Of Rutherford Park

Rutherford Park lies between the consented venues of Trafalgar Park and the Trafalgar Centre, and is part of the main events location for Nelson city. As above, the proposal to include Rutherford Park on the list of permitted events with limitations is considered to result in noise effects consistent with events held at Tahunanui Reserve, an event site similarly located near to residential sites on which infrequent events are also held under the existing consent. No significant changes are therefore expected in terms of any additional cumulative noise effects experienced in the community as a result of the consent renewals being applied for. The fact existing consent conditions and management has resulted in no complaints being received under either RM125012V2 or RM155195V1, no adverse effects are anticipated as a result of adding Rutherford Park as a venue for special events.

7 Assessment

Noise is defined within the Resource Management Act 1991 as “unwanted sound” and includes vibration. The capacity of noise to induce annoyance depends upon its physical characteristics, including its sound pressure level and spectral characteristics [frequency content], as well as the variations of these properties over time. However, annoyance reactions are also determined by many non-acoustical factors of a social, psychological or economic nature. While there are considerable differences in an individual’s reaction to the same noise, the guidance set out within documents such as New Zealand acoustic standards are based on social survey research on community response to noise.

New Zealand Standard NZS6802:2008 *Acoustics – Environmental Noise* provides guidance on acceptable noise levels received in noise sensitive areas. No specific guidance is provided on noise from temporary events however some guidance can be gleaned the statement at clause 8.6.11 that states exemptions from the general rules of a District Plan can be justified “*where it is desired to allow for certain activities within a district, but it is not practical for them to comply with general noise limits*”.

Noise effects associated with the events authorised by the renewal have been previously considered within the original resource consent process. Expert evidence on noise effects was presented at the RM125012 hearing by Mr Hunt and Dr Trevathan for the Applicant and by Mr Ibbotson for the Council. The decision on RM125012 by the independent hearings committee states at para 6.91 That “*Special events under RM125012 may cause some adverse effects including sleep disturbance, particularly if finishing after 2200h. But, we consider that the numbers, timing and noise limits would appropriately control these effects. We also note that these effects are temporary*”.

Noise effects associated with the indoor and outdoor events covered by this renewal have already been assessed within previous AEE Reports and have been the subject of review by Council and its independent experts which advised the regulatory arm of Council. The original consent assessment of noise effects for “Special Events”². Other relevant noise assessments were provided through the consent process for Saxton Oval and Nelson CBD (intersection of Hardy and Trafalgar streets, Hardy street and 1903 Square) RM1551195V1³.

The decision to grant the two original consent(s) being renewed by the current Application (with specific conditions attached) means potential noise effects (controlled to the extent set out within consent conditions) were, at the time, weighed up against the community and social benefits of allowing events causing elevated sound levels to occur during the event operating hours. On balance, history records that since the granting of consent noise effects of the events (managed and limited as they have been) do not appear to have outweighed the benefits of holding the events, even though allowable levels of noise received noise at some sites have temporarily exceeded normal ambient sound levels for the relevant time of day or night.

It is noted that compliance with the stated noise limit under both RM125012V1 and RM155195V1 requires that the penalty available under NZS6802 for sound possessing ‘special audible characteristics’ NOT be applied and that no “averaging” of sound levels be undertaken when assessing compliance. The use of the 2008 noise Standards requires some slight wording changes to achieve a similar exemption under the 2008 version of NZS6802. The term ‘averaging’ no longer applies, instead a ‘duration’ correction applies which allow for a limited relaxation of the applicable noise limit if the noise is present for only a short period of time.

These two exceptions from NZS6802 are recommended to be continued, however to form the correct linkage to the technical requirements of NZS6802:2008 in Condition 1(b) of RM125012V1 and in condition 5 of RM155195V1, the following wording is adopted so that compliance with event noise limits are determined when noise is “*...measured and assessed in accordance with 6801:2008 and NZS6802:2008, except that no duration adjustment or correction for special audible characteristics provided for in sections 6.3 and 6.4 of NZS6802:2008 shall be applied.*”

² *Nelson City Special Events Noise Assessment Noise Assessment & Management Recommendations*. Malcolm Hunt Associated Report ref; 87556-12[H] April 2012.

³ *Assessment of Environmental Noise Effects - Variation to Nelson City Council Resource Consent RM125012 - Saxton Oval, Saxton Stadium and Saxton Pavilion*. MHA Report dated Feb 2018.

To deliver a noise outcome equivalent to the wording of the original consents it is considered important to continue to exempt the penalty for special audible characteristics and to not allow the duration correction to apply.

In relation to permitted baseline, scheduled activities set out as permitted in the OSs section of the NRMP indicates a range of event-based noise effects are already authorised by the NRMP. In most instances those activities have to comply with the noise limits in the NRMP rule OSr.37.1a of 55 dB LA10 during the day and 45 dB LA10 at night. However, at Trafalgar Park, Rutherford Park and Saxton Field there is an exemption from the specified noise limits for sound due to spectators and events provided that they occur between 0700h and 2200h and they do not involve electrically amplified music. For example, at these venues there are no noise limits for daytime sports matches and events with large crowds and amplified commentary but not music. Given this permitted baseline, and the relatively benign noise effects that have resulted from special events held to date under existing resource consents indicate, overall, that granting the current Application as sought will not result in noise effects that are more than minor effects

Activities proposed in the CBD (Inner City zone) require consent as they are unable to fully comply with rule ICr.42A.3 Noise Generating Activities and Rule ICr.43.3 Noise received at sites in the Residential Zone. Open air events in the town centre including 1803 and various street events have commonly been unable to take place within the permitted activity noise standards of the Inner City zone. Concerning noise effects associated with these inner city events, as above, it is assessed that granting the current Application as sought will not result in noise effects that are more than minor effects

Concerning the addition of Rutherford Par, the fact existing consent conditions and management has resulted in no complaints being received under either RM125012V2 or RM155195V1 and noise effects of each event will be subject to a SNMP will result on no additional adverse effects are likely as a result of adding Rutherford Park as a venue for special events.

8 Noise Management Plan Changes

Proposed changes to existing Noise Management Plan requirements are discussed as follows;

A review of the methods of noise management applied within RM125012V1 has taken place, including the efficiency of the process. This has been in consultation with Council's event staff and has resulted in requested changes as to which type of Noise Management Plan would be required for each event category (e.g. a *Site Noise Management Plan* or an *Event Noise Management Plan*). The changes sought to RM125012V1 will reduce unnecessary repetition of costs and administration involved in submitting one-off 'Event' Noise Management Plans when, in fact, a similar noise effects result would occur if the noise management methods were implemented using as 'Site' Noise Management Plan which applies to all consented events held at the venue.

Both RM125012V1 and RM155195V1 were granted on the basis of a comprehensive noise management system required by conditions. The two types of Noise Management Plans are described as follows;

8.1 Site Noise Management Plan

An *Event Noise Management Plan* is required to comply with Condition 7 of RM125012V1 as follows;

- 6) Prior to any events at each location in Table 1 the consent holder shall submit a SNMP prepared by an acoustics specialist to the Manager Planning and Consents, Nelson City Council. As a minimum a SNMP shall include:
- a) details of numbers of events, noise limits, hours and days of operation for this location,
 - b) a description of expected activities and sound sources associated with each activity type, including sound system locations,
 - c) a site plan showing areas where loudspeakers and other significant sound sources should be located,
 - d) details of noise mitigation methods to be used to control noise from events to comply with noise limits at residential sites, and
 - e) a plan identifying nearby residential sites and buildings housing noise sensitive activities,
 - f) requirements for notifying neighbours about details of events, to include Nelson City Council after hours noise complaint telephone number,
 - g) procedures and requirements for noise monitoring and reporting, and
 - h) procedures for addressing to complaints.

8.2 Event Noise Management Plan

An *Event Noise Management Plan* is required to comply with Condition 7 of RM125012V1 as follows;

- 7) *At least 21 days prior to any events requiring an ENMP, the consent holder shall submit an ENMP prepared by an acoustics specialist to the Manager Planning and Consents, Nelson City Council. As a minimum an ENMP shall include:*
- a) all details from the event booking form required by the EMP,*
 - b) a site plan showing the location and orientation and height from the ground of any sound shell or speaker system and the approximate distance of the sound shell/speaker system from the nearest residential sites,*
 - c) details of the sound system including methods for controlling noise emissions,*
 - d) process for sound checks and sound system calibration,*
 - e) a plan identifying nearby residential sites and buildings housing noise sensitive activities,*
 - f) requirements for notifying neighbours about details of the event, to include Nelson City Council after hours noise complaint telephone number,*
 - g) procedures and requirements for noise monitoring and reporting, and*
 - h) procedures for addressing to complaints.*

Table 1 of the proposed consent conditions (APPENDIX 1) sets out recommendations around for the type of Noise Management Plan which should apply to each category of event held under RM125012. Of the 58 events that are enabled by the event list, 91% of these (53 events) would be required to manage noise effects in accordance with SNMP. The original consents stipulated only 32% of events were required to manage event noise in accordance with a SNMP.

Due to what could be considered 'reasonable management' of event noise over time under NCC stewardship for the existing current consents, NCC's Events Team has the aim to reduce compliance costs and administration delays involved with submitting one-off type ENMP's, instead of requiring each event to comply with a Site Noise Management Plan (SNMP) which sets out generic requirements for noise management, specific to the venue (but covering the range of expected events). There is common ground between the two types of management plans. For example, both plans include a requirement to report the process for notifying neighbours about details of the event and for this to include notifying Council's after hours noise complaint telephone number. It is believed the switch to a greater proportion of SNMP's would improve efficiency at Council and not be likely result in any increase in noise effects.

9 Summary

Malcolm Hunt Associates have assessed noise effects associated with events held at various Council venues zoned Open Space or Reserves authorised by RM125012V1 and RM155195V1. This assessment finds these events are being generally being successfully run and organised, managed and operated by Council's Events Team (or authorised third parties) in terms of noise effects.

The application increases the number of events from 52 to 58, outlines some changes to current consent conditions, although does not involve any increases in allowable noise limits.

Information presented indicates noise effects, due mostly due to amplified sound from events experienced within a wide range of affected receiver sites (including at residential sites during night time) do not appear to cause any widespread noise problems or complaints. Council records show no complaints of excessive noise associated with Council-led events held under RM125012V1 and RM155195V1 which supports the finding that noise from events authorised to date are not responsible for adverse noise effects that could be classified as more than minor, providing the consent conditions are complied with (which appears to be the case). Compliance monitoring indicates compliance is generally achieved with applicable limits.

On the basis of acceptable management and performance to date, the recommendation is that the renewal be approved on noise grounds providing recommended conditions as set out in APPENDIX A (or words of similar effect) are attached to the consent;

Malcolm Hunt Associates

2 August 2022

APPENDIX A – Recommended conditions

- 1) The consent holder shall ensure that at each of the locations listed in Table 1 events shall only be conducted under this consent if:
- the number of events does not exceed the stated number of events per year at each location,
 - all sound from events on a site (excluding sound from spectators) complies with the stated noise limit within any residential site, when measured and assessed in accordance with NZS 6801:2008 *Acoustics – Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics – Environmental Noise*, except that no duration adjustment or correction for special audible characteristics provided for in sections 6.3 and 6.4 of NZS6802:2008 shall be applied.
 - events and electrically amplified sound only occur between the times stated on the days stated, and
 - the event is operated in accordance with a Site Noise Management Plan (SNMP) or Event Noise Management Plan (ENMP) as specified.

Table 1 Noise Conditions

	Events per year	Noise limit	Times	Days	Existing plan	Proposed plan
Trafalgar Park (sporting or recreational events)	7	65 dB LAeq(15min)	1100h – 2200h	Any	SNMP	SNMP
Trafalgar Park (music and cultural performances) (New Year's Eve)	3	75 dB LAeq(15min)	1400h – 2200h	Any	ENMP	SNMP
	2	75 dB LAeq(15min)	1700h – 2300h	Friday Saturday	ENMP	ENMP
	1	75 dB LAeq(15min)	1900h – 0100h	Any	ENMP	ENMP
Trafalgar Centre	4	50 dB LAeq(15min)	1700h – 2300h	Any	ENMP	SNMP
Rutherford Park	4	65 dB LAeq(15min)	1400h – 2200h	Any	SNMP	SNMP
	2	70 dB LAeq(15min)	1700h – 2230h	Friday Saturday	ENMP	SNMP
Tahunanui Reserve (New Year's Eve)	4	65 dB LAeq(15min)	1400h – 2200h	Any	SNMP	SNMP
	2	70 dB LAeq(15min)	1700h – 2230h	Friday Saturday	ENMP	SNMP
	1	70 dB LAeq(15min)	1900h – 0100h	Any	ENMP	ENMP
Fairfield Park	3	65 dB LAeq(15min)	1400h – 2200h	Any	SNMP	SNMP
Church Steps / 1903 Square / Upper Trafalgar Street (New Year's Eve)	5	65 dB LAeq(15min)	1000h – 1700h	Any	SNMP	SNMP
	4	60 dB LAeq(15min)	1400h – 2200h	Any	SNMP	SNMP
	8	65 dB LAeq(15min)	1400h – 2200h	Any	SNMP	SNMP
	1	65 dB LAeq(15min)	1000h – 2300h	Friday Saturday	ENMP	SNMP
	1	65 dB LAeq(15min)	1900h – 0030h	Friday Saturday	ENMP	SNMP
	1	65 dB LAeq(15min)	1900h – 0100h	Any	ENMP	SNMP

Table 1 continued...

Botanics Playing Field and Reserve	1	70 dB LAeq(15min)	1400h – 2200h	Any	SNMP	SNMP
Pavilion and Saxton Stadium (indoor events)	3	50 dB LAeq(15min)	1700h – 2300h	Any	SNMP	SNMP
Church Steps / 1903 Square / Hardy Street / Upper Trafalgar Street (Masked Parade)	1	See Condition 4 below		Friday Saturday	ENMP	ENMP

For the avoidance of doubt the noise limits in Table 1 shall not apply to sound from spectators.

- 2) Except as provided in Condition 4) below, sound from events after 2200h shall comply with a noise limit of 85 dB LAFmax within any residential site, when measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.
- 3) Except as provided in Condition 4 below, sound from all ancillary activities outside the times stated in Table 1 shall comply with a noise limit of 45 dB LAeq(15min) within any residential site, when measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise, except that no duration adjustment or correction for special audible characteristics provided for in sections 6.3 and 6.4 of NZS6802:2008 shall not be applied.
- 4) The Masked Parade Carnival shall be subject to the following conditions in relation to noise limits and time of day:
 - i) The event may have three stages. In addition to the Main Stage, a Second Sound Stage shall be positioned to the West of the Hump at the Hardy St/Hope St Intersection. The Third Sound Stage shall be located at 1903 Square.
 - ii) The Noise Generating Event for the Masked Parade shall comply with the following noise levels at a Residential Zoned Boundary:

(i) Main Stage – Public address during Parade from 5pm	65dB LAeq(15min)	85dB LAFmax
(ii) All Stages – Entertainment 6.30pm-10pm	65dB LAeq(15min)	85dB LAFmax
(iii) Outside these times	Daytime 53dB LAeq(15 min)	75dB LAFmax
	Night time 43dB LAeq(15 min)	75dB LAFmax
- 5) The consent holder shall prepare, maintain, and operate in accordance with an Events Management Plan (EMP) for all events. As a minimum, the EMP shall include:
 - a) A process for determining if a specific proposed event should operate under this resource consent,
 - b) A booking form to be used for all events including:
 - i. event name and location,
 - ii. proposer name and contact details,
 - iii. date of event,
 - iv. start and finish times of the event,
 - v. start and finish times of amplified sound (including sound checks),
 - vi. anticipated number of participants,
 - vii. description of the type of event,
 - viii. details of the proposed sound system(s),
 - ix. description of proposed use of the sound system,
 - x. sketch and description of proposed sound system layout in relation to residential sites, including the number, location and orientation of loudspeakers,
 - xi. name and contact details of sound system operator,
 - xii. name and contact details of sound system contractor,
 - xiii. name and contact details of designated on-site contact person who is responsible for ensuring the noise limits are met throughout the event,
 - xiv. details of how amplified sound will be managed and what noise control measures will be carried out to reduce the noise impact, and
 - xv. details of any other potentially noisy activities that are proposed to occur on site as part of the event.
 - c) A reference table of expected sound emission levels for a typical range of events,
 - d) A schedule of sites that are subject to this consent, including each site's previous use for events, preferred locations for events within the site, size, proximity to residential sites, and a 'noise sensitivity' rating,
 - e) The process for making an assessment of likely compliance of each event with condition 1, on the basis of information in b), c) and d),
 - f) The process for advising event proposers of acceptance or rejection of an event,
 - g) Information to be provided to proposers of accepted events, as a minimum including:

- i. the noise limit,
- ii. responsibilities of the event proposer,
- iii. noise monitoring requirements,
- iv. sound system calibration requirements,
- v. good practice advice on minimising noise emissions,
- vi. details for access, lighting, car parking, security, litter, and other related matters,
- vii. required complaint reporting, and
- viii. contact details for Nelson City Council noise control and the consent holder,
- h) Requirements for SNMPs and ENMPs,
- i) Copies of all SNMPs and ENMPs, and
- j) Event log.

Site Noise Management Plan

- 6) Prior to any events at each location in Table 1 requiring a Site Noise Management Plan (SNMP), the consent holder shall submit a SNMP prepared by an acoustics specialist to the Manager Planning and Consents, Nelson City Council. As a minimum a SNMP shall include:
- a) details of numbers of events, noise limits, hours and days of operation for this location,
 - b) a description of expected activities and sound sources associated with each activity type, including sound system locations,
 - c) a site plan showing areas where loudspeakers and other significant sound sources should be located,
 - d) details of noise mitigation methods to be used to control noise from events to comply with noise limits at residential sites, and
 - e) a plan identifying nearby residential sites and buildings housing noise sensitive activities,
 - f) requirements for notifying neighbours about details of events, to include Nelson City Council after hours noise complaint telephone number,
 - g) procedures and requirements for noise monitoring and reporting, and
 - h) procedures for addressing to complaints.

Event Noise Management Plan

- 7) At least 21 days prior to any events requiring an Event Noise Management Plan (ENMP) in Table 1, the consent holder shall submit an ENMP prepared by an acoustics specialist to the Manager Planning and Consents, Nelson City Council. Except as required for the Masked Parade under Condition 8), as a minimum an ENMP shall include:
- a) all details from the event booking form required by the EMP,
 - b) a site plan showing the location and orientation and height from the ground of any sound shell or speaker system and the approximate distance of the sound shell/speaker system from the nearest residential sites,
 - c) details of the sound system including methods for controlling noise emissions,
 - d) process for sound checks and sound system calibration,
 - e) a plan identifying nearby residential sites and buildings housing noise sensitive activities,
 - f) requirements for notifying neighbours about details of the event, to include Nelson City Council after hours noise complaint telephone number,
 - g) procedures and requirements for noise monitoring and reporting, and
 - h) procedures for addressing to complaints
- 8) A Noise Management Plan shall be provided to Council's Monitoring Officer annually, 21 days prior to the Masked Parade, prepared by an acoustics specialist, containing the following:

General Noise management

- a) date of the Masked Parade,
- b) start and finish times of amplified sound (including sound checks),
- c) details of the entertainment,
- d) details of the proposed sound system(s),
- e) sketch and description of the sound system layout in relation to residential sites, including the number, location, height and orientation of loudspeakers and other significant sound sources,
- f) name and contact details of sound system operator, and if different, sound system contractor,
- g) sound system calibration requirements,
- h) name and contact details of designated on-site contact person who is responsible for ensuring the noise limits are met throughout the event,
- i) details of how amplified sound will be managed and what noise control measures will be carried out to reduce the noise impact,
- j) details of any other potentially noisy activities that are proposed to occur on site as part of the event,
- k) noise monitoring requirements, and
- l) procedures for complaint recording, mitigation and reporting.

General Site management

- m) anticipated number of participants,
- n) details for traffic management,
- o) security,
- p) litter, and
- q) any other related matters.

A copy of the Noise Management Plan shall be held at the premise during the Masked Parade and made available to Council staff as, and when, requested.

- 9) The consent holder shall keep a log of all events held including:
 - a) event name and organiser,
 - b) event location, date and actual start and stop times
 - c) summary of noise monitoring results and actions taken to reduce any exceedance of the noise limit, and
 - d) details of any complaints and actions taken to address them.

- 10) In accordance with Section 128 of the Resource Management Act 1991, the Nelson City Council may review the conditions of this resource consent. This review may be conducted annually in October for the duration of the consent, for the following purposes:
 - a) To review the effectiveness of the resource consent conditions in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent,
 - b) To consider the adoption by the consent holder of the best practicable option to remove or reduce adverse effects on the surrounding environment.

APPENDIX B - Summary of Noise Monitoring Reports Held On File 2013 – 2018

	Noise Monitoring Report	Author	Date	Fully Comply?	Monitoring Compliance Statement
1	'Opera In The Park' - Trafalgar Park, Trafalgar Street,	Pete Harcom	February 2013	No	<i>"The L10 level of 70 dBA was exceeded on 7 of the 10 relevant monitoring periods and the Lmax level was exceeded on three occasions. Whilst this is technically a breach of the resource consent for this event, it is felt by the author that the concert noise levels were subjectively not excessive nor unreasonable"</i>
2	New Year's Eve Concert Upper Trafalgar Street	Graham Caradus	January 2014	No	<i>"The limit was exceeded by up to 3dB on one occasion and the exceedance was reported by text. Whilst 3dB represents a doubling of sound power, it is difficult to subjectively determine such small differences in sound level."</i>
3	'Opera In The Park' - Trafalgar Park, Trafalgar Street,	Graham Caradus	February 2014	Yes	<i>"The permitted LA10 75dB limit for the evening event was not exceeded"</i>
4	New Year's Eve Event, Upper Trafalgar Street	Lindsay Hannah	December 2015	Yes	<i>"fully comply at all times with the relevant noise criteria of Condition 1 RM125015"</i>
5	More FM Carnivale & Sonic Live Zone, Upper Trafalgar Street	Lindsay Hannah	October 2016	Yes	<i>"were found to fully comply at all times with the relevant noise criteria set out within the Resource Consent Conditions"</i>
6	New Years Eve Upper Trafalgar Street Nelson	Lindsay Hannah	December 2016	Yes	<i>"fully comply at all times with the relevant noise criteria of Condition 1"</i>
7	Opera in the Park Trafalgar Park	Lindsay Hannah	February 2016	Yes	<i>"the event complied at all times with the relevant noise criteria set out in the relevant Resource Consent conditions pertaining to noise"</i>
8	Carnivale & Sonic Live Zone Upper Trafalgar Street	Lindsay Hannah	October 2017	Yes	<i>"the event was suitably managed and operated such that the relevant noise limits were complied with at all times"</i>
9	Carnivale & Sonic Live Zone Upper Trafalgar Street	Lindsay Hannah	October 2017	Yes	<i>"found to fully comply at all times with the relevant noise criteria set out within the Resource Consent Conditions"</i>
10	New Year's Eve Event, Upper Trafalgar Street	Lindsay Hannah	December 2017	Yes	<i>"fully comply at all times with the relevant noise criteria of Condition 1 RM125015"</i>
11	Opera in the Park Saxton Cricket Oval	Lindsay Hannah	February 2018	Yes	<i>"fully comply at all times with the relevant noise criteria set out within the Nelson City Council Resource Consent Decision RM 125012V2"</i>
12	Masked Parade & Carnivale Upper Trafalgar Street	Lindsay Hannah	October 2018	Yes	<i>"found to fully comply at all times with the relevant noise criteria set out within the Resource Consent Conditions"</i>