

Construction Noise Notification Form

Work Outside Standard Construction Hours

Please use this form if you wish to formally advise Wellington City Councils Acoustic Team that you must conduct construction work (including roading and maintenance) outside normal permitted construction work hours of 7.30am to 6.00pm Monday to Saturday. The form should only be used when you must conduct work outside the typical working hours. If you can conduct the work during typical construction hours you must do so.

Section 1: Organisation advising of works

Organisation Details	
Organisation Name	
Contact Person	
Phone Number	
Email	

Section 2: Contractor on site conducting activity and works

Contractor Details (On Site)	
Company Name	
Project Manager	
Phone Number	
Email	

Section 3: Location of work

Site Details (Address/Area/Building/Location)

Section 4: Explanation why the work must be outside typical hours

Detailed explanation as to why the works must be undertaken at night and cannot be undertaken during normal construction work hours of 7.30am to 6.00pm Monday to Saturday
<p><i>You must provide a clear and detailed statement with sufficient information for WCC review as to why the work must be undertaken at night.</i></p>

Section 5: Statement of works, noise sources and noise management

Detail what work you are conducting; include details of noise sources and all noise management methods you will adopt inline with best practise to mitigate noise**

Nature and Scale of Work (including noise sources) – Explain clearly what you are doing:

Management Methods (list all noise management methods you will adopt)**

*You **must at all times** follow best practise at all times to manage and mitigate any actual or potential noise emission from your operations and working site in accordance with the Resource Management Act. **The noise management methods must be inline with BPO, s.16 RMA.*

****Section 16 (duty to avoid unreasonable noise) and Section 17 (duty to avoid, remedy or mitigate adverse effects including noise) of the Resource Management Act (RMA) requires that all activities comply with the Best Practicable Option (B.P.O) under the Act. This form does not permit any persons to produce unreasonable or excessive noise at any time.**

Section 6: Date of work

Primary date and time of works (use 24-hour clock)

Start date and time

Finish date and time

Section 7: Community consultation – notification area

Provide an aerial colour map of work area and letter drop notification area (outline area) – You must include in the map any noise sensitive sites and location of works.



You must ensure the letter drop area covers all noise sensitive sites that may be affected from your activity. A noise sensitive site is *any* location that may be affected from your noise. Noise sensitive sites include (but are not limited to) residential areas, accommodation, healthcare, aged care or commercial businesses (hotels, cafes, restaurants etc).

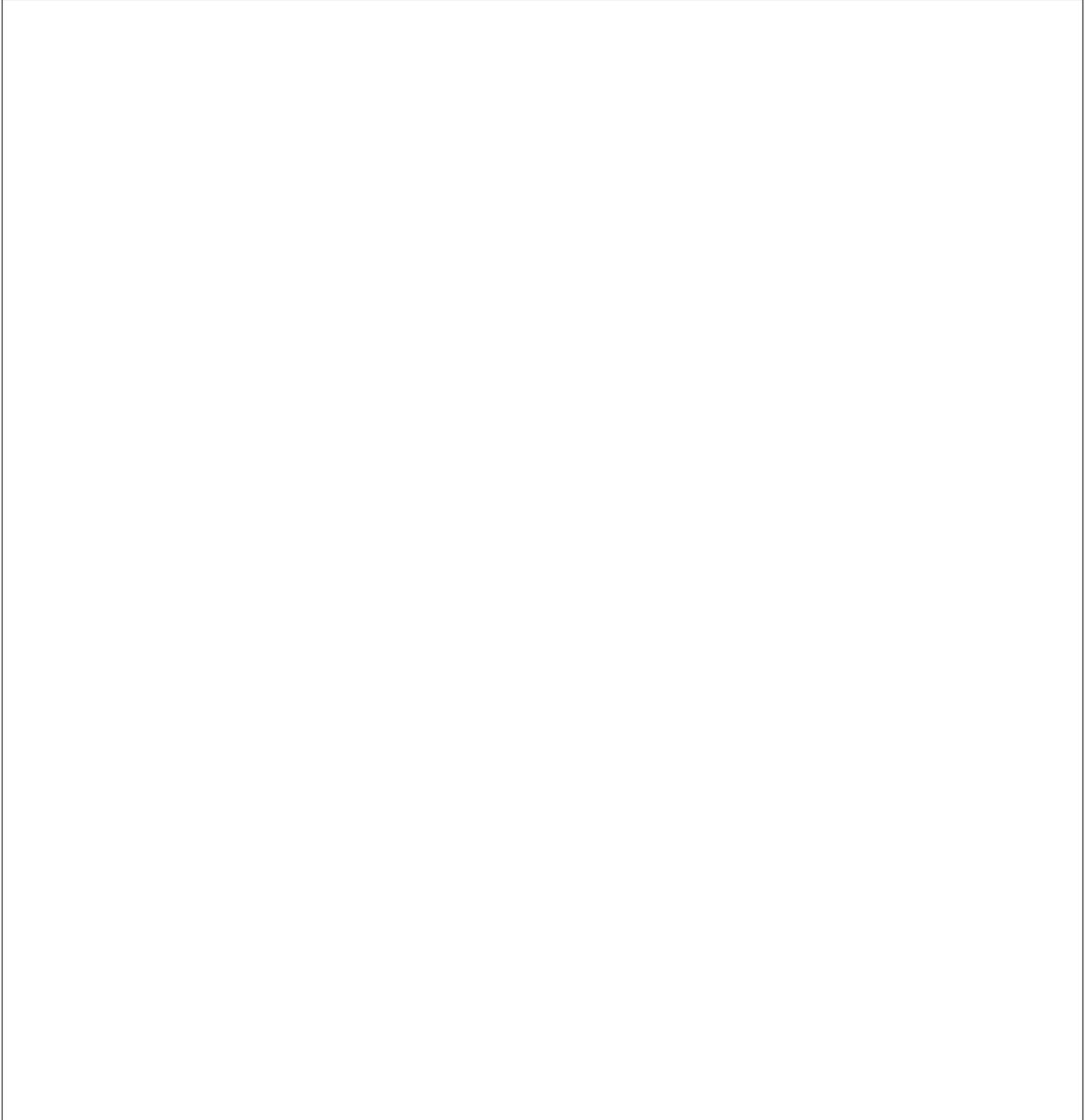
Early notification and communication with the community is a key part of the process (and forms part of your BPO requirements). Informing the community of any up and coming noisy night works is critical to ensure there is 'no surprises'. You must give notification to the community via the letter drop at least 48 hours prior to beginning works. You must not undertake any letter drop until WCC have processed your form.

You must notify the Acoustic Team at Council once the letter drop is complete.

The processing of the form will not be completed by WCC until we are notified in email that the letter drop has been conducted. Contact shall be via email to noiseteam@wcc.govt.nz

Section 8: Community consultation letter

Community Consultation Letter Sample (screen shot below) – **attach** copy of original



The community consultation letter **must** include a standalone noise section. The letter must address 1) noise effects acknowledging noise nuisance (if any) 2) a clear and detailed explanation as to why the work **must** be done outside typical hours (7.30am to 6.00pm Monday to Saturday) 3) a clear statement of duration of works (time and dates) 4) set out all noise control methods that you will adopted in accordance with best practise (BPO, RMA s.16) 5) contact details (name and number) of the Project Manager on site (Section 2) - this person must be contactable while on site.

Section 9: Consenting (Resource Consent / Building Consent)

Resource Consent and Building Consent	
Does your Application have Resource Consent?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a
Does your Application have Building Consent?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> n/a
If your project has consent what is the SR?	Service Request (SR):
If your project has consent who is the WCC CMO	Compliance Officer Name:

If you have ticked 'yes' to above please provide a copy of any resource consent and/or building consent noise or vibration conditions that apply to the site and project (where applicable).

Section 10: Applicant sign off and declaration

Resource Consent and Building Consent	
Applicants Name	
Date of Application	
Applicant Signature	(e-signature is acceptable)

Section 11: Submission of form to Wellington City Council

Send the completed form and required attachments to noiseteam@wcc.govt.nz

Submit the completed form as both Word (.docx) and PDF (.pdf)

Further details can be found at <https://wellington.govt.nz/report-a-problem/noise-control>

YOU MUST SUBMIT THE COMPLETED FORM NO LATER THAN 5 FULL WORKING DAYS PRIOR TO THE START DATE – IF THE PROJECT IS COMPLICATED ALLOW AT LEAST 10 FULL WORKING DAYS

Section 12: Process

Once Councils acoustic team complete processing your application your project will be added to our daily comms so that our call centre is made aware of the project location, dates and nature and scale of the work. We will advise you of any endorsements once processing is complete.

Section 13: Your Obligations and Duties - What are my duties under the Resource Management Act (RMA) ?

Please note this form is not an exception to produce unreasonable or excessive noise at any time and thus you must at all times follow best practise and ensure you manage and mitigate any actual or potential noise emission from your operations and site in accordance with the Resource Management Act. ****The noise management methods must be inline with BPO, s.16 RMA.**

The next page sets out you legal duties and obligations under the Resource Management Act

New Zealand’s chief environmental legislation which provides a framework for managing the effects of activities on the environment is the Resource Management Act 1991. Wellington City Council is mandated under the Act to have the primary function for managing the effects of land uses, including noise and vibration.

s.16 Duty to avoid unreasonable noise

- (1) Every occupier of land (including any premises and any coastal marine area), and every person carrying out an activity in, on, or under a water body or the coastal marine area, **shall adopt the best practicable option to ensure that the emission of noise from that land or water does not exceed a reasonable level.**
- (2) A national environmental standard, plan, or resource consent made or granted for the purposes of any of sections 9, 12, 13, 14, 15, 15A, and 15B may prescribe noise emission standards, and is not limited in its ability to do so by subsection (1).
Section 16(1): amended, on 7 July 1993, by section 14 of the Resource Management Amendment Act 1993 (1993 No 65).
Section 16(2): replaced, on 1 October 2009, by section 16 of the Resource Management (Simplifying and Streamlining) Amendment Act 2009 (2009 No 31).

best practicable option, in relation to a discharge of a contaminant or an emission of noise, means the best method for **preventing** or **minimising** the adverse effects on the environment having regard, among other things, to—

- (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and
- (b) the financial implications, and the effects on the environment, of that option when compared with other options; and
- (c) the current state of technical knowledge and the likelihood that the option can be successfully applied

s.17 Duty to avoid, remedy, or mitigate adverse effects

- (1) Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with—
 - (a) any of sections 10, 10A, 10B, and 20A; or
 - (b) a national environmental standard, a rule, a resource consent, or a designation.
- (2) The duty referred to in subsection (1) is not of itself enforceable against any person, and no person is liable to any other person for a breach of that duty.
- (3) Notwithstanding subsection (2), an enforcement order or abatement notice may be made or served under Part 12 to—

s.3 Meaning of effect (including noise and vibration)

In this Act, unless the context otherwise requires, the term **effect** includes—

- (a) any positive or adverse effect; and
- (b) any temporary or permanent effect; and
- (c) any past, present, or future effect; and
- (d) any cumulative effect which arises over time or in combination with other effects—
regardless of the scale, intensity, duration, or frequency of the effect, and also includes—
- (e) any potential effect of high probability; and
- (f) any potential effect of low probability which has a high potential impact