

Waipapa
Papanui-Innes-Central Community Board
MINUTES ATTACHMENTS

Date: Thursday 15 August 2024
Time: 4 pm
Venue: Board Room, Papanui Service Centre,
Corner Langdons Road and Restell Street, Papanui

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Summary of Changes Needed to Neighbourhood Noise Rules

The Christchurch City Council permits construction (and demolition) work to reach very high noise levels before any action will be taken. It has a high threshold which allows noisy construction work to occur between 7am and 6pm Monday to Saturday. “Public holidays and Sundays should be quiet” From *Neighbourhood Noise CCC*

This means that residential neighbours may legally be subjected to invasive construction noise **eleven hours a day**. We are entitled to **one day a week** and a possible **12 days out of 365** without the damaging impact of continuous construction noise. A report in 2022 by the *Harvard School Of Medicine*, Noise and Health, as well as other international research, has proven

Noise pollution is more than a nuisance. It is a health risk. *

I live with my husband in central Merivale next door to a construction project undertaken by a [REDACTED] which began very close to the fence line in January 2020 and is still ongoing.

There have been four stages: 1. The old villa renovation 2. the construction of a large garage 3. Ongoing construction of a driveway 4. The current construction of a large two storey townhouse which began in September 2023 and is now in its eleventh month. During this time part of the property was used as a builder’s work yard, something not permitted in a residential area.

In total, this is the fifth year of the building project next door. It has caused excessive and unreasonable noise and subjected us to an extraordinary level of noise stress. In the past eleven months the only public holiday [REDACTED] did not work was Christmas Day, despite his assurances to council representatives about King’s Birthday and Matariki, including John Alps and Deputy Mayor, Pauline Cotter.

It is our experience that over the past four and a half years the city council has not enforced its own “rules” to protect us as residents from “excessive or unreasonable noise”, despite this being a provision of the Resource Management Act of 1991 and a term frequently used in the city council’s own material about noise control.

Whether the city council is unable to or simply unwilling to enforce its own regulations to protect the health and well-being of residential neighbours remains unclear. It seems the construction sector has carte blanche and is permitted to impose noise on residents whenever it chooses, if an unrealistically high decibel level is not breached.

Continuous, ongoing noise from construction work can be extremely invasive and damaging to health and well-being even at levels well below the ones specified by the city council.* For example, the noise from electric planers, skill saws, nail guns, compacting machines, sanding machines etc may not breach the decibel level but is very distressing when heard at close quarters for days at a time. Heavy trailers also make a lot of noise, as do alarms for backing vehicles, hydraulic brakes, etc .

I wish to know what measures the city council already has in place for enforcement. Is it choosing not to apply them? Or do changes urgently need to be made to ensure **reasonable** levels of peace and quiet can be enjoyed by urban residents?

Definitions of “loud” “quiet” “excessive” and “unreasonable” in the council’s Noise Control brochure are vague and open to highly subjective interpretation, mostly in my experience, to the disadvantage of the resident. I was told it is a Noise Control or Environmental Health Officer who decides what ‘too noisy’ is. [REDACTED] idea of being “quiet” while working is to make noise which is nonetheless audible inside our house with windows and doors closed.

There is urgent need for the city council to change/adapt/clarify the rules around Noise Control to enable it to take meaningful action to protect neighbouring residents from on-going exposure to harmful construction noise which is “excessive and unreasonable”.

There is something seriously wrong with the city council’s social priorities when:

Its Noise Control brochure states that we should “let neighbours know beforehand “about (one-off) parties and “keep neighbours informed about significant amounts of DIY work”, but the council fails to make it mandatory for close neighbours to be informed in a timely way about the use of heavy vehicles such as concrete mixers, diggers, compactors and large trucks pouring shingle, etc as part of a building project. Banging and vibrations are also stress-inducing especially when they begin at 7.30am without prior warning.

Information is essential to empower resident to make plans to relocate at times in order, as much as possible, to avoid stressful noise levels which are not only harmful to human health but also to that of pets. We have to pay for our traumatized cat’s treatment. The cost of these frequent relocations for whole households as a result of construction noise can be high. Who should meet them is another major issue but belongs in a separate paper.

Without timely information or protection from the city council, residents are kept powerless. We are literally at the mercy of the builder. The builder in this case has cut communication in any form with my household and refuses to let us know his schedule. He has also cut off our water on at least two occasions without any prior notice. Is this fair or reasonable? Why does the council allow him to do this without any consequences?

- The council has a social duty to uphold and enforce its own existing “rules” as set out in “Neighbourhood Noise” as quoted above
- This is especially important regarding sanctioned quiet times which neighbours know they can rely on for much-needed respite from on-going long-term construction noise. They can then go back to planning their outdoor activities, gardening and garden events for special occasions. All this ceases when there is construction noise next door.
- Residents should be able, at the very least, to rely on the council upholding their right to have quiet Public Holidays. Not just Sundays “should be quiet” but whole weekends should be free of construction noise, which will give residents the breathing space from noise essential for them to retain a level of resilience essential for their health and well-being
- The council needs to strengthen the definition of “rules”. Are they by-laws, suggestions and/or requests dependent on the co-operation of the noise offender?

- There need to be stringent measures taken, especially when noise offenders repeatedly and blatantly re-offend. For example when a Noise Control officer attends and the noise continues minutes after their departure
- Penalties /fines should be significant. It is not sufficient to rely on good will for compliance
- Each situation in which noise is not just a nuisance but a health hazard should be regarded in its whole context, and not assessed just in terms of decibels on a meter. The length of time the construction noise has been going on, its frequency, its nature and the effects it is having on the household(s) closest to it should all be taken into account when the council makes its ruling, which it must enforce

In addition to the building project I have described we were recently informed that the

[REDACTED] This work will literally be taking place just over our back fence and we have been told to expect it to continue “for a year”.

[REDACTED] Moving house, which we most definitely do not want to do, should not be our only option. We should receive reasonable noise protection from the council and not be forced into leaving a home we love in which we have lived for more than thirty years.

It is interesting to note that [REDACTED] has assured us that like many larger construction companies, it will not work on weekends or public holidays out of consideration for its own and other nearby residents. This may well be cold comfort, however, it is comfort of sorts. **Given there are now always going to be construction projects in our midst if there were a single rule for the city council to adapt and strongly enforce it should be this: No construction work by professional companies should take place on weekends or public holidays.**

Continued next page...Background information about noise and health

***From Harvard Medicine magazine article “ Noise and Health”
2022**

Noise pollution is a growing danger to health and welfare ..The European Environmental Agency ranks it second only to air pollution as the environmental exposure most harmful to public health...yet it is often underestimated.

“To say the onus is on the individual to fix their noise exposure is not feasible. Given what we do know, noise is too significant an issue for us to sit around and wait to have perfect data [before we can act]”

Researchers and clinicians have shown that noise pollution drives [conditions such as] hearing loss, tinnitus and hypersensitivity to sound and can exacerbate cardiovascular disease, type 2 diabetes, sleep disturbances, stress, mental health and cognition problems including memory impairment and attention deficits, learning delays in children ...Scientists are investigating other possible links, including to dementia

Vibrations from noise can also cause impairments. Part of the answer lies in the stress-response system. Researchers have found that...even when awake or asleep autonomic stress reactions can be experienced. [Certain types of noise] is associated with heightened activity of the amygdala relative to regulatory cortical regions

Amygdala activity can trigger stress pathways, including inflammation, that can lead to cardiovascular and metabolic diseases. [Individuals] with a higher ratio of amygdalar to cortical activity have more risk for adverse outcomes...

Research also reveals how noise pollution connects with climate change. Many contributors to global warming generate noise...Urban sprawl and deforestation destroy natural carbon absorption reservoirs while removing natural sound buffers...Certain climate mitigation strategies such as creating green spaces in concrete jungles offer opportunities to muffle noise

“The US hasn’t really funded noise control or noise research since the 1980s. It’s a big problem. We need to prioritise this so we can really pin down how noise affects health” Ass. Prof Peter James Population Medicine, Harvard, leader of a 2017 study Environmental Health Perspectives

June 9 2024
For the attention of John Alps, Pauline Cotter, Nathan Long

Lorraine North MA (Hons) BA.

How is noise assessed, and when is noise unreasonable?

Residential neighbourhood noise emissions are usually assessed on a common sense basis by listening to determine if the noise is excessive. Noise can be excessive or unreasonable at any time of the day or night. A number of factors are taken into account:

- Volume
- Time of day/night
- The reason for the noise, and whether or not the noise has a particular tonal character
- How often it occurs and for how long

What happens if the noise is unreasonable or excessive?

If a Noise Enforcement Officer assesses the noise to be excessive or unreasonable, they can ask for a reduction in volume. If appropriate, the officer attending can also issue a Direction to Reduce Noise. This is usually given in writing to an individual at the offending address, and can last for up to 72 hours.

If the noise continues to be too loud, any noise producing equipment can be seized by Noise Enforcement with the Police.

Infringement and abatement notices can also be issued. These can involve substantial financial penalties.

What happens to equipment that has been seized?

Confiscated equipment can be reclaimed when the Council is satisfied that the return will not lead to resumption of noise beyond a reasonable level. Costs incurred in removing and storing the equipment are payable on return. Equipment is only returned to the owner and suitable proof of identity is required for this purpose.

Remember...

If you are having problems with noisy neighbours, try to resolve the issue by speaking with them first. Often these concerns are best settled on a neighbourly basis.

Does the act cover all types of noise?

No. There are other kinds of noise which are specifically covered by or controlled by other pieces of legislation. For example:

- Barking dogs are covered by the **Dog Control Act 1996**. Contact Animal Control on 941 8999.
- Noisy vehicles on the road are covered by the **Traffic Regulations Act 1976**. Contact the traffic safety branch of the New Zealand Police.
- Noise between tenancies with the same landlord is covered by the **Residential Tenancies Act 1996**. Contact your landlord in the first instance.
- Environment Canterbury may be able to assist with watercraft noise. Phone 365 3828.
- Noise within the workplace is covered by the **Health and Safety in Employment Act 1992**. Contact the Occupational Safety and Health Service of the Department of Labour.

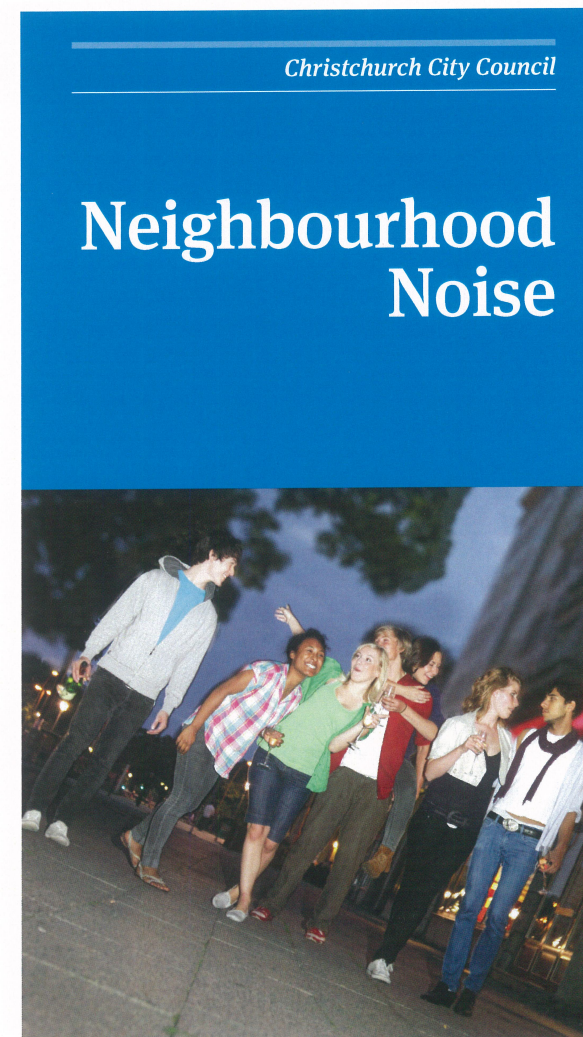
For more advice and information

Please phone 941 8999 and ask to speak to Noise Control.

Or visit us online at www.ccc.govt.nz

Environmental Compliance Team. Inspections and Enforcement Unit

77 Hereford Street, Christchurch 8011
PO Box 73049, Christchurch 8011
Telephone: 941 8999. **Email:** info@ccc.govt.nz
Or visit our **website:** www.ccc.govt.nz



When noise annoys

Noise is a common source of annoyance in Christchurch. We all make some noise as we go about our everyday lives, but we need to ensure that the noise we make is not excessive or unreasonable to others.

Everyone is responsible for the noise they make

It's your duty not to make noise that disturbs or annoys people. Ensure noise does not exceed a reasonable level.

Resource Management Act 1991

The noise control provisions of the Resource Management Act 1991 are designed to:

- Protect people from unreasonable and excessive noise.
- Provide effective noise control in our community.
- Protect the rights of people and industry to make a reasonable level of noise.

See www.legislation.govt.nz for more information.

How to minimise neighbourhood noise

Radios, televisions and stereos

Usually it's the unreasonably loud use of stereos in residential neighbourhoods that causes most concern.

- Keep the volume down – especially late at night.
- Keep the bass control low, as a deep “bass” sound or beat can easily travel.
- Use cordless headphones and personal stereos such as iPods with earpieces when possible.
- Keep music inside with windows and doors closed so noise doesn't disturb others.

Parties

- Let neighbours know beforehand, and stick to any agreed finish time.
- Control the music levels and move any outdoor parties inside after 10pm.
- Remind guests to leave quietly.
- If you do receive a visit from Noise Control, follow their advice and directions carefully.

Musical instruments

Amplified instruments or drums can be annoying for neighbours.

- Schedule practice times to avoid the early morning or late evening.
- Keep the volume low and don't go on too long.
- Practising in a residential area is possible if you're in a room with sound insulation. If not, try to find a non residential space to practise in (ie. in a rural/industrial zone).

Gardening and DIY work

- Noisy DIY work (eg. power tool use) shouldn't start prior to 7am Monday to Saturday, or 9am on Sundays. Loud DIY work should finish by 8pm.
- Keep neighbours informed if you intend carrying out significant amounts of noisy DIY work.

Cars and motorcycles

- Only use your horn in emergencies, and keep your car stereo to a reasonable level.
- Excessive engine revving or prolonged idling should be avoided.
- If you're repairing vehicles, follow the above advice about the timing of DIY work.
- Any complaints about noisy vehicles on the road can be made to the Traffic Safety Branch of the New Zealand Police, phone 363 7400.

Animals

- Any complaints about barking dogs can be directed to the Animal Control unit at the Christchurch City Council, phone 941 8999.
- Information on dogs and barking issues can also be obtained from: www.ccc.govt.nz/homelivingpetsanimals/ownerresponsibilities/excessdogbarking.aspx
- Roosters are not suitable for keeping in residential areas as their crowing is near impossible to control. It's best if they are confined to a rural area.

Always consider your neighbours!

Alarms

- Choose an alarm that automatically resets itself after a limited period of activation.
- Consider having your system monitored.
- Maintain the alarm regularly.
- Provide your contact details to neighbours.

Noise from businesses

When there's a complaint concerning noise from a commercial or industrial operation, the Council's Environmental Health Officers can measure the noise level with a sound level meter.

If the noise exceeds the relevant levels set by the rules in the City Plan, a request will be made to reduce the noise emission to a complying level.

The request can be enforced if necessary.

The City Plan

The City Plan noise rules are available for viewing at Christchurch City Council Service Centres, the Civic Offices, and on the Council's website: www.cityplan.ccc.govt.nz



Construction and demolition work

Often construction and demolition work is unavoidably loud, and the rules about such work allow for these higher noise levels. Provided that the levels in the Construction Standard are met at nearby residential areas, noisy work between 7am and 6pm is generally acceptable from Monday to Saturday. Public holidays and Sundays should be quiet.

The New Zealand Standard for construction noise (NZS 6803:1999) can be viewed at: www.standards.co.nz/default.htm

HARVARD medicine
THE MAGAZINE OF HARVARD MEDICAL SCHOOL

All Articles

Spring 2022

Noise and Health

Noise pollution is more than a nuisance. It's a health risk.

Nature, Nurture

by Stephanie Dutchen

4 min read

Audio available 

Listen to this story

HMS Audio Clips | BONUS

Noise and Health

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Reading by Gracia Cameron

Airplanes pierce the night. Leaf blowers
interrupt fall mornings. Quiet gives way to
air conditioners, pounding music,
construction equipment, street traffic,
barking dogs, sirens.

For half a century, U.S. agencies such as the EPA have deemed noise pollution “a growing danger to the health and welfare of the Nation’s population.” The European Environmental Agency reports that noise ranks second only to air pollution as the environmental exposure most harmful to public health.

Yet, in sectors from government regulation to health care practice, the threats posed by noise remain “often underestimated,” according to the International Commission on Biological Effects of Noise.

Researchers and clinicians are trying to change this. They’ve shown that noise pollution not only drives hearing loss, tinnitus, and hypersensitivity to sound, but can cause or exacerbate cardiovascular disease; type 2 diabetes; sleep disturbances; stress; mental health and cognition problems, including memory impairment and attention deficits; childhood learning delays; and low birth weight. Scientists are investigating other possible links, including to dementia.

Subscribe to *Harvard Medicine* magazine

Research also reveals how noise pollution connects with climate change. Many contributors to global warming generate noise, chief among them transportation and fossil fuel extraction and processing. Urban sprawl and deforestation destroy natural carbon absorption reservoirs while removing natural sound buffers. Technologies that help people deal with climate change, like air conditioners and generators, can be noisy. Conversely, certain climate mitigation strategies such as creating green spaces in concrete jungles offer opportunities to muffle noise.

Wanted: better models

Estimates hold that chronic noise exposure contributes to 48,000 new cases of heart disease in Europe each year and disrupts the sleep of 6.5 million people. Quantifying noise pollution's contribution to health problems and death in the United States, however, remains a challenge because of poor measuring and monitoring, says Peter James, an HMS associate professor of population medicine in Harvard Pilgrim Health Care Institute's Department of Population Medicine. This makes it harder to determine the best policies and medical practices for care.

"The U.S. hasn't really funded noise control or noise research since the 1980s," says James. "It's a big problem. We need to prioritize this so we can really pin down how noise affects health."

To say the onus is on the individual to fix their noise exposure is not feasible.

James helps colleagues apply existing noise modeling data to large cohort studies, such as the Nurses' Health Study, to analyze participants' noise exposures and health outcomes. The models have low resolution, however, and working with them can be frustrating: researchers can't be sure whether a negative finding means noise doesn't contribute to a particular outcome, such as something as seemingly unrelated as menopause onset, or the data weren't robust enough to reveal a connection. James hopes to augment epidemiological data with input from participants using sensors and apps, which can deliver precise location and health information.

"Given what we do know, noise is too significant an issue for us to sit around and wait to have perfect data," he says.

James led a seminal 2017 study, published in *Environmental Health Perspectives*, which shows that people in neighborhoods with low socioeconomic status and higher proportions of residents of color bear the brunt of noise pollution in this country.

"We want our patients to reduce their exposure as much as possible, such as wearing ear plugs or investing in soundproofing insulation, but that's not possible for many who live in the noisiest areas," he says. "To say the onus is on the individual to fix their noise exposure is not feasible."

Heart, felt

Another branch of inquiry focuses on how vibrations from noise can cause impairments. Part of the answer lies in the stress-response system. Researchers have found that the more people are bothered by noise, the greater the health risks they face from it. Yet, even those who tune out noise pollution, whether when awake or asleep, experience autonomic stress reactions.

Ahmed Tawakol, an HMS associate professor of medicine at Massachusetts General Hospital, and Michael Osborne, an HMS instructor in medicine at Mass General, have used advanced PET scanning to show that transportation noise is associated with heightened activity of the amygdala relative to regulatory cortical regions. Amygdalar activity can trigger stress pathways, including inflammation, that can lead to cardiovascular and metabolic diseases. Participants with a higher ratio of amygdalar to cortical activity had more risk for adverse outcomes in follow-up. The link persisted even after accounting for other disease risk factors.

In the clinic, Tawakol and Osborne say that evidence supports strategic intervention rather than trying to squeeze questions about noise into each patient encounter.

“If a patient mentions noise as a cause of stress, especially if they have or are at risk of cardiovascular disease, I’d certainly recommend personal noise mitigation strategies and stress reduction techniques,” Osborne says.

As researchers reveal the mechanisms and magnitude of noise-induced illness, clinicians will become better equipped to identify at-risk patients and prescribe effective solutions.

Stephanie Dutchen is manager of feature content and multimedia in the HMS Office of Communications and External Relations.

Image: Merovingian/Digitalvision Vectors/Getty images

Topics Covered: [Climate in the Clinic](#) [Research](#)

Innes Ward Community Board Meeting
August 15

Noise Pollution with Reference to Continual Construction Noise

Good afternoon everyone

- I would like to thank you, and especially Pauline Cotter, for this opportunity to speak about a serious and growing environmental health issue - that of noise pollution
- Continual and invasive construction noise affects many thousands of urban residents in this city ...and beyond. Its invisibility means it too often goes unaddressed
- 5 minutes is not very long, so for background I would ask you to read and consider these 3 documents which I believe have been circulated to you
- 1 . The council's brochure on Neighbourhood Noise

This contains all the principles necessary to protect residents from excessive and unreasonable noise, but in my experience over a 4 year period , these are interpreted by council staff in a way which protects the noise-polluter, not the victim

2 . The Summary of Changes based on my personal experience which I sent to Pauline Cotter, whom I thank for acting as my advocate

3 . Harvard Medical School article on Noise and Health

International research shows *continual exposure to invasive noise* not only undermines quality of life but can seriously damage the physical and psychological health of individuals

- Continual noise does not have to breach extremely high decibel levels to cause serious health damage. Even low levels and vibrations can trigger dysfunctional amygdala activity in the autonomous nervous system
- This can exacerbate or cause serious inflammatory, cardiovascular and other stress- related disease
- inescapable exposure to continual noise pollution has also been an identifiable factor in cases of severe depression and suicide

- in Christchurch increasing numbers of urban residents feel, to quote novelist Henry James, “ravaged by hostile forces” (end quote)
- the construction industry is invading our neighbourhoods and ruining our lives and we feel powerless to do anything about it
- we feel stripped of our democratic rights as citizens to have a say, in not only what affects us in our communities, but also in our own homes
- we feel the damage caused to us by continual construction noise, which is often on an industrial scale, is being disregarded with brutal indifference

- my personal predicament is indicative of many
- within a 2-300 meter radius of our home [REDACTED] there are now 5 active construction sites. Two of these are directly over our side and back fences. Almost all are building multiple dwellings
- Two weeks ago, when the largest and most recent one, [REDACTED], began constructing [REDACTED] we had literally to flee our home and relocate at short notice, to escape the unbearable noise, shock vibrations and invasion of diggers, chainsaws, trucks and heavy machinery literally over our back fence
- We are not sure when we can return to our home – possibly the end of September – but the project is said to take a year to complete
- One of our near neighbours on [REDACTED] is about to have a baby. She told me she finds it very hard being woken by diggers much earlier than the 7.30am start-time she was given by the contractor
- Another neighbour, well into her eighties and virtually house-bound, is extremely distressed by the constant noise and vibrations, but has nowhere else to go. How is she to cope? She said to my husband she feels like she is living in a war zone

- Our current forced evacuation from our home comes after years of numerous shorter-term relocations due to continual construction noise next door, right along our eastern fence line and into our garden
- our new neighbour, a professional builder, subdivided his property to build a large two-storey townhouse
- For us this has meant 4 ½ years of continual invasive noise close to our house, and in our garden, from concrete cutters, electric planers, skill saws, nail guns, etc as well as occasional heavy machinery
- He refuses to communicate with us
- He works weekends and public holidays
- He ignores council guidelines and visits by Noise Control officers. He also disregards direct approaches from senior environmental staff such as [REDACTED], and indeed, from our Deputy Mayor Pauline Cotter.
- The one Work Schedule the builder provided for us was invalid. We arrived home after 10 days away to find the noisiest work had not even started.

- Repeatedly relocating a household, which includes a traumatised cat, comes at a high cost, in financial, practical and emotional terms. We love our home of 30 years. We love our garden and our cat. But we have been deprived of peaceful enjoyment of our own property for almost 5 years
- During these disruptions we have had to deal with major surgery, repeated serious illness and the death of my mother
- Where can one recover from major life events such as these, if not in one's own home? A home for which our rates bill is not insignificant (almost \$7,000)

What Can Be Done?

- The Harvard School of Medicine's states : "to say the onus is on the individual to fix their noise exposure is not feasible"

Given that construction noise is not going away any time soon :

- The urgent appeal I make to the Christchurch City Council, on behalf of not only my household, but all Christchurch residents, is that it uphold its own standards regarding **Neighbourhood Noise** , with particular reference to construction noise (refer brochure).
- Our city council must, through effective enforcement, execute its duty of care as defined in the Resource Management Act of 1991, which is to protect us from "excessive and unreasonable noise"
- **A most crucial factor is information.** It should be mandatory for construction companies, large or small, to ensure affected residents receive timely notification about their Schedules of Work which are reliable, accurate and constantly updated.
- Earthquake trauma revisits when your whole house suddenly starts to shake alarmingly at 8.00am, rattling glassware and crockery, and you have no idea what is causing this hideous noise or how long it will last.

If residents know what to expect we can at least try to plan around the worst aspects of construction noise. We need to be given the opportunity to do what WE can to protect our health.

.....

[Specific discussion topics further to Summary of Changes]

In addition to facilitating information exchange, I believe the Council should:

1. Protect greenery. This not only absorbs carbon but provides a sound buffer
2. Change work hours to 7.30am to 5.30pm Monday to Friday
3. Strictly enforce weekends and holidays as quiet times for nearby residents
4. Ensure there are completion dates for projects
5. Review its policy on decibel levels
6. Mitigate controllable noise factors eg enforce use of alternative backing alarms to replace the piercing beeps; not allow amplified music on site, etc