BEFORE THE HEARING PANEL

UNDER THE	Resource Management Act 1991
IN THE MATTER OF	Submissions on the Exemptions Version of the Proposed Waitaki District Plan
BETWEEN	**WAITAKI DISTRICT COUNCIL** Local authority
AND	**FEDERATED FARMERS OF NEW ZEALAND INC** Submitter number 246 Further submitter number FS246

EXEMPTIONS VERSION OF THE PROPOSED WAITAKI DISTRICT PLAN

PLANNING EVIDENCE OF KATE SANNAZZARO ON BEHALF OF NORTH OTAGO FEDERATED FARMERS OF NEW ZEALAND (INCORPORATED) – HEARING STREAM 3

8 OCTOBER 2026

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INTRODUCTION

1. My name is Karen (Kate) Lisa Sannazzaro. I am currently employed by Federated Farmers of New Zealand (Incorporated) as a Principal Planner. I am authorised to speak on behalf of Federated Farmers, including North Otago Federated Farmers of New Zealand (Incorporated) (**Federated Farmers**).

2. My qualifications and experience are detailed in my evidence for Hearing Stream 1.

3. I am a Full Member of the New Zealand Planning Institute.

4. I have read and agree to comply with the Expert Witness Code of Conduct set out in section 9 the Environment Court's Practice Note 2023.

5. I have read and reviewed the following documents:

   (a) Hearing Minutes 1, 2, 3, 4, 5, 6 and 7.

   (b) The Exemptions Version of the Proposed Waitaki District Plan dated 15 January 2026 (**PDP**).

   (c) The evaluation report prepared under section 32 of the Resource Management Act 1991 (**RMA**) for Noise (undated).

   (d) The report prepared under section 42A of the RMA, by Ms Briar Belgrave for Noise (dated 21 September 2026).

   (e) Federated Farmers submission dated 16 May 2025, and further submission dated 21 May 2026.

   (f) National Policy Statement for Highly Productive Land (**NPS-HPL**).

   (g) Relevant parts of the Canterbury Regional Policy Statement 2013 (**Canterbury RPS**) and the Otago Regional Policy Statement 2021 (**Otago RPS**).

FEDERATED FARMERS SUBMISSION

6. Federated Farmers submission is generally supportive of the NOISE chapter provisions, while seeking various amendments and clarifications. Following the Exemption and Withdrawal process, the NOISE rules no longer apply in the General Rural Zone (**GRUZ**).

7. Federated Farmers are concerned that, if the NOISE objectives and policies are not amended to address their concerns now, there may not be a future opportunity to do so, as any future plan change could be limited to NOISE rules for the GRUZ without revisiting the supporting objectives and policies.

8. Federated Farmers key interest is ensuring appropriate management of reverse sensitivity, particularly where new noise-sensitive activities establish near primary production activities. Federated Farmers' further submission supports submissions seeking amendments to better address reverse sensitivity:

   (a) Whitestone Contracting Limited seeks amendments to NOISE-O2 to require the avoidance of new sensitive activities establishing near existing noise-generating activities.[1]

   (b) The NZ Agricultural Aviation Association and the NZ Helicopter Association seek a new policy that reduces the potential for reverse sensitivity to occur.[2]

9. My evidence addresses the relevant NOISE objectives and policies, notwithstanding that the current NOISE rules do not apply in the GRUZ and responds to the analysis and recommendations in the officers' report prepared by Ms Belgrave.

EXPERT PLANNING EVIDENCE

Reverse sensitivity - NOISE-O2, NOISE-P4

10. NOISE-O2 is the objective for reverse sensitivity. It requires new sensitive activities to be designed and located to minimise conflict with existing and lawfully established noise-generating activities.

11. Responding to the submitter request to amend the objective,[3] Ms Belgrave considers that requiring avoidance would create a "high bar" under section 104 of the RMA for consent applications for sensitive activities and would not recognise the range of design and policy mechanisms available to manage reverse sensitivity. She also considers that, because reverse sensitivity is a spectrum and receivers have differing levels of sensitivity, an objective seeking to avoid all reverse sensitivity outcomes would be difficult to achieve. She considers the

1 Submission 243.122.
2 Submission 180.22.
3 At paragraph 147 of the s42A Report.

notified objective, which seeks to minimise conflict, to be more realistic and appropriate.

12. In my opinion, this response does not address the submitters' concern, which is not that all reverse sensitivity effects should necessarily be avoided in every circumstance, but that avoidance should be the preferred management response where practicable, before reliance is placed on measures to mitigate the effects of the sensitive activity's location.

13. Responding to the submitter request for a new policy to address reverse sensitivity,[4] Ms Belgrave similarly focuses on the management of noise generated by activities through permitted noise limits and resource consent processes. I do not dispute that these provisions provide an appropriate overall framework for managing the noise effects of noise-generating activities.

14. In my opinion, that framework does not address the submitters' concern regarding reverse sensitivity. The question for reverse sensitivity is whether a new sensitive activity should be located in a position where its presence may constrain an existing or lawfully established noise-generating activity. Managing the noise generated by the existing activity through permitted limits or consent conditions does not, in itself, address that question.

15. The NPS-HPL provides support for an avoidance-first approach to reverse sensitivity for highly productive land.[5] Clause 3.13 requires territorial authorities to identify the effects associated with land-based primary production that should be anticipated and tolerated in a productive rural environment, and to provide for the avoidance, if possible, or otherwise mitigation, of potential reverse sensitivity effects arising from urban rezoning or rural lifestyle development affecting highly productive land.

16. In my opinion, this supports the distinction identified in paragraph 14 above. The issue is not whether all reverse sensitivity effects must be avoided in every circumstance, but whether the planning framework should require consideration of avoidance in the first instance where that is possible. This is particularly relevant where the existing activity is an established productive activity and the sensitive activity is subsequently introduced into its operating environment.

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4 At paragraph 91 of the s42A Report.

5 Noting the NPS-HPL is not identified as relevant national direction in the s32A Report: Noise.

17. The section 32 report for noise provides a useful illustration of this approach. In evaluating NOISE-O2, the report identifies[6] as a reason for the objectives appropriateness "*the need to enable noise-generating activities and provide for the efficient use and development of physical resources*". It then states that the objective will achieve this "*by requiring new sensitive activities to be located and designed to avoid reverse sensitivity effects*".

18. In my view, this demonstrates that an avoidance-based approach to the location and design of new sensitive activities is consistent with enabling established noise-generating activities to continue to operate, rather than treating mitigation of effects on the sensitive activity as the only or preferred response.

19. The Canterbury RPS provides further direction on managing reverse sensitivity effects, including those arising from noise:[7]

    (a) Policies 5.3.9 and 8.3.6 adopt an avoidance approach in relation to regionally significant infrastructure, directing territorial authorities to avoid development that constrains the operation or development of that infrastructure as a result of adverse effects arising from reverse sensitivity.

    (b) Policy 5.3.12(1)(b) adopts an avoidance approach in relation to the rural productive economy, requiring the avoidance of development that results in reverse sensitivity effects that limit or preclude primary production.

20. The Otago RPS also directs an avoidance-based approach to reverse sensitivity: Policy UFD-P6 addresses the establishment of non-industrial activities in industrial zones and directs their management by "avoiding activities likely to result in reverse sensitivity effects on industrial activities", or likely to result in an inefficient use of industrial zoned land or infrastructure.[8] This provides further support for distinguishing between an objective of managing reverse sensitivity generally and a policy that identifies avoidance of the sensitive activity as the appropriate response where it is likely to result in reverse sensitivity effects.

21. In my opinion, the responses in paragraphs 91 and 147 of the s42A report do not adequately address the submitters' concerns. The existing provisions provide a framework for managing noise generated by activities, including through permitted

6 At Table 2 in section 7.3 of the s32A Report: Noise.

7 Noting these policies were not identified as relevant in the s32A Report: Noise.

8 Noting this policy was not identified as relevant in the s32A Report: Noise.

noise limits and the assessment of activities that exceed those limits. However, this does not establish an effects-management sequence for the reverse sensitivity that may arise from the establishment of a new sensitive activity, as directed by higher order policy statements.

22. Measures designed to mitigate noise at a sensitive activity do not necessarily avoid the reverse sensitivity effect on the established noise-generating activity. For example, acoustic insulation may reduce the noise experienced by occupants of a new dwelling but does not necessarily prevent complaints or pressure for restrictions on the timing, nature or intensity of the established activity.

23. I consider that NOISE-P4 should establish a clear sequence whereby reverse sensitivity is avoided, including through the appropriate location and separation of sensitive activities, with mitigation considered where avoidance is not possible.

24. In response to questions from the Hearing Panel during Hearing Stream 2, Ms Belgrave identified a drafting preference for objectives to seek to "manage" effects, with policies identifying whether that management should be through avoidance, remedy or mitigation. I agree that this in an appropriate drafting approach.

25. In my view, the objective should establish the desired outcome of managing conflict and reverse sensitivity effects, while the policy should establish a clear effects-management sequence. That sequence should require consideration of whether reverse sensitivity can be avoided in the first instance, including through the appropriate location and separation of sensitive activities, with mitigation considered where avoidance is not possible. This approach is consistent with the avoidance direction in the NPS-HPL, the Canterbury RPS and the Otago RPS while recognising that mitigation remains appropriate where avoidance is not possible.

26. I consider that NOISE-O2 and NOISE-P4 should be amended as follows:

> *NOISE-O2*
>
> *New sensitive activities are designed and located to ~~minimise~~ manage conflict with and reverse sensitivity effects on existing and lawfully established noise generating activities, or the current and future use of land for primary production, regionally significant infrastructure and activities in Industrial Zones.*
>
> *NOISE-P4*
>
> *Manage reverse sensitivity effects from noise by:*
>
> *1. Avoiding the establishment or location of sensitive activities where they would:*

a. result in reverse sensitivity effects that constrain existing or lawfully established noise-generating activities, including primary production; or

b. constrain the current or future use of land for:

i. the operation, maintenance, upgrade or development of regionally significant infrastructure, including State Highways and the rail corridor;

ii. land-based primary production on highly productive land;

iii primary production in the General Rural Zone; or

iv. activities within Industrial Zones; and

2. Where avoidance cannot be reasonably achieved, minimising reverse sensitivity effects through the appropriate ~~Enable sensitive activities to be~~ location, design~~ed~~, construct~~ed~~ion and maintain~~ed~~ence of sensitive activities, to achieve appropriate indoor design noise levels ~~and minimise the potential for reverse sensitivity effects from noise~~, having regard to:

~~1~~a. the outdoor amenity values for occupants of the sensitive activity; and

~~2~~b. the location of the sensitive activity in relation to the land uses identified in clause 1 ~~State Highway or rail corridor, existing lawfully established noisy activities, the Industrial Zones~~; and

~~3~~c. the ability to appropriately locate the sensitive activity within the site; and

~~4~~d. the ability to meet the appropriate levels of acoustic insulation through screening, alternative technologies or materials; and

~~5~~e. the potential for ~~any~~ adverse effects on the land uses identified in clause 1 ~~State Highway or rail corridor, existing lawfully established noisy activities, or businesses within the Industrial Zones~~; and

~~6~~f. the outcome of any consultation with the owners or operators of the land uses identified in clause 1 ~~Waka Kotahi NZ Transport Agency or KiwiRail~~.

27. I consider that these proposed amendments to NOISE-O2 and NOISE-P4 would give better effect to the relevant direction in the NPS-HPL, the Canterbury RPS and the Otago RPS.

28. My evidence does not address NOISE-R2, including whether that rule appropriately gives effect to the relevant higher order policy direction, as Federated Farmers did not make a submission or further submission on NOISE-R2.