

**BEFORE THE SELWYN DISTRICT COUNCIL**

**IN THE MATTER OF**

The Resource Management Act 1991

**AND**

**IN THE MATTER OF**

A request by Foodstuffs (South Island) Properties Limited to change the Partially Operative Selwyn District Plan by rezoning approximately 7 hectares of land at 157 Levi Road, Rolleston from Medium Density Residential Zone to Large Format Retail Zone (Variation 2)

---

**EVIDENCE OF JEREMY WILLIAM TREVATHAN  
ACOUSTIC ENGINEER ENGAGED BY THE SELWYN DISTRICT COUNCIL  
DATED 21 FEBRUARY 2025**

---

## **Qualifications and experience**

1. My full name is Jeremy William Trevathan.
2. I am the Principal Acoustic Engineer and Director of Acoustic Engineering Services, an acoustic engineering consultancy based in Christchurch with offices in Auckland and Wellington.
3. I hold the degrees of Bachelor of Engineering with Honours and Doctor of Philosophy in Mechanical Engineering (Acoustics) from the University of Canterbury.
4. I am a member of the Acoustical Society of New Zealand.
5. I have over eighteen years' experience in the field of acoustic engineering consultancy and have been involved with a large number of environmental noise assessments on behalf of applicants, submitters and as a peer reviewer for Councils.
6. I am familiar with the site and general area.
7. I have read and agree to comply with the Code of Conduct for Expert Witnesses (Environment Court Practice Note 2023). I confirm this evidence is within my area of expertise, except where I state I am relying on facts or information provided by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## **Background**

8. I have been engaged by Selwyn District Council to review the acoustics information provided in support of the Application to rezone the site at 157 Levi Road from Medium Density Residential Zone (MRZ) to Large Format Retail Zone (LFRZ) in the Partially Operative Selwyn District Plan (POSDP).
9. Specifically, I have reviewed the Marshall Day Acoustics (MDA) report titled Rolleston PPC Large Format Retail Assessment of Noise

Effects dated the 19<sup>th</sup> of February 2024, and provided RFI questions in an email dated the 5<sup>th</sup> of June 2024 and reviewed the MDA responses which were provided in a memo dated 13 August 2024. I have also reviewed the submissions which mention noise or related issues (primarily submission V2-5.3 by Ms J Hindley and submissions V2-22.1 and V2-22.2 by Gould Developments Ltd), and conducted a site visit on the 15<sup>th</sup> of January 2025.

### **Review of MDA analysis and conclusions**

10. Based on my review, it appears that the key elements and conclusions of the MDA assessment are as follows:
  - a. The activities on the site will be limited to a supermarket (Pak'nSave) and a trade-based retail activity. Any trade-based retail activity would require Consent as a Restricted Discretionary Activity under the proposed LFRZ rules, and any such activity would also have to comply with the relevant General District Wide Matters, including the Noise provisions.
  - b. NOISE-REQ1 would apply, with noise limits for sound received on neighbouring sites of 50 dB  $L_{Aeq}$  between 0700 and 2200 hours and 40 dB  $L_{Aeq}$  / 70 dB  $L_{Amax}$  at other times. As the noise limits are determined by the zoning of the site receiving the noise, this is the status quo, as the adjoining land is currently zoned residential.
  - c. These noise limits are towards the conservative end of typical guidance, and are appropriate to manage noise emissions from the site.
  - d. A further potential impact of the rezoning would be that more vehicles, and a different mix of vehicles, are attracted to the roading network around the site. Noise from vehicles on roads is not subject to any noise limits, however any changes in noise level are likely to be small.

I agree with these findings.

11. The MDA report then describes how the supermarket has already been through a Resource Consent process to determine what is required to comply with the MRZ noise limits on neighbouring sites. Specific measures to be adopted include a 2.5 metre high noise control fence, a full height wall near the loading canopy, 10 metre wide biodiversity planting strip, and a 2.0 metre high noise control fence on the site boundary. I agree that these measures will ensure compliance with the noise limits.
12. For a trade-based retail activity, based on the MDA RFI responses I understand that (contrary to some statements in the MDA 19 February 2024 report) noise would not be considered formally again before such an activity was established, as noise is not listed as a matter of discretion. It would instead simply be incumbent on the trade-based retail operator to ensure they arranged, designed and operated their activity to comply with the underlying noise limits. MDA have provided some indicative analysis to demonstrate how this may be achieved, even in the challenging situation of future 3 storey high residential dwellings overlooking the site. They have also stated deliveries and loading bay activities will only occur during daytime hours, and so have not considered what may be required to ensure those type of activities could comply with the night time noise limits.
13. Their indicative analysis is based on 'unmitigated' noise levels of 50 - 65 dB  $L_{Aeq}$  being by a trade-based retail activity at the site boundary, being reduced to 42 - 50 dB  $L_{Aeq}$  via the use of acoustic screening and buffer zones. The analysis assumes no penalty for Special Audible Characteristics (SAC) would be warranted, and a full - 5 dB adjustment for duration / averaging would be applicable.
14. It is not possible to be certain how those assumptions will compare with the reality of a specific trade-based retail activity. The SAC or duration / averaging situation may not be as favourable in some circumstances. Sources at a moderate distance from even a 2.5 metre high screen will have line of sight to three storey dwellings -

for example, machinery operating in a possible 'landscape supplies' area. I accept however that it is realistic for any of these issues to be identified and resolved via a specific acoustic assessment. As above, the MDA reports suggest such an assessment will be conducted in due course - however I am not certain as to whether that would be a process which was visible to the Council, as noise is not listed as a matter of discretion.

15. The noise associated with night time deliveries and loading bay use could theoretically also be designed to comply with the night time noise limits. However, that outcome would be inconsistent with the MDA 19 February 2024 report which was submitted with the Application, which was consistently clear that such activities will not occur. MDA have suggested a Rule preventing that outcome may be appropriate in their Question 1.3 RFI response, which has been adopted in the proposed Rule LFRZ-R8.3.c, which was attached as Appendix G to the Response to Request for Further Information, dated the 19<sup>th</sup> of August 2024.

#### **Review of submissions**

16. The key elements from the submission from Ms Joanna Hindley (V2-5.3) are:
  - a. Concerns about traffic noise and vibration generated on roads leading to the site, including from heavy vehicles and increased traffic at times which are currently not as busy in the surrounding area (for example the weekend).
  - b. That the LFRZ allows for greater noise emissions than the MDZ.
17. Several other submissions also raise broad concerns about increased traffic from the activity, although it is unclear whether these are noise related.
18. The submissions from Goulds Developments request that the setbacks and acoustic fencing shown in the proposed plans for

Variation 2 are retained to mitigate visual and noise effects.

19. Regarding traffic noise experienced in the wider area levels - during the Resource Consent process for the supermarket, submitters described the 'existing' traffic noise environment in number of ways - with some considering it to be 'quiet', and others describing how high levels of noise were already experienced due to traffic on Levi and Lincoln Rolleston Roads. The expert evidence suggested at that time 4,000 to 11,500 vehicles per day travelled pass the site. This would result in traffic noise being an almost constant feature in the wider area - which is consistent with my own observations. Detailed traffic trend data for the wider Rolleston area suggests while there is less heavy vehicle activity in the area on weekends, the total volume of traffic remains relatively consistent. Overall, I am satisfied that even at times of day / week where higher levels of traffic associated with a trade-based retail activity coincide with a previously lower period of traffic activity, any increase in actual noise level will be modest and the general character and effect of traffic noise in the area will remain the same. Similarly, any vibration effect will remaining similar to the existing situation.
20. As described above, rezoning to LFRZ does not enable 'more noise' as the noise limits are determined by the zoning of the site receiving the noise. So for neighbouring sites, the situation in terms of noise levels generated on the subject site, is essentially the status quo.

#### **Proposed new accessway**

21. I understand that a new accessway either just for cyclists and pedestrians, or also for vehicles through the biodiversity planting strip to the north of the section has been suggested by some other Council experts. Having such an accessway will mean that the fence along the border of the site cannot be continuous. A continuous barrier across the border is only one way that compliance with the noise limits can be achieved, and there will be other options to ensure that noise is sufficiently reduced to achieve the noise limits at neighbouring sections. For example, this could be achieved with

additional sections of fence that block the line of sight to neighbouring dwellings, but allow vehicle and pedestrian access. As above, ultimately it will be the responsibility of those operating on the site to determine how they will comply with the noise limits.

Jeremy William Trevathan

21 February 2025