

APP5 (b) - Port Noise Mitigation Requirements

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Kay Foley	97.2	Amend	Considers that for all dwellings exposed to 60-65 dB on the Port Noise Contour Map and requiring acoustic treatment to achieve an indoor noise level of 40dB, that the adjusted mitigation is now inadequate with the real contribution to the affected homeowner of \$42,000 necessitating that the \$50,000 is increased to \$60,000 if GST is inclusive.	Amend APP5 (b) 2.d. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) as follows:d. The Port Operator / noise-sensitive activity shall both contribute 50% each of the cost of further facade improvements required to achieve the indoor design sound level (stage 3) provided that the total Port Operator contribution shall not exceed \$50 60,000 including GST <u>or \$50,000 excluding GST</u> (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment 55 - 60 dB L dn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 L dn (5-day) and 60 L dn (5-day)	Kay Foley	97.3	Amend	Considers that for all dwellings exposed to 55 - 60dB on the Port Noise Contour Map and requiring acoustic treatment to achieve an indoor noise level of 40dB, that the adjusted mitigation is now inadequate with the real contribution to the affected homeowner of \$25,500 necessitating that the \$30,000 is increased to \$60,000 if GST is inclusive or else \$50,000 excluding GST.	Amend APP5 (b) 3. - Port Noise Mitigation Requirements - Offers of Acoustic Treatment 55 - 60 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 Ldn (5-day) and 60 Ldn (5-day) as follows: The Port Noise Liaison Committee shall consider acoustic treatment for any noise-sensitive activities shown on the Current Port Noise Contour Map as being between 55 dB Ldn (5-day) and 60 dB Ldn (5-day). On request by the property owner of the noise-sensitive activity, the Port Operator shall consider contributing up to 50% of the cost of acoustic treatment/sealing to doors and windows (stage 1), and/or installation of mechanical ventilation and/or cooling (stage 2) provided that the total Port Operator contribution shall not exceed \$30 60,000 including GST or <u>\$50,000 excluding GST</u> (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation)	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator /General	Kay Foley	97.4	Amend	Considers that APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator needs to set a specific budget / targets in consultation with the Port Noise Liaison Committee as to the minimum number of houses / prioritisation / minimum budget, as the Port setting the budget has resulted in slow progress to date of only approximately 3 houses per year being remediated averaging approximately only \$35,000.	Inferred relief requested. Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator - Budget as follows: The Port Operator <u>in consultation with the Port Noise Liaison Committee</u> shall allocate an annual <u>minimum</u> budget for each financial year (1 October) at the beginning of each financial year (1 October) for the implementation of Port Noise Mitigation Requirements <u>together with a minimum / prioritised targeted number of houses.</u> The Port Operator shall present <u>agree upon</u> the annual budget to <u>with</u> the Port Noise Liaison Committee prior to the beginning of each financial year (1 October) for endorsement.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements	Kay Foley	97.6	Amend	Considers that APP5 (b) - Port Noise Mitigation Requirements should have weight in the 55dB-plus category in 2024 in the absence of a submission against that aspect.	Seeks that APP5 (b) - Port Noise Mitigation should have weight in the 55dB-plus category in the absence of a submission against that aspect and for mitigation rules to take effect in 2024	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment 65 dB L dn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being 65 L dn (5-day)	Alan Petersen	187.23	Amend	c. The Port Operator shall contribute 100% of the cost of necessary acoustic treatment to doors and windows (stage 1), installation of mechanical ventilation and cooling (stage 2), re-instatement of painting and decorating disturbed by improvements (stage 1 and 2), and further facade improvements required to achieve the indoor design sound level (stage 3). Submission 23 – 1. c – does installation include the purchase of the mechanical ventilation and cooling unit. If not, it should.	Submission 23 – 1. c – does installation include the purchase of the mechanical ventilation and cooling unit. If not, it should.	Open Submission

APP5 (b) - Port Noise Mitigation Requirements

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Alan Petersen	187.24	Amend	c. The Port Operator shall contribute 100% of the cost of necessary acoustic treatment to doors and windows (stage 1), installation of mechanical ventilation and cooling (stage 2), and reinstatement of painting and decorating disturbed by improvements (stage 1 and 2) provided that the total Port Operator contribution shall not exceed \$50,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation.	Submission 24 – 2. c – does installation include the purchase of the mechanical ventilation and cooling unit. If not, it should.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Alan Petersen	187.25	Amend	c. The Port Operator shall contribute 100% of the cost of necessary acoustic treatment to doors and windows (stage 1), installation of mechanical ventilation and cooling (stage 2), and reinstatement of painting and decorating disturbed by improvements (stage 1 and 2) provided that the total Port Operator contribution shall not exceed \$50,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation. d. The Port Operator / noise-sensitive activity shall both contribute 50% each of the cost of further facade improvements required to achieve the indoor design sound level (stage 3) provided that the total Port Operator contribution shall not exceed \$50,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation.	Submission 25 – 2.c. & d. The inflation adjustment should be based on the Construction Price Index – not the Consumers Price Index. The acoustic treatment is a construction activity.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator / Budget	Alan Petersen	187.26	Amend	Budget – the amount should be \$250,000 per year plus the Construction Index from the date of the Environment Court decision that set this amount. The Port should be required to provide this amount until all acoustic treatment work is completed.	Budget – the amount should be \$250,000 per year plus the Construction Index from the date of the Environment Court decision that set this amount. The Port should be required to provide this amount until all acoustic treatment work is completed.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator /Acoustic Treatment	Alan Petersen	187.27	Amend	Is the acoustic certificate to NCC a Building Act requirement? The property owners may require a Code Compliance Certificate. At a recent meeting of the Port Liaison Committee this was discussed as many houses as possible that have had acoustic treatment have not had the work completed to enable a Code Compliance Certificate to be issued by Council. This matter needs clarifying.	Relief Sought is not included.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Property Owner /	Alan Petersen	187.28	Amend	Obligations of the Property Owner Submission 28 – “4” should be “5”.5 c & d. Why 50% contribution for Stage 1 to & 3. The Port as the noise creator should be contributing 100% on all mitigation work.	Obligations of the Property Owner Submission 28 – “4” should be “5”.5 c & d. Why 50% contribution for Stage 1 to & 3. The Port as the noise creator should be contributing 100% on all mitigation work.	Open Submission

APP5 (b) - Port Noise Mitigation Requirements

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment 65 dB L dn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being 65 L dn (5-day) /General	Grant Russell	202.94	Oppose	The submitter opposes APP5 (b) - Port Noise Mitigation Requirements 1. Offers of Acoustic Treatment > 65 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being >65 Ldn (5-day)as there are no dwellings inside the >65 dB Ldn, and any future eligible dwellings will be triggered and mitigated in accordance with Parts 2 and 3 below making this subsequent requirement redundant.If retained, the Napier Port contribution must be specified. Propose a total of \$100,000 for APP5 (b) 1, APP5 (b) 2 and APP5 (b) 3 combined. Other changes enable consistency with changes sought in APP5 (b) 2.	Seeks to delete APP5 (b) - Port Noise Mitigation Requirements 1. Offers of Acoustic Treatment > 65 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being >65 Ldn (5-day)or else to amend the provisions as follows: 1. Offers of Acoustic Treatment > 65 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being >65 Ldn (5-day)a. Make an offer in writing to the owner(s) of any <u>noise sensitive activity consented prior to 16 April 2003</u> which are shown on the the Current Port Noise Contour Map as being >65 dB Ldn (5-day) to install acoustic treatment or mechanical ventilation to achieve a spatial average indoor design sound level in the existing habitable spaces of the building(s) of 40 dB Ldn (5-day) where practicable. The indoor design sound level must be achieved with all windows and doors open unless adequate means of mechanical ventilation and cooling is provided, used, and maintained in operating order. b. The offer must be made to <u>owners of</u> all noise-sensitive activities eligible in (a) above. To avoid doubt new offers must be made to <u>owners of</u> noise- sensitive activities who have previously refused the offer or if the owner(s) have changed. for the noise-sensitive activity. .c. The Port Operator shall contribute 100% of the cost of necessary acoustic treatment to doors and windows (stage 1), installation of mechanical ventilation and cooling (stage 2), re-instatement of painting and decorating disturbed by improvements (stage 1 and 2), and further facade improvements required to achieve the indoor design sound level (stage 3).	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day) /General	Grant Russell	202.95	Amend	The submitter considers APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day)and 65 Ldn (5-day) should be amended if 1. Offers of Acoustic Treatment > 65 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being >65 Ldn (5-day) is deleted as sought by the submitter in the first instance.	Amend 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) as follows:Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between > 60 Ldn (5-day) and 65 Ldn (5-day)	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Grant Russell	202.96	Amend	Amend APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) as Operative Napier District Plan (NDP) Rules 6.27.2, 7.26.2 and 8.22.2 required that any new noise-sensitive activity (e.g. dwellings), or alteration or addition to an existing building used for a noise sensitive activity, within the Outer NCB, must be adequately insulated from Port noise. These rules came into place via Plan Change 410, Port Noise Provisions, Notified 16 April 2003 (Operative 1 June 2009). Dwellings or alterations subject to a consent after this date are not eligible for port funded mitigation. Including this date would clearly define eligibility. There is also a typo - "acheive" that requires correction.	Amend APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day)and 65 Ldn (5-day) as follows: a. Make an offer in writing to the owner(s) of any noise-sensitive activity <u>consented prior to 16 April 2003</u> which are shown on the Current Port Noise Contour Map as being between > 60 dB Ldn (5-day) and 65 Ldn (5-day) to install acoustic treatment to <u>achieve</u> a spatial average indoor design sound level in the existing habitable spaces of the building(s) of 40 dB Ldn (5-day) where practicable. The indoor design sound level must be achieved with all windows and doors open unless adequate means of mechanical ventilation and cooling is provided, used, and maintained in operating order.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Grant Russell	202.97	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day)and 65 Ldn (5-day) is necessary as the intention is that the offer remains an open offer should the owners change their mind and choose to accept the offer, or new owners choose to take it up. Funding the mitigation would still be subject to budget / approval. Rework for clarity.	Amend APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day)and 65 Ldn (5-day) as follows: b. The offer must be made to owners of all noise-sensitive activities eligible in (a) above. To avoid doubt, new offers must be made to owners of noise-sensitive activities who have previously refused the offer or if the owner(s) have changed. if the owner(s) have changed for the noise sensitive activity	Open Submission

APP5 (b) - Port Noise Mitigation Requirements

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Grant Russell	202.98	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) is necessary to clarify that the total overall spend for APP5 (b) 2 and APP5 (b) 3 combined is not to exceed \$50,000 including GST.	Amend APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) as follows: c. The Port Operator shall contribute 100% of the cost of necessary acoustic treatment to doors and windows (stage 1), installation of mechanical ventilation and cooling (stage 2), and reinstatement of painting and decorating disturbed by improvements (stage 1 and 2). provided that the total Port Operator contribution shall not exceed \$50,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Grant Russell	202.99	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) is necessary to clarify that the total overall spend for APP5 (b) 2 and APP5 (b) 3 combined is not to exceed \$50,000 including GST.	Amend APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) as follows: d. The Port Operator / noise-sensitive activity shall both contribute 50% each of the cost of further facade improvements required to achieve the indoor design sound level. (stage 3) provided that the total Port Operator contribution shall not exceed \$50,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 L dn (5-day) and 65 L dn (5-day)	Grant Russell	202.100	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) is necessary to clarify that the total overall spend for APP5 (b) 2 and APP5 (b) 3 combined is not to exceed \$50,000 including GST.e. The total Port Operator contribution in APP5 (b) 2 and APP5 (b) 3 shall not exceed \$50,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation.	Amend APP5 (b) - Port Noise Mitigation Requirements 2. Offers of Acoustic Treatment - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 60 Ldn (5-day) and 65 Ldn (5-day) to clarify that the total overall spend for APP5 (b) 2 and APP5 (b) 3 combined is not to exceed \$50,000 including GST. <u>e. The total Port Operator contribution in APP5 (b) 2 and APP5 (b) 3 shall not exceed \$50,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation.</u>	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment 55 - 60 dB L dn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 L dn (5-day) and 60 L dn (5-day) /	Grant Russell	202.101	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 3. Offers of Acoustic Treatment 55 - 60 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 Ldn (5-day) and 60 Ldn (5-day) is necessary for eligibility purposes.	Amend APP5 (b) - Port Noise Mitigation Requirements 3. Offers of Acoustic Treatment 55 - 60 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 Ldn (5-day) and 60 Ldn (5-day) as follows: a. The Port Noise Liaison Committee shall consider acoustic treatment for any noise-sensitive activities consented prior to 16 April 2003 shown on the Current Port Noise Contour Map as being between 55 dB Ldn (5-day) and 60 dB Ldn (5-day).	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Offers of Acoustic Treatment 55 - 60 dB L dn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 L dn (5-day) and 60 L dn (5-day) /	Grant Russell	202.102	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 3. Offers of Acoustic Treatment 55 - 60 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 Ldn (5-day) and 60 Ldn (5-day) is necessary for simplification to allow for not requiring acoustic report from MDA for houses in this zone. An acoustic report can be commissioned if above 60 dB Ldn (5 day) and trigger more intensive mitigation measures in part 2.	Amend APP5 (b) - Port Noise Mitigation Requirements 3. Offers of Acoustic Treatment 55 - 60 dB Ldn (5-day) - Noise Sensitive Activities shown on the Current Port Noise Contour Map as being between 55 Ldn (5-day) and 60 Ldn (5-day) as follows: b. On request by the property owner of the noise-sensitive activity, the Port Operator shall consider contributing up to 50% of acoustic treatment/sealing to doors and windows (stage 1), and/or installation of mechanical ventilation and/or cooling (stage 2) provided that the total Port Operator contribution shall not exceed \$30,000 including GST (adjusted annually thereafter (indexed from 1 July 2024) using the Consumers Price Index to compensate for inflation). (Inferred relief requested)	Open Submission

APP5 (b) - Port Noise Mitigation Requirements

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator / Budget	Grant Russell	202.103	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Budget is necessary for process purposes for the composition of budgets detailed within the NMP.	Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator - Budget as follows: a. The Port Operator shall allocate an annual budget for each financial year (1 October) at the beginning of each financial year (1 October) for the implementation of Port Noise Mitigation Requirements. in the subsequent financial year.(Inferred relief requested)	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator / Budget	Grant Russell	202.104	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Budget is necessary as final budget confirmation is from 1 October, therefore presentation must be after 1 October.	Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Budget as follows: b. The Port Operator shall present the annual budget to the Port Noise Liaison Committee at prior to the beginning of each financial year (1 October) for endorsement.(Inferred relief requested)	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator / Budget	Grant Russell	202.105	Oppose	Opposes APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Budget Clause c. as budgets require prior previous planning, and changes to the allocated budgets are not possible despite the resolution process and this is better placed in the NMP.	Delete APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Budget Clause c. in its entirety.(Inferred relief requested)	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator / Acoustic Treatment	Grant Russell	202.106	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Acoustic Treatment is necessary for consistency.	Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Acoustic Treatment as follows: a. Seek advice of a suitably appropriate qualified acoustic consultant when considering the acoustic treatment required in accordance with Appendix 5(b)1.a., Appendix 5(b)2.a. to achieve a spatial average indoor design sound level in the existing habitable spaces of the building(s) of 40 dB Ldn (5-day).	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator / Acoustic Treatment	Grant Russell	202.107	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Acoustic Treatment is necessary as it is not always achievable to complete all work required within one year (acoustic reports, quotes and contractor availability). There is a risk of subjectivity with "character of building".	Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Acoustic Treatment as follows: b. Where practicable, E nsure all treatment work for a noise sensitive activity is carried out within one year of the date of acceptance of the offer in a cost effective manner and to the appropriate standard, while at the same time ensuring that the treatment work does not significantly compromise the character of the building.	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator / Acoustic Treatment	Grant Russell	202.108	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Acoustic Treatment is necessary as acoustic certificates were intended to only be available when the home owner has taken up stage 3 treatment. To date, no homeowners have taken up stage 3. Rewording transparently captures work in progress and prevents double ups in stage 1 & 2 mitigation measures on the same home. Also remove NCC reference and change to Port Noise Liaison Committee. Council has access as they are part of the Port Noise Liaison Committee, and homeowners may not want it on their Land Information Memorandum (LIM).	Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Port Operator Acoustic Treatment as follows: d. Where the Port Operator installs any acoustic treatment it shall forward a copy of an acoustic certificate to the Napier City Council, for works completed in accordance with Appendix 5(b)1.a. and Appendix 5(b)2.a. <u>The Port Operator must maintain a register of the noise-sensitive activities that are eligible for the port funded noise mitigation in this Appendix. The register must detail all noise mitigation offers from the Port Operator, completed noise mitigation works relating to an offer; and the total Port Operator contribution to date. The register shall be available to the Port Noise Liaison Committee. A property owners' access to the register will be limited to their property information only.</u>	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Property Owner	Grant Russell	202.109	Oppose	Opposes numbering duplication of 4. for APP5 (b) - Port Noise Mitigation Requirements - Obligations of the Property Owner despite the number 4. having been used previously for Obligations of the Port Operator Acoustic Treatment. There is a numbering double-up.	Seeks an amendment to APP5 (b) - Port Noise Mitigation Requirements Obligations of the Property Owner numbering as follows: 4. <u>5.</u> Obligations of the Property Owner (Inferred relief requested)	Open Submission

APP5 (b) - Port Noise Mitigation Requirements

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Property Owner /	Grant Russell	202.110	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Property Owner is necessary as NOISE-S3 refers to noise limits not mitigation eligibility.	Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Property Owner as follows: c. If the noise sensitive activity is eligible for acoustic treatment in accordance with NOISE-S3 which are shown on the Current Port Noise Contour Map as being 60-65 Ldn (5 day) shall <u>e. Contribute 50% of the cost of the Stage 3 acoustic treatment only in accordance with Appendix 5 (b) 2.</u>	Open Submission
APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Property Owner /	Grant Russell	202.111	Amend	Considers amendment of APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Property Owner is necessary as NOISE-S3 refers to noise limits not mitigation eligibility.	Amend APP5 (b) - Port Noise Mitigation Requirements 4. Obligations of the Property Owner as follows: d. For acoustic treatment to noise sensitive activity in accordance with NOISE-S3 which are shown on the Current Port Noise Contour Map as being 55-60 Ldn (5 day) e. Contribute 50% of the cost of the stages 1 and 2 acoustic treatment in accordance with Appendix 5 (b) 3.	Open Submission