

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Kay Foley	NOISE - Noise /NOISE - Noise - Standards Table /NOISE-S3: General noise limits within the Port Zone	97.1	Oppose	<p>Notes that the Port faces increasing noise complaints despite its monitoring showing noise levels below 65dB, attributing the discrepancy to liberal averaging provisions in the existing Operative District Plan. Acknowledges the economic importance of the Port but seek fair mitigation measures for houses severely impacted by noise pollution. Considers, as per the Styles Group Port Noise Review (2022), that all dwellings exposed to 55dB or greater should be acoustically treated to achieve an indoor noise level of 40dB; adjusted mitigation budget is inadequate and progress too slow; and the number of affected dwellings is likely to increase to 51 (from 37) by 2035.</p> <p>Refer to original submission for full details</p>	Amend Noise-S3: General noise limits Standard within the Port Zone to reference the need for improved/increased annual investment to reduce noise at source or for the Port to provide inflation CPI adjusted/increased acoustic mitigation to noise-affected properties. (Inferred relief requested)
Kay Foley	APP5 (b) - Port Noise Mitigation Requirements	97.2	Amend	<p>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.</p>	<p>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:</p> <p>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 <del>\$50</del> <u>60,000</u> 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.</p>
Kay Foley	APP5 (b) - Port Noise Mitigation Requirements	97.3	Amend	<p>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.</p>	<p>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:</p> <p>...</p> <p>b. 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 <del>\$30</del> <u>60,000</u> 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).</p>

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Kay Foley	APP5 (b) - Port Noise Mitigation Requirements /Obligations of the Port Operator /General	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:  a. 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>  b. The Port Operator shall <del>present</del> <u>agree upon</u> the annual budget <del>to</del> <u>with</u> the Port Noise Liaison Committee prior to the beginning of each financial year (1 October) for endorsement.
Kay Foley	APP5 (a) - Port Noise Management Plan /Minimum Monitoring and Reporting Requirements /	97.5	Amend	Considers that in APP5 (a) - Port Noise Management Plan 2. Minimum Monitoring and Reporting Requirements (e) and (h) that there should be greater clarity around regular Council peer-reviewing of monitoring and a requirement that the Port act upon this peer reviewing as a requirement of its monitoring and reporting.	Inferred relief requested. Amend 2. Minimum Monitoring and Report Requirements to include regular audits with a requirement for the Port Operators to offer mitigation in response to the audit recommendations. Amend to include the Port Noise Liaison Committee and peer review of the current port noise contour map at the request of residents or the Port Noise Liaison Committee in the event of a dispute in accordance with its monitoring responsibilities under section 35 of the Resource Management Act 1991.
Kay Foley	APP5 (b) - Port Noise Mitigation Requirements	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
Kay Foley	APP5 (a) - Port Noise Management Plan /APP5 (a) - Port Noise Management Plan /	97.7	Amend	Considers that APP5(a) - Port Noise Management Plan. 2. h. Minimum Monitoring and Reporting Requirements should reference the Port doing field verification identified in the Port Management Plan as agreed upon by the Port's acoustic consultant, Napier City Council AND the Port Noise Liaison Committee with Napier City Council also undertaking noise measurements / peer review at the request of residents or the PNLC.	Inferred relief requested to Amend APP5(a) - Port Noise Management Plan. 2. h. Minimum Monitoring and Reporting Requirements as follows:  h. To ensure the accuracy of the current port noise contour map the Port Operator shall undertake field verification of calculated sound exposure levels of port noise at monitoring points identified in the Port Noise Management Plan. These monitoring points shall be as decided <u>on a six monthly basis</u> by agreement between the Port Operator's acoustic consultant, <del>and the Napier City Council</del> <u>and the Port Noise Liaison Committee.</u> The Napier City Council may also undertake noise measurements and / or obtain a peer review of the current port noise contour map <u>at the request of residents or the Port Noise Liaison Committee in the event of a dispute</u> in accordance with its monitoring responsibilities under section 35 of the Resource Management Act 1991.