

**Napier City Council**  
**Resource Consent Application**  
**RM190019**  
**DIRECTIONS OF THE COMMISSIONER**

**Minute 2**

**ATTENDANCE OF EXPERT WITNESSES AT THE HEARING**

- [1] I have received a request from the applicant's counsel (by way of the Memorandum of Counsel for the Applicant, dated 29 October 2019) requesting that attendance by Daniel Martens (acoustic expert) and Paul Wilson (lighting expert) at the hearing be waived.
- [2] I have considered the request and, pursuant to my powers primarily under s41C of the Resource Management Act 1991, I make the following directions:
- (a) that attendance in person by Messrs Martens and Wilson at the hearing is waived;
  - (b) that in lieu of attendance, Messrs Martens and Wilson provide a written response to the questions I have set out for each of them below;
  - (c) that the written responses are provided at the hearing; and
  - (d) that the witnesses be available by telephone during the hearing to respond to any other questions I may have.

**QUESTION OF MR WILSON**

- [3] The application does not state whether the proposed signage will be illuminated internally and/or externally. If the signs are to be illuminated, please advise whether you consider it is possible for lighting to be designed and located to comply with Condition 5.23 of the City of Napier District Plan and whether that lighting should be included as part of a Lighting Plan for the development?

**QUESTIONS OF MR MARTENS**

- [4] Section 5.1.2 of the Acoustic Report (prepared by Earcon Acoustics Limited, dated September 2019) refers to noise associated with mechanical plants to be located centrally on the roof of each unit. The second sentence of the first paragraph under Section 5.1.2 states:

*“Due to the large distance between the building on the subject site and the mechanical plant units may produce a sound power level in excess of 90dB per unit.”*

There appear to be some words missing from the sentence. Please clarify what it is intended to mean.

- [5] The first sentence in the second paragraph of Section 5.1.2 states:

*“This is a significantly higher level than is anticipated from typical mechanical plants anticipated with the activity.”*

This sentence does not seem to support the second sentence in the second paragraph, which states: *“Therefore, no additional mitigation or screening is anticipated as being necessary”*.

Please clarify what your assessment is in relation to noise that will be generated from the mechanical plant. Please advise whether noise from the mechanical plant is included in your assessment of predicted cumulative noise levels at the neighbouring properties, as set out in Table 1 of the Acoustic Report.

- [6] Please advise whether the predicted cumulative noise levels in Table 1 include noise associated with the proposed supermarket during daytime hours (i.e. 7.00am – 7.00pm)?
- [7] With reference to the second paragraph under Section 6: Conclusions, please elaborate further on how you have assessed that noise from traffic associated with the proposed supermarket *“will be relatively indistinguishable relative to ambient road traffic noise levels”* (e.g. does your assessment take into account traffic noise generated within the carpark from 7.00pm – 10.00pm, and is it based on existing ambient road traffic noise levels in the area rather than those levels anticipated following full development of the area in accordance with the Te Awa Structure Plan?).



Janeen Kydd-Smith  
Commissioner  
6 November 2019