

Minutes Port Noise Liaison Committee #9

Date:	21 July 2009
Venue:	Port Nelson Engineering Library
Time:	6pm
Present:	Bob Dickinson (Chair), Matt McDonald (PNL), Thomas Marchant (PNL) Digby Kynaston (PNL Logistics), Jacquetta Bell (minutes); Bruce Robinson, Sue Thomas, Albert Hutterd (residents' reps). In attendance from NCC: Chris Wood, Senior Building Consent Officer and Mandy Bishop, Manager Resource Consents.

	Agenda	Discussion	Action Points Arising
1.	Apologies	None. Minutes deferred until after NCC session.	
2.	Nelson City Council clarification on recording of noise mitigation work.	<p>Sue outlined the issues residents are having over noise work - when rules changed to involve an acoustic engineer to design and sign off work, the requirements were no longer clear. Residents misunderstand the Acoustic Certificate, and distinction re work that needs a building consent. Raises problem of how mitigation work is recorded eg hush glass, which does not require a consent; additions to houses, and partial treatment?</p> <p>Matt said if people accept double glazing but not ventilation, port will reach a legal agreement with owner, but if the house sells the records are not clear.</p> <p>Mandy said the council intention was to get MOU of any work done, or partial work, to be placed on file and in council records. She said the Acoustic Certificate (AC) has provision for stating work is partially done.</p> <p>Matt outlined house in Beachville St where owner is selecting the jobs he wants done.</p> <p>Bruce tabled a Port Chalmers form with a room by room plan noting work done.</p> <p>Matt noted multiple ACs incur multiple fees to acoustic engineer. Sue suggested signed agreement where work was not up to AC standard.</p> <p>Aim is to develop a standard legal agreement that is clear on future intentions. Matt said AC would state current owner agreed to a certain (partial) level of work, which gives away the rights of a future owner - port is clear it won't do jobs twice where an owner has settled on a lesser or partial treatment (eg selected double glazing rather than hush glass).</p> <p>Thomas said original acoustic report would cover the work that needed doing.</p> <p>Matt said most stage two properties would be limited to glazing and ventilation. Sue said elderly people on the hills are used to the noise and won't want full mitigation treatment.</p> <p>Chris said NCC has good system for putting conditions on properties, eg through PIM or LIM - can attach agreement to partial treatment on the site file.</p> <p>Albert asked if all houses in the port noise overlay would carry a condition noting they didn't have an AC – ie would be non-compliant. Mandy said no – if the houses had existing use, they would be noted as being in the port noise overlay, and inquiries would be directed to the relevant rules in the plan.</p> <p>Sue said there could be problems if the site file did not carry the info, for people who did not pay for a LIM. Mandy agreed staff should be aware and provide the info to inquirers.</p>	

		<p>Sue said Appendix 19 was 'pinched' from Mangere and does not cover under-floor insulation, needed for older houses on port hills. Mandy said the acoustic engineer could recommend any treatment on a house by house basis. Albert said the intention is to get 40dba inside the house, if noise is via floor, mitigation work would be done.</p> <p>Albert noted the apparent disconnect between partial treatment and the requirement for mechanical ventilation. Mandy said designers have to be aware of the needs of both the planning rules and the building code. Chris said both are performance based rather than proscriptive.</p> <p>Sue relayed case where ventilation system was noisier than the port. Discussion of cost of air exchange and silencers. Noted building code is set by central government (not council).</p> <p>Albert noted the delay in consents, because designers are not aware of the requirements. Chris said until the design is submitted, NCC can't know if it will meet the requirements. Conclusion was that NCC would put the information on file, so it would show up on a LIM or PIM. Form to be designed, and to include a simple map of house to record work done.</p> <p>Question about replacing glass: it can still be single glazed, but not at a lesser standard.</p> <p>7.15pm Mandy and Chris left the meeting. Bob thanked them for their input.</p> <p>Bob said there is still some work to be done on recording partial treatments, and if these exclude further work.</p> <p>Sue raised issue of Guards, who don't want work done on their house. Agreed this could not exclude port covering future work when the house changes hands.</p>	
3.	Previous Minutes	<p>Sue asked for minutes to be sent as hard copy.</p> <p>Motion that minutes be accepted: Bruce/Albert. Passed.</p> <p>Matters arising – cover elsewhere in agenda.</p>	
4.	Noise complaints	<p>Just one, from Mike Young on July 13. Crane alarm had gone off at 2am for close to a minute. Digby spoke to Mike and assured him it was a health and safety issue, and he was very supportive of this. Reiterated that one loud noise wakes people up, and then lower noise keeps them awake.</p> <p>Digby said the ship being worked was the last COSCO vessel to call. From now on the replacement vessels would call on Sunday, day time and be berthed at MWS.</p> <p>Albert pointed out even if there were no noise complaints it didn't mean there was no noise - a complaint means someone is very frustrated.</p> <p>Matt said continuous monitoring would be the solution.</p> <p>Digby advised one spreader is being refurbished with noise sensors installed. Port is also doing a trial with plastic cushions on spreaders to avoid steel to steel; and installing rubber bearers on Kent barge to reduce noise.</p> <p>Digby has spoken to Ian Northrop in apartments about new service berthing at MWS. Noise that most bothers him is the crane winch.</p>	<p>Date to be set for noise committee to visit a crane, later in the year when days are longer, as part of regular meeting.</p>
5.	Progress updates	<p>Stage 1: Negotiations underway with owners of Queens Rd properties. Sue said they must be happy or she would have been rung. Residents may be offered a motel while the work is done.</p>	<p>Thomas and Matt to meet with resident at Beachville Crescent.</p>

		<p>. Noted that a couple of other Queens Road properties had also sold. Of 11 properties 5 (almost 6) have acoustic certificates.</p> <p>Stage 2: Thomas tabled a summary of progress on these 110 properties. Bruce asked about the level of work being required on these homes, and what the noise readings are indoors. He suggested port needed to do some PR where contour lines cut through a property. Bob noted the difficulty of the scale being logarithmic – big difference between 57 and 58 dBA. Bruce suggested port could cover some costs for resident at Beachville Crescent. Sue suggested setting priority and offering part payment. Matt said he didn't want to go beyond what was required. Another round of acoustic testing is being done on Stage 2 houses and one Stage 3.</p> <p>Stage 3: Update – tabled</p>	
6.	Noise Variation Appeal	<p>Matt advised the parties have agreed to mediation. The Waterfront Protection Association is (WPA) to state what relief they are seeking. Mediation date set for August 4. Since then the WPA has indicated they are applying for public funding, which will delay the mediation until the end of August. Mediation aims to avoid Environment Court hearing – there could be partial resolution. Draft Port Noise Management Plan (operations) & Mitigation Plan (work on houses) go on hold while this is decided. The date for the variation to become operative will be set by the NCC, after the court settlement. Gibbons appeal re Lmax – port will oppose this as it is seen as undermining the mitigation process.</p>	
7.	Acoustic Certificates	<p>Bob queried the terminology re open/closed windows. Clarified. The acoustic design certificate is an additional stage - a prescriptive plan room by room, to cover scope of work. Seems to have more point for new buildings rather than partials.</p>	
8.	AOB	<p>Bruce asked about Management Plan, and said log vehicles are still noisy. Matt said noise minimisation is built into purchase plan for port vehicles. Digby will be working on Management Plan. Bruce said there are hospital grade silencers available. Matt said the plan would be a tool for managing noise from contractors. Albert said there had been mitigation moves some years back - now the political will exists to make some change.</p>	
		<p>Annual Report – Jacq to contact Albert to get a quote from residents' perspective.</p>	
9.		<p>Meeting closed 8.20pm. Next meeting 23 September, starting with crane tour.</p>	