

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
Auckland, Wellington, and Christchurch

I, Steven James Tyson, wish to be a party to the following proceedings:
RMA 293 between Northport Limited and the Whangarei District Council ENV-2020-AKL-000109, re new District Plan rules to manage noise from Northport.

I am a person who has an interest in the proceedings that is greater than the interest that the general public has as my residential home is in Matuku Street, Reotahi and I am currently adversely affected by the noise from Northport.

I am not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.

I am interested in all of the proceedings.

I oppose the relief sought because:

1. At times, the existing noise from Northports operations adversely affects my sleep and the outdoor enjoyment / amenity values of Reotahi. Assuming the existing noise complies with the (lower) existing District Plan rules then an increase in the noise levels allowed under these proposed rules will subsequently cause an increase in adverse effects.
2. I have already undertaken noise reduction measures in my dwelling and while these have reduced the effects of the noise from Northport I can still be affected on “noisy” nights. These noise reduction measures include double glazing all windows in my bedroom. This partially reduced the noise. I then removed the gib and insulation bats and installed soundproof gib and noise reduction bats. I have a heat pump and keep the windows closed on noisy nights. I still experience adverse effects from the Northport noise. Some of these measures are those outlined in Northports proposal and yet I still experience adverse effects from the noise.
3. Noise control measures outlined by Northport are all designed to address indoor noise, yet, particularly during the summer months, time is spent outside (for example bbq’s / dining outside). This can be impacted by the Northport noise, affecting the amenity values of the area.
4. If my understanding of the 55 dB Ldn(5-day) measurement is correct then this is averaged over 5 days. This is too long a period to run an average over. The nature of Northports activities is that vessels arrive, they load or unload and leave. It is not of a

continuous nature. The longer the averaging period the higher the noise “peaks” can be. It is these peaks (for example when logs drop into a vessels hold) that cause the noise that disturbs the most, along with the clanging and banging from the machinery that loads the logs. Fifteen minute averages are more appropriate.

5. The outer noise control boundary at Reotahi (Figure 3A) should include more residential dwellings. It is counter-intuitive to me that the outer boundary can be over the northern side of Mt Aubrey (where Northport is not even visible, let alone heard due to the mass of Mt Aubrey) yet exclude residential dwellings in Reotahi that are visible from / closer to Northport.

I agree to participate in mediation or other alternative dispute resolution of the proceedings.



.....
Signature of person wishing to be a party
(or person authorised to sign
on behalf of person wishing to be a party)

.....31/3/21.....
Date

Address for service of person wishing to be a party: 5 Matuku Street, Reotahi, 0174,
Whangarei
Telephone: 0273600533
Fax/email: Steve Tyson

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under [section 281](#) of the Resource Management Act 1991 for a waiver of the above timing or service requirements (*see form 38*).

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Schedule 1 form 33: amended, on 10 October 2013, by [regulation 8\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by [regulation 8\(2\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by [regulation 8\(3\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 10 October 2013, by [regulation 8\(4\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2013 (SR 2013/385).

Schedule 1 form 33: amended, on 1 November 2010, by [regulation 19\(1\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2010 (SR 2010/279).

Schedule 1 form 33: amended, on 1 June 2006, by [regulation 10\(4\)](#) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2006 (SR 2006/99).