

UNDER the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of a notice of requirement ("**NoR**") for a designation by KiwiRail Holdings Limited ("**KiwiRail**") for the Palmerston North Regional Freight Hub ("**Freight Hub**") under section 168 of the RMA

**STATEMENT OF EVIDENCE OF KAREN BELL
ON BEHALF OF KIWIRAIL HOLDINGS LIMITED**

PLANNING

1. SUMMARY

- 1.1 KiwiRail has lodged a NoR to designate approximately 177 ha of land for a Regional Freight Hub in Palmerston North. The designation will provide for the construction and operation of the Freight Hub on the North Island Main Trunk Link ("**NIMT**"). In selecting the preferred location for the Freight Hub, I consider that KiwiRail has undertaken a robust assessment of alternatives.
- 1.2 The Freight Hub will result in significant positive effects, including reduction in greenhouse gas emissions by enabling freight transport by rail, national, regional and local economic benefits from both the construction and operation of the Freight Hub, as well as landscape and visual amenity benefits from landscape planting. These benefits will help to support Palmerston North's growing role as a key logistics and distribution hub for the North Island, building upon the services already provided for at the existing rail yard on Tremaine Avenue ("**Existing Freight Yard**").
- 1.3 The scale and complexity of a project like this means there will be a range of adverse effects as a result of the construction and operation of the Freight Hub. However, I consider that with the range of mitigation measures and the management tools (including the future Outline Plan of Works phase) incorporated into the design of the Freight Hub and the Proposed Conditions, these effects can be avoided, remedied or mitigated. The Proposed Conditions will ensure that mana whenua, key stakeholders and the wider

community have the ability to provide input as the project progresses, and any effects on them can be carefully addressed.

- 1.4 In my opinion, the Freight Hub is consistent with relevant planning and other strategic documents, as summarised in Appendices 2 and 3 of my evidence. I consider that the NoR for the Freight Hub meets the statutory requirements of section 171 of the RMA. I consider that the Commissioners should recommend that the NoR be granted subject to the Proposed Conditions as sought by KiwiRail, attached as **Appendix 1**.

2. INTRODUCTION

- 2.1 My full name is Karen Anne Bell. I am a Principal Planner and Technical Specialist at Stantec. I hold the qualifications of Bachelor of Arts majoring in Geography and a Bachelor of Town Planning, both degrees from the University of Auckland. I am a full member of the NZ Planning Institute.

Experience

- 2.2 I have over 30 years of experience in the NZ Planning industry, working for Auckland City Council for over 20 years primarily in district plan development which included processing Notices of Requirement. I moved into the private sector in 2007 working for seven years at Hill Young Cooper, where I was involved in a range of projects. One of the projects involved processing KiwiRail's Notice of Requirement and regional consents to deliver the 20 km rail spur from the North Auckland Line at Oakleigh to Marsden Point. I undertook this work on behalf of both Whangarei District Council and Northland Regional Council.
- 2.3 Since moving to Stantec, (formerly Montgomery Watson Harza and known as MWH) in November 2014 I have assisted a range of public sector clients in the delivery of a range of projects, primarily transport and water infrastructure.

Involvement in the Freight Hub

- 2.4 I was engaged by KiwiRail to provide technical planning advice and have been involved with the Freight Hub project since early 2019. I am the Technical Lead for the Stantec project team in relation to the preparation of the NoR.
- 2.5 The work to lodgement of the NoR has involved three phases, being:
- (a) Phase 1 - Master Planning;

(b) Phase 2 - Site Identification; and

(c) Phase 3 - NoR and Assessment of effects.

2.6 Both Phases 1 and 2 were led by technical specialists in relation to the specific outputs of those phases and I have led Phase 3.

2.7 As Technical Lead I have been responsible for ensuring that KiwiRail received the technical support required to deliver a NoR that met KiwiRail's operational requirements for the Freight Hub and the requirements of the RMA.

Phase 1

2.8 In Phase 1, I supported a rail expert from our Canadian business (who has subsequently retired), who was the technical lead for the development of the masterplan. The output of this work is discussed in further detail in Ms Poulsen's evidence.

Phase 2

2.9 Phase 2 was the preparation of the multi-criteria analysis assessment ("**MCA**"). Through this process I attended all of the workshops with KiwiRail representatives, technical specialists, and key stakeholders. The MCA process is discussed in further detail below and in Ms Poulsen's evidence.¹

2.10 I attended some face to face landowner meetings and all the project's public and community engagement sessions. I also assisted KiwiRail in relation to content for the communication and engagement online platform.

2.11 Following the public and community engagement, I was involved in the further refinement of the concept design and development of the extent of the designation for the NoR ("**Designation Extent**").

Phase 3

2.12 Phase 3 involved coordinating our team of experts working with KiwiRail to identify the extent of land required to ensure that KiwiRail's' operational requirements were addressed.

2.13 Following my involvement in identifying the physical extent of the designation I prepared the NoR and proposed conditions. I also prepared the Assessment of Environmental Effects ("**AEE**").

¹ Evidence of Olivia Poulsen, dated 9 July 2021.

- 2.14 I was also involved in the preparation of KiwiRail's section 92 response dated 15 February 2021 ("**First Section 92 Response**"). This involved:
- (a) assessing the proposal in relation to the relevant objectives and policies of the Horizons One Plan, the National Policy Statement Freshwater Management and other National Policy Statements and the Palmerston North City Council District Plan ("**District Plan**");
 - (b) providing input into other technical expert responses in relation to objectives and policies and provisions of RMA documents;
 - (c) preparation of imagery showing the location of assets overlaid with the concept plan; and
 - (d) the assessment of the potential effects of the NoR on services and assets.
- 2.15 I have assisted in the preparation of the section 92 response dated 21 May 2021 ("**Second Section 92 Response**") in relation to the planning aspects of the questions about air quality and dust effects. I also assisted in the preparation of the section 92 response dated 28 May 2021 ("**Third Section 92 Response**").

Code of conduct

- 2.16 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

3. SCOPE OF EVIDENCE

- 3.1 This statement of evidence will:
- (a) provide an overview of the Freight Hub project and the NoR;
 - (b) describe the existing environment;
 - (c) summarise the key conclusions of the AEE;
 - (d) assess the NoR against the relevant statutory framework in section 171 of the RMA;

- (e) respond to the submissions received and address relevant matters raised in the Section 42A Report; and
- (f) outline the further proposed amendments to the conditions.

4. OVERVIEW OF THE FREIGHT HUB AND NOTICE OF REQUIREMENT

Project description

- 4.1 The NoR seeks to designate land to construct and operate the Freight Hub. The main elements of the Freight Hub are described in the evidence of Mr Moyle and Mr Skelton's evidence explains the technical inputs that went into the development of the Freight Hub.²
- 4.2 The development of the Freight Hub is necessary to accommodate the forecasted future growth in freight movements by rail with longer trains required to make rail freight more efficient. The Freight Hub is proposed to operate twenty-four hours a day, seven days a week. The Freight Hub will eventually replace the constrained Existing Freight Yard and will include all the activities at the Existing Freight Yard, except for the passenger terminal and network communication centre.

Notice of Requirement

- 4.3 The NoR applies to approximately 177.7 ha of land that is located to the north of Roberts Line, east of the Mangaone Stream and includes Railway Road on its eastern boundary. The Designation Extent is located between Palmerston North Airport and Bunnythorpe as outlined in Figure 1 below.

² Evidence of Todd Moyle, dated 9 July 2021, at section 7 – Key components of the Freight Hub; Evidence of Michael Skelton, dated 9 July 2021, at section 5.

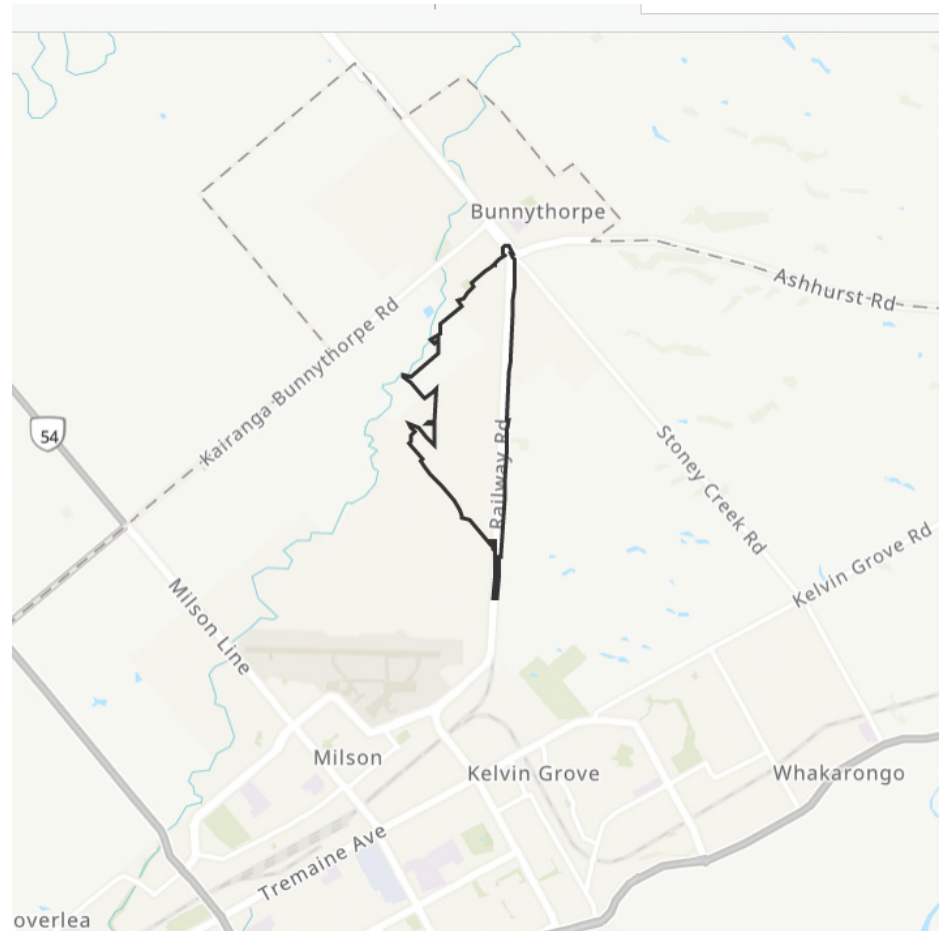


Figure 1 – Designation Extent

- 4.4 The Designation Extent as noted above includes a section of Railway Road from Roberts Line to Maple Street and also includes the 2.4km long section of the North Island Main Trunk ("**NIMT**") located between Railway Road and Sangsters Road.
- 4.5 The Designation Extent includes enough land to ensure that the Freight Hub can meet anticipated freight growth and that the effects of the operating the Freight Hub can be appropriately managed and mitigated. This includes land:
- (a) for ponds and wetlands of sufficient size to both manage the quality of the stormwater discharged from new impervious surfaces, and to hold back the discharge until after a rain event passes. The Designation Extent also includes the area of land required to enable the ponds to drain to the local stormwater system. The detail about the stormwater approach is described in the evidence of Mr Leahy.³ As this is the NoR stage, a key consideration of determining the

³ Evidence of Allan Leahy, dated 9 July 2021.

extent of land required in the Designation Extent and its shape was ensuring that:

- (i) there was sufficient area provided to manage the potential effects of contaminants in stormwater discharged from the Freight Hub;
 - (ii) upstream stormwater can be conveyed through / under the Freight Hub; and
 - (iii) there is no risk of upstream flooding effects or adding to the flood levels downstream.
- (b) to provide for a new perimeter road to provide access to the Freight Hub. The new road will extend from the Richardson Line / Roberts Line intersection at the southern end of the Freight Hub to Railway Road at the northern end. The road will also replace some of the connectivity currently provided by Railway Road. The detail about the need for this road connection is described in the evidence of Mr Georgeson and Mr Skelton;⁴
- (c) occupied by a section of the NIMT to enable that land to be recontoured to the same vertical alignment as the Freight Hub. The NIMT will be relocated immediately adjacent to the arrival and departure yards of the Freight Hub. The proposed use of the land currently occupied by the NIMT is described in (d)(i) below;
- (d) for the works required to mitigate the effects of operational noise including:
- (i) a three km long high noise bund / wall that will extend from Stony Creek Road to beyond the Roberts Line / Railway Road intersection. The top of the wall will be five metres above the level of the Freight Hub; and
 - (ii) a high noise barrier, comprising a combination of bunding and noise walls will be formed to the north and west of the new perimeter road. The details of the noise mitigation proposals are described in the evidence of Dr Chiles.⁵

⁴ Evidence of Michael Skelton, dated 9 July 2021, at section 5 – roads and connectivity.

⁵ Evidence of Stephen Chiles, dated 9 July 2021, at section 7.

- (e) for an extensive area of landscaping in the areas occupied by the noise barriers and stormwater ponds. The detail about the landscaping and visual mitigation is described in the evidence of Ms Rimmer;⁶ and
- (f) required on Sangsters Road to provide access for two specific properties, due to removal of a level crossing access they informally use from Railway Road.

4.6 The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005, and activities and infrastructure required to enable the transportation of goods by rail and road. The Freight Hub is reasonably necessary to enable KiwiRail to achieve its objectives that are to:

- (a) increase its operational capacity to efficiently accommodate projected regional and national freight growth and support wider regional development;
- (b) enable rail to be integrated with, and connected to, other transport modes and networks; and
- (c) improve the resilience of the regional and national freight transport system over time.

4.7 KiwiRail seeks a 15-year lapse period for the designation in the District Plan. The following actions need to be undertaken before construction of the Freight Hub can commence (not necessarily in this exact order):

- (a) obtain funding commitments to undertake the bulk earthworks to enable this to occur;
- (b) relocate the NIMT (which as discussed below will require an alteration to the existing designation);
- (c) acquire all the land within the Designation Extent;
- (d) stop the legal roads within the Designation Extent and arrange access to properties affected by road closures (in conjunction with Palmerston North City Council ("**PNCC**"));

⁶ Evidence of Lisa Rimmer, dated 9 July 2021, at section 8.

- (e) undertake further site analysis and on site surveys and investigations to inform the development of the detailed design for the Freight Hub including earthworks and trackwork, building layout, services and stormwater;
- (f) undertake further engagement and ongoing consultation with stakeholders and community;
- (g) obtain other relevant approvals including regional resource consents and archaeological authority;
- (h) prepare the Outline Plan of Works;
- (i) tender and award the construction contract(s), and prepare management plans to comply with the designation and any regional consent conditions;
- (j) source fill material required for the bulk earthworks;
- (k) pipe and divert existing watercourses and undertake bulk earthworks to establish the Site;
- (l) allow sufficient time for the works to stabilise prior to relocating the rail track for the NIMT and commencing construction of the Freight Hub and perimeter road; and
- (m) install permanent noise barriers and vegetation where appropriate.

4.8 Given the scale and significance of the project, as well as the complexity of the design and works involved, in my view the five year default period in the RMA is insufficient. The 15-year lapse period sought is necessary and appropriate to provide KiwiRail certainty that it can undertake the necessary steps required to enable the Freight Hub to be delivered. A 15-year lapse period would also be in line with other projects of a similar scale and complexity, such as Transmission Gully and the City Rail Link, each of which had a 15 year lapse period. This would also provide time for PNCC to consider future zoning of the surrounding area and for integration with wider regional transport network improvements.

Other approvals

4.9 Regional resource consents under the Horizons' One Plan or its successor are expected to be required for:

- (a) bulk earthworks;
- (b) discharges from the disturbance of contaminated soil;
- (c) stormwater discharged to existing streams from the stormwater management devices;
- (d) stream works including the diversion of existing watercourses and installation of culverts; and
- (e) the alteration to the existing designation for the NIMT.

4.10 In addition, resource consents are expected to be required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("**NES-CS**") for the change in use and as the volume of land to be disturbed will exceed the permitted activity standards in the NES-CS, and under the National Environmental Standard for Freshwater Management ("**NES-F**") for the stream works related to installation of culverts.

4.11 As outlined in the evidence of Mr Parker, three sites within the Designation Extent have been verified as archaeological sites as defined in the Heritage New Zealand Pouhere Taonga Act ("**HNZPTA**"). It is expected that an archaeological authority will need to be obtained for these sites and any other archaeological sites identified that meet that definition and as a precautionary measure.

4.12 It is also possible that permits under the Wildlife Act 1953 may be required for the relocation of animals, fish and birds located on the land affected.

4.13 These other approvals are not being sought concurrently with the NoR. In my opinion, this is not necessary at this stage as the detail and timing of future work has not yet been determined.

5. THE EXISTING ENVIRONMENT

Locality

5.1 The Designation Extent lies within the area contained by:

- (a) the Mangaone Stream in the west;
- (b) Sangsters Road to the east;

- (c) Roberts Line and the North East Industrial Zone (NEIZ) land to the south; and
 - (d) Maple Street to the north.
- 5.2 Within the Designation Extent are approximately 20 dwellings on small lifestyle properties, and land (that includes unformed legal road) farmed by a small number of landowners.
- 5.3 Palmerston North Airport is located to the south and the Bunnythorpe township is located to the north. The take off and approach paths to the Airport are located to the south of the Freight Hub and the Designation Extent. The northern end of the Designation Extent is to the immediate south of the residential zoned land and the Bunnythorpe Cemetery on Maple Street.
- 5.4 Railway Road and the existing NIMT are located within the eastern side of the Designation Extent as is a small unformed section of Sangster Road. There are dwellings located along the eastern side of Sangsters Road, with some on residential zoned sites accessed from Nathan Place at the northern end and some on rural zoned land accessed from the formed section of Sangsters Road between Clevely Line and Parrs Road.
- 5.5 On the western side of the Designation Extent are several lifestyle properties and farms located between the Designation Extent and the Kainga – Bunnythorpe Road.
- 5.6 To the south in the North Eastern Industrial zone ("**NEIZ**") land on the opposite site of Roberts Line is the Foodstuffs Distribution Centre and currently several lifestyle properties.
- 5.7 The northern end of the Designation Extent is around 7.79m higher than the southern end. The NIMT and Railway Road undulate along their lengths in this location as there are gullies and watercourses that pass in culverts under these two pieces of transport infrastructure. Generally, the land falls away from the NIMT in a south westerly direction towards the Mangaone Stream.

Landscape

- 5.8 The existing landscape is described in the evidence of Ms Rimmer.⁷ In summary, the land within the Designation Extent is relatively open and largely undeveloped. There are low lying areas associated with the open

⁷ Evidence of Lisa Rimmer, dated 9 July 2021, at section 6.

watercourses that flow through the Designation Extent from Railway Road towards the Mangaone Stream. The low lying areas within the Designation are identified as flood prone in PNCC's planning maps.

- 5.9 Vegetation within the Designation Extent is described as including naturalised exotic weeds along the waterways and mature shelter belts and trees. There is some indigenous vegetation in the form of recent planting along the Mangaone and naturalised low growing plants along the tributaries and around the recent rural lifestyle developments either along fence lines or around buildings and or / houses.

Zoning and Land use

- 5.10 Approximately two thirds of the Designation Extent is in the Rural zone and the remainder is zoned NEIZ, apart from the small area of land to the north described in paragraph 5.1 above as being zoned residential.⁸ KiwiRail has an existing designation in the District Plan being designation 3 – Railway Purposes. In addition to the NIMT, several formed roads fall within the Designation Extent and there are paper roads that are leased to local landowners and grazed.
- 5.11 Apart from a small area of Class 6, the land in the Designation Extent is classified either as Class 2 or 3 under the New Zealand Land Resource Inventory Land Use Capability (LUC) Classification system. As far as I am aware none of the land is used for horticultural purposes.

Geology and geomorphology

- 5.12 The soil types are outlined in the evidence of Mr Mott.⁹ The Designation Extent is a mix of recent alluvium in the gullies and alluvial terrace deposits.

Network utilities

- 5.13 There are existing network utility assets present in the Designation Extent, including a Transpower pylon located at the northern end between Railway Road and Maple Street. Transmission lines run across the NIMT and Railway Road to the pylon, and from there to a pylon outside the Designation Extent close to Maple Street.
- 5.14 A First Gas high pressure gas pipeline bisects the Designation Extent, and a wastewater sewer line runs along Railway Road. There are also Power Co

⁸ I note that this was not identified in the AEE supporting the NoR as lodged.

⁹ Evidence of Andrew Mott, dated 9 July 2021, at section 5.

lines and poles located in the roads. PNCC's water supply bore site is located adjacent to the Designation Extent at the corner of Railway Road and Roberts Line and there are other network utility assets such as power lines in the formed roads.

Hydrology

Catchment

- 5.15 The Designation Extent is within the Mangaone Stream catchment and water drains towards the Mangaone Stream. Based on the 200-year flood maps available from the Horizons Regional Council ("**HRC**") two flood plains are located within the Designation Extent. Stormwater from the Northern and Central upstream catchments are conveyed through the Designation Extent, as described in the evidence of Mr Leahy.¹⁰

Watercourses

- 5.16 There are two stream systems identified in the Designation Extent (described as stream systems 1 and 2 in the evidence of Mr Garrett-Walker)¹¹:
- (a) stream system 1 has four tributaries which converge into a single channel upstream of Te Ngaio Road. The northern most branch is now considered permanently wet and the others ephemeral. The northern tributary has no functional riparian vegetation, has poorly defined channel / banks and pasture grasses are common within the stream channel.
 - (b) stream system 2 has two tributaries that converge downstream of the Designation Extent. The northern tributary is considered to be perennial but is largely unfenced and lacks a riparian buffer and unlikely to provide reasonable habitat/conditions to aquatic fauna other than those highly tolerant of adverse conditions. The southern tributary is considered ephemeral.
- 5.17 The streams flow in an east to west direction before draining into the Mangaone Stream.
- 5.18 Stable fish habitat is limited to the northern branch of stream system 1 and the northern tributary of stream system 2 and fish present are considered to be limited to only eel and koura with any regularity, although in low abundance.

¹⁰ Evidence of Allan Leahy, dated 9 July 2021, at section 5.

¹¹ Evidence of Jeremy Garrett-Walker, dated 9 July 2021 at section 6 – stream environment.

- 5.19 Mr Garrett- Walker has reviewed the stream systems and Designation Extent and considers the potential ecological effects of stream loss as very low over all and in relation to the Mangaone Catchment as a negligible magnitude of effect. Based on best practice being observed he has considered it highly likely that long culverts can support an aquatic fauna and sediment inputs will have a very low level of effect.¹²
- 5.20 He has also considered the definition of wetland in the NPS-FM and has concluded that no natural inland wetlands have been located within the Designation Extent based on Site investigations to date and it is unlikely that any would be present on sites that would have not been visited.

Groundwater

- 5.21 Groundwater levels vary with several ground water bores including the PNCC water bore located in the area.

Flora and Fauna

- 5.22 The Site is within the Manawatu Plains Ecological District which is highly modified and dominated by pasture and exotic vegetation. Common bird species are those typical of highly modified agricultural landscapes, such as magpies, sparrows, and blackbirds. Some native species, such as silver eye, pukeko and kingfisher are also likely to be present though the pastoral habitat is not necessarily used as primary habitat.
- 5.23 It is unlikely that indigenous fish species are present in the streams, although occasionally be frequented by eels during wet periods. Eels and common bully may reside in the lower third of stream system 2.
- 5.24 Further details on the existing ecological environment are outlined in the evidence of Mr Garrett-Walker.¹³

Historic and cultural heritage

- 5.25 Pre-1864, the area is described as having been used by Māori for low intensity, seasonal occupation with a focus on freshwater fisheries, hunting, trapping and the collection of other forest resources. This changed with sale of the Ahuaturanga Block to the Crown in 1864 as early European settlers were required to improve the land before they could permanently acquire title, and the land was cleared and drained.

¹² Evidence of Jeremy Garrett-Walker, dated 9 July 2021 at section 8.

¹³ Evidence of Jeremy Garret-Walker, dated 9 July 2021, at section 6.

- 5.26 The Site is entirely within the historic town and suburban limits of the old township of Bunnythorpe and was farmed and settled in the 1880's and 1890's. The junction of the east, west and main trunk rail lines that had originally been anticipated at Bunnythorpe ended up in Palmerston North, and the township did not grow as originally anticipated, with Palmerston North becoming the largest township in the Manawatu.
- 5.27 There are three verified archaeological sites as defined in the HNZPTA located within the Designation Extent. These are the Rogers' house, at 489 Railway Road, the Clevely house site, at 121 Clevely Line, and the Clevely historic section (Bunnythorpe Suburban Section 1510 at 121 Clevely Line).
- 5.28 There are no verified sites of Māori origin within the Designation Extent, but areas of highest archaeological potential are likely to be near the various streams and waterways or any areas of historic wetland. Due to the historic settlement of the area, there are 197 sites within the Designation Extent that have archaeological potential.
- 5.29 Due to the historic settlement of the area, there are 197 sites within the Designation Extent that have archaeological potential.
- 5.30 Further detail on the archaeological context of the Freight Hub is outlined in the evidence of Mr Parker.¹⁴

6. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Positive effects

- 6.1 There are a range of significant positive effects expected from the Freight Hub, which are described below. Further work has been undertaken as part of the section 92 responses to quantify where possible the positive effects.

Road safety benefits

- 6.2 Road safety benefits include:
- (a) enabling the reduction in the number of freight trucks on the wider North Island road network relative to rail, as more freight will be able to be moved by rail;
 - (b) the removal of one rail level crossing on Railway Road (two others are being closed independently of the Freight Hub); and

¹⁴ Evidence of Daniel Parker, dated 9 July 2021.

- (c) the new perimeter road will be constructed to modern design standards which will lower the risk currently experienced by traffic on Railway Road.

Reduction in greenhouse gas emissions

- 6.3 By enabling the increased use of rail relative to road for moving freight the Freight Hub will contribute the reduction of greenhouse gas emissions through low carbon transportation of freight. As outlined in the evidence of Mr Moyle, transporting a tonne of freight by rail generates 70% less emissions than road transport.¹⁵ In terms of emissions costs, freight moved by road between Auckland and Palmerston would have an emission cost of \$9.00 per tonne, compared to \$3.10 per tonne for rail with road connections.
- 6.4 The Freight Hub will also contribute to emissions reductions by enabling more freight to be transported through electrified parts of KiwiRail's network, utilising the electrified section of the NIMT between Palmerston North and Hamilton.
- 6.5 The Freight Hub will also enable the introduction of longer trains, which are more fuel efficient, further contributing to emissions reductions.

Economic benefits

- 6.6 The benefits of introducing both additional container handling capacity and use of longer trains from commencement of operation of the Freight Hub are estimated to amount to about 1.3 billion in total. These benefits do not take into account any other measures by central government or other agencies to encourage the use of rail further to achieve social or environmental outcomes (and so for that reason are conservative estimates). Of these benefits, the benefits to Palmerston North would amount to about 20%, with benefits to the wider community amounting to 40%.
- 6.7 Longer trains are also more fuel efficient and provide other economies of scale benefits, which will result in reductions in the operation costs of rail. This will help to increase rail's competitive advantage over road for freight transport and help to encourage modal shift. This was because the diversion of freight traffic away from the road network will reduce the level of congestion on the network which will provide benefits to road users and local businesses.

¹⁵ Evidence of Todd Moyle, dated 9 July 2021, at paragraph [4.3].

- 6.8 The operation of the Freight Hub is expected to provide for more efficient and reliable movement of containers by allowing more efficient and potentially faster handling with consequent further benefits to users.
- 6.9 The Freight Hub will generate significant short term construction and long term operational employment opportunities, providing significant investment in the Manawatu Region and Palmerston North District. Construction of the Freight Hub is estimated to create full-time employment for nearly 920 people over the likely 10 years it will take to construct. Employment at the Freight Hub once operating is likely to be a small increase on the Existing Yards levels to 585 in stage 1 and just over 1,000 at completion. This is a conservative assessment and there is potential for this figure to be significantly higher. This investment will also help with New Zealand's long term economic recovery from the impacts of Covid-19.
- 6.10 The establishment of the Freight Hub and corresponding release of land from the Existing Freight Yard in Palmerston North City for alternative uses is also considered a positive economic effect.
- 6.11 Local businesses are also expected to benefit from opportunities to relocate close to the Freight Hub, with further expansion of logistics activities in the NEIZ. These benefits are also expected to extend to specialist support services to support businesses in the area (particularly the logistics industry), and the provision of other activities in the area to service the social needs of those working there.
- 6.12 Business development close to the Freight Hub will also provide for a more integrated industrial structure, with more support for facilities located within or adjacent to the Freight Hub, reducing the costs or increasing the attractiveness of business.
- 6.13 The Freight Hub will also improve the value of the industrial land in the NEIZ adjacent to the Freight Hub, accelerating uptake of this land which has to date experienced slow growth.

Noise and vibration benefits

- 6.14 Noise and vibration benefits relate to the removal of activity at the Existing Freight Yard likely resulting in reduced noise exposure for nearby houses, particularly to the north.
- 6.15 Realignment of the NIMT between Roberts Line and Bunnythorpe will enable construction of the east noise barrier and reduce noise and vibration at houses

to the east. With the NIMT moving further away from these houses, the flattened, newer sections of track will be quieter, and the removal of road crossings over the railway will reduce the need for bells or train horns on that section of the NIMT.

- 6.16 Some road closures will also provide positive noise and vibration effects for the local area, including removal of a section of Railway Road between Roberts Line and just before Maple Street, reduce road-traffic noise at houses to the east, and closure of Roberts Line at Railway Road will result in less traffic to the south on Roberts Line, reducing road traffic noise to nearby houses.

Landscape and visual benefits

- 6.17 The significant amount of landscape planting proposed across the Site, particularly the area of naturalised lowland bush and wetland vegetation near the naturalised channel and stormwater ponds will create positive natural character effects given that the existing tributaries through the Site are highly modified and have low natural character values.
- 6.18 The proposed footpath and off-road track increases options for walking and cycling in the area. This combined with the opportunities for a lookout on Te Araroa Trail, and with planting along the perimeter road, will contribute to positive urban landscape effects.
- 6.19 The scale of the development also means a comprehensive and integrated landscape planting package is being implemented over a large area. This provides for a more integrated landscape than would otherwise occur through smaller, piecemeal developments.

Stormwater benefits

- 6.20 As with landscaping, the Freight Hub will establish a comprehensive stormwater management system across a large area, which will provide better stormwater outcomes than small, incremental developments otherwise would. The stormwater management system will help to reduce upstream flooding, due to specific culvert design and climate change resilient culvert design.
- 6.21 The stormwater management system will also reduce sediment loads with the land use change from rural to urban. Onsite collection and use of captured stormwater is another low impact design technique expected to be implemented that will help runoff mimic natural runoff processes.

Ecology benefits

- 6.22 The stormwater management system will provide opportunities to improve fish passage upstream of the Freight Hub as modern culvert design standards require fish passage to be enabled. Some of the stream tributaries do not allow for fish passage in their current state.
- 6.23 While the stormwater pond and wetland systems are not being installed as ecological mitigation or offsetting, these areas provide opportunities for indigenous wetland habitat for wetland adapted fauna. This will result in an overall net gain in wetland habitat from the Freight Hub.
- 6.24 Other features proposed within the Site, such as the landscape planting and stormwater ponds, will be an overall betterment in terms of avifauna habitat.

Social impact benefits

- 6.25 The employment opportunities expected from the Freight Hub are also expected to benefit the local community where they provide improved viability of community services such as Bunnythorpe School are noted in the Social Impact assessment as being possible benefits from the changing population.
- 6.26 In the following sections, I outline the potential adverse effects of the Freight Hub.

Economic effects

Construction

- 6.27 The construction of the Freight Hub will result in the removal of Railway Road which is the key transport link between the east of Palmerston North and Bunnythorpe, as well as Feilding and areas to the north. Mr Paling notes that the changes to the roading arrangements and the length of construction effects will impact on businesses such as Foodstuffs currently located along Roberts Line as the traffic flows along Roberts Line will increase.¹⁶
- 6.28 Mr Colegrave notes that increases in employment associated with the construction of the Freight Hub will increase the demand for local housing, and hence potentially place some pressure on the city's housing market.¹⁷
- 6.29 As the Freight Hub will consume approximately 177 hectares of land, about 50 hectares of which is currently zoned as NEIZ and this reduces the amount of

¹⁶ Evidence of Richard Paling, dated 9 July 2021, at section 7.

¹⁷ Evidence of Fraser Colegrave, dated 8 July, at section 4 – effects on housing demand.

industrial land available, although this may be potentially offset by the redevelopment of the Existing Freight Yard for commercial and / or light industrial uses.

Operation

- 6.30 Potential adverse effects are also identified in the evidence of Mr Paling. He notes that relocation of the Existing Freight Yard could limit access for the workforce based in Palmerston North that might be available for employment for activities in the Freight Hub. However, this is expected to be a small negative effect because it is balanced against the opportunities for those living in locations closer to the Freight Hub outlined above, and the adverse effect will diminish over time as workers relocate to be closer to their places of work. Mr Paling's evidence also highlights that as a result of surveys of businesses along Tremaine Avenue, the land along Roberts Line still to be developed under the NEIZ may be less attractive to some to develop and/or lease due to the increase in traffic with the closure of Railway Road and the possible difficulties of accessing sites from a busy main road.¹⁸

Measures to address effects

- 6.31 While in general (as outlined in the evidence of Mr Paling and Mr Colegrave), the Freight Hub will support economic activities in its vicinity, including in the NEIZ, some local businesses that are close to the Freight Hub will experience adverse effects due to the traffic flow and traffic volume changes along with the road changes that will occur around the Freight Hub. There is the potential to mitigate these access issues through road design and by working with businesses such as Foodstuffs, which would, in my view, make effects on this small number of businesses negligible. A number of roading network improvements are also proposed to address these as outlined in the evidence of Mr Georgeson and as set out at 6.43 to 6.59 below.
- 6.32 While specific mitigation for pressure on housing supply is not something that KiwiRail is able to mitigate through the NoR process, I note that the Section 42A Report indicates¹⁹ that the Council considers sufficient land is available to be zoned and serviced to enable more housing.
- 6.33 Increased uptake in the NEIZ may also require the Council to rezone more land for industrial use.

¹⁸ Evidence of Richard Paling, dated 9 July 2021, at section 7.

¹⁹ Section 42A Report, Council Officers Report, at paragraph [818]

Social Impact effects

- 6.34 The social impacts resulting from the Freight Hub are outlined in the evidence of Ms Austin. These relate to changes to the quality and amenity of people's environment and the quality of their daily lives and anxiety, stress, and uncertainty.

Construction

- 6.35 Ms Austin's evidence is that landowners in the local impact area¹ will experience uncertainty as to how their property values will be affected.²⁰ Prior to construction, the land within the Designation Extent will need to be acquired by KiwiRail. With the process of property acquisition there are potential impacts on these directly affected landowners. For some, this includes anxiety and stress associated with the acquisition process. For those living within the 'local impact area' but not within the Designation Extent there is additional uncertainty about what the changes associated with construction of the Freight Hub will mean for them.

- 6.36 As outlined above, construction will bring several positive economic benefits in terms of employment opportunities associated with the construction phase which has flow on social benefits. Construction of the Freight Hub is estimated to create full-time employment for nearly 920 people over the likely 10 years. New workers in the area may increase pressure on housing supply.

- 6.37 Amenity effects will impact on those living outside the Site. These are related to noise and visual impacts and increased travel times.

Operation

- 6.38 Uncertainty, stress and anxiety and concerns about impacts on quality of life associated with amenity and health effects and impacts on patterns of day to day living are identified as being associated with the operational phase. In addition, there are effects related to changes in the character and feeling of the community associated with changes to the residential population over time. Housing supply issues may also be related to the increase in employment from operation of the Freight Hub.

²⁰ Evidence of Kirsty Austin, dated 9 July 2021, section 6.

Measure to address effects

- 6.39 Mitigation of some of the effects for landowners inside the Designation Extent is likely to be achieved through the decision being confirmed through the RMA process for the NoR and completion of the land purchase process.
- 6.40 The mitigation of effects for those living in the wider area will be achieved over a longer period. The first step is through completion of the NoR process and the designation being made effective with the final conditions confirmed. This will enable people to move on with their lives and make decisions that could have been placed on hold because of the uncertainty.
- 6.41 Opportunities to be actively involved through the Community Liaison Forum provide opportunities for feedback on the management plans. Involvement in the process could assist in reducing uncertainty associated with the operational phase. The final design and regional consents related to the earthworks and works in the streams will assist to reduce the anxiety and stress associated with concerns of some about the potential flooding of property.
- 6.42 Relocation of the NIMT, installation of the noise barriers and implementation of the Landscape and Design Plan will mitigate some uncertainty about changes in the character and feeling of the community but this will only be achieved over time. Over time seeing decisions being made about the wider roading network will also assist in reducing uncertainty. The Community Liaison Forum will provide a process where KiwiRail can regularly update the community on matters relevant to the Freight Hub. This, together with the Road Network Integration Plan, will ensure that as network integration details are finalised (such as any future ring road), the community will remain informed.

Transportation network effects

Construction

- 6.43 Given the uncertainty about the source of the large volumes of fill required for the bulk earthworks as outlined in Mr Skelton's evidence,²¹ it has not been possible to assess the construction transport effects in detail at this stage. In the absence of identified sources and uncertainty about future road upgrades it is not clear what routes will be followed by heavy trucks. There is also the possibility that rail could form part of the solution.

²¹ Evidence of Michael Skelton, dated 9 July 2021, at section 6.

- 6.44 The size of the Site and the nature of the works, particularly with the need to relocate the NIMT and closure of Railway Road, means that there will be disruption to the current roading patterns. The effect will be reduced by the construction of the perimeter road first before the NIMT is relocated, but for a project of this scale there will be some impacts. Mr Georgeson considers that the new Perimeter Road offers a substantially improved design and safer travel for commuters. While it will result in a marginally longer journey and although there will be an increase in traffic on Roberts Line, the improved design will ensure effects will be minor.²²
- 6.45 The condition of the road network around the Designation Extent will be affected by the movement of heavy vehicles and this effect has been raised in the Section 42A Report. These are existing issues and I consider that it is inappropriate to introduce conditions that require KiwiRail to survey, upgrade or maintain the wider road network (as the Council has requested).

Operation

- 6.46 Once constructed, the Freight Hub is identified as generating changes to the transportation network that include:
- (a) an increase over time in traffic demand and heavy vehicle movements in the local road network in the roads around the Freight Hub (as opposed to the relative reduction in heavy vehicle movements from the road network more generally);
 - (b) a shift in traffic distribution associated with closure of Railway Road and the Roberts Line level crossing; and
 - (c) in the longer term, deterioration of some of local roads from increased use.
- 6.47 Travel times will increase due to the following:
- (a) closure of Railway Road; and
 - (b) closure of the Roberts Line east / Railway Road intersection for those traveling between Kelvin Grove and the NEIZ.
- 6.48 The introduction of longer trains which will increase the delays at the Kairanga Bunnythorpe Road level crossing by 1-2 minutes however it is recognised that

²² Evidence of Mark Georgeson, dated 9 July 2021, at section 7, and paragraph [9.19].

while specific journeys may take longer, the use of that longer trains will result in fewer trains causing delays at the level crossing.

- 6.49 Due to the closure of Railway Road and removal of the Clevely Line level crossing, the current bus route connecting Feilding and Bunnythorpe to Palmerston North will need to be re-routed. There is an opportunity for new bus stops to be provided to serve both the NEIZ and the Freight Hub.
- 6.50 The effects of the Freight Hub include actual and potential changes to the current access arrangements for several sites. There are actual effects on 422 and 422A Railway Road that gain access from an informal level rail crossing from Railway Road as this access will be removed. Changes to Roberts Line west intersection with Railway Road and Roberts Line itself will result in impacts on existing accesses, including to the access to Foodstuffs Limited's parking area.
- 6.51 Te Araroa Trail currently follows the alignment of Sangsters Road which is only partly formed. The Designation Extent includes the unformed section of Sangsters Road and once the works are completed, access along the Trail is expected to be reinstated.

Measures to address effects

- 6.52 Mr Georgeson has outlined in his evidence how he expects the construction traffic effects to be addressed and this includes development of a Construction Traffic Management Plan ("CTMP") once the construction details have been confirmed. A number of changes have been made to these conditions in response to the Section 42A Report.
- 6.53 Construction worker parking is expected to be accommodated within the Designation Extent to avoid pressure on on-street parking.
- 6.54 A range of changes and upgrades to the wider regional transport network have been signalled to be delivered by PNCC, working in conjunction with Waka Kotahi NZ Transport Agency ("**Waka Kotahi**"). These include intersection upgrades, bridge upgrades, road widening and safety upgrades.
- 6.55 The loss of the function of Railway Road will be mitigated by the construction of the perimeter road early in the construction phase. Once Railway Road is stopped, KiwiRail has proposed by way of conditions to form an access to Roberts Line for 422 and 422A Railway Road (even though they have legal access to the north to the unformed section of Sangsters Road and east via an unformed section of Richardson Line to Tutaki Road).

- 6.56 There will be consequential changes to the Railway Road / Roberts Line intersection but the removal of the level crossing at Roberts Line signalled in the NoR will have already been removed by PNCC according to Ms Fraser. While the changes to Roberts Line will affect the Foodstuffs' site, KiwiRail is committed to working with Foodstuffs to provide an option that meets Foodstuffs' access requirements to its site.
- 6.57 KiwiRail will work with PNCC as to how provision can be made for the Te Araroa Trail both during construction and operation of the Freight Hub. KiwiRail will work with stakeholders in relation the formation and timing of reforming the Te Araroa Trail along Sangsters Road.
- 6.58 Freight Hub will accommodate all its parking within the Freight Hub itself once constructed. There will also be improvements to existing NEIZ accesses along Roberts Line as required.
- 6.59 Other mitigation related to managing traffic effects from the operation of the Freight Hub is outlined in Mr Georgeson's evidence and include the following amended conditions set out in Appendix 1:
- (a) a Level Crossing Safety Impact Assessment ("LCSIA") assessment at four locations to determine the safety risks and need for safety improvements at these level crossings and agree responsibilities for upgrades if required;
 - (b) the development of a Road Network Integration Plan that addresses the integration of the Freight Hub with the wider road network and provision for a range of upgrades if not provided beforehand in condition 48;
 - (c) a requirement to deliver all or part of the perimeter road prior to the closure of Railway Road to ensure connectivity is provided; and
 - (d) the development of an Operational Traffic Management Plan to manage the traffic generated by the operational activities of the Freight Hub and any other measure to manage adverse effects on the transport network.

Noise and vibration effects

Construction

- 6.60 Dr Chiles' evidence indicates that construction noise and vibration effects should be minor due to the separation of works from most houses and scope to avoid night works.²³

Operation

- 6.61 Based on the acoustics model used to predict operational noise generated by activities at the Freight Hub and the ambient noise monitoring undertaken the Dr Chiles' evidence is that unmitigated noise from the Freight Hub would be clearly audible and potentially disturbing at houses in a wide area, as identified in Figure 3 of Dr Chiles' evidence.²⁴ He has also considered road-traffic noise resulting from the new perimeter road.²⁵
- 6.62 Noise effects predicted from the road-traffic noise arising from the operation of the new perimeter road are predicted by Dr Chiles to meet the criteria specified in the District Plan for new road noise (New Zealand Standard 6806).²⁶
- 6.63 Dr Chiles also notes that stopping vehicle movements from Railway Road along the eastern section of Roberts Line because of the removal of the level crossing together with installation of the recommended noise barrier, will result in reduced traffic noise.
- 6.64 The Acoustics Assessment noted that the trains operating in the Freight Hub would be on new ground and track formations which will reduce potential vibration and that due to the 100 m plus distance of the trains from houses to the north, south and west of the Freight Hub no mitigation was necessary. In relation to the houses to the east of the Freight Hub, compliance with the vibration standards was considered likely.

Measure to address effects

- 6.65 Dr Chiles has recommended that construction noise and vibration effects should be managed in accordance with standard practice, including implementation of a Construction Noise and Vibration Management Plan.²⁷ He has suggested that construction noise can be mitigated with permanent or

²³ Evidence of Stephen Chiles, dated 9 July 2021, at paragraph [6.7].

²⁴ Evidence of Stephen Chiles, dated 9 July 2021, at paragraph [6.3].

²⁵ Evidence of Stephen Chiles, dated 9 July 2021, at paragraph [6.4].

²⁶ Evidence of Stephen Chiles, dated 9 July 2021, at paragraph [6.5].

²⁷ Evidence of Stephen Chiles, dated 9 July 2021, at paragraph [7.8].

temporary screening, if required.²⁸ In agreement with the Council Officers' Construction Noise Levels and Vibration Criteria have been included in the Proposed Conditions set out in Appendix 1.

- 6.66 Dr Chiles has also agreed that the road surface for new roads should be specified in the designation conditions (86) to ensure NZS 6806 is met.²⁹
- 6.67 The NoR provides for an extensive noise barrier to be installed around the Freight Hub due to the predicted noise levels outlined in Dr Chiles' evidence and his assessment that was provided in support of the NoR. This is because of the effect of the predicted level of noise exposure on existing dwellings if the mitigation was not provided as part of the NoR. The mitigations include the construction of noise barriers on the east, north and western boundaries of the Freight Hub to reduce the noise levels to less than 55bB LAeq(1h) during the daytime. The barriers are expected to reduce noise to levels permitted under the NEIZ.
- 6.68 Other noise management measures were also recommended that included:
- (a) operation of the Freight Hub in accordance with noise criteria set out in the Acoustics Assessment;
 - (b) determination of where Category A noise criteria may be exceeded (at the time of detailed design) and treatment of affected existing houses where required to achieve internal noise criteria;
 - (c) an operational noise and vibration management plan, including:
 - (i) the measures of how the relevant noise criteria will be achieved;
 - (ii) modelling and monitoring of noise and vibration, including permanent noise monitors; and
 - (iii) good practice site management to avoid unreasonable noise.

²⁸ Evidence of Stephen Chiles, dated 9 July 2021, at paragraph [6.7].

²⁹ Evidence of Stephen Chiles, dated 9 July 2021, at section 9.

Landscape and visual effects

Construction

- 6.69 The combination of effects associated with the long period of construction and the scale of the earthworks and other activities required to establish the Freight Hub are assessed as being high to moderate-high adverse.
- 6.70 The Landscape and Visual Effects Assessment considered the effects of the Freight Hub on the natural character of the Mangaone Stream and its tributaries (the watercourses running through the Designation Extent), the effects of change in the natural and urban landscapes and effects on visual amenity. The introduction of lighting which is required to ensure the safety of those working on the Freight Hub and to meet new roading standards while a change can be controlled, and the effects minimised due to the new technology available.
- 6.71 Ms Rimmer has considered that the existing tributaries through the Site are highly modified and have low natural character values and that effects are related to the loss of the tributaries on the natural character.
- 6.72 The main effects on natural landscape were identified as being from recontouring of the Site and the introduction of new built forms.

Operation

- 6.73 The urban landscape effects were identified as being related to the overall fit of the Freight Hub, its noise barriers, larger scale buildings and the changes with the perimeter road with the existing urban patterns.
- 6.74 The effects on visual amenity are related to impacts of the change of views for different viewing audiences such as those travelling (by train, walking and driving) and those with close views as they live nearby. This is also affected by the changes to lighting of the existing environment.
- 6.75 The Landscape and Visual Effects Assessment noted that residents with unobstructed, open views near the Site are most likely to experience the highest adverse visual amenity effects.
- 6.76 The Landscape and Visual Effects Assessment recommended that lighting effects related to the potential level of spill and glare in relation to residential properties were investigated at the detailed design phase. Since lodgement of the NoR KiwiRail has undertaken more work in relation to lighting and the updated Lighting Design confirms compliance with relevant lighting standards.

Measures to address effects

- 6.77 Construction effects will be partly mitigated through installation of planting where possible early in construction stages, outside the Freight Hub.
- 6.78 Operational effects on natural character are proposed to be mitigated by the proposed naturalisation of the northern stream channel and by the opportunity to provide fish passage within the sections to be culverted. The significant area of naturalised lowland bush and wetland vegetation around the stormwater ponds will enhance natural character and provide public access.
- 6.79 The extensive planting and use of a coherent palette of materials for all structures together with adherence to the NEIZ design guide (where practicable) will mitigate effects on the natural landscape. The decision to utilise the layout with the larger structures to the south within the NEIZ, relocating the NIMT, provision of footpaths and off-road path routes associated providing recreational and connectivity opportunities and the proposed planting will assist in mitigating the urban landscape effects of the Freight Hub.
- 6.80 Mitigation of effects on views for those travelling is achieved through the proposed planting over time. Mitigation in the form of additional screening and or planting is proposed to be investigated in the next stages of the project. The issue of the impact of the Freight Hub and the screening on individual properties as a visual amenity issue where I have a different view from the Council officers and Ms Rimmer. Ms Rimmer has noted the locations where further investigation may be warranted in paragraph 8.9 of her evidence.
- 6.81 I do not support the listing of roads or properties in the conditions at this time as the modelling and assessment required with the detailed design has not been undertaken and the properties affected may be more or less than those listed by Ms Rimmer. The conditions as contained in Appendix 1 to my evidence require the location and type of planting to be shown and for the plan to show how planting will mitigate visual amenity affects in relation to residential properties which enables affected dwellings to be identified through that process (condition 52 (b)(ii)).
- 6.82 I note that Ms Rimmer has recommended in her evidence other changes to conditions in line with the recommendations of the Council officers in relation to landscape and design to mitigate effects, which are reflected in the conditions appended to my evidence (**Appendix 1**).

- 6.83 The issue use of the NEIZ design guide as the basis for the Landscape and Design Plan set out in condition 52 is discussed later in my evidence (refer paragraph 10.28).

Lighting effects

Construction

- 6.84 Mr McKensey has indicated that potential effects from construction vehicle headlight sweep, security lighting and working lights between 11:00pm and dawn, can be addressed through the construction management plan.³⁰

Operation

- 6.85 Mr McKensey has considered that the main potential lighting effects of the Freight Hub would be light spill to residential areas, glare to residential areas, glare to motorists, sky glow and confusion to aircraft operators.
- 6.86 Mr McKensey's assessment is that the updated lighting design complies with AS / NZS 4282:2019 (control of the obtrusive effects of outdoor lighting), environmental zone A2. Mr McKensey considers that the lighting effects will be low to negligible as a result.³¹

Measures to address effects

- 6.87 While Mr McKensey considers that the effects will be low to negligible, the lighting for the Freight Hub will be subject to further detailed design at a later stage of the process.³²
- 6.88 An operational lighting design plan is proposed to demonstrate how KiwiRail will ensure compliance with lighting standards will be achieved. These conditions as appended to my evidence (**Appendix 1**) have been amended as recommended in Mr McKensey's evidence in line with the recommendations of the Council Officers.

Ecological effects

Construction

- 6.89 The ecological effects related to constructing the Freight Hub include vegetation clearance / loss, loss of avifauna and herpetofauna habitat, stream loss, introduction of barriers to fish passage, and earthworks sediment related

³⁰ Evidence of John McKensey, dated 9 July 2021, at paragraph [8.9].

³¹ Evidence of John McKensey, dated 9 July 2021, at paragraph [1.4].

³² Evidence of John McKensey, dated 9 July 2021, at paragraph [6.37].

discharges to water. The effects were considered in the context of the ecological values affected, the expected magnitude of effect (ie the scale), and the expected overall level of ecological effect.

- 6.90 The loss of the terrestrial vegetation and fauna was considered a Very Low level of ecological effect, one which typically does not require any form of mitigation response.
- 6.91 The stream loss was considered in terms of the different stream systems present in the Designation Extent. The stream loss in both systems was initially considered a Low Magnitude of Effect (very slight change from the existing baseline condition). The combination of the impact of the loss of the streams within the Freight Hub on the Mangaone Stream Catchment was also considered to be a Negligible Magnitude of Effect (negligible change from the existing baseline condition). The assessment has been reviewed following two recent site visits to the northern end of the Designation Extent.
- 6.92 Impediments to fish passage have been considered in relation to the northern tributary of stream system 2 where there is upstream perennial fish habitat. The effects are potentially related to the design and installation of any culvert located on this tributary, and if culverts are installed incorrectly and result in impeded passage, then migrating fish may not be able to access favourable habitats upstream. If this occurred, the impediment to migrating fish was assessed as having a high magnitude of effect on the low value stream system 2, resulting in a low level of effect if improper installation occurs. Mr Garrett-Walker's view is that if culverts are installed correctly this could have a positive effect resulting in an overall net ecological gain relative to fish passage.³³
- 6.93 The culvert design and installation will be subject to regional consent processes under the Horizons One Plan and the NES-F. KiwiRail will look to provide continuous passage to upstream perennial fish habitat related to stream system 2 but until the culvert details are provided this is not possible to confirm.
- 6.94 The effect of the required earthworks is the potential to temporarily reduce the water quality of the surrounding waterways, including the Mangaone Stream through uncontrolled erosion and sediment runoff. The earthworks will be subject to regional consent processes and the provisions of the Horizons One Plan. While the detail about the erosion and sediment control measures have not been developed, the assessment was that there was overall a Very Low

³³ Evidence of Jeremy Garrett-Walker, dated 9 July 2021, at paragraph [8.10].

level of effect partly due to the low magnitude of effect on these negligible and / or low value systems and that it was assumed that streams under the Freight Hub will be piped prior to substantial earthworks occurring.

Operation

- 6.95 Stormwater entering the waterways from the Freight Hub was identified as the only operational phase ecological effect. It was noted that there is the potential to reduce the water quality of the watercourses across the Site through the input of impermeable roading and rail contaminants (for example copper, lead, zinc, hydrocarbons).

Measures to address effects

- 6.96 Preclearance surveys of will be required and if animals and birds are found measures will be put in place to salvage them if required. All steps required under the Wildlife Act 1953 will be followed with appropriate permits obtained. In addition, it is anticipated that regional consent conditions will require survey, salvage and relocation of fish to suitable areas prior to any works occurring within the stream environments.
- 6.97 While the stream loss in terms of habitat loss was considered a low effect, it was recommended that alternative replacement aquatic habitat should be provided around the Freight Hub where possible and practicable, to collect and convey stormwater and provide replacement aquatic habitat. The proposed provision of an open planted stream channel along the northern edge of the Freight Hub can reduce the overall quantum of lost stream habitat.
- 6.98 To ensure fish passage to upstream habitats is retained, the design of any pipes and culverts installed in streams is recommended to allow for unimpeded fish passage to these habitats.
- 6.99 Best practice sediment management will be undertaken to mitigate effects of sediment generation from earthworks across the Site. Some of the stormwater treatment devices such as the vegetated stormwater ponds and wetlands are expected to be installed at the construction stage, and these will assist to capture sediment.
- 6.100 The effects of stormwater from the operation of the Freight Hub on water quality will be mitigated via the measures outlined in Mr Leahy's evidence and as summarised below. Mr Garrett-Walker has concluded that if treated via suitable devices such as vegetated swales, wetlands, detention devices, etc,

the stormwater quality (as per Schedule E of the Horizons One Plan) being discharged into the receiving environment will be acceptable.³⁴

- 6.101 I note that no designation conditions are proposed in relation to ecological effects as the regional consents will require the measures identified above and in the evidence of Mr Garrett-Walker to be undertaken.

Stormwater and Flooding effects

Construction

- 6.102 Potential construction related stormwater effects are associated with silt generation and mobilisation and temporary sediment and erosion effects associated with earthworks and working close to and within watercourses. These effects will be assessed in detail at the regional resource consent stage.
- 6.103 To date no sensitive receiving environments have been identified downstream of the Site. Notwithstanding this, the discharge of sediment from the Site during construction works will need to be managed and mitigated.
- 6.104 Flooding effects are related to the displacement of flood capacity and the potential for upstream flooding due to earthworks raising the level of the land occupied by the Freight Hub.

Operation

- 6.105 As noted above, understanding the effects of the increase in stormwater generated from the Freight Hub and new perimeter road on the Mangaone Stream catchment informed the Designation Extent to ensure that there was sufficient area provided to detain the stormwater and to remove contaminants. It was recognised that the stormwater management system will be part of the detailed design and regional consent phase, therefore the assessment for the NoR was high level and focused on ensuring that the stormwater quality and quantity effects can be managed within the Site.
- 6.106 Most of the Freight Hub and the new roading will be contaminant generating but the water quality will be managed using dedicated stormwater treatment wetlands within detention ponds areas. There are further opportunities to remove contaminants by including low impact design techniques such as swales and raingardens and specifying roofing materials. While the detention of water will be the main approach to managing effects on water quantity the effect will be reduced through providing for reuse of water where appropriate.

³⁴ Evidence of Jeremy Garrett-Walker, dated 9 July 2021, at paragraph [10.5].

Measures to address effects

- 6.107 As noted above the provision for detention and treatment areas within the Designation Extent will be the main form of mitigation for the operational effects of stormwater. The construction effects will also rely on the detention areas in part as these will form part of the erosion and sediment control measures that will be required to minimise the risk of sediment entering streams.
- 6.108 Flooding effects will be minimised by the staging of the works to ensure that the culverts are installed, and upstream waters are able to pass through the Site.
- 6.109 A stormwater management framework will need to be developed to provide for the management of the different contaminant generating activities present in the Designation Extent and how these will be specifically managed. A draft stormwater management framework was provided to PNCC and HRC prior to the Designation Extent being confirmed to give them comfort that the work being done had covered. The stormwater management framework will need to be developed further to influence detailed design and the development of the regional consent applications.
- 6.110 The Council Officers recommend that potential flood management matters are identified in a Stormwater Management Framework and secured through designation conditions. Mr Leahy has outlined in his evidence how flooding risks have been assessed and that they will be considered through detailed stormwater management design.³⁵ The work Mr Leahy has undertaken has shown that the management of significant risks from natural hazards is possible through the location and design of the Freight Hub and provision for large volumes of stormwater detention within the designation.
- 6.111 The volume and quality and impact of discharges from the hub will fall within the scope of the required regional consents. I do not consider that the Stormwater Management Framework needs to be provided for in the designation conditions. In order to provide comfort that the outcomes of the Stormwater Management Framework are able to be achieved the management of stormwater and flooding is provided for in the requirement to develop a Stormwater Management Report and the report will be used to inform the detailed design for key components of the Stormwater Management System. The requirement for the Stormwater Management and Monitoring Plan and Monitoring Plan as outlined in the Proposed Conditions is also to

³⁵ Evidence of Allan Leahy, dated 9 July 2021, at paragraph [9.6].

ensure that the stormwater system as a part of the land use is managed appropriately on an ongoing basis.

- 6.112 I recognise that there is overlap between the functions of the district and regional council in regard to managing stormwater and flooding and the drafting of the Proposed Conditions in the NoR was undertaken in recognition of those matters that the district council is responsible for and in my view are therefore appropriate.

Geotechnical risk

- 6.113 A high-level assessment of the geotechnical risks for the Freight Hub was undertaken by Mr Mott. His assessment noted that the geotechnical risks for the Freight Hub are related to the potential of soft and liquefiable ground being present which can lead to lateral spreading and differential settlement.³⁶ Other geotechnical risks identified were seismic hazards (earthquakes), stability of slopes and potential for poor subgrades under proposed new roads.³⁷
- 6.114 Mr Mott's assessment was that these risks can be identified through detailed geotechnical investigations that are likely to consist of boreholes, CPT's test pits, hand augers and laboratory testing and then managed through the detailed design stage using standard engineering practices. Where necessary these could include the use of ground improvement measures such as pre-loading of fill for settlement, digging and replacement of unsuitable fill, and stone columns.

Archaeological effects

- 6.115 The scale and nature of the proposed change in the existing landform due to the construction related earthworks associated with delivering the Freight Hub and the perimeter road means that any archaeological sites within the Designation Extent may be affected.
- 6.116 Mr Parker confirms that there are no registered historic places or New Zealand Archaeological Association recorded archaeological sites associated with pre-1864 Māori occupation that will be affected by the Freight Hub.³⁸ Any unknown sites are expected to be smaller sites associated with forest-based activities. The most likely locations for unknown sites to be encountered is alongside or in general proximity to streams. The effects will be low providing appropriate documentation and recording.

³⁶ Evidence of Andrew Mott, dated 9 July 2021, section 6 and paragraph [7.2].

³⁷ Evidence of Andrew Mott, dated 9 July 2021, section 6.

³⁸ Evidence of Daniel Parker, dated 9 July 2021, at paragraph [1.1].

- 6.117 Within the Designation Extent, Mr Parker has identified three sites associated with the 1864-1900 colonial landscape as verified (they have a confirmed location and extent) and are confirmed to be pre-1900 as archaeological sites under the legal definition of the HNZTPA, being:
- (a) the Rogers' house, at 489 Railway Road;
 - (b) the Clevely house site, at 121 Clevely Line; and
 - (c) the Clevely historic section at 121 Clevely Line.
- 6.118 Another seven houses, house sites and buildings that have moderate site potential (as they have a confirmed location and extent and a high probability of being pre-1900) will be affected. Of the three verified sites, two are considered to be significantly affected. These are the Roger's house (from being destroyed), and the Clevely historic section (due to sensitivities with the site). The Clevely house site is not considered to be significantly affected because the house is no longer there.
- 6.119 Mr Parker's evidence notes that further research into the age, significance, and condition of the tentatively identified heritage buildings through the archaeological process, will be required to confirm if the HNZPTA should apply and to verify the actual archaeological value of the seven sites referred to in his evidence.³⁹
- 6.120 KiwiRail has proposed conditions requiring any land disturbing works to occur in any area not subject to an archaeological authority will be subject to an accidental discovery protocol.
- 6.121 In addition, Mr Parker agrees with the conditions suggested by PNCC in relation to managing the effects on archaeology through observing an accidental discovery protocol, contractor training, procedures following the accidental discovery and procedures for the custody of taonga (excluding kōiwi tangata), or material found at an archaeological site.⁴⁰

Cultural effects

- 6.122 As outlined in Ms Poulsen's evidence KiwiRail continues to engage with Ngāti Kauwhata, Rangitāne ki Manawatu, and Ngāti Raukawa. KiwiRail has been

³⁹ Evidence of Daniel Parker, dated 9 July 2021, at paragraph [8.5].

⁴⁰ Evidence of Daniel Parker, dated 9 July 2021, at section 10.

exploring ways to formalise the relationships with iwi to foster a positive and effective working relationship moving forward.⁴¹

- 6.123 KiwiRail has proposed the development of a mana whenua engagement framework, to ensure recognition and incorporation of iwi values from the design, through to implementation. This is intended to enable iwi to determine how they wish to work on the project and ensure that their values are represented.

Contaminated land and air quality effects

Contaminated land

Construction

- 6.124 The Preliminary Site investigation did not identify any specific sources of potential contamination as no Hazardous Activities and Industries List (HAIL) sites were confirmed as being within the Designation Extent. However, the potential for sheep dips and spray races along with burn pads being present due to the pastoral farming practices undertaken were identified as well as an unexercised resource consent for a truck wash facility.
- 6.125 The outcomes of the Detailed Site Investigation ("**DSI**") undertaken before works commence will inform whether a consent is required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations ("**NESCS**").
- 6.126 The removal of potentially contaminated soil material in these areas while beneficial may lead to mobilisation and wider distribution of contamination. Exposure of both site construction workers and the public to contaminated dusts could be a possible risk.

Operation

- 6.127 Within the operational Freight Hub several HAIL activities will take place. These include goods-handling yards, workshops, refuelling facilities and maintenance area and the railway yard, temporary or permanent storage areas for potentially hazardous goods and a refuelling facility. They are HAIL activities because of the contaminants such as diesel fuel, oils and greases potentially released along with cleaning chemicals or other substance that potentially give rise to ground contamination.

⁴¹ Evidence in Olivia Poulsen, dated 9 July 2021, at paragraph [6.7].

Measures to address

- 6.128 A Contaminated Site Management Plan ("**CSMP**") can readily manage the potential contamination impacts of the construction works should this be required, depending on the outcomes of the DSI.
- 6.129 Containment measures will be incorporated in both the design of the Freight Hub and day-to-day operation of the Freight Hub to prevent ground contamination and best practice measures Standard Operating Procedures ("**SOPs**") are expected to be in place to manage individual aspects of the sites such as clean-up of spillages and ensure the integrity of channels and wash bay areas is assured to minimise adverse effects from contaminants will be minimised.
- 6.130 Existing bores within the Designation Extent and its surrounds can be utilised to monitor for any potential groundwater contamination.

Air Quality

Construction

- 6.131 Dust created during earthworks and from the movement of heavy vehicles during the construction phase of the Freight Hub has the potential to cause adverse effects on the surrounding environment including on those neighbours that rely on roof water for water supply.

Operation

- 6.132 The operation of the Freight Hub will potentially result in dust and exhaust emissions from the use of heavy trucks and from locomotives and other rail related vehicles. As diesel electric locomotives currently operate on the network it is recognised that there is a risk of particulate matter discharging to air from incomplete combustion of diesel fuel although this is not caused by electrified locomotives. In addition, there is the potential for diesel odour. Mr Heveldt has assessed that the effects of both the odour and the particulate matter will be very localised and will result in no more than minor adverse effects on air quality.⁴² However, there is the potential that there could be an accumulation of particulates on roofs within 100 m of the Freight Hub marshalling yards which could have an impact on drinking water quality of the roof water is used for that purpose.

⁴² Evidence of Paul Heveldt, dated 9 July 2021, at paragraph [8.4].

Measures to address effects

- 6.133 Continuous monitoring of total suspended particulate ("**TSP**") was recommended by Mr Heveldt in his evidence to facilitate the active management of on-site activities that generate dust and particulate.⁴³ This is because background levels of dust will need to be determined before construction commences to assist with evaluating compliance with air quality assessment criteria during construction.
- 6.134 The updated Construction Management Plan contained in Appendix 1 includes a requirement for a specific Construction Dust Management Plan ("**CDMP**"). It is noted that the CDMP will be required under the regional consent required for bulk earthworks, as that resource consent will when implemented will provide a regime of effective controls over dust emissions associated with the construction activities.
- 6.135 At this point it is not anticipated that a regional consent will be needed for air discharges from any operational activities.

Effects on network utilities

- 6.136 As noted in section 9.12 of the AEE and the section 92 response dated 5 May 2021 ("**Second Section 92 Response**")⁴⁴ there are both above and below ground network utility assets currently located within the Designation Extent. In addition, PNCC's water bore while not within the Designation Extent is surrounded by the Designation.
- 6.137 As noted in the Third Section 92 Response, the Transpower National Grid asset (overhead lines and a pylon) is located at the north of the Freight Hub in an area subject to noise mitigation and landscaping. There is no direct effect expected on this asset either due to the operation of the Freight Hub or its construction.
- 6.138 The roads in the Designation Extent as well as the PNCC and Powerco assets within the roads will be directly affected as the formed roads will either be removed altogether or redesigned and the assets in them will also either be removed and / or relocated. In addition, the First Gas pipeline that crosses the Designation Extent from Roberts Line to Sangsters Road will need to be relocated.

⁴³ Evidence of Paul Heveldt, dated 9 July 2021, at paragraph [9.10]

⁴⁴ Section 92 Response dated 5 May 2021, Attachment 11.

- 6.139 The PNCC water bore is not directly affected by the NoR however any changes to its access would be affected by the NoR and require KiwiRail's approval.
- 6.140 No adverse effects are anticipated on these parts of Transpower's National Grid located within the Designation Extent, as no new buildings or permanent structures are proposed in the vicinity of the National Grid. No adverse effects are anticipated for the other assets until construction of the Freight Hub commences.

Measure to address effects

- 6.141 KiwiRail will work with utility operators to manage existing network utility assets affected by the Freight Hub in a way that ensures continuity of their services. In the meantime, a condition as suggested in the Section 42A Report has been incorporated into the Proposed Conditions to ensure that access is guaranteed to assets located in roads within the Designation Extent until such time as the roads are stopped. The condition reflects the access rights present under the National Code of Practice for Utility Operators' Access to Transport Corridors that is a legislated requirement under the Utilities Access Act 2010.
- 6.142 KiwiRail has been working collaboratively with PNCC to develop an agreement to ensure that effects on PNCC's assets are managed in a coordinated way. As noted in s42A Report: Palmerston North City Council Infrastructure Assets by Mr van Bentum the agreement includes:⁴⁵
- (a) stopping of paper and formed PNCC roads;
 - (b) the shared pathway on the eastern side of the rail lines; and
 - (c) road integration works.
- 6.143 These matters are provided for in the Proposed Conditions through the Road Network Integration Plan.
- 6.144 The balance of PNCC infrastructure assets are to be addressed through the project agreement between PNCC and KiwiRail, the draft of which is discussed in Mr van Bentum's evidence.⁴⁶
- 6.145 KiwiRail will work with Transpower to ensure its requirements are met when the landscaping is planned close to its assets. A condition is proposed to

⁴⁵ Section 42A Technical Evidence: Palmerston North City Council infrastructure assets, dated 18 June 2021, at paragraph [4].

⁴⁶ Section 42A Technical Evidence: Palmerston North City Council infrastructure assets, dated 18 June 2021, at section 4.

ensure the selection of plants and their location will comply with the Electricity (Hazards from Trees) Regulations 2003 at full maturity is proposed. KiwiRail is working with First Gas to ensure the relocation of the high pressure gas pipeline and will work with Powerco to also relocate its assets.

Effects on productive land supply

- 6.146 It is noted that the Government has proposed a National Policy Statement for Highly Productive Land ("**NPS-HPL**") to prevent the loss of productive land and promote its sustainable management. The public consultation on the NPS-HPL was undertaken in 2020 and it is understood that final decisions on the proposed NPS-HPL will be made by ministers and Cabinet in the second half of 2021 and if approved, the proposal would likely take effect in the second half of 2021.⁴⁷ As this is a proposed National Policy Statement, there is no need to have regard to it.
- 6.147 However, mindful of the Rural Xone applied to 120 ha of the Designation Extent, potential effects on productive land supply were assessed. In this context it is noted that while most of land within the Designation Extent is classified as versatile and productive land (being class 2 and 3 soils), not all the land is currently or potentially available for food production.
- 6.148 Approximately 50 ha of the land is already zoned for non-productive activity as it is in the NEIZ. In addition, some of the Rural zoned land to the north of the NEIZ on Te Ngaio and Cleverly Roads has been subdivided and small lifestyle blocks created. The fragmented nature of these smaller parcels and ownership and the houses and ancillary areas of driveway; garages etc already reduces the productivity of the overall Rural zone within the Designation Extent. Some of the land identified as class 2 and 3 is also formed and unformed road and rail corridor.
- 6.149 While there will be a loss in land currently available as productive land and zoned for that purpose, I consider given the other benefits that arise from the Freight Hub that the effects are minor.

⁴⁷ Ministry of Primary Industries web site
<https://www.mpi.govt.nz/consultations/proposed-national-policy-statement-for-highly-productive-land/>

7. STATUTORY FRAMEWORK

7.1 The statutory framework under section 171 of the RMA applies to the consideration of a NoR for a new designation. Section 171 provides:

....

- (1) When considering a requirement made, a territorial authority must, subject to Part 2 of the RMA, consider the effects on the environment of allowing the requirement, having particular regard to:
 - (a) any relevant provisions of:
 - (i) a national policy statement:
 - (ii) a New Zealand coastal policy statement:
 - (iii) a regional policy statement or proposed regional policy statement:
 - (iv) a plan or proposed plan; and
 - (b) whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work; if -
 - (i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or
 - (ii) it is likely that the work will have a significant adverse effect on the environment; and
 - (c) whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
 - (d) any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement.

Relevant Policies and Plans (s171(1)(a))

- 7.2 Given the detailed analysis is set out in the AEE and the Section 92 Response, my conclusions in relation to the relevant planning documents are summarised in **Appendix 1**.
- 7.3 In my opinion, the assessment against relevant policy statements and plans demonstrates the Freight Hub is consistent with these documents, and consequently meets the provisions of section 171(1)(a) of the RMA.

Consideration of alternatives (s171(1)(b))

- 7.4 Section 171(1)(b) requires that where the requiring authority does not have all necessary property rights on the land which the works will be undertaken or the works will have a significant effect of the environment, adequate consideration must be given to alternative sites, routes, or methods of undertaking the work.
- 7.5 As KiwiRail did not have all necessary property rights to the land required, alternative site locations and methods were considered by KiwiRail.⁴⁸ There were three stages to the assessment of alternative process:
- (a) Stage 1 – site selection.
 - (b) Stage 2 – site layout; and
 - (c) Stage 3 – spatial extent.
- 7.6 The process followed is set out in the following diagram in Figure 2.

⁴⁸ Assessment of Environmental Effects, dated October 2020, at section 10.2 of the AEE.

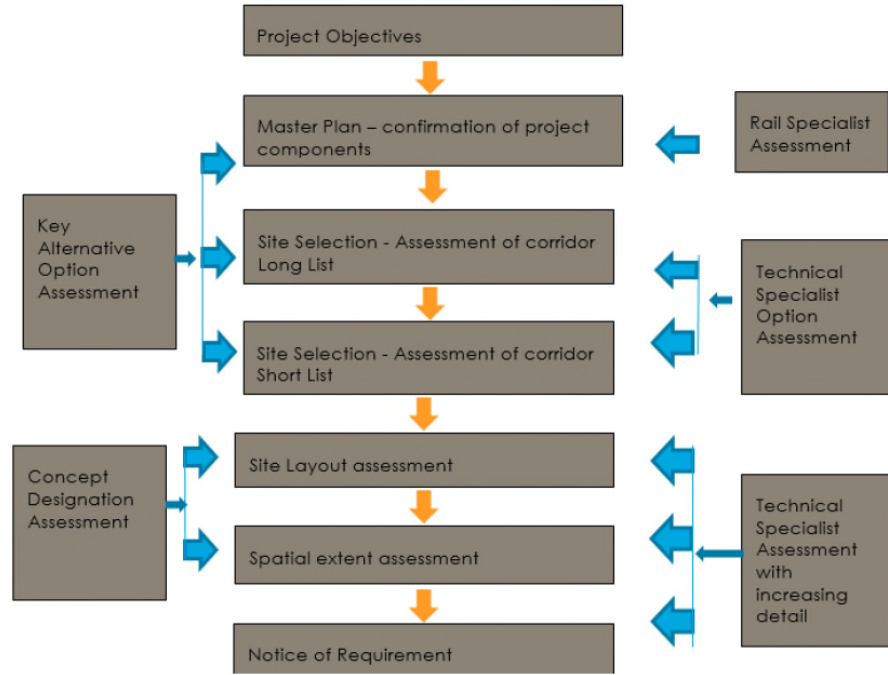


Figure 2. Site Selection Process

Stage 1 - Site selection process

- 7.7 The site selection process looked at a range of potential sites from the Manawatū River almost to Feilding along the NIMT. This was in line with KiwiRail's objectives and recognised Palmerston North's strategic position on the NIMT.
- 7.8 Utilising the MCA process described earlier, a long list of nine potential areas located along the NIMT assessed. The nine potential area options included four sites in the vicinity of Bunnythorpe, four in the vicinity of Longburn and the Existing Freight Yard. The sites are listed in Table 1⁴⁹ in Ms Poulsen's evidence.
- 7.9 The MCA assessment involved independent technical assessments of each of the sites against a comprehensive set of criteria. The criteria used included rail, engineering degree of difficulty, connectivity, economic, resilience, heritage and archaeology, natural environment, property, noise, and vibration, visual and landscape, strategic fit and community cohesion. The assessment also involved a series of workshops and decision conferencing which is a tool that brings key experts, client representatives and stakeholders together to provide different perspectives, and generate shared understanding through an impartially facilitated and interactive process.

⁴⁹ Evidence of Olivia Poulsen, dated 9 July 2021, at paragraph [5.2].

- 7.10 Each of the nine locations was assessed and scored against the agreed set of criteria. Through the assessment and scoring process the nine locations were reduced to five and then to a short list of three, through decision conferencing. Through the MCA workshop process, KiwiRail's operational and locational requirements were refined and the presence of sensitive or difficult to replace activities such as:
- (a) Marae;
 - (b) schools;
 - (c) the Feilding Airport;
 - (d) possible constraints such as the presence of ecological areas of value; and
 - (e) large areas of existing or future residential zoned land were identified.

7.11 The final workshop assessment and scoring of the three short listed sites, identified Site 3 located between Roberts Line and Maple Street on the western side of Railway Road ranked the best overall having scored best in terms of the "raw scores" ie no weighting; the workshop 3 weighting (agreed by participants) and several the sensitivity tests. Following the workshop KiwiRail confirmed Site 3 as the location of the preferred site and work then commenced looking at a concept layout.

7.12 In my view the MCA process followed best practice in that it was a robust, defensible, transparent, genuine process, undertaken with an open mind and well documented from the outset. The process followed was fit for purpose, it was undertaken in a structured and methodical manner, included the appropriate technical experts and stakeholders and KiwiRail were involved throughout the process which was well documented.

Stage 2 - Site layout

7.13 The assessment of alternatives continued once the preferred site had been confirmed by KiwiRail. As described in Section 10.2.3 of the AEE, four alternative concept layouts were considered with the different rail performance and environmental impacts (noise, landscape, and stormwater) of each option assessed. In the end two layouts were considered in more depth and KiwiRail made a choice of one layout that resulted in the potential for fewer limitations being imposed on the Freight Hub's operation and reduced the potential

adverse effects on Bunnythorpe. It also meant that the larger freight forwarders buildings on the Freight Hub site would either be in the NEIZ or closer to the larger buildings anticipated in the NEIZ.

Stage 3 – Spatial extent

7.14 Having selected the layout of the main operational components, the areas required for road network connections, stormwater management and noise mitigation were considered:

- (a) Given the need to connect to the NIMT the impacts on Railway Road were recognised at the outset. Separated grade connections over Railway Road were not considered viable. In addition, access to the external road network was essential for the Freight Hub to achieve KiwiRail's objectives. KiwiRail also needed to minimise the number of level crossings over the main rail roads to reduce potential conflict between with trains and vehicles. Therefore, Railway Road needed to be closed and a new road was required around the western side of the Freight Hub. It was recognised that as part of this, provision needed to be made for a new road to provide direct access to the Freight Hub from the south, west and north. The new perimeter road as included in the Designation Extent also replaces some of the network functions lost by closing Railway Road between Roberts Line and Maple Street.
- (b) As a result of the need to provide for on-site stormwater treatment different locations were considered for stormwater management ponds. While providing for smaller areas inside the Freight Hub was possible, large areas on the downstream side of the Freight Hub and perimeter road were required to also provide detention to minimise flows during rain events when the catchment was already coping with large volumes. The presence of a flood plain within the Designation Extent also meant that the required detention volumes had to be provided across two locations. Provision also needed to be made for discharges from these locations connecting to the existing watercourses. This partly accounts for the shape of the Designation Extent on the western side.
- (c) As noted earlier a noise barrier around the Freight Hub's operational area was recommended in the Acoustics Assessment to minimise noise effects from the operation of the Freight Hub. In relation to the eastern boundary, initial work looked at different locations for the

barrier. Options considered for the eastern noise barrier included partial use of Sangsters Road as well as the use of some of the land already designated for the NIMT, between the active rail line and the boundary of Sangsters Road. Recognising that the NIMT would need to be realigned vertically to ensure the tracks also aligned with the floor of the Freight Hub it was also recognised that another option was available if the NIMT itself was relocated into the Freight Hub. Relocation of the NIMT provided other benefits as it:

- (i) would allow the required noise barrier and landscaping to be in the corridor currently occupied by the NIMT;
- (ii) provided a better ability to replace and construct the required culverts, in particular the large culvert required through and under the middle of the Freight Hub to remove the risk of upstream flooding;
- (iii) would enable the noise barrier of planting to be located further away from the residential properties to mitigate the noise and visual effects;
- (iv) did not disturb the use of the formed and unformed sections of Sangsters Road for the Te Araroa Trail; and
- (v) enabled works to provide for the local access requirements for 422 and 422a Railway Road landowners where the existing level crossing to Railway Road had been removed.

7.15 The Designation Extent therefore overlays the existing NIMT designation. From a planning perspective, the relocation of the NIMT will however, need to be enabled by an alteration to the existing designation at a future stage.

Whether the work and designation are reasonably necessary in order to achieve KiwiRail's objectives (s171(1)(c))

7.16 Section 171(1)(c) requires consideration of whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.

- 7.17 KiwiRail's objectives in developing a Freight Hub in or near Palmerston North on the NIMT to:
- (a) increase its operational capacity to efficiently accommodate projected regional and national freight growth and support wider regional development;
 - (b) enable rail to be integrated with, and connected to, other transport modes and networks; and
 - (c) improve the resilience of the regional and national freight transport system over time.
- 7.18 I consider that the Freight Hub is reasonably necessary to achieve these objectives. Objective (a) is achieved by the Freight Hub enabling the development of facilities that have been appropriately sized to accommodate forecasted growth out to 2050. The Freight Hub also provides for an efficient layout that allows whole unit trains to be constructed by the container terminal and the marshalling yards.
- 7.19 It will also provide for 1,500m long trains. Longer trains are an efficient and effective way to improve freight movement capacity to meet growing demand. The Existing Freight Yard is constrained due to its location with urban land uses around it and no real prospect of being able to redevelop. As explained in the evidence of Mr Paling, due to the increased level of container traffic, the capacity of the container terminal is expected to be reached by 2030.⁵⁰ The size and location of the container yard at the Existing Freight Yard and the fragmented nature of facilities at the yard itself mean it is unable to accommodate the forecasted growth in freight at Palmerston North and KiwiRail's planned changes to train lengths (to 1,500 m) or frequencies of trains.
- 7.20 Objective (b) is achieved by the provision for the three entrances from the perimeter road to go directly to key parts of the Freight Hub - the freight forwarders, the container terminal, the log handling and the maintenance area. Moving to the Site will also provide KiwiRail with the ability to handle freight more efficiently due to the increased capacity (number and length) of rail tracks provided for at the marshalling yards, the container terminal and the log handling and rail access directly to the freight forwarders.

⁵⁰ Evidence of Richard Paling, dated 9 July 2021, at paragraph [6.15].

- 7.21 It will also better integrate with other transport modes especially with the Ring Road and other PNITI works and road upgrades are planned in this area which would provide opportunities for integration and the more efficient movement of freight across the transport network. Further, the Site is located in proximity to Palmerston North Airport meaning that freight forwarders have the benefit of air, rail and road for moving freight, making the Site attractive for investment. Tremaine Avenue, where the Existing Freight Yard is located, is congested at peak times and would be expected to be further affected by more trucks if the freight facility stays at the Existing Freight Yard.
- 7.22 Objective (c) is addressed by the provision of facilities within the Freight Hub that are directly serviced by rail that ensure that moving freight by rail is efficient. This will make rail an attractive alternative option to moving freight by road and will reduce the number of trucks going north in total and has the potential to reduce heavy truck traffic using the main road routes north of Palmerston North. This will improve the resilience of the transport network and assisting the nation in reducing both carbon emissions and road accidents.
- 7.23 Further, the use of a designation is in my view a method that is reasonably necessary to achieve all three objectives as it enables the land to be safeguarded from future incompatible industrial or residential development which may prevent or hinder the works KiwiRail needs to secure the land and obtain the authorisations for the Freight Hub, associated activities and land use.
- 7.24 In addition, the alternative methods of a plan change and / or a resource consent would not in my view, be efficient or sustainable use of resources. Numerous separate land use consents would be needed and while a plan change could result in an appropriate zoning as KiwiRail does not currently own all of the land, it could be developed for other activities in the meantime leading to land use inefficiencies.

Other matters (s171(1)(d))

- 7.25 I consider that there are other plans, strategies, and document that need to be considered in making a decision on the NoR. There are set out in **Appendix 2** and I have summarised my assessment of these documents.⁵¹
- 7.26 I consider that the NoR aligns with the various other policy and strategic documents that sit outside the RMA as the Freight Hub will be a key component

⁵¹ The documents have previously been referenced in the AEE and in the section 92 response.

to achieving the goals of an efficient transport network that integrates and supports the economic development of PNCC and the wider region.

Part 2

- 7.27 The assessment under section 171 is subject to Part 2. In my opinion, the NoR is consistent with Part 2, as set out below.

Section 5

- 7.28 The provision of the Freight Hub is consistent with the purpose of the RMA as it will enable KiwiRail to provide for the economic well-being of those who use the rail network to move freight. The additional benefits to the region's economy include:

- (a) reducing transport costs and lifting the average productivity of firms due to the agglomeration effects; and
- (b) providing employment; providing a more cost-effective freight service that could reduce transport costs and help strengthen the rail network and encourage a modal shift away from road freight.

- 7.29 Providing a more cost-effective freight service that could reduce transport by road and encourage a modal shift also has health and safety benefits. Where possible adverse effects have been avoided, reduced and minimised through site location and through site design. Other adverse effects will be remedied or minimised through the mitigations proposed.

Section 6

- 7.30 Not all the matters set out in Section 6 are directly relevant to the NoR. In my opinion, there is nothing that indicates that the NoR is inconsistent with Section 6(a) – (d) of the RMA. Further:

- (a) In relation to Section 6(e) of the RMA, the archaeological report noted that Maori have had a relationship with the land for centuries and this is reflected in the iwi submissions. As indicated in the evidence of Ms Olivia Poulsen, KiwiRail continues to work with iwi to better understand the relationship and to recognise the relationship with development of the land, and the Proposed Conditions provide a framework through which mana whenua values will be recognised and provided for.

- (b) As there are no registered archaeological sites or features or any scheduled features under the District Plan on the Site, I consider that there is nothing at this point that is inconsistent with Section 6(f).
- (c) In terms of Section 6(g) I am not aware of any protected customary rights applying to the land.
- (d) In terms of Section 6(h), the potential natural hazards that could apply to the land related to land stability; seismic risk and flooding, which have been considered and in the view of the relevant experts. Risks related to them are subject to further work prior to detailed design and are able to be managed through stormwater management and engineering design for the Freight Hub.

Section 7

- 7.31 In terms of Section 7(a), KiwiRail has engaged with iwi, and is committed to ongoing engagement.
- 7.32 The proposal will be an efficient use of the natural and physical resources present on the land in terms of Section 7(b), given that the Freight Hub in this location is consistent PNCC's strategic plan for the area. Although the Freight Hub restricts the use of the versatile soils present for food production for the foreseeable future, the NEIZ application to a third of the land and the existing subdivision pattern suggests that this loss was already in place. The Freight Hub will enable the transfer of more goods by rail than currently occurring will be an efficient use of the existing NIMT and by enabling the removal of freight traffic from the road network will provide for greater efficiency in use of that physical resource in a more sustainable manner.
- 7.33 In terms of Section 7(c) and (f), the existing amenity values of the current rural and lifestyle activities in the surrounding area are expected to change. However, this will be minimised by the proposed mitigation methods like noise barriers and associated screening and the landscape planting proposed around the stormwater ponds and wetlands.
- 7.34 In relation to the intrinsic value of ecosystems under Section 7(d) of the RMA, the Site is already a largely modified environment. In my opinion, the proposed enhancements like planting; stormwater management, watercourse and culvert design will respect and enhance the intrinsic values of the ecosystems

- 7.35 Under Section 7(g) of the RMA, there are no finite characteristics of natural and physical resources identified, and Section 7(h) is not relevant to my assessment.
- 7.36 In relation to the effects of climate change under Section 7(i), flood effects from future climate change events will be modelled and considered during detailed design stage. New culverts on the Site will also be designed with regard to climate change effects.

Section 8

- 7.37 As noted in the AEE, KiwiRail recognises its responsibilities in terms of the principles of the Treaty of Waitangi (Section 8) and will when exercising its powers as a Requiring Authority, adhere to the principle of partnership, involving iwi and working with iwi in relation to the design and development of the Freight Hub and protecting cultural values where they are identified.
- 7.38 As outlined in Ms Poulsen's evidence,⁵² in addition to the proposed NoR mana whenua engagement framework provided for in the proposed designation conditions, KiwiRail and iwi are working towards developing a working framework agreement alongside the NoR process. Through these two processes, Iwi engagement will continue throughout the development of the Freight Hub as part of KiwiRail's ongoing commitment towards developing effective and productive iwi partnerships.

8. RESPONSE TO SUBMISSIONS

- 8.1 I respond to the submissions received by themes rather than individual submission. Given the submissions are also covered in the s42A planning report, I have sought to align with the key submission themes identified in the s42A Report to assist the Panel. This evidence also relies on the evidence of others to deal with the specific issues.

Submissions in support

- 8.2 A number of submissions in support were received although some are provided with 'qualified' support, ie they wanted their concerns about adverse effects addressed first.⁵³

⁵² Evidence of Olivia Poulsen, dated 9 July 2021, at paragraph [6.17].

⁵³ Submissions 2 – Warren Bradley, 11 - Christopher Joseph Clarke, 12 – CEDA, 18 – Kevin and Yvonne Stafford, 19- Janet Susan Stirling, 20 - Horizons Regional Council, 23- Mike Tate, 24 – Zaneta Park, 42 – Matthew McKenzie, 55 – Michael Sharp, 56 –

- 8.3 Reasons provided for support include the employment and economic opportunities; the contribution to the region' s distribution and logistics sector, the shift to moving freight by rail and the related sustainability outcomes, and road safety improvements.
- 8.4 Some of the submitters recognised that some of the land is already zoned NEIZ and sought further integration with the NEIZ and some supported the relocation of the NIMT to the west from its current location and the associated noise and landscaping mitigation proposed. There were concerns expressed by those supporting the NoR about the need for integration with the future road network to realise the benefits. This is discussed further below.

Site Selection

- 8.5 The site selection process is questioned by some submitters⁵⁴ in terms of the accuracy of the information used to inform that process. As outlined above, KiwiRail considered nine locations for a site along the NIMT each of which were assessed by independent experts against a range of criteria. The MCA process relies on information that is adequate for the level of detail of the project at the time such as high level desktop information available, on council websites, for example, or published data from different agencies. The information used became more detailed as the number of sites being assessed reduced in number. In the final short listed site assessment the specificity of the locations being assessed meant that modelling was able to be undertaken to predict the extent of any adverse effects in some disciplines.
- 8.6 The weighting applied has been questioned by some submitters. For example, one submitter⁵⁵ suggests that it was improper to attribute greater weight to Rail, Natural environment, Economic, Connectivity, Strategic Fit, Community Cohesion and Tangata Whenua values criteria than to criteria concerning direct amenity effects on residents (ie noise and vibration). The criteria were agreed with the participants after a site visit to the Existing Freight Yard and a tour along the NIMT to make sure that all participants understood the environments that the future freight yard may be located in.
- 8.7 The workshop weightings were carefully considered and represented how important a particular criterion is compared to another. Workshop and decision

⁵⁴ Accelerate 25 Manawatu-Whanganui, 63 - Central Distribution Hub Stakeholder Group, 73 – Horowhenua District Council, 74 – Arthur George Park. 78: Ben Foster. Submissions 17 – Nicola Schreurs & Thomas Good, 61 – Peter Gore & Dale O'Reilly, and 72 – Danelle O'Keeffe & Duane Butts.

⁵⁵ Submitter 61– Peter Gore & Dale O'Reilly.

conferencing process ensured that scores and weightings were tested before they were applied.

- 8.8 In recognition that different viewpoints would result in different weightings after each workshop a range of weightings using 'sensitivity themes' were also applied.
- 8.9 The process followed is one used for many large infrastructure projects and like all MCA it is focused on delivering what is best for the project. I consider the MCA process was sufficiently robust and adequate to meet the RMA's requirements.

Alignment with planning documents

- 8.10 A number of submitters have also raised concerns with alignment with documents:
- (a) The Horizons' Regional Council submission (20) raises the issue of alignment with the Horizons One Plan objective 9-1 and policies in relation to Natural Hazards. These matters are dealt with in the evidence of Mr Leahy and Mr Mott and I have concluded in Appendix 2 that the work done to date shows that the NoR is consistent with the policy framework.
 - (b) The submission from Te Runanga O Raukawa (96) considers that the Freight Hub is contrary to the Treaty of Waitangi and the Regional Policy Statement Chapter 2 of Te Ao Maori provisions. As outlined in Ms Poulsen's evidence KiwiRail has directly engaged Ngāti Raukawa following the announcement of the Provincial Growth Fund for the Freight Hub in 2019. Since then, there has been ongoing contact between the parties. The schedule attached to her evidence highlights the actions. Conditions contained within Appendix 1 provide for ongoing engagement.
 - (c) The submission from Peter Gore and Dale O'Reilly (61) asserts that the Freight Hub is contrary to applicable planning policy referring to a policy from the Horizons Regional Policy Statement, Policy 3-3 "Adverse effects of infrastructure and other physical resources of regional or national importance on the environment" and specific objectives and policies from the Palmerston North City District Plan's Rural Zone, Natural Hazards, Utilities and North East Industrial Zone chapters. I have reviewed the objectives and policies having assessed some in the AEE already. I do not consider the project is

contrary. I consider that the proposed conditions will ensure that KiwiRail through the delivery of the Freight Hub manages and controls the matters outlined in the objectives and policies.

- (d) The submission (72) from Danelle O'Keeffe and Duane Butts has raised concern about the level of consistency with strategic documents. I have assessed the strategic documents relevant to the Freight Hub in **Appendix 3** to my evidence.

- 8.11 In my opinion, the assessment against relevant policy statements and plans, as outlined in **Appendix 2** and **3** of my evidence, demonstrates the Freight Hub, with the Proposed Conditions, is consistent with these documents and meets the requirements of section 171(1)(a) of the RMA.

Integration with future transport network

- 8.12 Submitters⁵⁶ are concerned about integration between the Freight Hub and Waka Kotahi's PNITI projects. Mr Georgeson has considered these matters from a technical perspective.
- 8.13 The relationship between PNITI and the Freight Hub is recognised. Many of the existing transport issues will be addressed through PNITI. From a planning perspective, these projects are not yet part of the existing environment (including the reasonably foreseeable future environment) as they have not yet been approved by way of designation or even a notice of requirement. Due to this, I do not consider that it is appropriate to consider (or even needed) the effects of the Freight Hub with these projects.
- 8.14 Notwithstanding this, KiwiRail recognises the importance of integration of these projects and as such has proposed a Road Network Integration Plan to address this. I consider that the proposed Road Network Integration Plan condition will ensure that the efficient and effective connections to that future road network and with the NEIZ will be achieved when the Freight Hub is constructed.
- 8.15 I note that changes to conditions have been recommended to address these concerns in **Appendix 1**.

⁵⁶ Submissions 4 – Bruce & Alison Hill, 13 – Tutaki 2019 Ltd, 15 – Maree Woods, 17 – Nicola Schreurs & Thomas Good, 28 – Katrina George, 33 – Linda Spearpoint, 47 – Aaron Fox, 58 – Foodstuff North Island, 61 – Peter Gore & Dale O'Reilly, 65 – Waka Kotahi NZ Transport Agency, 72 – Danelle O'Keeffe & Duane Butts and 77 – William Bent.

Effects on infrastructure and utilities

- 8.16 Several submitters are concerned about effects of the NoR on existing infrastructure and utilities. Some effects such as on the First Gas Pipeline, wastewater rising main sewer and local electricity reticulation provided by Powerco mean that the lines will need to be relocated. Others, such as the council water bore and Transpower's 110kV transmission line, are subject to arrangements being confirmed with the utility in relation to works in the vicinity or to ensure access.
- 8.17 My experience is that KiwiRail will need to work with each utility provider to understand their requirements, provide for them in detailed design and to support the delivery of the proposed changes. In the meantime, acknowledging their concerns about needing to access assets located in the roads in the Designation Extent, and seeking certainty in relation to protecting assets from proposed works, changes to proposed conditions are proposed in **Appendix 1**.
- 8.18 Some submitters are concerned about the impacts of the Freight Hub in terms of the loss of existing homes and the lost opportunity to develop the land for housing. This is responded to by Mr Colegrave.⁵⁷ Many of those who attended the community engagement and open day sessions spoke of the challenge in Palmerston North of finding housing. One of the reasons that the Site was selected in this location was to avoid being close to rural areas to the south that the council had indicated were being targeted for residential zoning in the future.
- 8.19 From a planning perspective, given the Council's strategic plans for the area, and the presence of the airport that the rural zoned land, I think it is unlikely based on the current zoning and planning provisions, would have been used for housing in the future. Any more intensive development would have to go through a plan change, and I am not aware of one being proposed or in the Council's plans.

Level of information

- 8.20 Some submitters consider there is insufficient information in the NoR application to enable an informed decision to be made about the magnitude of effects and whether these can be appropriately avoided, remedied, or mitigated. In my view, sufficient information has been included in the application to enable the effects to be considered. It has to be remembered

⁵⁷ Evidence of Fraser Colegrave, dated 9 July 2021, at section 5.

that this is a designation, and the RMA provides a two-step process by way of an NoR and a subsequent outline plan. In my view based on the assessments of the wider group of technical experts, and the magnitude of effects that have been identified, the conditions proposed with amendment will ensure that the effects are appropriately avoided, remedied, or mitigated.

9. RESPONSE TO SECTION 42A REPORT

9.1 I have reviewed the sections of the Section 42A Report relevant to my evidence. This review (both were prepared by Anita Coppleston and Phillip Percy) was focused on:

- (a) The Section 42A Technical Evidence: Planning Report; and
- (b) The Section 42A Planning Evidence: Effects and recommendations Summary Table: KiwiRail Freight Hub Notice of Requirement.

9.2 I consider that the Section 42A Technical Evidence: Planning Report has accurately described the elements within the NoR and works undertaken and proposed and captured the challenges that KiwiRail faced in relation to the complexity of providing for this significant new piece of infrastructure. I address these matters below.

9.3 The key matters I will respond to are summarised as:

9.4 The Section 42A Report also highlights some other specific matters and makes recommendations that have been responded to in the various pieces of evidence.

Lapse period

9.5 The Council Officers have suggested that there is prolonged uncertainty from the 15 year lapse period and the lapse period be reduced to 10 years. A number of submitters have also raised this issue. I have outlined above the reason for the 15 years requested I think this is justified for the delivery of the Freight Hub. I do not agree that the lapse period should be reduced to 10 years.

9.6 With respect to the lapse period delaying or deterring private investment, as well as public investments⁵⁸ this uncertainty is no different from the uncertainty related to zone changes on the edge of an urban area that are often led by

⁵⁸ Section 42A Technical Evidence: Economic impacts, dated 18 June 2021, at paragraph [18].

consultation on structure plans and introduce uncertainty about when development will occur and when new infrastructure will be provided.

- 9.7 I also consider that some investors will anticipate economic benefits and result in speculative investment. As noted in Mr Colegrave's evidence⁵⁹ the market started acquiring land in anticipation of an intermodal freight hub some while ago. To suggest that the Freight Hub designation could delay or deter public investment seems at odds with the tenor of the rest of the s42A Report that suggests that the Freight Hub should be deferred until the Ring Road decisions and actions are underway.
- 9.8 I consider that part of the uncertainty the Council alludes to is a result of actions related to the wider area, such as around the Waka Kotahi Palmerston PNITI projects also known as the Regional Freight Ring Road project, and when land zoned NEIZ will be developed. I consider that KiwiRail seeking 15 years will provide more certainty than relying on a zone and on the market to deliver change. The designation sends a clear signal to the community and market of what is intended to be delivered in this location and it will be delivered by a single entity rather than multiple landowners who will deliver changes in landuse via multiple future resource consents. Once incorporated into the District Plan the designation will be accompanied by a set of conditions outlining how the Site will be developed for all to see and to organise their lives and business affairs around.
- 9.9 The evidence of Mr Moyle and Mr Skelton explains that this is a complex project requiring a number of stages to be taken before it can be operational. This is common, in my experience, and the reality of a project of this scale.
- 9.10 The delivery of the PNITI programme of works will be important to enable the benefits of the Freight Hub to be fully realised and become fully operational. If KiwiRail had to wait for the PNITI programme (as is suggested) then an even longer lapse period may be required.
- 9.11 For these reasons, in my opinion the 15 years requested is appropriate in this situation.

Extent of Designation

- 9.12 The Council Officers have recommended that the extent of the designation should be reviewed after construction. This is in part in relation to the Powerco submission. The commitment to review, and if required, withdraw parts of the

⁵⁹ Evidence of Fraser Colegrave, dated 9 July 2021, at paragraph [4.26].

designation after the Freight Hub was constructed was covered in the conditions lodged with the NoR as shown in **Appendix 1**.

- 9.13 The Designation Extent also includes part of the existing designation for the NIMT corridor. This area is required for the installation of the Freight Hub's noise mitigation and planting. The relocation of the NIMT into the Freight Hub also allows the corridor to be re-laid at the same elevation as the Freight Hub which improves connectivity and allows room for future duplication of the NIMT. By locating the NIMT on the outside of the arrival and departure tracks it allows those trains that do not need to stop in Palmerston North to pass by the Site. All other trains will arrive at the Freight Hub, wagons will be reclassified and depart on new trains to the various destinations. So, while the relocation of the NIMT is necessary to enable the development of the Freight Hub, other activity using the NIMT will not necessarily stop at the Freight Hub.
- 9.14 The current NIMT designation is expected to be altered in the future to align with the future NIMT alignment once detailed design has been undertaken and its location and extent confirmed.

Assessment of policy documents

- 9.15 Paragraphs 6 and 7 of the Section 42A Report notes agreement in terms of consistency with policy documents and those parts of them that focus on enabling infrastructure. However the Council Officers consider that the NoR is inconsistent with:
- (a) District Plan provisions that seek to maintain the character and amenity of rural and residential environments;
 - (b) District Plan provisions directed at ensuring a safe and efficient land transport network for all road users; and
 - (c) provisions in the Horizons One Plan and the National Policy Statement for Freshwater Management 2020 ("NPS FM") that seek to prioritise the health and wellbeing of waterbodies and freshwater ecosystems.
- 9.16 The effects on the environment of allowing the NoR must be considered with particular regard to relevant planning documents and the level of consistency is one of a number of matters that the Hearing Panel must consider in assessing the effects of the NoR. Addressing each of these matters in turn I consider that:

- (a) the effects on the environment in terms of character and amenity of the rural and residential environments has been considered through the provision of extensive landscaping, inclusion of noise barriers, noise limits and provision for off-site mitigation where needed as set out in **Appendix 1**. The design of the Freight Hub will utilise a set of Design Guidelines that have been through the public plan making processes of the RMA and will add 'bespoke' additional principles and outcomes as necessary to address the rural / residential environment about the Freight Hub and KiwiRail's unique operational requirements;
- (b) implementing the conditions as proposed in Appendix 1 will improve safety in relation to the land transport network and will ensure provision of an efficient road and active transport network; and
- (c) the Section 42A Report indicates that an analysis of the water body effects against the NPS FM effects management hierarchy is a relevant consideration when evaluating the NoR and the Council Officers say that further assessment and analysis of the existing environment is required. While I agree that the NPS-FM is a relevant document, I consider that this primarily is a matter that the NPS FM specifically delegates to regional councils as part of their consideration of applications affecting natural inland wetlands and rivers. I have however for completeness considered the hierarchy below in paragraph 9.18.

9.17 I recognise that the NPS FM has a hierarchy of obligations in Te Mana o te Wai that prioritises:

- (a) first, the health and well-being of water bodies and freshwater ecosystems;
- (b) second, the health needs of people (such as drinking water); and
- (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

9.18 There may be diversions and culverting but any contaminants in stormwater discharged will be treated before being discharged downstream. Fish passage will be maintained as a minimum and once detailed design is undertaken it may be possible to be improved. In terms of the health and well-being of water bodies and freshwater ecosystems, Mr Garrett-Walker's assessment of the waterbodies and freshwater ecosystems present in the Designation Extent

highlights the poor health of the waterbodies is due to 100 plus years of modification, development and land use effects. This includes the existing culverts under Railway Road and the NIMT that impede fish passage. Ms Rimmer has concluded that the streams and tributaries are of low natural character.

- 9.19 I consider that loss of the stream beds because of culverting will be mitigated by the proposed and significant increase in indigenous biodiversity, the provision of fish passage to upstream habitats and the management and treatment of discharges including creation of open watercourses, ponds and wetlands even if 'man made'. The issue of whether there will need to be offsetting and compensation for the loss of stream beds is in my view not a matter for the NoR. However, I consider that the potential extent of the planting (around 50ha excluding grass based on the Concept Landscape Plan submitted with the NoR) is far in excess of what would have been achievable through landuse under the rural and NEIZ provisions. The management of stormwater will in my view mitigate the effects on the health and wellbeing of the stream works that the Council should consider in relation to the NPS FM as the loss of stream beds is a regional consent matter.
- 9.20 The issue of health needs of people is related to impacts on groundwater and surface water used for drinking. It has been recognised on the Section 42A Report that effects on groundwater will be addressed through the regional council consenting process.
- 9.21 The NoR speaks directly to the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.
- 9.22 In relation to the works anticipated at this stage, I consider that the first three steps of the effects management hierarchy set out in the NPS FM for managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) have been addressed (to the extent required as part of this NoR process). That is, the values present have been assessed and:
- (a) adverse effects have been avoided where practicable – however, avoiding stream diversion and bed loss is not practicable;
 - (b) where adverse effects cannot be avoided, they have been minimised where practicable – the piping or culverting of streams is expected before earthworks commence and provision is expected to be made

for fish passage; and it is assumed that any fish in the streams at the time will be captured and released; and

- (c) where adverse effects cannot be minimised, they are being remedied where practicable - the provision for an open watercourse and 50 ha of planting which includes 38,409m² of naturalised channel and wetland planning is in my view more that remedying the adverse effects.

9.23 Further consideration and more detailed assessment will be carried out at the regional consenting phase.

9.24 The Section 42A Report addresses the District Plan requirements in relation to hazardous substances. It is suggested that there is insufficient information to evaluate whether the risks of accidental release or loss of control of hazardous substances, and the potential effects of this on the environment, can be adequately mitigated. No assessment has been undertaken due to detail available at this stage of the project.

9.25 I am of the view that the Hazardous Substances and New Organisms Act 1996 and Health and Safety at Work Act 2015 provide an appropriate level of management and control for these matters. This is because KiwiRail would need to undertake an assessment of the risks that would be associated with the storage of hazardous substances on the site to satisfy itself during the design process that it can meet the legislative requirements related to the health and safety of workers and the workplace and to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms.

Application of the permitted baseline

9.26 The Council Officers disagree that the permitted baseline should applied in this context because the Freight Hub is at a different scale to the activities that are permitted in the NEIZ. I maintain my view that the permitted baseline can, and should be, applied in this context, noting that my assessment in the AEE and attachment 11 in the First section 92 response outlined those aspects of the Freight Hub that are expected to align with the permitted activities and standards of the NEIZ.

9.27 I consider that use of the permitted baseline can be used as a bench line for assessing the scale of effects that are generated. For example, the 9m zone height in the NEIZ is likely to be complied with across the site however the 50m maximum length of buildings is going to be exceeded. However, I

acknowledge that application of the permitted baseline is optional. Even if the permitted baseline is not applied in assessing the effects, I consider that the effects of the Freight Hub can be appropriately managed through the Proposed Conditions.

Detailed design and the Outline Plan of Works

- 9.28 The Council Officers consider that is inappropriate to leave matters to detailed design, Outline Plan of Works ("**OPW**") and management plans. The process and provisions in the RMA (which have operated since it came into force) provides for any Requiring Authority to designate land without the need for the detailed design to be provided. The RMA sets up a specific process for designations that allows for OPW and detailed design to come later. I think that as anticipated in the RMA the information provided with the NoR (in this case including the indicative landscape plan, cross sections and likely construction methodology and assessment of effects) is appropriate for this stage of the process.
- 9.29 The OPW process provides the opportunity to consider the detailed design and the information required to be provided through the designation conditions to ensure that giving effect to the proposal does not result in adverse effects that are greater than those assessed in the AEE. The proposed conditions set out in **Appendix 1** will ensure that the potential adverse effects of the Freight Hub will be appropriately and thoroughly addressed.

Regional consenting pathway

- 9.30 KiwiRail will apply any necessary regional consents in the future. KiwiRail is permitted to seek the regional consents separately from this process.
- 9.31 The NoR and the proposed conditions are focused on those matters relevant to the territorial authority given that the designation will be included in the District Plan and as outlined earlier, in my view does not create the concerns about the regional consenting pathway set out in paragraphs 462 – 463 of the Section 42A Report.
- 9.32 I do not, in light of the assessment of Mr Garrett–Walker, consider there to be a significant loss of natural waterways as suggested and in the context of the NPS-FM and Te Mana o te Wai such that there is a risk of off set or compensation not being able to be provided (if required).
- 9.33 It is not practicable to avoid all stream bed loss. I do not, given the nature of the Freight Hub and the alternatives consider that there are alternative designs

that would limit or avoid the loss of natural waterways further. We explored this and, in the end, determined that it was not possible to keep open all the watercourses running through the Freight Hub given the operational and safety requirements and the risk of contamination. It was also not possible to divert them all given the size of the Freight Hub and the function they perform in terms of conveying flood waters from upstream.

- 9.34 What has been provided is not the detailed design and the complex interplay of managing impacts on flood risk, roading and visual amenity will continue during the detailed design phase. I also note that KiwiRail has indicated it will continue work with mana whenua and is and has been actively engaging with them as covered in other evidence.
- 9.35 Council Officers (paragraph 641 and 661) have also taken issue with the section 92 response in relation to the Horizons One Plan's air quality assessment rules.⁶⁰ They suggest that KiwiRail have not provided an assessment to demonstrate how the proposal will comply with the permitted activity standards in Rule 15-14. The report notes that if not a permitted activity resource consent under Rule 15-17 as a discretionary activity would be required.
- 9.36 They also note that Ms Ryan has indicated that more information is needed. KiwiRail is not required to necessarily demonstrate that all permitted activity standards of the Regional Plan will be met at this stage. Any information about frequency, scale and nature of the diesel train movements if provided now may be irrelevant at the time of the detailed design due to potential changes in technology over time.
- 9.37 I consider that at the detailed design phase all potential adverse discharges to air (ie particulates and odour), not just dust will be considered. An Operational Dust Management Plan requirement is included in Appendix 1 to this evidence. This will address amenity effects related to dust. I also note the addition to the proposed conditions of a condition to address potential health effects, given the presence of dwellings that utilise roof water for drinking water. At the time of preparation of the Operational Dust Management Plan and the investigation of the potential for dust to impact on the quality of household water, the assessment against the One Plans rules will be undertaken as the relevant detail will be available.

⁶⁰ Section 42A Report, dated 18 June 2021, at paragraph [641] to [661].

9.38 I would expect that KiwiRail will engage a suitably qualified person to undertake the relevant air quality assessments and I expect that an operational air quality management plan as outlined by Mr Heveldt would be prepared, should a regional consent be required.

Appropriateness of the approach in the NoR to mitigating noise effects

9.39 The Council Officers have recommended that in order to manage noise effects, KiwiRail should consider changing the Designation Extent to include properties most affected by adverse effects.⁶¹ The Council Officers consider that this was a method that should have been specifically considered in the NoR. As noted above in paragraphs 7.13 and 7.14 the first priority in relation to noise was to use the address the location of noisy activities in the Freight Hub which has been considered and provided for in the Concept Design Layout

9.40 I do not consider that extending the designation to include these properties would be efficient management of resources, nor necessary to mitigate adverse effects.

9.41 Further, it would also need to be proven that this additional land is reasonably necessary to achieve KiwiRail's objectives. I do not consider that it is. Substantial noise mitigation has already been incorporated into the concept design and the Proposed Conditions include a requirement for KiwiRail to investigate affected dwellings and offer other mitigation measures (such as acoustic insulation) where necessary. I consider that these methods are appropriate to manage the noise effects from the Freight Hub.

9.42 The Council Officers have also raised concerns that there is no control on future noise sensitive activities being developed outside the Designation Extent. I acknowledge that good land use planning includes ensuring that appropriate provisions are in place to manage potential sensitive activities from locating near existing lawfully established activities, particularly where those activities cannot internalise all of their effects. However, as this is only at the NoR stage, the Freight Hub is not yet a lawfully established activity.

9.43 Further, as the NoR has interim effect from when it is lodged, this provides notice to surrounding landowners of the intent to develop this activity and the risk of the new activities locating on the land close to the Designation Extent at this stage of the process is a risk to those undertaking the development.

⁶¹ Section 42A Report, dated 18 June 2021, at paragraph [332].

How the Freight Hub will integrate with the existing and future road network and alignment with strategic transport documents

- 9.44 The Council Officers consider the Freight Hub is well aligned with strategic planning documents. In paragraph 13, however they note that the Council considers there is a degree of uncertainty about the alignment with strategic transport documents in relation to those seeking to achieve:⁶²
- (a) integration of transport and land use to support well connected communities;
 - (b) reliable multi-modal transport system with less modal conflict, including an integrated walking and cycling network;
 - (c) a transport system where no-one is killed or seriously injured with a target for reduction of 40% in the next decade; and
 - (d) efficient, reliable access and movement by road, rail and public transport, including for freight.
- 9.45 The four points above appear to be derived from the table in paragraph 188 of Ms Fraser's report and are referred to as 'themes' that she has developed due to commonality between various strategic transport documents. Looking at Ms Fraser's comments, in relation to each of these I do not think that the issue is uncertainty about alignment; but whether the transport conditions will achieve the objectives outlined in the themes.
- 9.46 Uncertainty in relation to how the Freight Hub aligns with the PNITI programme of works is mentioned in paragraph 14 of the Section 42A Report. I note that the issue was highlighted in consultation with the community. KiwiRail and Waka Kotahi met on a number of occasions to try to plan, coordinate and deliver their respective projects. The NoR was lodged prior to the PNITI programme being confirmed by the Waka Kotahi Board and made public. KiwiRail was not in a position to go public on what it had been advised about PNITI and rely on work that had not been confirmed. Therefore, the Road Network Integration Plan condition was proposed to enable KiwiRail to work with Waka Kotahi and the road controlling authorities to ensure the plans are integrated as far as practicable. KiwiRail is committed to ongoing engagement on these matters with Waka Kotahi, PNCC, MDC and HRC to ensure that the Freight Hub is efficiently integrated with these wider transport network improvements as they are confirmed.

⁶² Section 42 Report, dated 18 June 2021, at paragraph [13].

- 9.47 The Section 42A Report notes that further refinement is appropriate to provide certainty in relation to process and outcomes and to optimise the Freight Hub's integration. As can be seen in **Appendix 1** to my evidence, changes have been made to outline the transport network improvement works KiwiRail will be responsible for delivering. Mr Georgeson has signalled the minimum works required to ensure that construction of the Freight Hub can commence. KiwiRail cannot require Waka Kotahi and PNCC to deliver specific works or projects that it needs to ensure that the road network is able to cope with traffic generated by the existing zoned land, let alone the Freight Hub.
- 9.48 Much of the work upgrading the road network has been on hold subject to Waka Kotahi advancing the regional ring road aka PNITI to the point that the projects within the programme could be funded. The Section 42A Report acknowledges that KiwiRail is not required to assess the effects of the Ring Road and that these upgrades are not all KiwiRail's responsibility. However, the opportunity to integrate the Freight Hub with the regional ring road has been a key consideration in this NoR, and the conditions have been carefully considered to enable this to occur, while providing for access to the Freight Hub in the event that it does not.

Proposed design framework

- 9.49 The Council Officers have questioned the adequacy of the NEIZ design guide as basis for the design for the Freight Hub and recommended that a bespoke set out design principles and outcomes are drafted and agreed and that a design framework is drafted and agreed.⁶³ They have also suggested that the design principles and outcomes are agreed now as part of the current process.⁶⁴
- 9.50 I consider that the NEIZ Design Guide contained in the District Plan should provide the starting point for any design principles and outcomes as land within the Designation Extent already zoned NEIZ and that Design Guide already deals with the interface with Rural zoned land. I also recognise that the design of the Freight Hub must meet KiwiRail's operational requirements.
- 9.51 I agree with many of the points made in the Section 42A Report in paragraphs 409- 412 about the development of principles and outcomes for the design of the Freight Hub. In my opinion, and as set out in the evidence of Ms Rimmer, the NEIZ Design Guide should be used as a foundation on which the design outcomes and principles should be built. The Proposed Conditions provide a

⁶³ Section 42A Report, dated 18 June 2021, at paragraph [413].

⁶⁴ Section 42A Report, dated 18 June 2021, at paragraph [414].

collaborative process using the Community Liaison Forum (as discussed below) and the mana whenua engagement process as the basis for engagement with mana whenua, the community, and the council and other stakeholders to inform development of the design principles and outcomes in the Landscape and Design Plan. It would be premature to have those outcomes agreed now. As the Freight Hub is an operational rail facility, KiwiRail needs to ensure that its safety and operational requirements are achieved and this will fundamentally inform design. The core design outcomes and principles to be achieved are outlined in Ms Rimmer's evidence and have been reflected in the Proposed Conditions.

Ongoing participation with mana whenua, the community, and key stakeholders

- 9.52 The Section 42A Report seeks more detail on provision for active and meaningful participation of iwi, the community and key stakeholders in the development of the various plans required in the designation conditions.
- 9.53 In the NoR as lodged, the Community Liaison Forum and the Mana Whenua Engagement Framework are specified in conditions as the key focus for the ongoing participation in development of all plans.
- 9.54 As outlined in Ms Poulsen's evidence and summarised at 6.122 and 6.123 of my evidence, it was important that mana whenua were able to determine how they wish to work on the project and ensure that their values are represented throughout. The submissions from Ngāti Kauwhata, Ngāti Turanga, Rangitāne o Manawatū and Ngāti Raukawa have indicated what form they see this taking with a desire to have a panel created, which they can be part of, to include mana whenua in decision making for the Freight Hub, particularly in relation to natural resources within their rohe.
- 9.55 It would be inappropriate for KiwiRail to attempt to pre-empt this process in conditions, given the constructive engagement undertaken to date. I support the conditions proposed as they outline a process through which those values will be recognised and provided for through the mana whenua engagement framework.
- 9.56 In relation to active and meaningful participation with the community, the idea of the Community Liaison Forum has been developed as a concept in the form of an interactive forum, rather than a traditional community liaison group. This form is not fixed and communication could take a range of forms whether by way of email updates, online zoom updates where a much wider range of members of the community can participate, if they wish to do so or public

meetings. The intention was for KiwiRail to work with the community to determine what it wanted as the mechanism to communicate with, receive information and provide feedback. Through the challenges of Covid-19, KiwiRail also recognised the benefits that alternative means of engagement could provide, such as Social PinPoint and online zoom meetings.

9.57 The approach proposed in the conditions in **Appendix 1** is one of setting out that through the Community Liaison Forum the community shall provide feedback on the draft plans (and updates) required to be prepared under the designation conditions ; the Community Liaison Forum will operate for a specific timeframe and that there will be a specific person the Community Liaison Person that is the point of contact (condition 15). A process has been provided to identify particular participants and methods of communication.

10. PROPOSED CONDITIONS

10.1 A set of conditions were proposed in the NoR as lodged. These have been modified through the section 92 response provided in February 2021 and are further modified with this evidence as a result of careful consideration of the matters raised in submissions and the Section 42A Report. The updated set is attached as (**Appendix 1** in both clean and tracked changes). The changes are explained in my evidence and in the evidence of the other experts

Karen Bell

9 July 2021

APPENDIX 1
PROPOSED CONDITIONS

Appendix 1

General Conditions

1. Except as modified by the conditions below and subject to final design and accompanying outline plan(s), the works authorised by this Designation shall be undertaken generally in accordance with the following information provided by the Requiring Authority in the Notice of Requirement for the Freight Hub dated 23 October 2020 [and the further information provided by the Requiring Authority dated 15 February 2021, 24 May 2021 and 28 May 2021, and the following:](#)
 - ~~(a) — Designation extent dated 15 September 2020.~~
 - ~~(b) — Land Requirement plans and schedule of land included in designation.~~
 - ~~(c) — Volume 2 Assessment of Effects on the Environment and supporting information.~~
 - ~~(i)(a)~~ Concept Plan (Figure 124) dated 12 February 2021, prepared by Stantec.
 - ~~(ii)(b)~~ Draft indicative Landscape plan dated ~~3 February~~ [6 July](#) 2021 prepared by Isthmus Group (rev ~~1B~~).
 - ~~(d) — Volume 3 Technical Reports.~~
2. Where there is any inconsistency between the Notice of Requirement documentation listed above and the designation conditions, the designation conditions shall prevail.
3. Any reference in these conditions to a ~~New Zealand~~ Standard includes any future amendments or replacements of that standard.

Lapse Period

4. The designation shall lapse if not given effect to within 15 years from the date on which it is included in the District Plan.

Management Plans

5. At least 20 working days prior to construction commencing or unless otherwise specified in the conditions below, the management plan(s) specified below shall be submitted to Palmerston North City Council for certification that the management plan(s) meets the objective specified.
6. All works shall be carried out in accordance with the applicable management plan(s) and other plans required by these conditions.

Outline Plan(s)

7. An outline plan or plans shall be prepared and submitted to the Council in accordance with section 176A of the RMA.
8. The outline plan(s) may be submitted for the entire Freight Hub or for one or more stages,

aspects, sections, or locations of works.

9. The outline plan(s) shall include any relevant [management](#) plan for the particular design or construction [or operational](#) matters being addressed in the outline plan [and any updates of any plans](#). The following must be included in an outline plan or plans (as relevant to the particular design or construction matters being addressed):

- (a) Construction Management Plan
- (b) Construction Traffic Management Plan
- (c) Construction Noise and Vibration Management Plan
- (d) Landscape [and Design](#) Plan
- (e) Construction Engagement Plan
- (f) Stormwater Management Plan
- (g) Stormwater Monitoring and Maintenance Plan
- (h) Road Network Integration Plan
- (i) Operational Noise and Vibration Management Plan
- (j) Operational Traffic Management Plan
- [\(k\) Operational Lighting Design Plan](#)
- ~~(k)(l)~~ Operational Dust Management Plan

10. The documents and plans referred to in condition 9 above may be amended to provide updated information or reflect changes in design, construction methods or the management of effects without the need for a further outline plan where:

- (a) amendment proposed is provided in writing to the Palmerston North City Council; and
- (b) amendment is in general accordance with the original document or plan, or the amendment is to give effect to an amendment required under another statutory approval.

Communication and Engagement

Community Liaison Forum

11. At least 12 months prior to construction ~~and until at least 12 months after the Freight Hub commences operation~~, the Requiring Authority shall establish ~~and maintain a~~ Community Liaison Forum.

12. The Requiring Authority shall maintain the Community Liaison Forum until at least 6 months after practical completion of construction of all main components of the Freight Hub.-

~~12-13.~~ The purpose of the Community Liaison Forum is to provide an interactive forum through which the Requiring Authority can provide information to, and receive feedback from the community on any matters relating to the construction and operation of the Freight Hub, including updates on material changes in design or activity.

~~14.~~ The Community Liaison Forum shall be open to mana whenua and all interested residents and organisations within the vicinity of the Site.

~~15.~~ The Requiring Authority shall develop and implement:

(a) a process for identifying particular parties that may be interested in the Community Liaison Forum, including:

(i) Bunnythorpe School and any childcare facilities;

(ii) Community groups (including Bunnythorpe Community Centre, faith-based groups and residents organisations);

(iii) Businesses (including in Bunnythorpe village and NEIZ);

(iv) cycling and walking groups (including Te Araroa Manawatū Trust); and

(b) the methods of communication with those who want to be informed and/or participate in the Community Liaison Forum.

~~1316.~~ The Requiring Authority shall determine the frequency of updates to the community through the forum, which shall be at least every six months during construction and 12 months during operation.

~~1417.~~ The Requiring Authority shall ensure that the forum provides opportunities for the community to provide feedback, including feedback on draft ~~management plans~~ and updates of any plans prepared in accordance with the conditions of this Notice of Requirement with the Requiring Authority recording any feedback provided and how it has been considered.

Community Liaison Person

~~15-18.~~ Within 12 months of the [date the NoR is confirmed] ~~and until at least 12 months after the Freight Hub commences operation,~~ the Requiring Authority shall appoint a Community Liaison Person.

~~19.~~ The Community Liaison Person role shall be in place until at least 6 months after practical completion of all main components of the Freight Hub.

~~16-20.~~ The role of the Community Liaison Person is to provide a point of contact for the community on behalf of the Requiring Authority for all enquiries relating to the Freight Hub, including land acquisition, construction or operational matters.

~~17-21.~~ The Community Liaison Person will be responsible for administering the Community Liaison Forum, once established in accordance with condition 11.

~~18-22.~~ The Requiring Authority shall make the contact details of the Community Liaison Person available

to the community.

Construction Engagement Plan

~~19-23.~~ ~~Prior to the commencement of construction, the~~The Requiring Authority shall prepare a Construction Engagement Plan and implement the plan for the duration of- construction.

~~20-24.~~ The objective of the Construction Engagement Plan shall be to outline a process to ensure that the community is provided with construction information during construction of the Freight Hub.

~~21-25.~~ The Construction Engagement Plan shall include:

- (a) Contact details of the Community Liaison Person appointed pursuant to condition 18.
- (b) A process for identifying the parties that will be communicated with, and the methods of communication.
- (c) Information on and the methods for communicating the following:
 - (i) likely construction works and programme;
 - (ii) hours of construction where these are outside of normal working hours or on weekends or public holidays, including night-time heavy vehicle movements;
 - (iii) routes for construction vehicles, including vehicle movements and types (ie light or heavy vehicles);
 - (iv) any temporary traffic management measures, including changes to pedestrian and cycling routes, public transport and school bus routes and the reinstatement of those routes;
 - (v) progress of any construction works against key project milestones and completion dates; and
 - (vi) the Construction Traffic Management Plan developed pursuant to condition 57.

Complaints Register

~~22-26.~~ Within 12 months of [**date the NoR is confirmed**] the Requiring Authority shall establish a register of any complaints received and action undertaken by the Requiring Authority in response to the complaint, and maintain the register until ~~at least~~completion of construction of the Freight Hub 12 months after the Freight Hub commences operation.

~~23-27.~~ The complaints register must include:

- (a) the name and contact details of the complainant;
- (b) the nature and details of the complaint; and

- (c) measures taken by the Requiring Authority to respond to the complaint or where any measures have not been taken, the reasons why.

[24-28.](#) The complaints register shall be made available to Palmerston North City Council upon request.

[25-29.](#) The Requiring Authority shall provide regular updates to the community through the Community Liaison Forum on complaints received and any measures to address any complaints identified.

Mana Whenua

Mana Whenua Values

[26-30.](#) ~~Prior to the commencement of construction, the~~[The](#) Requiring Authority shall prepare a Mana Whenua Engagement Framework.

[27-31.](#) The objective of the Mana Whenua Engagement Framework is to recognize and provide for mana whenua values in the area affected by the Freight Hub, to develop mechanisms to avoid or mitigate effects on mana whenua values through the implementation of agreed monitoring and mitigation measures and provide opportunities for expression of those values through design.

[28-32.](#) The Requiring Authority shall engage with mana whenua to develop the contents of the Mana Whenua Engagement Framework, which may include:

- (a) roles and responsibilities of mana whenua, including in relation to design and development of the Freight Hub;
- (b) involvement in preparation of management plans;
- (c) monitoring activities to be undertaken;
- (d) involvement in developing and partaking in accidental discovery protocols;
- (e) site dedication protocols; and
- (f) opportunities for the expression of mana whenua values in the design and development of the Freight Hub.

Contamination

[29-33.](#) ~~Prior to commencement of construction, the~~[The](#) Requiring Authority shall undertake a detailed site investigation in accordance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("**NES-CS**") [and obtain any resource consents required under the NES-CS.](#)

[30-34.](#) The Requiring Authority shall ensure that any contaminated soil identified from the detailed site investigation is managed in accordance with the requirements of the NES-CS, and where appropriate prepare a Contaminated Site Management Plan.

Archaeology

- ~~31-35.~~ The Requiring Authority shall ensure that where any land disturbing works occur in an area of the Designation which is not subject to an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014, an accidental discovery protocol is in place.
- ~~32-36.~~ The accidental discovery protocol shall be prepared in collaboration with mana whenua and in consultation with Heritage New Zealand Pouhere Taonga, and shall include:
- ~~(a)~~ Details of contractor training regarding the skills necessary to be aware of the possible presence of cultural or archaeological sites or material;
 - ~~(b)~~ General procedures following the accidental discovery of possible archaeological sites, kōiwi tangata, wahi tapu or wahi taonga, including the requirement to immediately cease enabling or construction works in the vicinity of the discovery and the requirement to notify parties including, but not limited to, Heritage New Zealand Pouhere Taonga;
 - ~~(a)(c)~~ specific procedures in the event that kōiwi tangata or taonga are discovered, work must cease immediately in the vicinity of the remains and mana whenua, Heritage New Zealand Pouhere Taonga, New Zealand Police and the Palmerston North City Council must be contacted;
 - ~~(d)~~ Procedures for the custody of taonga (excluding kōiwi tangata) or material found at an archaeological site; and
 - ~~(b)(e)~~ activities that must be undertaken before construction activities in the vicinity of a discovery may recommence, including appropriate tikanga, recording, recovery of artifacts, and engagement.

Stormwater

Stormwater Management Report

- ~~33-37.~~ The Requiring Authority shall prepare and submit a Stormwater Management Report with the first outline plan to Palmerston North City Council containing details of the stormwater detention ponds.
- ~~34-38.~~ The Stormwater Management Report shall be prepared by a suitably qualified and experienced person.
- ~~35-39.~~ The purpose of the Stormwater Management Report is to confirm the design of the stormwater detention ponds is sufficient to mitigate the potential downstream flooding effects as a result of any increased stormwater runoff from the Freight Hub and/or the loss of flood plain storage as a result of the site formation.
- ~~36-40.~~ The Stormwater Management Report shall:
- (a) outline the results of hydraulic modelling of the Mangaone Stream Catchment as affected by the Freight Hub; and

- (b) confirm the appropriate size of the stormwater detention ponds.

Stormwater Management and Monitoring Plan

- ~~37.41.~~ ~~Prior to commencement of construction, the~~ The Requiring Authority shall prepare and implement a Stormwater Management and Monitoring Plan.
- ~~38.42.~~ The objective of the Stormwater Management and Monitoring Plan is to outline the design features for the effective operation of the stormwater system, and the methods for the monitoring and maintenance of the stormwater system.
- ~~39.43.~~ The Stormwater Management and Monitoring Plan shall be prepared by a suitably qualified and experienced person.
- ~~40.44.~~ The Stormwater Management and Monitoring Plan shall include:
- (a) design measures to assist with achieving hydraulic neutrality and methods to assist with stormwater treatment and contaminant removal utilising natural systems including retention areas, permeable surfaces, wetland/swales and appropriate vegetation;
 - (b) the methods that will be used for the operation and maintenance of the stormwater management system to ensure its successful long-term performance, including sediment removal, clearance of debris, replacement of vegetation, and training of operators; and
 - (c) details of the location and operation of any stormwater outlets from the site, including emergency spillway.

Level Crossing Safety Impact Assessment

- ~~41.45~~ At least 12 months prior to ~~submission of the first outline plan~~ construction commencing, the Requiring Authority shall commission Level Crossing Safety Impact Assessment(s) or update any existing assessment in relation to the impact of the Freight Hub on the following crossings for:
- (a) the Campbell Road/Kairanga Bunnythorpe Road level crossing; ~~and~~
 - (b) the Waughs Road/Campbell Road level crossing; ~~;~~
 - (c) pedestrian level crossings in the vicinity of Aorangi Marae and Taonui School;
and
 - (d) Campbell Road crossing south of Feilding.
- ~~42.46.~~ The Requiring Authority will engage with Palmerston North City Council and Manawatu District Council to determine how to appropriately allocate implementation responsibilities based on ~~in relation to~~ the recommendations in each Level Crossing Safety Impact Assessment and agree the allocation of responsibilities if any upgrade is required.

Road Network Integration Plan

- ~~43.47.~~ At least 12 months prior to ~~construction commencing~~submission of the first outline plan of works, the Requiring Authority shall prepare a Road Network Integration Plan.
- ~~44.48.~~ The objective of the Road Network Integration Plan is to ensure that the roading network for the Freight Hub is appropriately managed and safely and efficiently integrated with the wider transport network.
- ~~45.49.~~ The Requiring Authority shall consult and share information with Palmerston North City Council, Horizons Regional Council, Manawatu District Council and Waka Kotahi NZ Transport Agency in preparing the Road Network Integration Plan (and any updates).
- ~~46.50.~~ The Road Network Integration Plan shall include:
- (a) the timing for the closure of and/or the legal stopping of any relevant roads (or sections of roads, as the case may be), including Railway Road, Clevely Line, Te Ngaio Road and Roberts Line;
 - (b) the location, timing and design of any access to the Freight Hub;
 - (c) the timing and form of any changes and upgrades required to existing property accesses, intersections and roads required for ~~construction and~~ operation of the Freight Hub to be delivered by the Requiring Authority including:
 - i. changes as a result of the closure of Te Ngaio Road and existing Railway Road termination;
 - ii. a perimeter road along the western side of the Freight Hub between Maple Street and Roberts Line that includes a safe separated shared path;
 - iii. a new Intersection between Roberts Line and the perimeter road;
 - iv. extension of Richardsons Line north of the Roberts Line to a Freight Hub access;
 - v. two additional Freight Hub accesses via the perimeter road on the northern and western boundaries; and
 - vi. accesses to 422 and 422A Railway Road (the legal descriptions being SEC 1480 BLK VII KAIRANGA SD and LOT 1 DP 74613).
 - (d) the timing for the closure of any level crossings;
 - (e) the proposed speed limits for any new roads and changes to speed limits for existing roads;
 - (f) the location and timing and form of any changes and upgrades to pedestrian walkways, cycleways and public transport facilities, including ~~any new walkways, cycleways and public transport facilities, including~~ new or

relocated bus stops;

- (g) the location and timing of confirmed and funded upgrades or additions to the wider transport network and the identification of opportunities for that wider transport network to integrate with any roading upgrades and connections required for construction and operation of the Freight Hub; and
- (h) details of the feedback provided by Palmerston North City Council, ~~and~~ Horizons Regional Council, [Manawatu District Council](#) and Waka Kotahi NZ Transport Agency and how this has been incorporated into the Road Network Integration Plan, including any feedback regarding the location and timing of a ring road and/or any bypasses of Bunnythorpe, and how these connections integrate with the roading network required for the construction and operation of the Freight Hub; and
- (i) the timing of reviews and frequency of updates to the Road Network Integration Plan, based on the matters outlined.-

Roading connections and upgrades

51. Unless alternative access to the Freight Hub is provided that no longer requires the perimeter road (or a relevant part of it) to be constructed, the Requiring Authority shall construct the perimeter road (or relevant part) to connect to the adjacent road network and ensure the road (or relevant part) is fully operational prior to the closure of Railway Road.

52. Unless otherwise provided by other road controlling authorities, the upgrades listed in condition 50(c) shall be delivered by the Requiring Authority according to the timing outlined in the Road Network Integration Plan.

Landscape and Design Plan

47-53. ~~Prior to commencement of construction, the~~The Requiring Authority shall prepare and submit a Landscape and Design Plan with the first outline plan to Palmerston North City Council. ~~The Requiring Authority shall implement the Landscape and Design Plan.~~

48-54. The objective of the Landscape and Design Plan is to outline the landscape measures to be incorporated into the Freight Hub design, to manage potential adverse effects of the Freight Hub on landscape, visual amenity and natural character.

49-55. The Landscape and Design Plan shall be prepared by a suitably qualified and experienced person.

50-56. The Landscape and Design Plan shall include:

- (a) design principles and design outcomes that have informed the design of the Freight Hub and the extent to which those meet:
 - i. KiwiRail's operational requirements and any other plans required under the conditions of this Designation; and
 - i.ii. the extent to which the design of the Freight Hub aligns with the industrial and rural values highlighted in the North East Industrial Design Guide. Where a

different approach to the North East Industrial Design Guide is proposed, the Landscape and Design Plan shall outline the reasons for a departure from the approach and outline why the alternative approach is preferred.

- (b) the location and types of proposed landscape and visual amenity plantings (including plant size, numbers and spacing), including planting of stormwater detention ponds, stream and riparian margins, cut faces, fill batters, and show how these plantings and any other appropriate design measures (including but not limited to the final form, finish and articulation of the proposed buildings and batter heights and slopes):
- i. will integrate the built forms including roof lines and walls of the Freight Hub and the related earthworks into the surrounding environment;
 - ii. mitigate visual amenity effects in relation to residential properties;
 - iii. contribute to the open watercourse and stormwater ponds appearing as natural features and enhancing local biodiversity;
 - iv. comply with the Electricity (Hazards from Trees) Regulations 2003, including at full maturity; and
 - v. comply with any regional consents.
- (c) how the proposed planting would enhance ~~the~~ natural character, including - of the Mangaone Stream surrounds and restore indigenous biodiversity;
- ~~(d)~~ how sites of cultural and historical significance (if identified through any engagement undertaken in accordance with conditions 28 and 33) will be recognised;
- ~~(e)~~(e) how any roads and walkways within the designation extent integrate into the character of the surrounding area and connect to paths and cycleways outside the designation and include opportunities for outlook(s) over the Freight Hub;
- ~~(e)~~(f) the location of the proposed noise mitigation structures as outlined in the Operational Noise and Vibration Plan, and where required, the final form, finish, and planting of these structures (including vertical noise barriers and bunds) along Sangsters Road and Maple Street, including vertical noise barriers and bunds and associated planting with a minimum depth of 5 m on the external face; of the noise mitigation structures;
- ~~(g)~~ how the lighting effects on the landscape and visual amenity are minimised;
- ~~(f)~~(h) the proposed timing for establishing any landscape or visual amenity planting, including to maximise mitigation planting coverage prior to construction of the main buildings and/or operation of the Freight Hub where practicable; and
- ~~(g)~~(i) the process and programme for maintaining any landscape or visual amenity

planting [including plant and animal pest management](#).

Construction Management Plan

~~51-57.~~ ~~Prior to commencement of the construction, the~~[The](#) Requiring Authority shall prepare a Construction Management Plan, and implement the plan for the duration of construction.

~~52-58.~~ The objective of the Construction Management Plan is to outline measures for managing construction related effects.

~~53-59.~~ The Construction Management Plan shall include:

- (a) a construction programme, including any seasonal timings for works;
- (b) a detailed site layout;
- (c) the design and management specifications for all earthworks on-site, including disposal sites and their location;
- (d) ~~measures to be implemented to minimise dust from construction and related earthworks~~ [a construction dust management plan consistent with any required regional council consents](#);
- (e) [measures to ensure that enabling or construction works and structures are designed and undertaken to comply with the New Zealand Code of Practice for Electrical Safe Distances \(NZECP 34:2001\)](#);
- ~~(e)~~(f) the design of temporary lighting for enabling and construction works and construction support areas;
- ~~(f)~~(g) details on the timing of the installation of screening and planting and opportunities where this can be undertaken prior to works commencing;
- ~~(g)~~(h) the approach to the management of construction waste;
- ~~(h)~~(i) the accidental discovery protocol adopted by the Requiring Authority;
- ~~(i)~~(j) a description of training requirements for all site personnel (including employees, subcontractors and visitors) including details of briefings for employees and subcontractors about the accidental discovery protocol adopted by the Requiring Authority;
- ~~(j)~~(k) environmental incident and emergency management procedures; and
- (l) contact numbers for key construction staff, and staff responsible for any monitoring requirements.

Network utilities

~~60.~~ [Prior to any land disturbing works, the Requiring Authority shall:](#)

- (a) identify the location of existing overhead or underground network utilities (www.beforeudig.co.nz);
- (b) identify these utilities relevant in any construction plans and place appropriate physical indicators on the ground showing specific surveyed locations; and;
- (c) provide the information of the network utilities identified under Condition 60(a) and (b) to all construction personnel, including contractors.

Construction Traffic Management Plan

54-61. ~~Prior to the commencement of construction,~~ At least three months prior to construction commencing the Requiring Authority shall prepare a Construction Traffic Management Plan, and implement the plan for the duration of construction.

55-62. The objective of the Construction Traffic Management Plan is to outline the methods that will be undertaken to minimise adverse effects from construction traffic and construction works on property access, ~~traffic~~ road user safety and efficiency of traffic movements.

56-63. The Construction Traffic Management Plan shall be prepared by a suitably qualified and experienced person.

64. At least 20 working days prior to the Construction Traffic Management Plan being submitted to Palmerston North City Council for certification under condition 5, the Requiring Authority shall provide a draft of the Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, Manawatu District Council for feedback.

57-65. The Construction Traffic Management Plan shall:

- (a) identify the numbers, frequencies, and timing of traffic movements for each phase of the construction programme as developed under the Construction Management Plan, including any limitations on heavy vehicle movements through key areas (including local roads) during night and peak times, as required either in relation to traffic conditions or where required to mitigate potential noise and vibration effects;
- (b) identify safe site access routes, -site access arrangements, and access points for heavy vehicles involved in constructing -the Freight Hub in a manner consistent with Waka Kotahi NZ Transport Agency's Code of Practice for Temporary Traffic Management;
- (c) identify any upgrades that are needed to ensure safe site access routes and access points, including possible night-time movement of construction vehicles;
- ~~(e)~~(d) outline methods to manage local and network wide effects of the construction, including temporary traffic management measures, such as traffic detours (including for public transport, walking and cycling, and school bus routes, and infrastructure) and temporary speed limits;

- ~~(d)~~(e) provide details for measures to maintain safe pedestrian and cyclist access movements in the vicinity of the site, including measures to ensure that any shared paths being delivered by PNCC and Te Araroa Trail between Palmerston North and Feilding are available at all times (including any diversions) during construction of the Freight Hub;
 - ~~(e)~~(f) include the construction vehicle noise limits and any requirements for effective noise suppression;
 - ~~(g)~~ identify the properties affected and detail measures to provide vehicle access to private and adjacent properties on Roberts Line including -ensuring that access to the northern end of Richardsons Line at Roberts Line is able to be provided for heavy vehicles at all times;
 - ~~(f)~~(h) identify opportunities to use the rail network to minimise effects on the roading network where practicable;
 - ~~(g)~~(i) provide details for any new permanent accesses to be formed at the earliest practical opportunity to limit the adverse effects of construction and severance, including access to 422 and 422A Railway Road (-SEC 1480 BLK VII KAIRANGA SD and LOT 1 DP 74613);
 - ~~(h)~~(j) provide measures for the management of fine material loads (e.g. covers) and the timely removal of any material deposited or spilled on public roads;
~~and~~
 - ~~(i)~~ detail the process for and locations of construction traffic monitoring and the frequency and times of monitoring relevant to the stage of construction set out in the programme in the Construction Management Plan;
 - ~~(j)~~(k) provide a process for preparing a traffic management communications plan;
 - ~~(l)~~ identify any construction activity including roading works occurring along access routes identified in condition 65(b) and consider the cumulative effects of those activities if any;
 - ~~(m)~~ provide details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council and how it was incorporated;
 - ~~(n)~~ the details of a construction lighting management plan, to demonstrate how compliance with AS/NZS 4282:2019 Zone A2 Limits are achieved between 11:00pm and dawn, and any measures to address potential headlight sweep.
66. The Construction Traffic Management Plan shall be reviewed and updated as required by the key stages identified in the construction programme in condition 57.
67. The Requiring Authority shall provide any updated draft Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council for review and feedback.

Construction Noise and Vibration Management Plan

~~58-68.~~ ~~Prior to the commencement of construction, the~~The Requiring Authority shall prepare a Construction Noise and Vibration Management Plan, and implement the plan for the duration of construction.

~~59-69.~~ The ~~purpose-objective~~ of the Construction Noise and Vibration Management Plan is to demonstrate how compliance with Conditions 71 and 72 ~~the following~~ will be achieved for the duration of construction of the Freight Hub.

~~, where applicable to the relevant works:~~

~~(a) NZS 6803:1999 Acoustics – Construction Noise; or~~

~~(b) Waka Kotahi, State Highway Construction and Maintenance Noise and Vibration Guide, 2019.~~

~~60-70.~~ The Construction Noise and Vibration Management Plan shall be prepared by a suitably qualified and experienced person.

71. All construction works must be undertaken to ensure that, as far as practicable, construction noise does not exceed the limits in Table XX1. Construction Noise -levels. Levels must be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction noise as follows (at occupied dwellings).

Table 1 - Construction Noise -levels

<u>Time of Week</u>	<u>Time Period</u>	<u>L_{Aeq}</u>	<u>L_AF_{max}</u>
<u>Weekdays</u>	<u>0630 – 0730</u>	<u>55 dB</u>	<u>75 dB</u>
	<u>0730 – 1800</u>	<u>70 dB</u>	<u>85 dB</u>
	<u>1800 – 2000</u>	<u>65 dB</u>	<u>80 dB</u>
	<u>2000 – 0630</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Saturdays</u>	<u>0630 – 0730</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>0730 – 1800</u>	<u>70 dB</u>	<u>85 dB</u>
	<u>1800 – 2000</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>2000 – 0630</u>	<u>45 dB</u>	<u>75 dB</u>
<u>Sundays and Public</u>	<u>0630 – 0730</u>	<u>45 dB</u>	<u>75 dB</u>
	<u>0730 – 1800</u>	<u>55 dB</u>	<u>85 dB</u>
	<u>1800 – 2000</u>	<u>45 dB</u>	<u>75 dB</u>

Holidays	2000 – 0630	45 dB	75 dB
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N.B. Shading indicates *night-time* hours.

72. Construction vibration must, as far as practicable, comply with the criteria in Table 2 Vibration Criteria, where:

- (a) -Measurement is in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures;
- (b) BS 5228-2 is British Standard BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration.

Table 2: Vibration Criteria

<i>Receiver</i>	<i>Location</i>	<i>Details</i>	<i>Category A PPV</i>	<i>Category B PPV</i>
<i>Occupied dwellings and schools</i>	<i>Inside the building</i>	<i>2000 – 0630</i>	<i>0.3 mm/s</i>	<i>1 mm/s</i>
		<i>0630 – 2000</i>	<i>1 mm/s</i>	<i>5 mm/s</i>
<i>Other occupied buildings</i>	<i>Inside the building</i>	<i>0630 – 2000</i>	<i>2 mm/s</i>	<i>5 mm/s</i>
<i>Unoccupied buildings</i>	<i>Building foundation</i>	<i>Vibration transient</i>	<i>5 mm/s</i>	<i>BS 5228-2² Table B.2</i>
		<i>Vibration continuous</i>		<i>50% of BS 5228-2 Table B.2³</i>

~~61.~~73. The Construction Noise and Vibration Management Plan shall include:

- (a) the noise and vibration limits as set out in the conditions 71 and 72;
- (b) a description of the construction works and processes;
- (c) a description of anticipated equipment and any noise or vibration suppression devices;
- (d) the hours of operation, including times and days when activities causing noise and/or vibration would occur;
- (e) identification of affected dwellings and other noise sensitive activities and projected noise and vibration levels for those ~~dwellings-activities~~;
- (f) a description of alternative management strategies where compliance with the criteria

in Conditions 71 or 72-may not be achieved;

- ~~(f)~~(g) methods and frequency for monitoring and reporting on construction noise and vibration; ~~and~~
- ~~(h)~~ details of the procedures for notifying stakeholders of construction activities and handling noise and vibration complaints as set out in the Construction Engagement Plan and Complaints Register in conditions 23-29;
- ~~(g)~~(i) construction equipment operator training procedures and expected construction site behaviours; and-
- ~~(j)~~ contact numbers for key construction staff, staff responsible for noise assessment and the council compliance officer.

Water supply

~~74.~~ All new buildings within the Freight Hub shall be serviced with adequate water supply and access to that supply for firefighting purposes in accordance with the New Zealand Fire Service Firefighting Code of Practice SNZ PAS 4509:2008.

Operational Lighting Design Plan

~~62-75.~~ Prior to the commencement of construction of the Freight Hub, theThe Requiring Authority shall prepare and implement an ~~Lighting~~Operational Lighting Design Plan.

~~63-76.~~ The objective of the Operational- Lighting Design Plan is to demonstrate how the lighting for the outdoor operational areas, internal access roads, and carparks of the Freight Hub will be designed to manage glare and light spill from the operation of the Freight Hub, -and demonstrate compliance with:

- ~~(a)~~ AS/NZS 4284:2019 – Control of the obtrusive effects of outdoor lighting, Zone A2 limits;
- ~~(b)~~ Sky glow caused by artificial lighting shall have a Sky Glow Upward Light Ratio of no greater than 0.01, calculated in accordance with AS/NZS4282:2019; and
- ~~(a)~~(c) Glare to the Palmerston North Airport Control Tower resulting from light emitted (including artificial light and glare from buildings and structures) from the Freight Hub must meet the AS/NZS4282:2019 limits for Zone A2, and to comply with R12A.4(f) of the District Plan.

~~64-77.~~ The Operational Lighting Design Plan shall include:

- (a) the lighting standards to be complied with;
- (b) the projected light spill ~~and~~ glare calculations; ~~and~~
- (c) the proposed locations and design for lighting structures, including any measures to reduce potential adverse visual amenity effects including minimising where practicable, the number of lighting poles and the height of lighting towers; ~~-~~

(d) Confirmation that a Civil Aviation Authority NZ Part 77 Determination has been obtained if required;- and

(e) identification of potential areas where -headlight sweep onto the windows of a residential dwelling's bedroom is likely to occur because of night-time traffic movements within the site and when exiting the site. If so, provide details for measures to mitigate its effects.

Operational Traffic Management Plan

65-78. The Requiring Authority shall prepare and implement an Operational Traffic Management Plan.

66-79. The objective of the Operational Traffic Management Plan is to manage the traffic generated by the operational activities of the Freight Hub over time and outline the methods that will be undertaken to manage any identified adverse transport effects ~~from operational activities of the Freight Hub.~~

80. At least 20 working days prior to the Operational Traffic Management Plan being submitted to Palmerston North City Council for certification under condition 5, the Requiring Authority shall provide a draft of the Operational Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council for feedback.

67-81. The Operational Traffic Management Plan shall include:

(a) details about the process for and frequency of operational traffic monitoring including when the monitoring commences, the location of monitoring points and the period of traffic count collection;

~~(a)~~(b) a description of the ~~expected~~-actual and forecasted traffic generation ~~at each of the Freight Hub's access points~~, including light and heavy vehicles, ~~for as a result of planned~~ activities within the Freight Hub;

~~(b)~~(c) the method for assessing the performance of each of the Freight Hub's access points ~~accesses to the Freight Hub, both in terms of including road~~ safety audits and modelling of intersection performance ~~traffic efficiency~~;

~~(c)~~(d) the form and timing of safety and road upgrades relevant to the Freight Hub's access points, including:

(i) ~~to~~ the section of Roberts Line between Railway Road and Richardsons Line, including ~~in respect of~~ established accesses and intersections; ~~and~~

(ii) ~~a description of any~~ other roading connections relevant to the access or operation of the Freight Hub detailed in the Road Network Integration Plan; and.

(e) details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, and Manawatu District Council and how it has been incorporated.

6882. The Requiring Authority shall review and update the Operational Traffic Management Plan:

- (a) with each relevant outline plan of works for buildings and development of the Freight Hub ~~where relevant~~ taking into account the outcomes of any monitoring and audits undertaken pursuant to condition 81;
- (b) when vehicle movements associated with the Freight Hub exceed 4200 vehicles per day; and
- (c) when vehicle movements associated with the Freight Hub exceed 8000 vehicles per day.

83. The Requiring Authority shall advise Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council on the outcomes of any review undertaken in accordance with condition 83 and provide any updated draft Operational Traffic Management Plan to those parties for review and feedback.

84. The Requiring Authority is not required to review and update the Operational Traffic Management Plan under 74(b) or 74(c) within 12 months of the previous review and update of the Operational Traffic Management Plan.

Operational Noise and Vibration

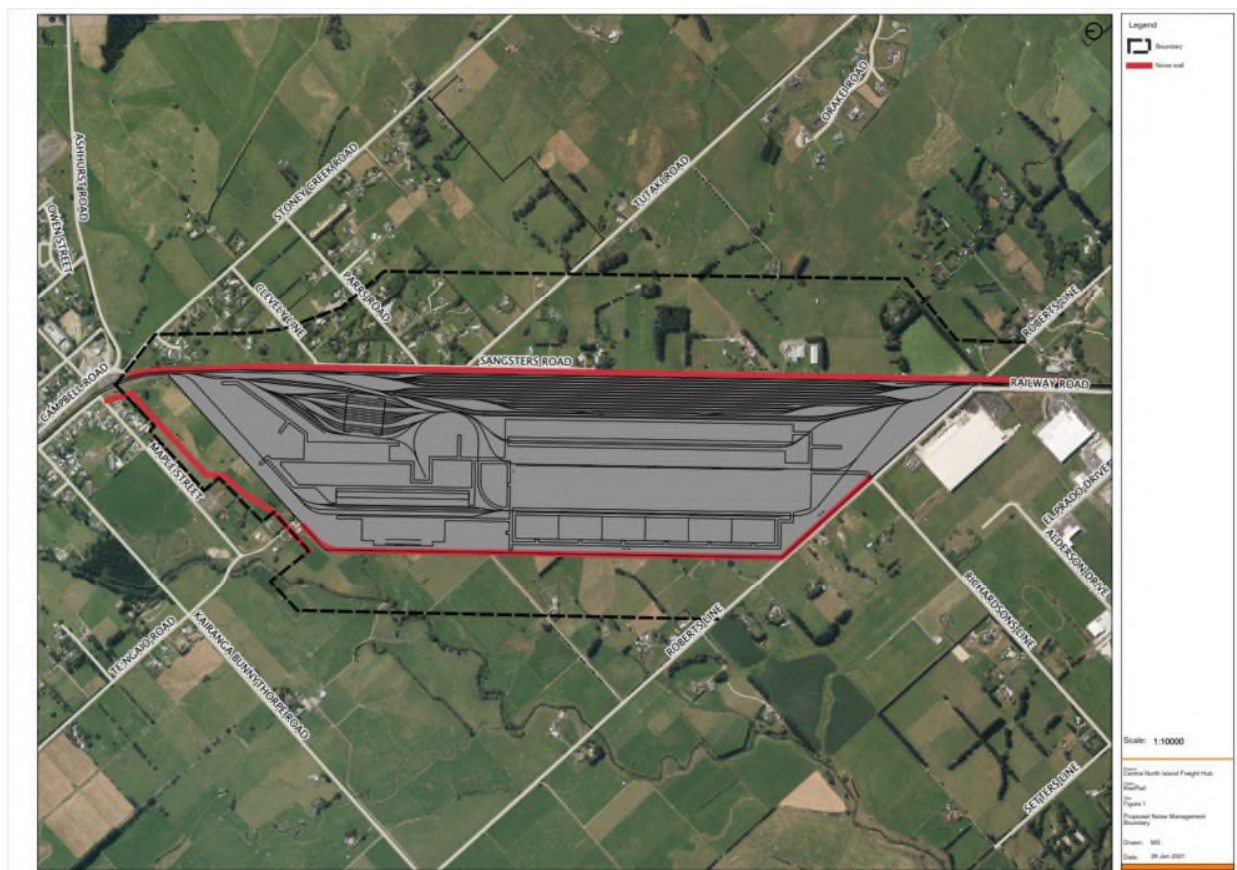
85. All operational activities on the Freight Hub must be undertaken to ensure that noise does not exceed the limits in Table 3 when measured at or beyond the Noise Management Boundary shown in Figure 1 as far as practicable.

- (a) Sound levels must be measured in accordance with NZS 6801:2008 Acoustics – Measurement of environmental sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise except that no corrections shall be made for duration (6.4) and corrections for Noise Characteristics shall only be made using objective methods.
- (b) This does not apply to traffic on the perimeter road, or rail traffic on the North Island Mail Trunk Line.

Table 3

<u>All times</u>	<u>55cB L_{Aeq} (1hr)</u>
<u>10pm-7am</u>	<u>85 dBL_{Amax}</u>

Figure 1 Noise Management Boundary



86. [All operational activities in the Freight Hub \(excluding the NIMT\) must be undertaken to ensure that vibration at any dwelling existing as at 23 October 2020 outside the Freight Hub does not exceed 0.3 mm/s vw,95 as far as practicable.](#)

69-87. The Requiring Authority shall prepare and implement an Operational Noise and Vibration Management Plan.

70-88. The objective of the Operational Noise and Vibration Management Plan is to detail ~~mitigation and ongoing~~ measures to control noise and vibration effects from the operation of the Freight Hub.

71-89. The Operational Noise and Vibration Management Plan shall be prepared by a suitably qualified and experienced person.

72-90. The Operational Noise and Vibration Management Plan shall outline:

(a) the noise and vibration limits for both day and night time activities within the Freight Hub must operate [as set out in Table 3 and Condition 85](#);

(b) [an operational noise contour map](#);

~~(b)(c)~~ the details ~~and location~~ of any noise mitigation ~~structures~~ required to manage the noise effects including:

- (i) a continuous barrier, including bunds and/or natural elevation on the eastern boundary of the designation extent to 5 metres above the finished ground level of the Freight Hub; ~~and~~
- (ii) a barrier 3 metres above finished ground level of the Freight Hub on the northern boundary of the designation extent; ~~and~~

(ii) a barrier 3 metres above finished ground level on the western boundary of the Freight Hub if dwellings are still within 500m of the Freight Hub when operation commences; and

~~(ii)~~(iii) an asphaltic mix road surface on the Perimeter Road.

~~(e)~~(d) the outcome of investigations undertaken for dwellings existing as at ~~[23 October 2020]~~ that are predicted to be subject to exceedance of Category A noise criteria contained at Table 5 of Technical Report D – Acoustic Assessment;

~~(d)~~(e) the acoustic treatment that is necessary to achieve acceptable internal noise levels of 35 dB LAeq(1h) in bedrooms and 40 dB LAeq(1h) in other habitable spaces of dwellings as at [23 October 2020];

~~(e)~~(f) the process for undertaking modelling and monitoring of operational noise and vibration;

~~(f)~~(g) the location of permanent noise monitors which shall include one in the northern area and one in the eastern area of the Freight Hub; and

~~(g)~~(h) site noise management measures including operation of machinery and equipment in a manner to avoid unreasonable noise.

73-91. The Requiring Authority shall make the current version of the Operational Noise and Vibration Management Plan publicly available.

74-92. The Requiring Authority shall review and update (including with any additional noise modelling as required) the Operational Noise and Vibration Management Plan:

- (a) annually; and
- (b) prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the noise and vibration levels generated from the Freight Hub.

Operational Dust Management

75-93. The Requiring Authority shall prepare and implement an Operational Dust Management Plan.

76-94. The objective of the Operational Dust Management Plan is to detail the mitigation and ongoing measures to control dust effects from the operation of the Freight Hub.

77-95. The Operational Dust Management Plan shall be prepared by a suitably qualified and experienced person.

78-96. The Operational Dust Management Plan shall outline:

- (a) The details and location of dust generating activities on the site;
- (b) A description of any sensitive receptor locations;
- (c) A qualitative assessment of the risk of impacts of dust generation from dust generating activities, including the typical frequency and duration of exposure to dust for each activity;
- (d) A description of the intensity and character (including offensiveness) of each type of dust discharge;
- (e) The mitigation and management practices to minimise dust emissions;
- (f) The process for monitoring dust generation and dust generating activities;
- (g) The roles and responsibilities of staff in relation to the Operational Dust Management Plan; and
- (h) The training required for staff to implement the Operational Dust Management Plan.

79-97. The Requiring Authority shall make the Operational Dust Management Plan publicly available.

80-98. The Requiring Authority shall review and update the Operational Dust Management Plan:

- (a) annually; and
- (b) prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the dust generated from the Freight Hub.

99. At least three months prior to operation of the marshalling yards commencing, the Requiring Authority shall:

- (a) identify dwellings within 100m of the Freight Hub's marshalling yards and existing as at 23 October 2020 that have roof top rain water supply systems;
- (b) undertake investigations of the household water supply at each of the affected dwellings identified in condition 98(a) and identify any mitigation measures required to manage potential dust effects, including:
 - (i) the installation of a first-flush rainwater diversion systems at residences that rely on rainwater collection; or
 - (ii) the supply by bulk tanker of potable water to residents' tank storage systems; or
 - (iii) connection to a domestic water supply reticulation system.

Third Party restrictions

100. The Requiring Authority shall enable access for maintenance utility works undertaken in road corridors in accordance with the National Code of Practice for Utility Operators Access to Transport Corridors (September 2016) or any approved update to the Code.

Post-completion

Post-completion review of designation extent and conditions

~~81-~~101. As soon as practicable following completion of construction of the Freight Hub, the Requiring Authority shall:

- (a) review the designation extent;
- (b) identify areas of designated land that the Requiring Authority considers are no longer necessary for the ongoing operation, maintenance or for ongoing measures to mitigate adverse effects of the Freight Hub; and
- (c) notify the Council under section 182 of the RMA to remove those parts of the designation.

~~82-~~102. Once construction of the Freight Hub is complete, the following construction conditions will no longer apply and can be removed as part of any subsequent District Plan review:

- (a) conditions ~~19-23~~ – ~~251~~; and
- (b) conditions ~~571-6173~~.

Advice note: This condition does not prevent works required for the ongoing operation or maintenance of the Freight Hub from being undertaken

Appendix 1

General Conditions

1. Except as modified by the conditions below and subject to final design and accompanying outline plan(s), the works authorised by this Designation shall be undertaken generally in accordance with the following information provided by the Requiring Authority in the Notice of Requirement for the Freight Hub dated 23 October 2020 and the further information provided by the Requiring Authority dated 15 February 2021, 24 May 2021 and 28 May 2021, and the following:
 - (a) Concept Plan (Figure 124) dated 12 February 2021, prepared by Stantec.
 - (b) Draft indicative Landscape plan dated 6 July 2021 prepared by Isthmus Group (rev B).
2. Where there is any inconsistency between the Notice of Requirement documentation listed above and the designation conditions, the designation conditions shall prevail.
3. Any reference in these conditions to a Standard includes any future amendments or replacements of that standard.

Lapse Period

4. The designation shall lapse if not given effect to within 15 years from the date on which it is included in the District Plan.

Management Plans

5. At least 20 working days prior to construction commencing or unless otherwise specified in the conditions below, the management plan(s) specified below shall be submitted to Palmerston North City Council for certification that the management plan(s) meets the objective specified.
6. All works shall be carried out in accordance with the applicable management plan(s) and other plans required by these conditions.

Outline Plan(s)

7. An outline plan or plans shall be prepared and submitted to the Council in accordance with section 176A of the RMA.
8. The outline plan(s) may be submitted for the entire Freight Hub or for one or more stages, aspects, sections, or locations of works.
9. The outline plan(s) shall include any relevant plan for the particular design or construction or operational matters being addressed in the outline plan and any updates of any plans. The following must be included in an outline plan or plans (as relevant to the particular design or construction matters being addressed):
 - (a) Construction Management Plan

- (b) Construction Traffic Management Plan
 - (c) Construction Noise and Vibration Management Plan
 - (d) Landscape and Design Plan
 - (e) Construction Engagement Plan
 - (f) Stormwater Management Plan
 - (g) Stormwater Monitoring and Maintenance Plan
 - (h) Road Network Integration Plan
 - (i) Operational Noise and Vibration Management Plan
 - (j) Operational Traffic Management Plan
 - (k) Operational Lighting Design Plan
 - (l) Operational Dust Management Plan
10. The documents and plans referred to in condition 9 above may be amended to provide updated information or reflect changes in design, construction methods or the management of effects without the need for a further outline plan where:
- (a) amendment proposed is provided in writing to the Palmerston North City Council; and
 - (b) amendment is in general accordance with the original document or plan, or the amendment is to give effect to an amendment required under another statutory approval.

Communication and Engagement

Community Liaison Forum

- 11. At least 12 months prior to construction the Requiring Authority shall establish a Community Liaison Forum.
- 12. The Requiring Authority shall maintain the Community Liaison Forum until at least 6 months after practical completion of construction of all main components of the Freight Hub.
- 13. The purpose of the Community Liaison Forum is to provide an interactive forum through which the Requiring Authority can provide information to and receive feedback from the community on any matters relating to the construction and operation of the Freight Hub, including updates on material changes in design or activity.
- 14. The Community Liaison Forum shall be open to mana whenua and all interested residents and organisations within the vicinity of the Site.
- 15. The Requiring Authority shall develop and implement:

- (a) a process for identifying particular parties that may be interested in the Community Liaison Forum, including:
 - (i) Bunnythorpe School and any childcare facilities;
 - (ii) Community groups (including Bunnythorpe Community Centre, faith-based groups and residents organisations);
 - (iii) Businesses (including in Bunnythorpe village and NEIZ);
 - (iv) cycling and walking groups (including Te Araroa Manawatū Trust); and
 - (b) the methods of communication with those who want to be informed and/or participate in the Community Liaison Forum.
16. The Requiring Authority shall determine the frequency of updates to the community through the forum, which shall be at least every six months during construction and 12 months during operation.
17. The Requiring Authority shall ensure that the forum provides opportunities for the community to provide feedback, including feedback on draft plans and updates of any plans prepared in accordance with the conditions of this Notice of Requirement with the Requiring Authority recording any feedback provided and how it has been considered.

Community Liaison Person

18. Within 12 months of the [date the NoR is confirmed] the Requiring Authority shall appoint a Community Liaison Person.
19. The Community Liaison Person role shall be in place until at least 6 months after practical completion of all main components of the Freight Hub.
20. The role of the Community Liaison Person is to provide a point of contact for the community on behalf of the Requiring Authority for all enquiries relating to the Freight Hub, including land acquisition, construction or operational matters.
21. The Community Liaison Person will be responsible for administering the Community Liaison Forum, once established in accordance with condition 11.
22. The Requiring Authority shall make the contact details of the Community Liaison Person available to the community.

Construction Engagement Plan

23. The Requiring Authority shall prepare a Construction Engagement Plan and implement the plan for the duration of construction.
24. The objective of the Construction Engagement Plan shall be to outline a process to ensure that the community is provided with construction information during construction of the Freight Hub.
25. The Construction Engagement Plan shall include:

- (a) Contact details of the Community Liaison Person appointed pursuant to condition 18.
- (b) A process for identifying the parties that will be communicated with, and the methods of communication.
- (c) Information on and the methods for communicating the following:
 - (i) likely construction works and programme;
 - (ii) hours of construction where these are outside of normal working hours or on weekends or public holidays, including night-time heavy vehicle movements;
 - (iii) routes for construction vehicles, including vehicle movements and types (ie light or heavy vehicles);
 - (iv) any temporary traffic management measures, including changes to pedestrian and cycling routes, public transport and school bus routes and the reinstatement of those routes;
 - (v) progress of any construction works against key project milestones and completion dates; and
 - (vi) the Construction Traffic Management Plan developed pursuant to condition 57.

Complaints Register

- 26. Within 12 months of [**date the NoR is confirmed**] the Requiring Authority shall establish a register of any complaints received and action undertaken by the Requiring Authority in response to the complaint, and maintain the register until completion of construction of the Freight Hub .
- 27. The complaints register must include:
 - (a) the name and contact details of the complainant;
 - (b) the nature and details of the complaint; and
 - (c) measures taken by the Requiring Authority to respond to the complaint or where any measures have not been taken, the reasons why.
- 28. The complaints register shall be made available to Palmerston North City Council upon request.
- 29. The Requiring Authority shall provide regular updates to the community through the Community Liaison Forum on complaints received and any measures to address any complaints identified.

Mana Whenua

Mana Whenua Values

- 30. The Requiring Authority shall prepare a Mana Whenua Engagement Framework.

31. The objective of the Mana Whenua Engagement Framework is to recognize and provide for mana whenua values in the area affected by the Freight Hub, to develop mechanisms to avoid or mitigate effects on mana whenua values through the implementation of agreed monitoring and mitigation measures and provide opportunities for expression of those values through design.
32. The Requiring Authority shall engage with mana whenua to develop the contents of the Mana Whenua Engagement Framework, which may include:
 - (a) roles and responsibilities of mana whenua, including in relation to design and development of the Freight Hub;
 - (b) involvement in preparation of management plans;
 - (c) monitoring activities to be undertaken;
 - (d) involvement in developing and partaking in accidental discovery protocols;
 - (e) site dedication protocols; and
 - (f) opportunities for the expression of mana whenua values in the design and development of the Freight Hub.

Contamination

33. The Requiring Authority shall undertake a detailed site investigation in accordance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("**NES-CS**") and obtain any resource consents required under the NES-CS.
34. The Requiring Authority shall ensure that any contaminated soil identified from the detailed site investigation is managed in accordance with the requirements of the NES-CS, and where appropriate prepare a Contaminated Site Management Plan.

Archaeology

35. The Requiring Authority shall ensure that where any land disturbing works occur in an area of the Designation which is not subject to an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014, an accidental discovery protocol is in place.
36. The accidental discovery protocol shall be prepared in collaboration with mana whenua and in consultation with Heritage New Zealand Pouhere Taonga, and shall include:
 - (a) details of contractor training regarding the skills necessary to be aware of the possible presence of cultural or archaeological sites or material;
 - (b) general procedures following the accidental discovery of possible archaeological sites, kōiwi tangata, wahi tapu or wahi taonga, including the requirement to immediately cease enabling or construction works in the vicinity of the discovery and the requirement to notify parties including, but not limited to, Heritage New Zealand Pouhere Taonga;

- (c) in the event that kōiwi tangata or taonga are discovered, work must cease immediately in the vicinity of the remains and mana whenua, Heritage New Zealand Pouhere Taonga, New Zealand Police and Palmerston North City Council must be contacted;
- (d) procedures for the custody of taonga (excluding kōiwi tangata) or material found at an archaeological site; and
- (e) activities that must be undertaken before construction activities in the vicinity of a discovery may recommence, including appropriate tikanga, recording, recovery of artifacts, and engagement.

Stormwater

Stormwater Management Report

- 37. The Requiring Authority shall prepare and submit a Stormwater Management Report with the first outline plan to Palmerston North City Council containing details of the stormwater detention ponds.
- 38. The Stormwater Management Report shall be prepared by a suitably qualified and experienced person.
- 39. The purpose of the Stormwater Management Report is to confirm the design of the stormwater detention ponds is sufficient to mitigate the potential downstream flooding effects as a result of any increased stormwater runoff from the Freight Hub and/or the loss of flood plain storage as a result of the site formation.
- 40. The Stormwater Management Report shall:
 - (a) outline the results of hydraulic modelling of the Mangaone Stream Catchment as affected by the Freight Hub; and
 - (b) confirm the appropriate size of the stormwater detention ponds.

Stormwater Management and Monitoring Plan

- 41. The Requiring Authority shall prepare and implement a Stormwater Management and Monitoring Plan.
- 42. The objective of the Stormwater Management and Monitoring Plan is to outline the design features for the effective operation of the stormwater system, and the methods for the monitoring and maintenance of the stormwater system.
- 43. The Stormwater Management and Monitoring Plan shall be prepared by a suitably qualified and experienced person.
- 44. The Stormwater Management and Monitoring Plan shall include:
 - (a) design measures to assist with achieving hydraulic neutrality and methods to assist with stormwater treatment and contaminant removal utilising natural

systems including retention areas, permeable surfaces, wetland/swales and appropriate vegetation;

- (b) the methods that will be used for the operation and maintenance of the stormwater management system to ensure its successful long-term performance, including sediment removal, clearance of debris, replacement of vegetation, and training of operators; and
- (c) details of the location and operation of any stormwater outlets from the site, including emergency spillway.

Level Crossing Safety Impact Assessment

45. At least 12 months prior to submission of the first outline plan, the Requiring Authority shall commission Level Crossing Safety Impact Assessment(s) or update any existing assessment in relation to the impact of the Freight Hub on the following crossings:

- (a) the Campbell Road/Kairanga Bunnythorpe Road level crossing;
- (b) the Waughs Road/Campbell Road level crossing;
- (c) pedestrian level crossings in the vicinity of Aorangi Marae and Taonui School; and
- (d) Campbell Road crossing south of Feilding.

46. The Requiring Authority will engage with Palmerston North City Council and Manawatu District Council to determine how to appropriately allocate implementation responsibilities based on the recommendations in each Level Crossing Safety Impact Assessment and agree the allocation of responsibilities if any upgrade is required.

Road Network Integration Plan

47. At least 12 months prior to submission of the first outline plan of works, the Requiring Authority shall prepare a Road Network Integration Plan.

48. The objective of the Road Network Integration Plan is to ensure that the roading network for the Freight Hub is appropriately managed and safely and efficiently integrated with the wider transport network.

49. The Requiring Authority shall consult and share information with Palmerston North City Council, Horizons Regional Council, Manawatu District Council and Waka Kotahi NZ Transport Agency in preparing the Road Network Integration Plan (and any updates).

50. The Road Network Integration Plan shall include:

- (a) the timing for the closure of and/or the legal stopping of any relevant roads (or sections of roads, as the case may be), including Railway Road, Clevely Line, Te Ngaio Road and Roberts Line;
- (b) the location, timing and design of any access to the Freight Hub;

- (c) the timing and form of any changes and upgrades required to existing property accesses, intersections and roads required for construction and operation of the Freight Hub to be delivered by the Requiring Authority including:
 - i. changes as a result of the closure of Te Ngaio Road and existing Railway Road termination;
 - ii. a perimeter road along the western side of the Freight Hub between Maple Street and Roberts Line that includes a safe separated shared path;
 - iii. a new Intersection between Roberts Line and the perimeter road;
 - iv. extension of Richardsons Line north of the Roberts Line to a Freight Hub access;
 - v. two additional Freight Hub accesses via the perimeter road on the northern and western boundaries; and
 - vi. accesses to 422 and 422A Railway Road (the legal descriptions being SEC 1480 BLK VII KAIRANGA SD and LOT 1 DP 74613).
- (d) the timing for the closure of any level crossings;
- (e) the proposed speed limits for any new roads and changes to speed limits for existing roads;
- (f) the location and timing and form of any changes and upgrades to pedestrian walkways, cycleways and public transport facilities, including new or relocated bus stops;
- (g) the location and timing of confirmed and funded upgrades or additions to the wider transport network and the identification of opportunities for that wider transport network to integrate with any roading upgrades and connections required for construction and operation of the Freight Hub; and
- (h) details of the feedback provided by Palmerston North City Council, Horizons Regional Council, Manawatu District Council and Waka Kotahi NZ Transport Agency and how this has been incorporated into the Road Network Integration Plan, including any feedback regarding the location and timing of a ring road and/or any bypasses of Bunnythorpe, and how these connections integrate with the roading network required for the construction and operation of the Freight Hub; and
- (i) the timing of reviews and frequency of updates to the Road Network Integration Plan, based on the matters outlined.

Roading connections and upgrades

51. Unless alternative access to the Freight Hub is provided that no longer requires the perimeter road (or a relevant part of it) to be constructed, the Requiring Authority shall construct the perimeter road (or relevant part) to connect to the adjacent road network and ensure the road (or relevant part) is fully operational prior to the closure of Railway Road.
52. Unless otherwise provided by other road controlling authorities, the upgrades listed in condition 50(c) shall be delivered by the Requiring Authority according to the timing outlined in the Road Network Integration Plan.

Landscape and Design Plan

53. The Requiring Authority shall prepare and submit a Landscape and Design Plan with the first outline plan to Palmerston North City Council. The Requiring Authority shall implement the Landscape and Design Plan.
54. The objective of the Landscape and Design Plan is to outline the measures to be incorporated into the Freight Hub design, to manage potential adverse effects of the Freight Hub on landscape, visual amenity and natural character.
55. The Landscape and Design Plan shall be prepared by a suitably qualified and experienced person.
56. The Landscape and Design Plan shall include:
 - (a) design principles and design outcomes that have informed the design of the Freight Hub and the extent to which those meet:
 - i. KiwiRail's operational requirements and any other plans required under the conditions of this Designation; and
 - ii. the North East Industrial Design Guide. Where a different approach to the North East Industrial Design Guide is proposed, the Landscape and Design Plan shall outline the reasons for a departure from the approach and outline why the alternative approach is preferred.
 - (b) the location and types of proposed landscape and visual amenity plantings (including plant size, numbers and spacing), including planting of stormwater detention ponds, stream and riparian margins, cut faces, fill batters, and show how these plantings and any other appropriate design measures (including but not limited to the final form, finish and articulation of the proposed buildings and batter heights and slopes):
 - i. integrate the built forms including roof lines and walls of the Freight Hub and the related earthworks into the surrounding environment;
 - ii. mitigate visual amenity effects in relation to residential properties;
 - iii. contribute to the open watercourse and stormwater ponds appearing as natural features and enhancing local biodiversity;

- iv. comply with the Electricity (Hazards from Trees) Regulations 2003, including at full maturity; and
 - v. comply with any regional consents.
- (c) how the proposed planting would enhance natural character, including the Mangaone Stream surrounds and restore indigenous biodiversity;
 - (d) how sites of cultural and historical significance (if identified through any engagement undertaken in accordance with conditions 28 and 33) will be recognised;
 - (e) how any roads and walkways within the designation extent integrate into the character of the surrounding area and connect to paths and cycleways outside the designation and include opportunities for outlook(s) over the Freight Hub;
 - (f) the location of the proposed noise mitigation structures as outlined in the Operational Noise and Vibration Plan, and where required, the final form, finish, and planting of these structures (including vertical noise barriers and bunds) along Sangsters Road and Maple Street, including vertical noise barriers and bunds and associated planting with a minimum depth of 5 m on the external face of the noise mitigation structures;
 - (g) how the lighting effects on the landscape and visual amenity are minimised;
 - (h) the proposed timing for establishing any landscape or visual amenity planting, including to maximise mitigation planting coverage prior to construction of the main buildings and/or operation of the Freight Hub where practicable; and
 - (i) the process and programme for maintaining any landscape or visual amenity planting including plant and animal pest management.

Construction Management Plan

- 57. The Requiring Authority shall prepare a Construction Management Plan and implement the plan for the duration of construction.
- 58. The objective of the Construction Management Plan is to outline measures for managing construction related effects.
- 59. The Construction Management Plan shall include:
 - (a) a construction programme, including any seasonal timings for works;
 - (b) a detailed site layout;
 - (c) the design and management specifications for all earthworks on-site, including disposal sites and their location;

- (d) a construction dust management plan consistent with any required regional council consents;
- (e) measures to ensure that enabling or construction works and structures are designed and undertaken to comply with the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001);
- (f) the design of temporary lighting for enabling and construction works and construction support areas;
- (g) details on the timing of the installation of screening and planting and opportunities where this can be undertaken prior to works commencing;
- (h) the approach to the management of construction waste;
- (i) the accidental discovery protocol adopted by the Requiring Authority;
- (j) a description of training requirements for all site personnel (including employees, subcontractors and visitors) including details of briefings for employees and subcontractors about the accidental discovery protocol adopted by the Requiring Authority;
- (k) environmental incident and emergency management procedures; and
- (l) contact numbers for key construction staff, and staff responsible for any monitoring requirements.

Network utilities

60. Prior to any land disturbing works, the Requiring Authority shall:
- (a) identify the location of existing overhead or underground network utilities (www.beforeudig.co.nz);
 - (b) identify these utilities relevant in any construction plans and place appropriate physical indicators on the ground showing specific surveyed locations; and
 - (c) provide the information of the network utilities identified under Condition 60(a) and (b) to all construction personnel, including contractors.

Construction Traffic Management Plan

61. At least three months prior to construction commencing the Requiring Authority shall prepare a Construction Traffic Management Plan, and implement the plan for the duration of construction.
62. The objective of the Construction Traffic Management Plan is to outline the methods that will be undertaken to minimise adverse effects from construction traffic and construction works on property access, road user safety and efficiency of traffic movements.
63. The Construction Traffic Management Plan shall be prepared by a suitably qualified and

experienced person.

64. At least 20 working days prior to the Construction Traffic Management Plan being submitted to Palmerston North City Council for certification under condition 5, the Requiring Authority shall provide a draft of the Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, Manawatu District Council for feedback.
65. The Construction Traffic Management Plan shall:
- (a) identify the numbers, frequencies, and timing of traffic movements for each phase of the construction programme as developed under the Construction Management Plan, including any limitations on heavy vehicle movements through key areas (including local roads) during night and peak times, as required either in relation to traffic conditions or where required to mitigate potential noise and vibration effects;
 - (b) identify safe site access routes, site access arrangements, and access points for heavy vehicles involved in constructing the Freight Hub in a manner consistent with Waka Kotahi NZ Transport Agency's Code of Practice for Temporary Traffic Management;
 - (c) identify any upgrades that are needed to ensure safe site access routes and access points, including possible night-time movement of construction vehicles;
 - (d) outline methods to manage local and network wide effects of the construction, including temporary traffic management measures, such as traffic detours (including for public transport, walking and cycling, school bus routes, and infrastructure) and temporary speed limits;
 - (e) provide details for measures to maintain safe pedestrian and cyclist access movements in the vicinity of the site, including measures to ensure that any shared paths being delivered by PNCC and Te Araroa Trail between Palmerston North and Feilding are available at all times (including any diversions) during construction of the Freight Hub;
 - (f) include the construction vehicle noise limits and any requirements for effective noise suppression;
 - (g) identify the properties affected and detail measures to provide vehicle access to private and adjacent properties on Roberts Line including ensuring that access to the northern end of Richardsons Line at Roberts Line is able to be provided for heavy vehicles at all times;
 - (h) identify opportunities to use the rail network to minimise effects on the roading network where practicable;
 - (i) provide details for any new permanent accesses to be formed at the earliest practical opportunity to limit the adverse effects of construction and severance, including access to 422 and 422A Railway Road (SEC 1480 BLK

VII KAIRANGA SD and LOT 1 DP 74613);

- (j) provide measures for the management of fine material loads (e.g. covers) and the timely removal of any material deposited or spilled on public roads;
 - (j) detail the process for and locations of construction traffic monitoring and the frequency and times of monitoring relevant to the stage of construction set out in the programme in the Construction Management Plan;
 - (k) provide a process for preparing a traffic management communications plan;
 - (l) identify any construction activity including roading works occurring along access routes identified in condition 65(b) and consider the cumulative effects of those activities if any;
 - (m) provide details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council and how it was incorporated;
 - (n) the details of a construction lighting management plan, to demonstrate how compliance with AS/NZS 4282:2019 Zone A2 Limits are achieved between 11:00pm and dawn, and any measures to address potential headlight sweep.
66. The Construction Traffic Management Plan shall be reviewed and updated as required by the key stages identified in the construction programme in condition 57.
67. The Requiring Authority shall provide any updated draft Construction Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council for review and feedback.

Construction Noise and Vibration Management Plan

68. The Requiring Authority shall prepare a Construction Noise and Vibration Management Plan and implement the plan for the duration of construction.
69. The objective of the Construction Noise and Vibration Management Plan is to demonstrate how compliance with Conditions 71 and 72 will be achieved for the duration of construction of the Freight Hub.
70. The Construction Noise and Vibration Management Plan shall be prepared by a suitably qualified and experienced person.
71. All construction works must be undertaken to ensure that, as far as practicable, construction noise does not exceed the limits in Table 1. Construction Noise levels. Levels must be measured and assessed in accordance with NZS 6803:1999 Acoustics – Construction noise as follows (at occupied dwellings).

Table 1 - Construction Noise levels

Time of Week	Time Period	L _{Aeq}	L _{Afmax}
Weekdays	0630 – 0730	55 dB	75 dB
	0730 – 1800	70 dB	85 dB
	1800 – 2000	65 dB	80 dB
	2000 – 0630	45 dB	75 dB
Saturdays	0630 – 0730	45 dB	75 dB
	0730 – 1800	70 dB	85 dB
	1800 – 2000	45 dB	75 dB
	2000 – 0630	45 dB	75 dB
Sundays and Public Holidays	0630 – 0730	45 dB	75 dB
	0730 – 1800	55 dB	85 dB
	1800 – 2000	45 dB	75 dB
	2000 – 0630	45 dB	75 dB

N.B. Shading indicates *night-time* hours.

72. Construction vibration must, as far as practicable, comply with the criteria in Table 2 Vibration Criteria, where:

- (a) Measurement is in accordance with ISO 4866:2010 Mechanical vibration and shock – Vibration of fixed structures – Guidelines for the measurement of vibrations and evaluation of their effects on structures;
- (b) BS 5228-2 is British Standard BS 5228-2:2009 Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration.

Table 2: Vibration Criteria

<i>Receiver</i>	<i>Location</i>	<i>Details</i>	<i>Category A PPV</i>	<i>Category B PPV</i>
<i>Occupied dwellings and schools</i>	<i>Inside the building</i>	<i>2000 – 0630</i>	<i>0.3 mm/s</i>	<i>1 mm/s</i>
		<i>0630 – 2000</i>	<i>1 mm/s</i>	<i>5 mm/s</i>
<i>Other occupied buildings</i>	<i>Inside the building</i>	<i>0630 – 2000</i>	<i>2 mm/s</i>	<i>5 mm/s</i>
<i>Unoccupied buildings</i>	<i>Building foundation</i>	<i>Vibration transient</i>	<i>5 mm/s</i>	<i>BS 5228-2² Table B.2</i>
		<i>Vibration continuous</i>		<i>50% of BS 5228-2 Table B.2³</i>

73. The Construction Noise and Vibration Management Plan shall include:
- (a) the noise and vibration limits as set out in the conditions 71 and 72;
 - (b) a description of the construction works and processes;
 - (c) a description of anticipated equipment and any noise or vibration suppression devices;
 - (d) the hours of operation, including times and days when activities causing noise and/or vibration would occur;
 - (e) identification of affected dwellings and other noise sensitive activities and projected noise and vibration levels for those activities;
 - (f) a description of alternative management strategies where compliance with the criteria in Conditions 71 or 72 may not be achieved;
 - (g) methods and frequency for monitoring and reporting on construction noise and vibration;
 - (h) details of the procedures for notifying stakeholders of construction activities and handling noise and vibration complaints as set out in the Construction Engagement Plan and Complaints Register in conditions 23-29;
 - (i) construction equipment operator training procedures and expected construction site behaviours; and
 - (j) contact numbers for key construction staff, staff responsible for noise assessment and the council compliance officer.

Water supply

74. All new buildings within the Freight Hub shall be serviced with adequate water supply and access to that supply for firefighting purposes in accordance with the New Zealand Fire Service

Firefighting Code of Practice SNZ PAS 4509:2008.

Operational Lighting Design Plan

75. The Requiring Authority shall prepare and implement an Operational Lighting Design Plan.
76. The objective of the Operational Lighting Design Plan is to demonstrate how the lighting for the outdoor operational areas, internal access roads, and carparks of the Freight Hub will be designed to manage glare and light spill from the operation of the Freight Hub, and demonstrate compliance with:
- (a) AS/NZS 4284:2019 – Control of the obtrusive effects of outdoor lighting, Zone A2 limits;
 - (b) Sky glow caused by artificial lighting shall have a Sky Glow Upward Light Ratio of no greater than 0.01, calculated in accordance with AS/NZS4282:2019; and
 - (c) Glare to the Palmerston North Airport Control Tower resulting from light emitted (including artificial light and glare from buildings and structures) from the Freight Hub must meet the AS/NZS4282:2019 limits for Zone A2.
77. The Operational Lighting Design Plan shall include:
- (a) the lighting standards to be complied with;
 - (b) the projected light spill and glare calculations;
 - (c) the proposed locations and design for lighting structures, including any measures to reduce potential adverse visual amenity effects including minimising where practicable, the number of lighting poles and the height of lighting towers;
 - (d) confirmation that a Civil Aviation Authority NZ Part 77 Determination has been obtained if required; and
 - (e) identification of potential areas where headlight sweep onto the windows of a residential dwelling's bedroom is likely to occur because of night-time traffic movements within the site and when exiting the site. If so, provide details for measures to mitigate its effects. Operational Traffic Management Plan
78. The Requiring Authority shall prepare and implement an Operational Traffic Management Plan.
79. The objective of the Operational Traffic Management Plan is to manage the traffic generated by the operational activities of the Freight Hub over time and outline the methods that will be undertaken to manage any identified adverse transport effects.
80. At least 20 working days prior to the Operational Traffic Management Plan being submitted to Palmerston North City Council for certification under condition 5, the Requiring Authority shall provide a draft of the Operational Traffic Management Plan to Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council for feedback.

81. The Operational Traffic Management Plan shall include:
- (a) details about the process for and frequency of operational traffic monitoring including when the monitoring commences, the location of monitoring points and the period of traffic count collection;
 - (b) a description of the actual and forecasted traffic generation at each of the Freight Hub's access points, including light and heavy vehicles, as a result of planned activities within the Freight Hub;
 - (c) the method for assessing the performance of each of the Freight Hub's access points, including road safety audits and modelling of intersection performances;
 - (d) the form and timing of safety and road upgrades relevant to the Freight Hub's access points, including:
 - (i) the section of Roberts Line between Railway Road and Richardsons Line, including established accesses and intersections;
 - (ii) other roading connections detailed in the Road Network Integration Plan; and
 - (e) details of any feedback provided by Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council, and Manawatu District Council and how it has been incorporated.
82. The Requiring Authority shall review and update the Operational Traffic Management Plan:
- (a) with each relevant outline plan of works for buildings and development of the Freight Hub taking into account the outcomes of any monitoring and audits undertaken pursuant to condition 81;
 - (b) when vehicle movements associated with the Freight Hub exceed 4200 vehicles per day; and
 - (c) when vehicle movements associated with the Freight Hub exceed 8000 vehicles per day.
83. The Requiring Authority shall advise Waka Kotahi NZ Transport Agency, Horizons Regional Council, Palmerston North City Council and Manawatu District Council on the outcomes of any review undertaken in accordance with condition 83 and provide any updated draft Operational Traffic Management Plan to those parties for review and feedback.
84. The Requiring Authority is not required to review and update the Operational Traffic Management Plan under 74(b) or 74(c) within 12 months of the previous review and update of the Operational Traffic Management Plan.

Operational Noise and Vibration

85. All operational activities on the Freight Hub must be undertaken to ensure that noise does not exceed the limits in Table 3 when measured at or beyond the Noise Management Boundary

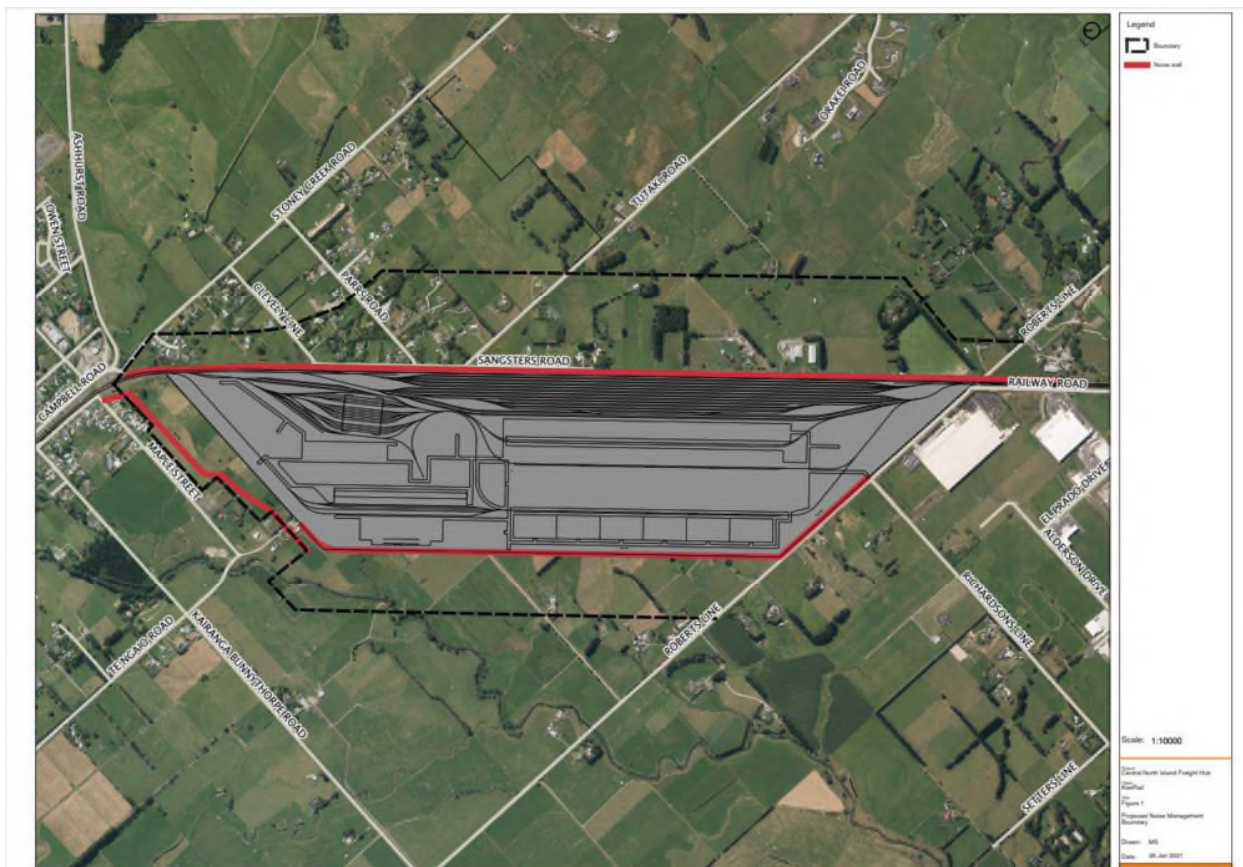
shown in Figure 1 as far as practicable.

- (a) Sound levels must be measured in accordance with NZS 6801:2008 Acoustics – Measurement of environmental sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental noise except that no corrections shall be made for duration (6.4) and corrections for Noise Characteristics shall only be made using objective methods.
- (b) This does not apply to traffic on the perimeter road, or rail traffic on the North Island Mail Trunk Line.

Table 3

All times	55cB LAeq (1hr)
10pm-7am	85 dBLAmax

Figure 1 Noise Management Boundary



86. All operational activities in the Freight Hub (excluding the NIMT) must be undertaken to ensure

that vibration at any dwelling existing as at 23 October 2020 outside the Freight Hub does not exceed 0.3 mm/s vw,95 as far as practicable.

87. The Requiring Authority shall prepare and implement an Operational Noise and Vibration Management Plan.
88. The objective of the Operational Noise and Vibration Management Plan is to detail measures to control noise and vibration effects from the operation of the Freight Hub.
89. The Operational Noise and Vibration Management Plan shall be prepared by a suitably qualified and experienced person.
90. The Operational Noise and Vibration Management Plan shall outline:
 - (a) the noise and vibration limits for both day and night time activities within the Freight Hub must operate as set out in Table 3 and Condition 85;
 - (b) an operational noise contour map;
 - (c) the details of any noise mitigation required to manage the noise effects including:
 - (i) a continuous barrier, including bunds and/or natural elevation on the eastern boundary of the designation extent to 5 metres above the finished ground level of the Freight Hub;
 - (ii) a barrier 3 metres above finished ground level of the Freight Hub on the northern boundary of the designation extent;
 - (ii) a barrier 3 metres above finished ground level on the western boundary of the Freight Hub if dwellings are still within 500m of the Freight Hub when operation commences; and
 - (iii) an asphaltic mix road surface on the Perimeter Road.
 - (d) the outcome of investigations undertaken for dwellings existing as at 23 October 2020 that are predicted to be subject to exceedance of Category A noise criteria contained at Table 5 of Technical Report D – Acoustic Assessment;
 - (e) the acoustic treatment that is necessary to achieve acceptable internal noise levels of 35 dB LAeq(1h) in bedrooms and 40 dB LAeq(1h) in other habitable spaces of dwellings as at [23 October 2020];
 - (f) the process for undertaking modelling and monitoring of operational noise and vibration;
 - (g) the location of permanent noise monitors which shall include one in the northern area and one in the eastern area of the Freight Hub; and
 - (h) site noise management measures including operation of machinery and equipment in a manner to avoid unreasonable noise.

91. The Requiring Authority shall make the current version of the Operational Noise and Vibration Management Plan publicly available.
92. The Requiring Authority shall review and update (including with any additional noise modelling as required) the Operational Noise and Vibration Management Plan:
 - (a) annually; and
 - (b) prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the noise and vibration levels generated from the Freight Hub.

Operational Dust Management

93. The Requiring Authority shall prepare and implement an Operational Dust Management Plan.
94. The objective of the Operational Dust Management Plan is to detail the mitigation and ongoing measures to control dust effects from the operation of the Freight Hub.
95. The Operational Dust Management Plan shall be prepared by a suitably qualified and experienced person.
96. The Operational Dust Management Plan shall outline:
 - (a) The details and location of dust generating activities on the site;
 - (b) A description of any sensitive receptor locations;
 - (c) A qualitative assessment of the risk of impacts of dust generation from dust generating activities, including the typical frequency and duration of exposure to dust for each activity;
 - (d) A description of the intensity and character (including offensiveness) of each type of dust discharge;
 - (e) The mitigation and management practices to minimise dust emissions;
 - (f) The process for monitoring dust generation and dust generating activities;
 - (g) The roles and responsibilities of staff in relation to the Operational Dust Management Plan; and
 - (h) The training required for staff to implement the Operational Dust Management Plan.
97. The Requiring Authority shall make the Operational Dust Management Plan publicly available.
98. The Requiring Authority shall review and update the Operational Dust Management Plan:
 - (a) annually; and
 - (b) prior to any significant changes in activity at the Freight Hub that might reasonably be expected to alter or otherwise affect the dust generated from the Freight Hub.

99. At least three months prior to operation of the marshalling yards commencing, the Requiring Authority shall:
- (a) identify dwellings within 100m of the Freight Hub's marshalling yards and existing as at 23 October 2020 that have roof top rain water supply systems;
 - (b) undertake investigations of the household water supply at each of the affected dwellings identified in condition 98(a) and identify any mitigation measures required to manage potential dust effects, including:
 - (i) the installation of a first-flush rainwater diversion systems at residences that rely on rainwater collection; or
 - (ii) the supply by bulk tanker of potable water to residents' tank storage systems; or
 - (iii) connection to a domestic water supply reticulation system.

Third Party restrictions

100. The Requiring Authority shall enable access for maintenance utility works undertaken in road corridors in accordance with the National Code of Practice for Utility Operators Access to Transport Corridors (September 2016) or any approved update to the Code. Post-completion

Post-completion review of designation extent and conditions

101. As soon as practicable following completion of construction of the Freight Hub, the Requiring Authority shall:
- (a) review the designation extent;
 - (b) identify areas of designated land that the Requiring Authority considers are no longer necessary for the ongoing operation, maintenance or for ongoing measures to mitigate adverse effects of the Freight Hub; and
 - (c) notify the Council under section 182 of the RMA to remove those parts of the designation.
102. Once construction of the Freight Hub is complete, the following construction conditions will no longer apply and can be removed as part of any subsequent District Plan review:
- (a) conditions 23 – 25; and
 - (b) conditions 57-73.

Advice note: This condition does not prevent works required for the ongoing operation or maintenance of the Freight Hub from being undertaken

APPENDIX 2
RELEVANT PLANNING FRAMEWORK

Relevant planning documents	Conclusions
National Policy Statement on Electricity Transmission 2008 (" NPSET ")	The NPSET is relevant as there is a transmission line running across the northern end of the Site. The location of the Transmission Line and the presence of a pylon inside the Designation Extent and the nature of work proposed in the vicinity means that there is unlikely to be any effect from the Freight Hub on Electricity Transmission. A condition is proposed to ensure that the selection of plants and their location at full maturity complies with the Electricity (Hazards from Trees) Regulations 2003. Further detail on the NPSET is outlined in the response to question 177 of the First Section 92 Response.
National Policy Statement for Freshwater Management 2020 (" NPS-FM ")	<p>Mr Garrett - Walker has confirmed that there are two unnamed stream systems that flow through the Site typically flowing in an east-west direction before draining into the Mangaone Stream and several bores within the Designation Extent and close by. PNCC has a consent to take water for the municipal supply from a bore at the Roberts Line / Railway Road intersection. There are no natural wetlands present.</p> <p>The assessment of the health and well-being of the streams is that the effect of the stream bed loss because of culverting /piping the streams will, due to the magnitude of the stream system be low. There will be a potential impact of culverting on fish passage, but it is possible to avoid effects through design to ensure that access to upstream habitats is provided. Resource consent will be required under the NES Freshwater and provisions of the Horizons One Plan for the works in the streams and for any potential contamination of ground water because of construction.</p> <p>As noted in the response to question 177 of the First Section 92 Response the quality of stormwater to be discharged from the site to will be subject to resource consent that will ensure that there is appropriate treatment before the stormwater is discharged back into the downstream sections of the culverted streams. This is assessed in section 9.7.2.5 of the AEE and it is considered that with treatment the discharge will not therefore compromise the health and well-being of these water bodies or freshwater ecosystems.</p>
New Zealand Coastal Policy Statement 2010 (" NZCPS ")	The Freight Hub is remote from the coastal environment but there is potential for sediment from the earthworks and other contaminants to be mobilised and to travel via the Mangaone Stream and the Manawatū River to the coast. The adoption of best

Relevant planning documents	Conclusions
	<p>practice measures during earthworks and in relation to stormwater management will avoid any impact on the coastal marine area.</p> <p>The regional consent process will ensure any erosion and sediment control measures for earthworks and treatment of stormwater are consistent with the NZCPS. I note that Council officers agree that the NZCPS not applicable.</p>
<p>National Policy Statement on Urban Development 2020 ("NPS- UD")</p>	<p>The Freight Hub falls under the definition of Nationally Significant Infrastructure in the NPS UD. As outlined in the response to question 177 of the First Section 92 Response Palmerston North is listed as a Tier 2 urban environment and is subject to the requirements specified in the NPS- UD. In relation to Objective 6 of the NPS-UD he Freight Hub is a long-term strategic project in that it has been recognised as necessary infrastructure to support the movement of freight within the region and beyond (refer to section 2 of the AEE).</p> <p>Integration with the wider transport network has also been considered in the concept design of the Freight Hub. KiwiRail is committed to working with Waka Kotahi and Palmerston North City Council to enable the Freight Hub to be integrated with other infrastructure planning and funding decisions. The proposed designation conditions include a Roothing Network Integration Plan which provides a mechanism for ongoing engagement between the parties to ensure that Freight Hub is integrated with the wider transport network.</p> <p>In relation to Objective 8 the Freight Hub will increase capacity of freight movement by rail across the country. This directly supports a transition to moving a greater proportion of freight by rail (and thereby lowering the emissions contributed by freight movement). This supports the reduction of greenhouse gas emissions not just for Palmerston North, but throughout the country.</p> <p>Being a lower emissions alternative to movement of freight by road, investment in rail infrastructure is more resilient to the effects of climate change and any corresponding costs that climate change adds to freight movements.</p>
<p>Horizons Regional Policy Statement ("RPS")</p>	<p>While recognising that there is stream loss through culverting, the streams are highly degraded in their current state, and in some sections are too shallow and temperatures too high in summer periods to enable fish passage and lack riparian planting for shade. Culverting of these streams is expected to provide opportunities fish passage and through the management of stormwater discharged from the Site; along with the riparian and wetland planting proposed as part of the development of stormwater detention ponds and wetlands. This will enhance the quality of the water discharged into</p>

Relevant planning documents	Conclusions
	<p>the Mangaone Stream and therefore the mauri of the Mangaone Stream downstream. This gives effect in part to Objective 2-1: Resource management.</p> <p>The establishment and operation of the Freight Hub and its benefits to the wider regional economy and to the lower part of the North Island gives effect to Objective 3-1 Infrastructure and other Physical resources of regional or national importance.</p> <p>Locating the Freight Hub partly on land that is in the NEIZ give effect to Objective 3-3 The strategic integration of infrastructure with land use.</p> <p>Objective 3-4 Urban Growth and rural residential subdivision on versatile soils approximately one third of the land in the Designation Extent is already zoned for urban growth and that other areas of the land have already been subdivided into lifestyle blocks. The Freight Hub will use some Class II but this is not inconsistent with the NEIZ growth or subdivision that has occurred in the area.</p> <p>The large scale of the earthworks involved will require resource consent to ensure that the works are be managed to be consistent with Objective 4-2 Regulating potential causes of accelerated erosion. An Erosion and Sediment Control Plan is anticipated to be required as part of this process to outline the measures to manage any causes of erosion.</p> <p>Objective 5-1: Water management Values is relevant as the Site directly affects one of the "rivers" listed under Upper Mangaone Stream (Mana_11d). making provision for stormwater treatment ensures that the discharges are managed and the design and provision for detention ensure that that flooding is considered.</p> <p>The ecological value of the stream systems affected have been assessed as being low. The changes proposed even though culverting will be involved include the management of contaminants and flood mitigation impacts on streams and ground water will be consistent with Objective 5-1: Water management Values and Objective 5-2: Water quality and Objective 5-4 Beds of rivers and lakes.</p> <p>The proposal involves a significant increase in indigenous vegetation and is consistent with Objective 6-1 Indigenous biological diversity.</p> <p>There are streams with low natural character and no public access. There are no natural wetlands present. The highly modified streams will be affected by culverting and earthworks will change the landform. The design of the culverts is expected to be consistent with the New Zealand Fish Passage Guidelines and sized and positioned to allow water through the site in a manner that</p>

Relevant planning documents	Conclusions
	<p>avoids causing upstream flooding. The works are not inconsistent with Objective 6-2 Outstanding natural features and landscapes, and natural character.</p> <p>There are no recorded or known archaeological sites present and the works are not inconsistent with Objective 6-3 Historic heritage.</p> <p>It is expected that discharges into the air from the operation of the Freight Hub will not impact on air quality however for those within 100m of the marshalling yards there is the potential that the use of roof water for drinking water supply could have a detrimental impact on human health. A number of solutions are proposed by KiwiRail to mitigate any potential effects, as outlined in the Proposed Conditions. These will ensure consistency with Objective 7-1 Ambient Air Quality.</p> <p>While the location of the works is in a flood plain of the Mangaone Stream catchment and the work done proves that the infrastructure can be developed so it is not adversely affected by flood waters and shows that it is possible to minimise effects outside the site by passing flood waters through the site and detaining discharge which is consistent with Objective 9-1: Effects of natural hazard events that sets the overarching approach for managing effects of natural hazard events in the Region. The assessment of risks related to faults and liquefaction has also concluded that subject to confirmation through investigations on the Site, any geotechnical risks are likely to be managed.</p> <p>I conclude that while the Freight Hub involves works that will require resource consent under the rules of the Horizons One Plan as methods for achieving the objectives of the RPS, the NoR is not inconsistent with the objectives of the RPS.</p> <p>The RPS has relevant policies that have also been considered in section 10 of the AEE and the response to question 177 of the First section 92 response.</p>
Palmerston North City District Plan	<p>2.5 The City View Objectives</p> <p>The location of the Freight Hub will sustain a compact, orderly, and connected urban form although located partly on rural zoned land. The location has been selected to ensure efficient provision of, and access to, rail and road infrastructure. The Freight Hub will be designed and constructed to promote a coordinated, healthy and safe environment and through its construction and operation provide for a range business and economic activities in the city and stimulate investment. The effects of natural hazards can be either avoided or mitigated and appropriate measures will ensure that noise sensitive activities are protected while enabling the Freight</p>

Relevant planning documents	Conclusions
	<p>Hub to operate in a safe and efficient manner. The designation ensures that all forms of transport, including public transport, walking, cycling, and private vehicles are adequately provided for. Hazardous substances will be handled through the operation of the Freight Hub but the adverse effects of their storage and use will be avoided through appropriate design and management.</p> <p>The Freight Hub is infrastructure of regional or national importance and its establishment and operation needs to be provided for.</p> <p>3.5 Objectives 1 – 4 relate to the role of Tangata Whenua in the development of the City and the need to protect sites of significance</p> <p>KiwiRail continues to engage with Ngāti Kauwhata, Rangitāne o Manawatū, and Ngati Raukawa and more recently Ngati Turanga, seeking to work with them and develop a Mana Whenua Framework as outlined in the Proposed Conditions for the ongoing involvement in the design and operation of the Freight Hub.</p> <p>The Mana Whenua Engagement Framework will ensure that there is a process in place through which cultural values can be identified and given effect to as part of the construction and operation of the Freight Hub.</p> <p>Collectively 9.3 Objectives 1 - 4 seek to protect the rural area, its character, and its community.</p> <p>The Freight Hub is proposed on land that is both rural and urban and with the planting proposed along with the management of stormwater and noise management will minimise impacts on the rural character but cannot protect it in this location and the immediate area.</p> <p>Objectives 5</p> <p>The Freight Hub will not be a noise-sensitive activity that will impact on the airport.</p> <p>12.A.3 Objective 1 -6</p> <p>The Freight Hub will support industrial growth and enhance the amenity of the NEIZ and is not expected to be incompatible with the activities of the NEIZ.</p> <p>12.A.3 Objective 7.1 and 7.2</p> <p>The height of buildings and glare from lighting structures is not expected to affect Airport operations.</p> <p>17.3 B Objective 1</p> <p>KiwiRail is working with mana whenua to understand and recognise the cultural values of the site and wider area.</p> <p>17.3C Objective 1</p>

Relevant planning documents	Conclusions
	<p>No notable trees, groups of notable trees, and habitats of local significance are expected to be destroyed.</p> <p>20.3.1 Objective 1 -3</p> <p>KiwiRail will work with the Council and Waka Kotahi to ensure the road network is maintained and developed to ensure that people and goods move safely and efficiently while ensuring that the rail network is able to ensure that goods move safely and efficiently through the City.</p> <p>2.3 Objective 2</p> <p>The shape, location and design of the Freight Hub will both ensure that any impact of natural hazards is minimised on the Hub and on land around it.</p> <p>23.3 Objective 2 and 3</p> <p>The designation provides for the relocation and upgrade of a key part of an existing network utility of regional and national importance, while ensuring that adverse effects on amenity, landscape, health and safety, and cultural and heritage values are re avoided, remedied, or mitigated.</p>

APPENDIX 3
OTHER MATTERS RELEVANT TO SECTION 171 CONSIDERATION

Matter	Comment
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (" NESCS ")	<p>The regulations relate to assessing and managing contamination in soil to protect human health. This means that the NESCS will be applicable as there are likely to have been farming activities occurring on the Site that will have caused localised site contamination. It is expected that a resource consent will be required under the NESCS to show the Council that potential risks to the health of site workers and the health of neighbouring residents can be managed.</p> <p>In my opinion, and based on the evidence of Mr Heveldt, these risks can be identified through a DSI, and managed through a Site Management Plan as part of the resource consent process, should a consent under the NESCS be required.</p>
Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (" NES-F ")	<p>The NES -F is relevant as the regulations set standards for works that relate to fresh water. There are two stream systems in the Designation Extent. Under the NES-F, KiwiRail will need to obtain regional consent for installing culverts in those sections of the stream systems that fall within the definition of 'river', where they are not able to comply with permitted activity standards specified. As part of determining the site layout and the subsequent Designation Extent, consideration was given to the location and form of culverts and their potential effects on the stream systems and the potential to be able to mitigate these effects. Consent under the NES-F will be part of the regional consenting process for the Freight Hub.</p>
The Government Policy Statement on Land Transport 2021 (" GPS 21 ")	<p>I consider that the GPS 21 is directly relevant to decision making as it recognises that investment in the rail system will lead to stronger inter-regional connections while making freight movements safer. It also recognises that efficient, reliable, safe, mode-neutral, and resilient freight transport – within cities, between regions and to ports – is vital for a thriving economy. The development of the Freight Hub in the proposed location will be consistent with the four priorities of the GPS 21. These overlapping priorities are intended to guide land transport investment. Reducing the volume of road traffic across the North Island will address Priority 1 Safety, as will the improvements to the local road network around Palmerston North and the consequence of the Freight Hub in reducing the number of level crossings. Decommissioning of the Existing Freight Yard at Tremaine Avenue due to the relocation of operations may result in better connectivity which is consistent with Priority 2 Better</p>

Matter	Comment
	<p>Travel Options. This will result in less congested transport corridors within the area surrounding the Existing Freight Hub. The Freight Hub will provide greater efficiencies in terms of moving freight due to its location in the NEIZ and proximity to the airport, which is consistent with Priority 3 Improving Freight Connections for economic development. Moving more freight by rail will result in a reduction in carbon emissions which is consistent with Priority 4 Developing a low carbon transport system that supports emissions reductions while improving safety and inclusive access.</p>
<p>NZ Rail Plan 2021</p>	<p>The Draft 2019 plan was reviewed for the AEE and First section 92 response. In May this year, the Government released the first NZ Rail Plan and Rail Network Investment Programme. New Zealand Rail Plan highlights a need to invest in the national rail network to maintain and grow rail freight. The Rail Plan identifies a future priority for the rail system as including more regional routes and improved logistic hubs. An intermodal freight hub in Palmerston North will help grow the role of Palmerston North as a critical freight distribution centre for the lower North Island and is listed in the Rail Plan as an investment priority for the region. The proposal is to designate the land required for the development of this intermodal freight hub.</p>
<p>The Regional Land Transport Plan (2015-2025) 2018 Review ("RLTS")</p>	<p>The RLTS recognizes the Palmerston North - Manawātū sub-area as the hub of the growing freight distribution industry because of its central location and connection with the State Highway, rail and air networks. The RLTS highlights that network efficiency is a key issue for the movement of freight to and from the region. The Horizons Region has long advocated for better utilisation of existing rail infrastructure. The RLTS recognizes that increased use of the rail network for freight will increase the resilience of the regional land transport network and would have positive road safety outcomes due to reduced conflicts between heavy vehicles, private vehicles, and cyclists. The objectives of the RLTS are consistent with the proposal for the Freight Hub.</p>
<p>The Accelerate 25 Regional Growth Economic Development Strategy / Manawatu – Whanganui Growth Study Economic Action Plan 2016</p>	<p>The Accelerate 25 Regional Growth Economic Development Strategy/ Manawatu – Whanganui Growth Study Economic Action Plan 2016 recognises the importance of Palmerston North as a key multi-modal intersection at the centre of rail and road networks and the importance of streamlined and efficient movement of freight. It identifies that the region needs to have capacity to efficiently collect, package, and redistribute product and in doing so, reduce costs and increase the speed associated with getting products to market. The proposed Freight Hub aligns with the plan, as it will support the</p>

Matter	Comment
	development of the efficient and well-serviced hubbing that the action plan envisages.
The PNCC 10 Year Plan (2021-2031)	The PNCC 10 Year Plan states that the NEIZ is well located to leverage off the presence of rail and recognizes the importance of rail in the distribution of freight and identifies that major infrastructure projects are a key enabler for growth. The proposed Freight Hub is the core component in ensuring the efficient utilisation of rail within the region subject to integrating with the surrounding road network and the future ring road proposed by Waka Kotahi.
The Economic Development Strategy 2018	The Freight Hub aligns with several the goals and priorities of the Economic Development Strategy 2018. The strategy has a strong emphasis on infrastructure and innovative industries for Palmerston North and the Council has identified logistics as one of the six priority sectors that will determine Palmerston's future economic wellbeing. As outlined in the strategy the Council agrees to support investment in this area. The Freight Hub introduces an innovative logistics model into the region and should support both existing and growing industries in the area.
The City Development Strategy 2018	The City Development Strategy 2018 identifies strategic goals for the city's development between 2018 and 2028. This document gives a clear directive for the Council to support infrastructure development. It notes that integrating rail to form a significant intermodal freight and distribution hub is a major strategic issue (in that current rail access is limited and existing infrastructure is privately owned). The road access and network upgrades anticipated as part of the development of the Freight Hub should assist in improving access to rail.
The Strategic Transport Plan 2018/2021	The Freight Hub goes directly to the purpose of the Strategic Transport Plan 2018/ 2021, which in short, seeks to provide safe, resilient and reliable travel routes, conditions and interconnected intermodal transportation – ie transport infrastructure. Logistics has been identified as a key infrastructure target for the region. The Freight Hub is intended to be both "resilient and reliable" infrastructure in that is intended to support growth of freight movement over the next 30 years, and to support a modal shift from road to rail movement of freight, to contribute to emissions reductions. On that basis it is a significant investment in supporting New Zealand's commitments in emissions reductions.
Statutory Acknowledgements	A review was undertaken in respect to the Statutory Acknowledgments relevant to the Site, as the Designation Extent includes Crown owned land. This revealed that there are none that directly impact the Site. However it is noted that through its

Matter	Comment
	submission, Rangitane o Manawatū noted that a statutory acknowledgment is held over the Manawatū River and its tributaries including the Mangaone Stream and therefore the stream systems that run through the Designation Extent as they drain to the Mangaone.