

My name is Danelle O'Keeffe

I live at 7 Orakei Road with my husband and two kids, in relation to the designation sought, our property is located here (indicate on map).

I am here to speak on behalf of myself and my husband Duane Butts, our submission number is #72.

We have lived on our property for 6 years, we chose to invest all our capital and build a new home in this location as we saw this as our little piece of paradise. Rural enough to escape from the noise of traffic and suburban neighbourhoods, to give our kids a taste of rural life, to build forts and play in the paddock, yet close enough to town so they wouldn't miss out on extracurricular activities.

We have significant concerns about this NoR, both the location and what that means for not only us, but the rest of the residents in the area. This will result in a fundamental change to the landscape and peaceful rural environment, risks to our natural resources, in particular ground/bore water supplies, increased levels of heavy traffic on our roads, increasing congestion, emissions and risks to road users.

We also have serious concerns with respect to the integrity and objectivity of the methods, analysis, investigation, reasoning and decision making processes that have been used in selecting this site, with regards to site predetermination, bias, incomplete data and external influence during in the MCA process.

Our property sits outside the proposed designation, but would be negatively affected by this project, we would be affected by noise and vibration as a result of KR activities 24/7, increased traffic, congestion, and road layout changes. We are currently woken by heavy freight movements occurring in the hours of 2-4 in the morning, as rail movements are forecasted to increase, combined with rail yard activities 24/7, would further disrupt our sleep patterns and our way of life.

The ability to enjoy a quiet Sat or Sunday morning or evening on the deck or in the garden, would be gone due to the 24/7 activities with no respite even for holidays or Christmas. Whilst noise barriers/plantings are expected to have some mitigation for homes near the site, we were advised by the noise specialist Dr.Chiles that these would have little, or no mitigation effect on properties over 100-150m away. We, like many others down Tutaki Road will overlook the site to the west, we will be subject to the full effects of the noise and vibration associated with the construction and operation of the site, no respite, no peace, no more rural aspect.

The road closures and predicted congestion would increase my travel time to Ohakea by 10-15 minutes each way, whilst this doesn't sound like much it means extended hours for myself and for childcare, I estimate an additional \$2000 - \$4000 in childcare, on top of what we already pay – this doesn't include fuel costs or vehicle wear and tear.

The storage of huge quantities of fuel and gas on site pose significant risk to both Bunnythorpe local residents, but also the wider area of Whakarongo and Kelvin Grove in the event of an accident or major spill. Additional heavy freight on the roads in and around the NoR will pose significant risks to all road users, in particular, children, pedestrians and cyclists. The only economic benefits appear to be those that KR will gain, whilst the people of Bunnythorpe, Palmerston North and Regional ratepayers will be funding subsequent repairs and upgrades as a result of this NoR, not only during construction, but far into the future due to damage caused by increased heavy road freight.

The NoR and reports typically refer to this area as NEIZ, an industrial area. IT IS NOT! Only one third of this was zoned industrial – the remainder – around 112 hectares is rural, lifestyle, and residential.

It is not industrial, to refer to it as such, was is often the case in the reports presented, diminishes the significance of the land, the environment, and what it means to the people who live in and around this area.

I'm not here to read my submission out verbatim, we have been informed that it has been 'taken as read' by the panel. What we would like to do is speak on the main points of our submission, and on subsequent evidence provided by both Kiwi Rail and the council that pertains to our submission.

I would like to acknowledge the Legal challenge from Drs. Fox and Whittle which is valid has our full support. The legality of this NoR is in question, this is a business expansion, the consolidation of facilities, the construction of a larger freight storage and forwarding facilities (to profit from leasing agreements with 'freight partners'), and relocation of maintenance facilities do not appear to be within the realms of track and facilities maintenance and upgrade, despite the ascertations of KiwiRail legal team.

For convenience we will refer to KiwiRail as a collective, including it's contracted specialists, and will do the same in terms of the PNCC and associated personnel. I apologise to those individuals outside of this activity, who may have had no involvement or who may even disagree with the policies/actions of their employer, to being lumped in the same general group throughout this presentation, this generalisation is for convenience only, and is by no means personal.

I am sure that KR, over the past week, has presented compelling evidence in support of it's case, the predicted economic benefits, improvements in road safety, their commitment to climate change (carbon emissions) and realising environmental benefits. We, like a number of submitters was unable to attend these presentations, as we still have to work, we do not have the funds to obtain legal representation, nor do we have a cohort of technical specialists on our payroll to support us in our submission or presentations, however I can surmise presentations and evidence reflected what was presented in the vast number of documents and statements provided.

TO begin, we would like to point out that this NoR is a business decision, it is not altruistic, it is not about road safety, climate change, transport/freight connectivity or Manawatu's economy – it is about profit and achieving that in the most cost effective way possible.

If it were road safety, KR would be progressively installing arms and alarms on all level crossings nationwide, not consolidating their business activities at the cost of the taxpayer – the level crossing at Railway Road and Cleveley Line, the site of a fatal crash still has no arms, instead has an ever increasing pothole.

If they were truly concerned about climate change and reducing carbon emissions they would not be investing in larger diesel engines, instead they would be investing in their own infrastructure, not by building a freight rail hub, but in expanding the electric rail routes throughout the north and south islands, improving and upgrading intercity rail access and egress, including parking areas/buildings to encourage users to utilise transport to inner city locations, particularly in the main centres (Auck/Wgnt/CHCH) linking outlying areas with the inner city.

If it were about connectivity, there would be alignment with existing rail networks, freight partners and road transport links, not locating in an area which has no link to a State Highway, nor freight partners, instead it requires significant road infrastructure investment to upgrade existing roads and reliance on the construction of roading networks to even come close to achieving this and ensuring road safety.

If it were about creating jobs, additional employment opportunities would be created by KR within the rail yard. It would not merely be the transfer of the existing ~300 jobs, with employment opportunities limited to those provided exclusively by external providers, through 'proposed' construction activities and 'forecasted' freight partner expansion, not KR. The jobs and economic benefits are not created by KR, potentially they would occur through either, existing and proposed construction projects in the area, and potential growth through increasing freight demands in NZ – irrelevant of KR involvement.

Instead, the opportunity to procure \$40 million in public funds has resulted in a land grab, which has been enthusiastically enabled by the PNCC (who also want a piece of the pie) as evidenced by the KR business case to govt. in early 2018, and PGF application which both specifically mention the NEIZ.

The KR legal team state the PGF was a catalyst for the Master Plan development and site selection process, however, despite all responses to the contrary there is substantial evidence that points to site predetermination and this has affected and influenced all aspects of this process.

As noted the KR Business case, PGF application and cabinet papers, all mentioned the NEIZ, either specifically; as a 65ha area, with proximity to airport, near Bunnythorpe, or described in such a way that leaves little doubt as to the location of this site, this was carried out with the full knowledge and support of local government/bodies mentioned. Meanwhile, consents for residential properties were still being granted by the council for development in the Clevely line area.

We oppose this NOR, we question its legality with respect to the size and scope of the designation, it's location, the large number of anomalies noted in the site selection process, and due to the significant ADVERSE impacts on the people and the environment.

Key points for today – refer slides:

BIG – HOW BIG??

Before we begin, lets put this in perspective, lets get an idea of the scope of this proposal, there has been significant project creep from the initial proposals in 2018 to secure government funding, when talks with the PNCC identified that 65 ha was up for grabs in the NEIZ. The NoR nows covers an area of 177ha. It's easy to throw numbers around, I'm a visual learner myself, so here are some ideas on the size of this rail yard...

1. Multi Criteria Assessment process and site predetermination

There are questions regarding the integrity and accuracy of assessments, the presence of bias, the provision of inaccurate, incomplete or outdated information throughout the process and apparent outside/undue influence of the decision making processes and weighting activities. This was largely a desktop assessment due to Covid, carried out in Wellington, thereby almost completely reliant on accurate and complete information, with little or no working familiarity with the area.

The site in the NEIZ was identified in a business case submitted by Kiwi Rail in August 2018, it was also specifically listed in the PGF application submitted early Oct 2018 (later redacted, but still detailing the NEIZ as the preferred site. This is compelling evidence of pre-determination and arbitrary decision making. The following MCA process carried out was nothing more than a

legislative hoop to jump through, with direction given at various times to ensure the desired outcome was achieved. The Summary Report of the MCA does not show the full story of the process, the individual reports do not do this either, but give a better indication of the inconsistencies and outside influence applied during the evaluation process.

Workshop 1 and 2 identified a number of criteria, and either significant or fatal flaws, however, inconsistencies with the allocation and assessment of 'constraints' between various sites is prevalent, as discussed in our submission. Subsequently where weightings were changed following the input of PNCC are in contention, as the council planners and Mayor have made no secret of their desire to see this site located in the NEIZ. The subsequent combination of sites 5 and 6 during workshop 2, resulted in flaws associated with one or other of the sites, being attributed in whole to the revised site (5), which resulted in flawed analysis and assessment of the site(s).

Workshop 3 specifically mentions talks with PNCC senior planner who strongly indicated his desire/intent for this particular site (Opt 3 in the MCA) to be selected. Further reports from Council recently supplied in response to the NoR also contain or mention a memorandum from this same senior planner again expressing his desired outcome – this same planner was also heavily involved in meetings, and talks prior to the MCA process.

Why a site was even considered within the city boundaries is unbelievable – except to save some cash on supplying services and the promise of land along the Tremain ave corridor, (which is by no means assured). For a project of this size, why would you even contemplate having it within the city boundaries, particularly with the rate of residential growth between Kelvin Grove, Bunnythorpe and Whakarongo – by the time the hub is fully operationally it would be fully built out by residential homes, a 1/3 of PNth consents are for the Whakarongo/Kelvin Grove area alone, with Massey another 1/3.

The current rail yard was built out within 40 years, KR stated the desire to future proof in their August business case to government looking at a 50-100 year cycle, with the current growth rate in the Whakrongo, Kelvin Grove area, including the increasing number of subdivided lifestyle blocks along Stoney Creek and Tutaki Road, means that potentially this site will be built out prior to it being fully operational – projected in 2050. The need for this proximity to the city is questionable, the site could be placed further away from the city and residential environs and outlying communities, a rail spur or spurs and access roads could be constructed to a main site that need only be in proximity to the NIMT and state highway(s). This is often the case with milk and meat production and forestry. Further distribution by road to the end user or carrier, will ALWAYS be the case.

KR legal team suggest that they are not obliged to consider all options, merely show that adequate consideration has been given to alternate sites, including adverse effects and extent of land affected, AND that the decision was not reached arbitrarily. We propose that this decision HAS been reached in an arbitrary manner, through site predetermination, as evidenced by business case documents, PGF application and cabinet papers as mentioned previously, and has not adequately considered the adverse effects and effects on private land, as evidenced by a number of PNCC s42A Reports submitted to this panel.

We also challenge the legitimacy of the MCA process, it appears to have been nothing more than a legislative 'box ticking' exercise. Due to Covid the analysis was largely a desktop process using information provided to the panel from the PNCC, already shown to be biased, and KR who has a vested interest. There is also evidence of PNCC influence on assessments during the process,

evidence of contradictory or inaccurate information used in assessments and inconsistent assessment of constraints (as detailed in our submission).

In addition to those points made in our submission we request the panel also consider the following:

- We request that the panel decline the NoR, based on evidence above and submitted which suggests that the site selection was arbitrary. That, options were not adequately considered due to predetermination and that it did not adequately consider the adverse effects of this site as adverse effects/impacts were either, understated or disregarded including the effects on private land and people.
- We request that the panel carry out or order an independent review of the MCA process from the initial stages, from the information gathering and distribution, working through Workshops 1, 2 and 3, to ascertain the accuracy of information, the appropriateness of the weighting criteria and the independence of the decision making.

2. Planning

Proposing or even entertaining the idea of locating an industrial activity on this scale in within the city limits and in close proximity to an existing residential area, rural village, and area of increasing residential growth (Kelvin Grove and Whakarongo), shows a complete lack of foresight on the part of the city planners, and is, to borrow the words of Sean Connery 'an act of lunacy'. This appears to be nothing more than a land grab and a cost cutting exercise to save on the costs of providing services. The size and scope of this proposal has almost tripled in size from the initial business case and PGF application in 2018. This means that all previous assumptions regarding the 'strategic', connectivity and integration into the environment is no longer valid.

As previously stated the site should be located outside the city limits, a rail spur could be built to the site, the need for this proximity to the city is questionable, the site could be placed further away from the city and residential environs and outlying communities, a rail spur or spurs and access roads could be constructed to a main site that need only be in proximity to the NIMT and state highway(s). Further distribution by road to the end user or carrier, will ALWAYS be the case.

KR had two requirements – located near NIMT and a SH. Such a site could exist anywhere else, such a site exists in the Longburn area (Option 6 in Workshops 1 & 2) but was discounted once combined with Option 5, even then, the constraints identified that were considered limiting to the Longburn site were less than those identified in the proposed designation, but given more weighting due to PNCC influence on the outcome.

The Longburn site, as previously discussed in our submission, was discounted for constraints that were never fully explained or verified. This site is located both on the NIMT has direct access to both SH56 and No. 1 Line, conveniently located next to a recognised 'inland' port, with freight partner Fonterra and additional industry, will be connected by the proposed Ring Road (either route) and proposed additional bridge across the Manawatu River, it is no closer to residential areas than the proposed NEIZ site, requires considerably less earthworks for construction, does not require the closure of 'significant roads, or require disturbance to utilities, such as main gas line, high power electricity lines, the PN main water supply, or Bunnythorpe waste water, it even allows for and has further room for expansion without encroaching onto a village.

As mentioned previously, the current growth rate in the Whakrongo, Kelvin Grove area, including the increasing number of subdivided lifestyle blocks along Stoney Creek and Tutaki Road, means that potentially this site will be built out prior to it being fully operational.

The links to the Ring Road, freight corridors and main highways are yet to be realised, it is doubtful they will be in place before the rail yard is operational, in the interim the local area is forced to endure road closures, diversions and increased construction heavy traffic, due to the lack of planning and integration on the part of KR and the PNCC. Both have made promises they can't keep/

- Request that the Panel consider these points when reviewing the legitimacy of the MCA and suitability of this site as fit for purpose for this NoR.

3. Design, Construction and

4. Operational Issues

Construction/Design of tracks refers to KiwiRail standards –as this is a new facility and both noise mitigation and 'future' proofing should be at the forefront of all design, to reduce noise and vibration as much as possible. Therefore considerations should be given to making every effort to incorporate noise buffer/damper elements in all rail track construction, rail car couplings, and all vehicle movements and equipment utilisation. Levels of and type of operational noise for particular activities should be known based on current operational activities and be able to be applied to enable modelling of expected noise levels and durations to enable mitigation and effective constraints to be place around activities.

In addition to those points made in our submission we support those recommendations made by the PNCC S42A Report

5. Lighting Design

Please refer to the comments in our submission and those recommendations by the PNCC s42A Report: Lighting.

6. Transport and Road Networks

Connectivity, Road safety and climate change

KR have cited connectivity road safety and climate change as reasons to support this designation in multiple reports, business cases and public forums.

Connectivity

Connectivity was given a high weighting during the MCA process, the assessment of this site used the Ring Road as justification for it's connectivity score – despite the fact that the ring road was not, and still isn't confirmed, the proximity to the airport was also given significant weighting (though not justified).

KR legal team asserts the site suitability due to it's connectivity to road and air, this is inaccurate and unsubstantiated. No Ring road currently exists, a route (other than proposed lines on a map) is not

even finalised, the site is not connected to a SH, nor does it have any real EASE of connection, there is no evidence to substantiate the connectivity of any freight moved by air being transferred to rail, or vice versa, therefore 'requirement' to be near the airport is invalid – KR freight reports show no evidence of rail/air freight movement.

(I work in aviation – there is no reason in NZ to transition from air to rail – if the freight is that time sensitive it would go by road – if it were heavy enough to go by rail, it would be too heavy to be transferred to air. In any case there would ALWAYS be the requirement to move the freight by road to reach the end user). This is another example of the bias, and misinformation that was used in the MCA to obtain the desired, predetermined result and government funding.

- Request the panel take this into consideration when determining the validity of the MCA process with respect to this being evidence of pre-determination and arbitrary decision making.

In the KR legal submission we make note of the fact that KR state that the NoR should not be delayed should the PNITI not be available or delivered – the fact that the determination of this site was heavily weighted on the basis that it WOULD be connected to the proposed routes, means we think that the consideration of a delay IS valid. The integration of this site should be confirmed, including funding and Ring Road route finalisation, prior to any decision on the designation or construction commencement. We also that construction of the ring road is underway prior to any construction beginning onsite should the designation be approved.

- Request the panel take this into consideration when determining a decision on the NoR with respect to delaying any decision on the designation, or requiring conditions to be met.

Road Safety

KR, PNCC, CEDA, and various specialists state that rail freight will decrease the amount of heavy traffic on the road, and use this ascertainment as a basis for supporting the rail yard.

A heavy traffic decrease?? perhaps SH1 in the North Island may see a difference - maybe.

However, what is more interesting to note is that both KR and PNCC specialist reports also state that heavy road freight in and around PN will **increase** with the rail yard in this location– it is inevitable. Logically it follows that any increase in freight moved by rail will result in a related increase of heavy road traffic, as the freight still needs to reach the end user or be transported to the freight mover. KR, and PNCC also acknowledge that traffic congestion will also increase as a result of the hub, it may move routes, but it will still be present, still increase congestion, and risk to road users.

KR and the councils plan to move traffic off Tremain Ave, through relocation of the rail yard will result in it becoming Bunnythorpe, Whakarongo/Kelvin Gove and Milsons problem. Existing commercial businesses on Tremain Ave, will still be there, they will still need to move/receipt freight. The relocation of the rail yard will not change this, or make traffic issues go away – the traffic, the congestion, the carbon footprint will still be there, in fact it will probably be bigger. Increased heavy freight from the wider area will concentrate on the rail yard and be funnelled through Bunnythorpe, which essentially becomes an intersection – not revitalising the village, but killing it, destroying it's character, severing it by cutting it in two and turning it into one big roundabout.

With this added heavy road traffic, congestion, will effectively cause or add to existing choke points around the city (Tremain and Milson). Whilst cycle/pedestrian lanes in and around the rail yard are

proposed, this only creates a buffer the immediate area –road users in the wider area beyond Bunnythorpe, Whakarongo, and Kelvin Grove, Milson, the greater city area and adjacent rural zones will be subject to the increased risks posed by the higher frequency of heavy vehicles on these roads, as a direct result of this site location and need for traffic to transit through to destinations north, south and west of PN.

KR and PNCC state the removal of the level crossings on Railway as a move to improving road safety, if this were true there would be arms on all level crossings. Despite a fatal accident on the Clevely Line/Railway Road crossing, nothing has been done, no arms, no road markings, just a pothole that was getting bigger and bigger – almost covering half a lane – strangely enough this was repaired only this week.... If road safety mattered these arms would be installed, no question, there would be no requirement for a request for a safety review of all level crossing in this area.

- Request the panel take this into consideration when determining a decision on the NoR with respect to delaying any decision on the designation, or requiring, at a minimum all the recommendations as proposed in the PNCC s42 report Traffic and Transportation.
- That the closure of Railway road is delayed until the perimeter Road is complete and functioning, including assessment of whether it can accommodate typical traffic volumes, additional construction traffic, with a view to assessing it's adequacy for forecasted vehicle volumes from the rail yard, freight forwarding and receiving activities.

Climate Change

As stated in our opening, if KR were truly committed to climate change it would be investing in and expanding it's electric train routes, not investing in larger diesel locomotives. Longer trains may reduce the frequency of trains, but the additional load on the engines will result in fuel inefficiencies and increased emissions (irrelevant of the design), also, should the forecasted freight become a reality, there may be no reduction in train frequency, instead we will have just as many trains to keep up with demand, only larger, louder and, with more emissions. There is a reason why bulk fuel storage areas are part of the Master Plan.

The increase in heavy road freight, coupled with the anticipated congestion as a result, will also add to the carbon emissions burden. So whilst pers. within the PNCC thought this would aid in reducing emissions (as stated by KR) in actual fact it is highly likely to contribute significantly more emissions to the city, thereby preventing the city from realising it's Accelerate 25 plan to reduce its carbon footprint.

Request the panel take this into consideration when determining the validity of the MCA process and with respect to the claims made by KR in terms of the NoR and stated benefits.

7. Noise and Vibration

This site was identified in MCA Noise and Vibration assessment as being the least desirable and having a high noise impact due to the proximity to residents in Bunnythorpe, It logically follows that significant mitigation, restrictions and or compensation should be expected to be applied to all construction, design and operational activities on this site.

The Acoustic specialist noted during public consultations that screening was likely to have only limited effectiveness for homes over 200-500 meters away.

Planning response to s92 question 182 states that compliance with cannot be achieved with District Plan R12A.10.1 Noise, however the NOR para 9.4, and Accoustic Assessment Tech Report D, indicate that these levels should be achievable through various mitigation effects, however as stated above, and as noted by PNCC PNCC s42 Response Railway Track Design, construction and operation, this assessment may be flawed, and not as effective as stated. Additionally KR reports/assessment(s) fail to note is that not only is there a significant change to the environment noise levels, this noise will be continuous. Construction is expected to be 2 ½-3 years Mon-Sat 7am to 7pm, and operations are intended to be 24/7 using heavier engines, and longer trains which has the potential to exacerbate both noise and vibration issues. This is a significant change to our environment, and will have impacts on our enjoyment and way of life. There will be no respite from noise or vibration for local residents, this sustained disturbance can have an adverse effect on physical and mental health and wellbeing, this is also acknowleged in the PNCC s42 Response above.

Sound proofing is suggested by KR for some homes **IF** assessed as necessary. If noise modelling is deemed sufficient to determine the height of walls, and for KR to state preferred limits, it should be sufficient to determine which homes are likely to require soundproofing. KR cited soundproofing of new homes requirements to the Marlborough DC in Nov2020, by default these requirements should be applied to the existing homes affected by this designation. Whilst they are not new, the proposed rail yard is, and it is creating an environment the homes were not designed for, therefore all soundproofing mitigation measures should be carried out on those homes prior to the start of any construction.

The use of walls is cited as mitigation, however, noting the Noise specialist points out that these are only effective for locations within 50-100m from the walls. This means that there is unlikely to be any mitigation that will be effective for those properties further away, even though the noise footprint will significantly impact on their environment.

No projections are given to factor in the effects of the prevailing winds on noise levels, which raises the question regarding the notification of residents being limited to 1km – should this have included a wider area to be notified, to achieve compliance with regards to community consultation efforts, and should this wider area be included when assessing the environmental/social impacts on the area as a whole. This raising questions as to the completeness of the investigation, or the constraints applied to the scope of these investigations at the time.

Noting the NOR para 9.4.4 states 'Residual noise/vibration 'should' be acceptable in this environment', in what context does this refer to? What is the environment KR thinks is being assessed? Assessments based on the effect of the environment in a NEIZ or urban context would be flawed as this site sits in rural zone, and it encroaches on existing residential areas. The attitude or expectation from KR that rural residents should just accept disturbed sleep, closed window living, vented fresh air, the disruption to outdoor activities, the loss of peace and quiet and enjoyment of their country environment, due to the significant impacts and changes to the environment as a result of this development, is not acceptable. This was typified in a response we received from a senior KR representative at a 'public consultation' when the effect of noise on the rural amenity was questioned – the response was, 'stay inside with your windows and doors closed'.

No consideration has been given to the short/long term effects of sustained noise/vibration disturbance and health, such as loss of sleep, fatigue, anxiety, learning problems, behavioural issues. There are a number of academic papers available that have researched the effects of sleep disturbance, both in the Human Factors fields and effects on shift workers in industry and medical settings that have found numerous negative effects on both physical and mental health. This was not addressed, or even acknowledged in the Social effects assessment.

Mitigation proposals as suggested during community consultations such as, 'move away' from the area, or 'stay inside with doors and windows closed' this was not a. practical or b. helpful. While these might suit KR, these are not acceptable responses for residents, noting current financial and housing issues facing the Manawatu district and wider national area with respect to the issues associated with availability and affordability of both rental properties and those for sale.

Request the Panel consider our points made in our submission and those recommendations within the PNCC s42A Report: Noise with regards to the following, and/or require the following actions prior to decision on designation or NOR;

- Mandate that 'resilient' track forms are to be used in the hub footprint construction/design of all tracks to include noise/vibration buffer/dampers are to be installed for all tracks within the hub, including any new or realigned tracks as a result of the construction of the hub. All new carriages/engines to be fitted with dampening couplers, and all carriage engines to be retro fitted with the same following refurbishment or servicing activities With Engines and vehicles to be used for shunting, carriage movement within the Hub to be fitted with the same.
- Effects of prevailing winds on acoustics to be assessed. This work may highlight a high number of houses that will be impacted and may require modifying, which would be required in advance of any land designation.
- All recommendations for noise limits, as per Appendix A of PNCC s 42A Tech Report Report: Noise be mandated at a minimum, including the penalties associated with 'special audible characteristics' requiring a +5dB penalty be added to all modelling estimates.
- Any exceedances to be addressed and remedied as soon as practicable.
- Soundproofing mitigation for residents to achieve limits as stated above, if this cannot be achieved the option to formally request KR purchase these properties should be available.
- All noise insulation mitigation, such as soundproofing, including ventilation options to be carried out **prior** to any construction commencing at nil cost to the resident.
- Ongoing noise/vibration complaints to be responded to within 20 days, actioned within 60 days, with all complaints reviewed (at minimum) 6 months periods with findings and follow-up actions to be advised to the complainant within that period. PNCC/Horizons to be advised of all complaints/actions for on-going monitoring and assessment. Mitigation measures to be actioned as soon as practicable.
- The proposed Liaison position to be retained in perpetuity of construction and operations to ensure compliance and actions.
- If rail yard hours of operation are confirmed as being required 24/7, should this site be approved, then significant noise limitations should be imposed between certain hours and for certain periods. Limiting high noise 'creating' activities to the hours of daylight, loading, unloading logs, container movement to daylight hours – refer to PNCC recommendations.

- Mandate noise reduction activities such as: electric vehicles to be used for all movements in the yard including cargo, freight loading unloading and container movement. All diesel engine operation on site to be kept at a minimum. both to reduce noise and emissions.
- Ongoing noise and vibration monitoring and actions to be in place, and remedial actions/or constraints applied when certain levels are consistently breached, in particular if attributable to certain activities e.g. container, log movement, shunting and/or vehicle movements, maintenance activities out of mandated limits.
- Independent investigation to be carried out into **health issues related to noise and vibration**, such as loss of sleep, fatigue, anxiety (depression), behavioural and learning issues, to enable a better understanding of the effects of the hub location on the community. Results to be submitted to this Panel, MOH, PNCC and made publically available prior to designation decision. These results should be considered with respect to; the suitability of this site for a rail hub, in conjunction with meaningful mitigation requirements, and whether the required protection can be achieved with respect to public health.
- KR should not to have the power/authority to change or amend noise/vibration limits at any time. Notification of and justification of any requirement to exceed stated noise/vibration limits – to be used as an exception, not as a rule.

8. Landscape, Visual and Ecological

Please refer to comments in our submission and PNCC s 42 Report: Landscape and Visual and ecological assessments. Which found aspects of KR assessments flawed, incomplete and inaccurate.

9. Storm Water and Flooding and 10. Contaminated Land - Water protection

We have raised this issue of the proximity of the proposed rail yard to the PN city water bore, apart from the Preliminary Site Inspection report, as discussed in our submission, no further assessments have been carried out by KR. PNCC cites that this is either 'out of the scope of their report and expertise' (Stormwater and Flooding) or 'expects that it would be appropriately protected' (Infrastructure Assets).

The lack of investigation, analysis and assessment of the risk to the water supply is surprising, and extremely worrying. This is a glaring omission on the part of both KR and PNCC, and potentially places a valuable, irreplaceable water source at risk. To be clear, we are not talking about runoff, surface water – also called ground water – which may cause confusion, we are talking about the bore water, water taken from beneath the surface.

The PN city bore is located at the corner of Roberts Line and Railway Road, immediately adjacent to the proposed site. This was recently refurbished, at a cost of ~ \$920,000 – to meet the requirements of the expanding NEIZ, this bore supplies, on any given day up to 1/3 of the city's supply, more in times of greater demand such as summer.

The water table for this bore (although recently drilled to a depth of over 250m – but less than 300m) was found at a higher level than expected with water levels at ~ 50m, in addition there are a further 15, smaller shallow bores (<50m) bores that dot the site indicating higher water table levels,

KR states these will be capped, and monitored, however they are potential contamination points, not only due to the extensive earthworks required, but also operational contaminates.

Monitoring is not mitigation on a scale such as this, once contamination is found it is too late, the only means to remove the contamination is by removing the source – do you think KR will pack up and leave?

Potential rail yard contaminants may include (but not limited to) oils, lubricants other petroleum products, cleaning and degreasing agents, solvents, hydrocarbons, plastics (from maintenance activities), other chemicals, fertilisers, herbicides, pesticides, timber products (treated and untreated) and heavy metals from freight movements and cargo – not withstanding the risks posed by an incident involving the bulk fuel storage onsite, therefore the questions around the protection of the city and local area ground water supply remain unresolved.

There has been to date, no hydrogeological assessment of this area or environs. Online research has shown only one recent thesis on the hydrogeological characteristics of the Manawatu Plains only, it does not provide the necessary information required to assess the risk to the water supply, this was confirmed by an enquiry to Massey.

A full assessment is required to obtain a comprehensive understanding of the type of water supply, artesian or reservoir, the location of 'feeds' to the supply and what influences this, flows, the geology and the effects of flooding on the water table. That is, in the event of flooding, will the increase in water levels (above and below ground) increase the risk of contaminants entering the water bore catchment area. I don't profess to be an expert on water, however, a small amount of research has shown me the importance of this investigation. This affects not only the city bore, but potentially anyone in the area which uses bore water beyond the designation.

This is something that should not be left to the 'consenting' stage, that is far too late. Whilst time has been spent on 'forecasting freight demand, economic benefits, noise assessments, traffic and water runoff – nothing has been done to assess the risk to the entire city's water supply!

This appears to be contrary to all policy relating to the protection of water sources, we should be safe guarding our water sources, for our children and the generations to come. Our water is far too precious to be left as an 'afterthought' it's protection left to 'mitigation' measures. We have a right to clean water, it should not be put at risk by business, our health, our environment should not be put at risk by big business..

- We ask the panel that no decision should be made on designation should even be considered until the risks to the city bore water supply and the greater hydrogeological landscape of the area are comprehensively assessed and understood, requiring specialist investigation and analysis, with the report subject to peer review by both domestic and foreign specialists.

11. Socially Impacts –socially irresponsible

The Social impact assessment was lacking on multiple levels, generalisations and assumptions were made, showing a lack of understanding of the environment and people, this view was shared by PNCC reviewer in s42 A Tech Evidence: Social Impacts, resulting in the severity of the adverse

impacts on the community being understated – the environment, the character, the ‘sense of place’ of the community and environs will fundamentally change, and not in a good way.

There is additional evidence of attitudes, opinions in reports that make broad assumptions regarding the ‘community’ of Bunnythorpe, and the extent of the area deemed ‘affected’ for example in arbitrarily assigned 1km limit of notification. Examples of this dismissive and flippant attitude toward the residents can be seen in various statements in both KR social and economic reports suggesting that the rail yard would mean employment for the people of Bunnythorpe, implies that there is an expectation or belief that people that live in rural areas are in need of work – that’s insulting and patronising.

Bunnythorpe and its environs are home to a number of people with different backgrounds and skill sets, we have medical professionals, tradesmen, business owners, education professionals, farmers, including stay-at-home Mums, Dads and carers – we chose to live here, because of what it is, a quiet rural area, not because of what we do. Comments noted during public consultations along the lines of, ‘if you don’t like it, leave’.

The other presumption stated in KR Social assessment, that home owners will easily find another property as they are already in the market, and the assumption that finding another rental is equally as easy, shows the utter lack of any real understanding of the housing and rental market and the challenges associated with finding a home that is suitable, affordable or in a similar area. Those residents that rent are even more disadvantaged.

While property owners may receive payment for the property, tenants are left with nothing but a Notice to Vacate, and the financial cost associated with not only moving, may also include increased travel expenses, and childcare, the difficulty in finding a pet friendly rental, loss of a support network/family and friends due to needing to move, but also the potential increases in rent. For example rentals in Mar 21 for Bunnythorpe averaged \$320 pwk, whereas PN was at \$440.

All businesses have a social responsibility to the people the environment in which they operate, we believe it is not only socially irresponsible but reprehensible to evict people during a housing crisis and economic downturn.

The predetermination of this site has influenced every aspect of this process, the MCA was nothing more than a ‘tick in the box’ exercise – not to determine the best site – but to find flaws with any other site in the area with a view to this particular site selection, notably, even the ‘concept plan’ produced coincidentally ‘fits’ or overlays into the proposed NEIZ site, almost as if it were ‘made’ for it.

The adverse effects on the Bunnythorpe community and wider area have been vastly understated, with public concerns either marginalised or ignored, in particular those adverse effects on mental and physical health. This NOR will sever the community, noise and vibration will increase due to increased rail movements and activities and increased diverted road traffic and heavy freight volumes, the proposal essentially turns the village into a big intersection, the known.

NOISE -
VIBRATION

SLEEP DISTURBANCE IS DOCUMENTED TO LEAD TO HEALTH ISSUES. - MENTAL & PHYSICAL. THE INTENTIONAL DISPLACEMENT OF PERSONS FROM HOMES FOR BUSINESS/PROFIT PURPOSES, DURING A HOUSING CRISIS AND ECONOMIC DOWNTURN IS BOTH IRRESPONSIBLE AND REPREHENSIBLE.

-STRESS, ANXIETY
HEALTH PROBLEMS &
BEHAVIOURAL &
LEARNING
ISSUES.
NONE OF WHICH
ARE ADDRESSED.

The arguments that this will reduce heavy traffic on roads – inaccurate and untrue, traffic will increase in the area, distribution networks are still required therefore KR increase in freight will result in an increase in distribution traffic from the hub, increasing road traffic.

- Request that the Panel give consideration to the comments made in our submission, and those raised in the PNCC s42 response. Particularly with regards to the effects of noise and vibration on health and wellbeing, community amenity, loss of character and quality of environment.

12. Economic

Claims of economic benefits are vastly overstated, whilst KR may realise some of its goals, the benefits stated for Bunnythorpe and the Manawatu cannot be substantiated.

In some cases these statements are either false or misleading – false in term of jobs and benefits to the area.

Refer to NOR s 92 28 May 21 response to PNCC request dated 7 May 2021 attachment 3, future employment figures. The Same number of pers (305) from current site are expected to be transferred to and employed at the new site. All other estimated job opportunities are based solely on existing freight partners and the expectation that they will increase employee numbers.

KR cites the creation of construction jobs as a benefit, these are highly unlikely to be attributable to KR as those pers would likely already be employed in the various infrastructure projects in the Manawatu, through the replacement gorge road construction, subsequent upgrades to Saddle road and Paihiatua track following over use, the as yet, non-existent ring road, works at both Ohakea Air base and Linton camp, and the expansion of residential areas between Kelvin Grove and Whakarongo/Bunnythorpe.

Rail yard employment figures quoted are based on current freight partners employee numbers and forecasted figures, solely reliant on existing partners expanding operations or new partners taking taking up options on the site. An increase in freight demand (rail or otherwise) comes with an increase in road freight. The employment benefits cited are misleading as they are not job opportunities created as a result of KR, but job opportunities that would occur 'inspite' or KR with the increase in freight volumes.

Also misleading are the benefits associated with the belief that KR intend to release the current rail yard to the PNCC for repurposing, however despite PNCC belief they will get the land from the current site of KR operations, this is potentially nothing but a pipe dream. As identified in the KR Economic report, the land is likely to be unsuited to residential use due to contamination, and only fit for commercial purposes (adding to Tremain Ave congestion woes), significantly it notes that 'no decision as to the designation of this land has been decided'.

Submission made relating to impact on property prices were discussed, KR legal team response that decisions should not be made on peoples fears (real or perceived) that might never be realised, if this approach is valid, then a NoR should not be submitted on the basis of a projected forecast for freight demand – this is just a 'percieved' forecast, which might never be realised.

- Request that the Panel give consideration to the comments made in our submission, and those raised in the PNCC s42 response
- Noting that the economic benefits ascribed to PN and environs as a result of KR rail yard, are likely to be vastly overstated, and or not attributable to KR. Request that the Panel reconsider the validity of the NOR from KR based on their stated business case, and with reference to the significantly reduced, or unrealised economic benefits.

- Due to the dubious reliability of economic benefits, request the lapse period is either maintained at 5 years or extended only to a maximum of 10yrs as recommended by PNCC planners.

In conclusion.

We oppose this NOR, we question its legality with respect to the size and scope of the designation, it's location, the large number of anomalies noted in the site selection process, and due to the significant ADVERSE impacts on the people and the environment. KR has overestimated forecasted demand and the economic benefits of this project, whilst repeatedly understating, marginalising or disregarding the adverse impacts on the environment, risks to our natural resources, infrastructure and people.