

Submission 7

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My name is Rex McGill. I am here today to represent our family Rochelle, Thomas and Jess...plus Ruby the Dog. We currently reside at 9 Sangsters Rd, in relation to the designation sought my property is located (here - show on map). Our submission number is Seven.

We have lived at our property for approximately Nine years. Our reason for moving to this location at the time was it's semi-rural setting and proximity to both Palmerston North and Feilding. Little did we realise that we would inherit a fantastic bunch of neighbours and live in a community where everyone looks out for each other but we don't feel like we are staring at our neighbour eating breakfast as can be the case in modern urban settings. Then there is the environment we enjoy. Ample birdlife, beautiful trees and vegetation and a lack of light pollution that allows us to have on occasion amazing vista's of the night skyline.

Our concerns about KiwiRail's Notice of Requirement are in short that a 177 hectare industrial complex that will be given the right to operate 24/7/365 is about to invade our community.

The reason for our concerns is based on the fact that Kiwirail is about to become our direct neighbour. Admittedly they already are as the NIMT sits only 29m away from our front bedrooms but we would describe them as fleeting visitors as the trains pass us by on their journey. However now they wish to become permanent full-time residents of our community. And what are they offering us....well sadly noise, pollution, both airbourne and light, and to substantially change our rural outlook with the consequences to our lifestyle that will come with these changes. These were all the topics of concern which are stated in our submission.

As I have already mentioned our property boundary sits less than 20m from the proposed Rail Hub and our actual house sits 29m from the designated area being required by Kiwi Rail under the NOR. photo representation of our proximity to the proposed boundary of the Rail Hub is shown in the landscape-and-visual-evidence-Lisa Rimmer appendix A-viewpoint 23. This photo was actually taken at the bottom of the driveway of 9 Sangsters Rd rather than the stated 11 Sangsters Rd. What isn't represented here is that our property, which is less than ten metres to the East of the position this photo was taken from, is actually approximately 2 metres higher in altitude. This fact is alluded to by a report published by PNCC, S42A Technical Evidence report - Noise by Nigel Lloyd in Section 6.1 Construction Noise Mitigation point 121 that "dwellings on Sangsters Rd.....generally raised above the railway line and Railway Rd and it is therefore difficult to mitigate construction (and operational) noise using noise barriers".

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Based on the factual evidence presented by both KR and PNCC experts, 9 Sangsters Rd falls into what the experts have deemed the Category A Noise & Vibration Zone for when the Rail Hub is operational. This zone is deemed to be any dwelling located within 100m of the Rail Hub Boundary. Our property is also deemed to fall within the 50m Construction buffer zone. When discussing this Nigel Llyod again contends that "No predictions have been made of construction noise, and 50 metres and 200 metre buffer areas have been developed based on experience with comparable works on numerous other projects. Buffer areas are normally empty tracts of land that are used to buffer noise sensitive neighbours but, in this case, there are dwellings inside the buffer area. Some of these dwellings may be exposed to noise levels that exceed the construction standard noise limits but there is no indication where or when this might occur".

So on one hand we have an acoustics expert stating that any property within a certain close proximity of the Rail Hub, both during construction and then when operational, will be affected significantly even with noise mitigation and then another expert stating that the proposed noise mitigation will be enough. You can see our cause for our nervousness. Of immediate concern is noise mitigation during the construction phase. To mitigate noise a bund and 3-5m high concrete wall needs to be in place along with the promised planting to help hide the visual impact of a wall more commonly seen at a prison or in Gaza! But according to Mike Skelton in his Design Construction and Operation report on behalf of KiwiRail states in section 4.30 "The potential for early planting along the eastern (Sangsters Road) boundary is minimal and cannot take place until the NIMT has been relocated. The existing rail formation will form the base of the noise bund, newly formed Te Araroa Trail / share pathway and landscaped planted area".

So we are questioning in this first instance how will our property have the noise and visual impacts of the construction phase mitigated. Without a construction plan to consult it is very difficult to understand and foresee what form this mitigation may take. I can only base the following commentary on 30 years' experience in the construction industry and my working understanding of construction schedules and work plans. So, if the proposed noise mitigation for our property is to be a small earth bund topped by a significant concrete structure that will be situated on the ground currently occupied by the NIMT how will this work practically? To move the NIMT will require it to be re-sited to the area currently used as Railway Rd. To move the NIMT will require major earthworks to remove the infamous Bunnythorpe Dips. You would also need to build New Railway Rd on the western side of the Hub. That would require what local's describe as Lake Bunnythorpe to be dealt with through both major earthworks and instigation of the new drainage system for the Northern catchment area of the Hub. To do that the major culvert works need to happen on the Eastern boundary of the Hub – in fact around and under the very area where the noise mitigation wall for our property needs to be built. It seems to me to be a real instance of which first....chicken or the egg?

The required construction phase of the project is slated to continue for a 5-6 year period over which time according to aforementioned report authored by Mike Skelton gives some insight into the scale of what is proposed. In section 6.9 of this report, it alludes to an estimation of approximately 2.4m³ of fill being shifted across the site with 1.55m³ of fill having to be brought in to supplement the scraping and cutting of on-site fill materials. With the Manawatu's famous westerly wind flow and our property being to the East of this work, the impact of airborne dust and debris will be significantly increased. This will have an impact on our property including but not limited to noise, vibration, dust and lighting.

The other impact of the construction phase is alluded to in the report prepared and submitted by Amelia Linzey on behalf of the PNCC. The report entitled Social Impacts states that home owners social well-being and social and cultural enjoyment will be impacted. In the report section 4 – Review Findings point 19 she states “Based on my review of the proposal, including the conditions for the designation proposed by KiwiRail, some of Kiwirail's assumptions cannot comfortably be relied upon to inform the assessment of potential social impacts. As an illustration, I note that other reporting officers raise concerns about the feasibility of landscaping and noise mitigation being implemented prior to construction, and therefore I consider this would likely affect the ability for these features to provide mitigation of the potential severity of social impacts (e.g. by providing screening), particularly while construction is underway.” The Social Impact report then goes on to highlight the impact of living next to a 177 hectare industrial complex that will be allowed to operate 24/7/365. In section 4.4.2 point 44 the report writing states “that the change in noise and community character arising from the Freight Hub will likely impact people's daily routines at home (sleep, working from home, spending time outside) and the road closures and relocations will likely affect travel patterns. I agree that the severity of impacts on way of life will be greatest if night-time activities occur at the Freight Hub.”

Because quite exacting parameters have been set in regards the amount of noise and vibration that a property should be subjected to, the questions that arise for our family in regards who will monitor and police these limits? Also will monitoring be performed on an individual property by property basis. As every property within the Cat A Noise & Vibration Zone is constructed using different material, foundation type and building methods would a blanket monitoring system be the best way to gauge the impacts on each individual home? We would argue no. In line with that how will breeches of these limits be enforced and by who? Whoever it is must be independent from Kiwirail and the PNCC, as both parties have a vested interest in the success of the Rail Hub. Also what penalties should a breach invoke. A monetary fine or a suspension of operations as opposed to the wet bus ticket approach of a breach notification being issued. Also within the mitigation proposal in regards noise and vibration one of the proposed solutions is to provide insulation and ventilation systems because to hit the required noise limits internally within Bedrooms and Living areas, windows on the property will have to remain closed. That to

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me is not mitigation....it is imprisonment and there is nothing about such a solution that we see as fair and equitable! Our reason for living in a semi-rural property is built upon the tenants of open space and the freedom to enjoy that space.

One of the issues stated in our submission and was a common theme for many of the local property owners submissions was the impact of airborne pollutants particularly for those households who rely on rain-water catchment for their potable water supply. We have seen a list of potential solutions offered by Kiwirail to these but there is no indication on who foots the bill. We would like to see either Kiwirail or PNCC be required to not fiscally disadvantage any affected properties and their current owners if changes to their water supply is made regardless of what the remedy may be.

In summery our family is struggling to find many positives from the situation we face from having Kiwirail as full time neighbours. Promises to mitigate the effects on our property and wider community will only find there true worth by the time is too late do undo them. If we are to believe the hype from Kiwirail this project is a major pillar of their future operating model in the lower North Island. The figures being thrown out there are anything from \$1-2 Billion. But regardless of cost and scope this NOR represents Kiwirails one chance to get this project right. Many large projects have failed to future proof themselves at the beginning which 10-20-30 years later cost so much more to rectify. Palmerston North is growing and the majority of that future growth will be in the north-western corridor towards Whakarongo and Bunnythorpe. This residential development will be to the east of the proposed Rail Hub so better to overdo the mitigations now than try to retro-fit them later would seem a wise course. With that in mind we would like the panel to consider the following proposal. This proposal would be to enact a requirement for Kiwirail to purchase any property with the Cat A zone and beyond if need be, if the property owner wishes that to happen. We realise this sits outside of the Public Works Act but would it allow affected property owners a choice. Good corporate citizenship should be invoked. Allow fairness and natural justice to take precedent. Allow for a specified time frame where property owners within the Cat A zoning, or a designated zone deemed necessary by the panel, can make the choice to stay or go. If they stay then at least it is an inform and eyes wide open choice. If I were to sum up our feelings in regards the Rail Hub I would like to finish by quoting the 44th President of the USA Barak Obama – “You can put Lipstick on a Pig, but its still a Pig”.