

KIWI RAIL FREIGHT HUB SUBMISSION FORM

47 - 1



Form 21 – Submission on a Notice of requirement from KiwiRail Holdings Limited for a designation to accommodate a new regional freight hub

TO: Palmerston North City Council
Private Bag 11-034
Palmerston North 4410
ATTENTION: Democracy & Governance Manager

NUMBER OF PAGES

10

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter **Aaron Patrick Fox**

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Phone **0274227663**

Bunnythorpe RD8, Palmerston North 4478

Email **aaron.fox@xtra.co.nz**

Signature

(Signature of the person making submission or the person authorised to sign on their behalf. A signature is not required if you are submitting by electronic means.)

1 THE SPECIFIC PARTS OF THE NOTICE OF REQUIREMENT MY SUBMISSION RELATES TO ARE:

Please refer to the attachment (8 pages)

2 MY SUBMISSION IS: (Comment whether you support, oppose, or are neutral regarding specific parts of the Notice of Requirement or wish to have them amended and the reasons for your view.)

Please refer to the attachment (8 pages)

3 I SEEK THE FOLLOWING RECOMMENDATION OR DECISION FROM THE PALMERSTON NORTH CITY COUNCIL: (Give precise details, including the general nature of any conditions sought)

Please refer to the attachment (8 pages)

4 DO YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?☒ YES☐ NO**5 IF OTHERS MAKE A SIMILAR SUBMISSION WOULD YOU BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING?**☐ YES☒ NO**6A I AM A TRADE COMPETITOR FOR THE PURPOSES OF SECTION 308B OF THE RESOURCE MANAGEMENT ACT 1991**☐ YES (If Yes, go to 6B)☒ NO**6B I AM DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT:**
i. adversely affects the environment; and
ii. does not relate to trade competition or the effects of trade competition☒ YES (If Yes, comment below)☐ NO

I am an affected party with respect to noise, vibration, light pollution, dust, air pollution, storage and transport of hazardous materials, heavy freight train and vehicle movements, future property value, future amenity values in Bunnythorpe, landscape, stormwater and flood control, roading, public health, community wellbeing, community cohesion and resilience, district plan zoning, archaeological and heritage values.

PLEASE SEND YOUR SUBMISSION BY 4PM, 26 MARCH 2021**MAILING TO**

Palmerston North City Council
Private Bag 11-034,
Palmerston North
ATTENTION: Democracy & Governance Manager

DELIVERING TO

Council's Contact Services Centre, Civic Administration Building,
Te Marae o Hine: The Square,
Palmerston North
ATTENTION: Democracy & Governance Manager

EMAILING TO

submission@pncc.govt.nz

YOU MUST SERVE A COPY OF YOUR SUBMISSION ON KIWIRAIL HOLDINGS LIMITED BY**MAILING TO**

RMA Team
KiwiRail Holdings Limited
PO Box 593
Wellington 6140

EMAILING TO

Pam.Butler@kiwirail.co.nz

Please note that your submission (or part of your submission may be struck out if Palmerston North City Council is satisfied that at least one of the following applies to your submission (or part of your submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter

**Submission of Dr Aaron Patrick Fox of
10 Kairanga-Bunnythorpe Road, Bunnythorpe, RD8, Palmerston North 4478
in response to the
Notice of requirement from KiwiRail for a designation to accommodate a
new intermodal rail and freight hub
under section 168(2) of the Resource Management Act 1991
dated 23 October 2020**

To the Commissioners

My submission in respect of KiwiRail's Notice of Requirement new intermodal rail and freight hub near Bunnythorpe is as follows:

- **I do not support the plan to establish an intermodal rail and freight hub on land between Bunnythorpe and Palmerston North.**

I consider that this proposal represents aspirational, if not wishful, economic and transport and freight forecasting, coupled with unrealistic projections of 1,000 new jobs and \$4 billion in investment a decade hence. I contend that KiwiRail's preferred location for the hub is not fit for purpose – the site for the large-scale 24/7 freight is cheek-to-cheek with existing rural and residential properties, and requires an excessive amount of earth movement, drainage and bridging to create a wide and flat enough space for railway sidings and warehousing. Significantly, the earthworks, pavement and drainage requirements for the site represent the highest costs of any of the shortlisted options.

I further contend that the land which KiwiRail requires could more properly be dedicated to the construction of residential housing, in response to Palmerston North's pressing need for space within the city's boundaries for new subdivisions. Above all, I conclude that, while the scale and scope of any and all effects of the construction and operation of the hub remain unclear, it is abundantly evident that impact of any and all effects on the Bunnythorpe community will so be significant and enduring that the requirement as it stands must be declined.

On a personal note, I am appalled that a small community such as Bunnythorpe, lacking the \$40M funding and expertise available to KiwiRail, is expected to comprehend and embrace a large-scale development with an anticipated lead-in period of some 10-15 years in less than twelve months, and now with a submission period of only twenty working days. I do not appreciate the indecent haste with which this project has been progressed to-date, when I consider that the local community will be forced to live with the effects of the construction and operation of the rail hub for generations to come. This is a life-changing event for those who life, work and recreate in and around Bunnythorpe – at worst, the community will be

at the hub of a maelstrom of light, noise, dust and heavy rail and traffic movements. Improved road access to Palmerston North is cold comfort indeed. Further, it is deeply upsetting to read about three in-house long-list and short-list stakeholder workshops which were staged without community involvement, at which a variety of significant issues facing the residents of Bunnythorpe and environs were reduced to assessment criteria and score cards. Real families and real properties are more than mere numbers and are worth far more than the 'no fatal flaws identified' rating accorded to the freight hub site in the property degree of difficulty assessment. From the residents' perspective, especially those located within the freight hub site, KiwiRail's requirement itself is a fatal flaw. The council needs to consider this community as more than just land bought into the city to provide for industrial expansion.

- **I therefore seek the following recommendation from the commissioners: that KiwiRail's Notice of Requirement be declined**, on the basis that the acquisition of such a large tract of undeveloped land within the city's boundaries for a 24/7 freight operation is incompatible with the existing rural and residential zones in and around Bunnythorpe, that the large-scale industrial operation exceeds the council's own footprint for such activities as delineated by the North-East Industrial Zone, and that the alienation by KiwiRail of some 177 hectares of land for an indefinite period would be perverse and counter-productive, given the forecasts of increased demand for new housing subdivisions over the next decade which are set out in the council's current draft Long Term Plan. What is cost-effective and convenient for KiwiRail is not necessarily the best practicable outcome for all the parties involved with this proposal. The intermodal rail and freight hub proposal must therefore be reconsidered, refined and resubmitted at a more opportune date – and preferably in respect of a more practicable site.

I note that the KiwiRail Notice of Requirement suggests that the freight hub might assist 'in mitigating the causes of climate change through the relative reduction in carbon emissions by reducing reliance on roads for the transport of freight.' I ask the commissioners to please weigh this claim against the level of carbon emissions which will be associated with the construction of the hub. Further, I wish to raise the wider question of just whose environment is at issue here – global considerations of climate change, or the very real effects posed to the local environment of Bunnythorpe village by the construction and operation of a 177.7 hectare freight hub? From the perspective of those of us who live in Bunnythorpe, the KiwiRail proposal will clearly have a significant adverse effect on **our** environment – especially the 340 residences which sit within 1 kilometre of the hub site.

- **If the commissioners see any merit in KiwiRail's intermodal rail and freight hub proposal, I seek the following recommendation to the council: that KiwiRail be given approval only to relocate the existing 40 hectares of freight yards from the centre of Palmerston North to that land in the North East Industrial Zone currently designated in the council's District Plan as suitable for industrial zoning.**

KiwiRail's freight handling operation would therefore be located closer to existing freight warehousing operations, and to the Palmerston North airport. Any plans for the further expansion of KiwiRail's freight handling operation would be best discussed with the local community at a more opportune time. I contend that this represents a pragmatic response to KiwiRail's proposal, by approving the relocation of KiwiRail's existing facility to an area already zoned for industrial purposes, sufficiently removed from the rural and residential zones at Bunnythorpe to minimise any effects, and of a scale large enough to meet KiwiRail's immediate needs yet not so large as to cause significant disruption to the local community during the construction and operation of the facility.

This recommendation would be in line with the original 5 November 2018 Cabinet Paper on the proposal which advised Cabinet that 'Securing a site in the NEIZ to develop an upgraded, future-proofed Regional Economic Growth Hub would best position KiwiRail and its freight partners to efficiently and sustainably deliver on New Zealand's growing freight demands for the next 50 to 100 years. The NEIZ has been developed as a key location for New Zealand's rail freight in central New Zealand taking freight from north, south, east and west, supporting planned roading infrastructure in the area with its proximity to airfreight and complementing overall regional transport initiatives.' The key wording here is 'in the N[orth] E[ast] I[industrial] Z[one]' or within the existing footprint for industrial development set out in the council's district plan. This statement also calls into question the sincerity KiwiRail's investigation of alternate freight hub sites during 2020, given that the expressed intent from 2018 was for the hub to be located to the north-east of Palmerston North. KiwiRail has a statutory responsibility, after all, not to act arbitrarily, or give only cursory consideration to alternatives.

- **In the event that the commissioners decide to recommend that the council accepts part or all of KiwiRail's requirement, I seek the following caveats to any such recommendation, based on the requirement that KiwiRail's evaluation needs to be 'evidence-based and robust':**
 - **That the duration of the requirement be retained at 5 years, not the 15 years lapse period requested by KiwiRail.** Either the company has the resources and requirement to realise this project within the next decade, or the project should be shelved pending reconsideration at a more opportune time.
 - **That the hours of operation of the intermodal rail and freight hub be restricted to standard working hours, and not the 24/7 operation proposed by KiwiRail.** No neighbouring residential area should be subject to intrusive freight and container handling noise at any hour of the day or night, or the associated sound and fury of train and heavy traffic movements. Indeed, permitting a 24/7 operation at the KiwiRail hub would establish an unfortunate precedent for any extended operating hours for the airport and neighbouring freight warehouses. Comment in the masterplan report about

the necessity for the 24/7 operation of the hub in order to 'minimise dwell times' does not explain why the movement of commodities such as logs, milk products or manufactured goods should be time critical.

- **That the current notice of requirement be set aside until such time as many of the details of the proposal can be finalised.** Currently, the KiwiRail proposal includes a series of plans and assumptions relating to the final extent, environmental impacts and possible mitigation of adverse effects, which will only be confirmed after the requirement has been designated in the district plan. While each plan will have a significant effect on the local community, the plans all conveniently sit outside of the current designation process. Therefore, instead of being open to scrutiny through due process by notification and public submission, any effects arising from these plans will only be mitigated by means of a community liaison forum and a complaints' register.

The following documents, that KiwiRail currently proposes to produce as requirement conditions only in the event that the designation is approved, should therefore be finalised and made publicly available and be considered by the Council prior to any consideration and approval of the designation:

- (a) Construction Management Plan
- (b) Construction Traffic Management Plan
- (c) Construction Noise and Vibration Management Plan
- (d) Landscape 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 Dust Management Plan

- **That the economic forecasting for this proposal be revisited** in the light of the economic impact of COVID19 during 2020 and 2021, with the concomitant changes to New Zealand's patterns of production, freight distribution and export. The existing economic assessment suggests that the modest volume of rail freight which is currently moved through the KiwiRail facility in Palmerston North is weighted towards the export of products from the region, apart from the receipt of manufactured goods from Auckland. On this basis, what is needed for Palmerston North is a freight export hub rather than a more grandiose

intermodal rail and freight hub. Indeed, the export of logs, dairy products and manufactured goods from the Manawatu might well be better served by bespoke rail freight facilities instead of one big hub. 'Think Big', even when it has been recast by KiwiRail as a 'master plan' is an economic policy with a highly dubious pedigree in New Zealand.

- **That the resilience criteria be revisited** on the basis that no consideration has been given to the impact of climate change, and in particular any changes in rainfall across the Manawatu, given that the site of the proposed freight hub is undulating ground, criss-crossed by creeks and drainage systems. The current flood modelling which has been relied upon by KiwiRail's consultants is woefully inadequate, with the degree of difficulty assessment being based partly upon 'anecdotal reporting and visual inspection of available photographs'. These significant issues need to be addressed in considerable detail before the requirement can be approved. This is, after all, a site which will be difficult to drain because of the confluence of multiple local streams.
- **That the noise and vibration criteria be revisited** on the basis that this report did not take into account:
 - Future forecast of train movements and differences between North and South locations,
 - Heavy vehicle off-site routes and forecast volumes,
 - Future configuration of the arterial road network,
 - Information on building types/uses (i.e. dwelling, school, commercial or ancillary/utility), and
 - Details of unexercised resource consents for future noise-sensitive development and details of where future dwellings could be built as permitted activities.

Again, these activities will have significant effects on the community, yet there is no opportunity for local residents to submit upon any of these points. Section 4 of the 'Specialist Assessment – Noise and Vibration Criterion' actually sets this out neatly, whereby the stated absence of fatal flaws in the proposal is qualified by the statement that 'As set out in the explanation, there is a risk that operational constraints and/or significant adverse noise effects might become fatal flaws.'

- **That the acoustic assessment be revisited** on the basis that this report is largely based upon the LAeq(1h) measure, which conveniently averages out (without duration adjustment) the peaks and troughs of noise associated with the movement of trains and vehicles and the loading and unloading of containers and logs. As the report notes, 'While not formally standardised, this metric is commonly used for railway noise in New Zealand as a shorter assessment time

such as 15 minutes might not be representative of typical railway activity, which is inherently variable.’ The key phrase here is ‘inherently variable’, with the report suggesting that the acceptable new background noise levels during the construction and operation phases of the hub will increase by between 10 and 20 dB to a daytime level of 55 dB and 45 dB at night, with maximum noise levels applicable only at night. While some consideration is given to minimising noise effects within houses close to the hub by means of ‘acoustic treatment’ and ‘mechanical ventilation’, there is only a passing reference to the effect on the amenity values of the Bunnythorpe village of a constant elevation in background railway, road and hub activity noise together with an unspecified level of maximum noise during daylight hours. The Section 92 response with respect to noise and vibration even includes the cute euphemism ‘noise propagation’ for windborne noise over longer distances. This assessment is indicative only, and KiwiRail reserves the right to not only determine the actual permissible noise levels once future operational requirements are known, but to determine, review and update its own standards for noise management at the hub.

- **That the social impact assessment be revisited** on the basis that the nature, variety, degree and duration of effects of the construction and operation of the freight hub on the local community cannot be properly gauged until many of the details of the project are known. With only the documentation appended to the Notice of Requirement available to the community, there is no way in which the true social impact of the freight hub can yet be gauged.

The recommendation of this report serves to highlight the paradox: ‘The recommended mitigation is focussed on ensuring there is sufficient information available for the community throughout the course of the project (as designs are finalised and Outline Plan of Works and regional resource consents processes undertaken), to understand how they will be affected by construction, and how they can remain informed and/or involved as construction details are finalised and construction occurs.’

- **That the economic analysis be set aside.** A project of this scale requires more exact economic analysis than a report which, when attempting to assess the wider impacts of a more efficient rail freight system can only provide a rating of ‘undifferentiated positive’. Surely KiwiRail could provide a more emphatic analysis of the prospective ratings of its own more efficient operation? The following extract is a further example of the muddled thinking which renders ineffective what should be a compelling component of KiwiRail’s notice of requirement: ‘Land use and value uplifts can arise when land values in close proximity to train lines and trains stations experience an uplift in value. The Value of Rail report also notes that uplift can also be experienced by industrial/ commercial properties as well but to a smaller degree in comparison to residential properties as not all business that rent/ own the property will be able to use the rail line productively and generate returns from it.’ This statement is

circuitous and meaningless, and excruciatingly so when I realise that what is in discussion here is the value of residential property in proximity to the freight hub.

I also question whose economy is at stake. Currently KiwiRail moves 900,000 tonnes of freight through Palmerston North, representing 6% of the annual national total of freight moved by rail. On this basis alone, the freight hub proposal seems significantly out of proportion with the actual current and forecast rail freight movements in the Manawatu. Whether or not the estimated 9.1 million tonnes of freight which are currently moved by road in the Manawatu-Wanganui region can in future be switched to KiwiRail is literally anyone's guess. What effect the switch to rail freight might have upon local transport companies is clearly beyond the scope of KiwiRail's requirement.

KiwiRail's forecasts of employment during the construction and operation of the freight hub are equally nebulous. Transferring KiwiRail's current operations from the centre of Palmerston North will not create any new positions, while construction work will likely be undertaken by local contractors with existing and temporary crews. The prospect of an additional 1,000 workers associated with freight warehousing operations is only an estimate of a possible scenario at least a decade into the future. Whether or not any of these jobs would be taken up by local residents can only be conjecture at this juncture.

None of this offers any tangible benefit to the Bunnythorpe community, or even to Palmerston North – quite the reverse. KiwiRail's \$40M will be used to purchase properties within the footprint of the freight hub, with no guarantee that the vendors will re-invest in property within Palmerston North where houses and lifestyle blocks are in short supply. As I have mentioned elsewhere, the freight hub will also exclude 177.7 hectares of land from potential redevelopment as housing subdivisions. I contend that developing 177.7 hectares of housing is a more attractive commercial proposition for the council, particularly the income from the construction of dwellings and infrastructure through to the enhanced rates take. Council should balance this option against KiwiRail's forecast benefits from the hub over a 60-year period – 20-25 percent of \$1.3 billion for Palmerston North customers moving freight by rail, and an estimated 20-25 percent benefit deriving from lowered road freight costs.

- **That KiwiRail's Notice of Requirement should only be considered by the council once the third signatory to the June 2019 Memorandum of Understanding, Waka Kotahi the New Zealand Transport Agency, has provided the details of the Transport Agency Project** – the detailed business case for Palmerston North Integrated Transport Movement. Roading and vehicle movements are integral to KiwiRail's Notice of Requirement, yet the precise details of any such proposals are noticeably absent from the supporting information. Equally, KiwiRail's requirement for Palmerston North needs to be integrated with the company's other plans for the Manawatu-Rangitikei region. How, for instance, does the log

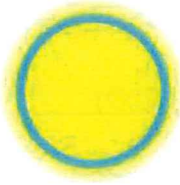
handling facility proposed for the freight hub relate to the \$9.1 million log handling hub proposed for Marton?

- **That KiwiRail's resource consents for stormwater and floodwater management be submitted to and considered by the Horizons Regional Council before the requirement is approved.**

I was prompted to make this submission following my experience of KiwiRail's public consultation process during 2020. What started with a photocopied pro forma letter to residents then became a series of information-only public meetings followed by some lacklustre on-line community engagement. The relative importance of this process was confirmed for me by the summary of social effects provided in KiwiRail's social impact assessment. At no stage has KiwiRail attempted to promote – let alone enhance - any benefits of the freight hub for the Bunnythorpe community. There has been no discussion of constructing or improving public amenities, no attempt to gain the community's considered involvement in the design and mitigation of effects of the requirement by forming a community liaison group, and certainly no personal approach to affected residents beyond discussions with those households subject to compulsory acquisition. Bunnythorpe has effectively been isolated from the rest of Palmerston North, whether by the conspicuous absence of council members at the public meetings, or the exclusion of community representatives from the various inter-agency workshops hosted by KiwiRail in preparation for the Notice of Requirement. This has been a one-sided process from the outset, with KiwiRail demonstrating a strong desire to realise the freight hub at all costs, on the understanding that many of these costs (or effects) will fall upon the local community.

My family currently enjoys a good quality of life in Bunnythorpe, despite the existing nuisances of rail freight and heavy road transport movements. We did not expect to be faced with the development of a huge freight hub on our front doorstep, and the prospect of a much-reduced quality of life marked by excessive background and peak noise, light pollution, dust, and increased road and rail activity. We were shocked to learn of KiwiRail's proposal last year, and even more upset at KiwiRail's determination to proceed with the project without engaging with the host community.

Here is an opportunity for KiwiRail's requirement to be considered together with the requirements of Bunnythorpe – the consideration of the competing demands of industry and community, so eloquently summed up by the character Lawrence Hammill in the 1997 film *The Castle*: 'Not that our children will have a place to live, but whether they'll have prompt delivery of their parcels.' The economy, and in particular KiwiRail, is not the only affected party in this process. The little people who will live right beside a huge freight hub matter too. Therefore, as a community, as ratepayers, as families, as individuals, we look to the council to act in the best interests of the social, economic, environmental and cultural wellbeing of Bunnythorpe, now and for the future. I do not want my children – or indeed their children – to grow up amongst the miasma and cacophony of the construction and operation of an intermodal rail and freight hub which the Bunnythorpe community does not want, and Palmerston North does not need.



POWERCO

**SUBMISSION BY POWERCO LIMITED ON THE NOTICE OF REQUIREMENT FROM
KIWIRAIL HOLDINGS LIMITED TO DESIGNATE A NEW RAIL AND FREIGHT HUB
BETWEEN PALMERSTON NORTH AND BUNNYTHORPE**

To: Palmerston North City Council
Private Bag 11-034
Manawatu Mail Centre
Palmerston North 4442
Attn: Democracy & Governance Manager

E-Mail: submission@pncc.govt.nz
Cc: pam.butler@kiwirail.co.nz

Submitter: Powerco Limited
Private Bag 2061
New Plymouth 4342
(note - this is not the address for service)

1. This is a submission by Powerco Limited on the Notice of Requirement (*NoR*) from KiwiRail Holdings Limited (*KiwiRail*) for a designation to construct and operate a new intermodal rail and freight hub (*Freight Hub*) on land between Palmerston North and Bunnythorpe.
2. Powerco is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

INTRODUCTION

3. Powerco Limited (*Powerco*) is New Zealand's second largest gas and electricity distribution company and has experience with energy distribution in New Zealand spanning more than a century. The Powerco network spreads across the upper and lower central North Island servicing over 440,000 consumers. This represents 46% of the gas connections and 16% of the electricity connections in New Zealand. These consumers are served through Powerco assets including over 30,000 kilometres of electricity lines and over 6,200 kilometres of gas pipelines.
4. Powerco has both electricity and natural gas infrastructure within Palmerston North. As illustrated on the attached asset map (Attachment A), Powerco has a number of overhead and underground electrical assets located within the area to be designated. Powerco does not have any gas assets within the area to be designated.

5. Powerco takes supply from Transpower at the Bunnythorpe Grid Exit Point (GXP) and uses a number of 33kV subtransmission lines to supply substations within Palmerston North. The assets passing through the area to be designated operate at either 11kV or 33kV and are critical to the supply of electricity of Palmerston North. They directly feed over 11,246 Installation Control Points (ICP's) and can provide an alternate supply of electricity to an additional 20,028 ICP's when required. These networks supply electricity to residential homes, farms, businesses, schools and industrial activities (among many other activities) both within the area to be designated and within Palmerston North.
6. Both the Palmerston North City Council District Plan and the Horizons One Plan recognise these Powerco assets as being of regional importance which the Council must recognise and protect.
7. While Powerco is supportive of the concept of a rail hub, in particular the employment opportunities that will arise from the hub and also in supporting NZs transition to a low carbon economy, the strategic importance and impacts upon the Powerco assets within the area to be designated needs to be thoroughly addressed. In this respect, Powerco is somewhat concerned over the apparent oversight of our networks within the NoR documentation.

POWERCO'S SUBMISSION

8. Powerco is opposed to the Notice of Requirement.
9. As noted above, the Powerco assets running through the area to be designated are of regional importance. They provide supply to a large number of consumers within the urban and rural areas of Palmerston North. Powerco assets are also classified as a "Lifeline Utility" as described in Part B of Schedule 1 of the Civil Defence Emergency Management Act 2002, as we are an entity that distributes both natural gas and electricity through a network.
10. The importance of our assets is explicitly recognised in the Palmerston North City Council District Plan and the Horizons One Plan as we operate subtransmission and distribution networks above 6.6kV. Some relevant objectives and policies from both documents are set out below:

Palmerston North City Council District Plan (Section 23.3)

Objective 1

To recognise the benefits of network utilities of regional or national importance to social and economic well-being by providing for the operation, maintenance, and upgrading and development of existing network utilities of regional or national importance.

Policy 1

To recognise the following as regionally or nationally important network utilities within the City:...

- ii *The National Grid, and electricity distribution and transmission networks defined as the system of transmission lines, sub-transmission and*

distribution feeders (6.6kV and above) and all associated substations and other works to convey electricity;...

Objective 2

To provide for the operation, maintenance, upgrading and development of existing network utilities of regional or national importance and the establishment of new regionally or nationally important network utilities.

Policy 2.1

To permit the operation, maintenance and upgrading of existing regionally or nationally important network utilities where such works or activities can be carried out without significantly changing the character, intensity or scale of the adverse effects associated with them.

Policy 2.2

To enable the operation, maintenance and upgrading of existing regionally or nationally important network utilities and the establishment of new regionally or nationally important network utilities, provided that the adverse effects are avoided, remedied or mitigated, having regard to:

- i. the benefit of the works;*
- ii. any functional, technical and operational requirements and constraints; and*
- iii. the way adverse effects have been managed through the route and site selection process*

Policy 2.3

To avoid, or as appropriate remedy or mitigate, the potential for adverse effects, including reverse sensitivity effects on regionally or nationally important network utilities from incompatible new subdivision, use or development occurring under, over or adjacent to regionally or nationally important network utilities.

Horizons One Plan

Objective 3-1

Have regard to the benefits of infrastructure and other physical resources of regional or national importance by recognising and providing for their establishment, operation, maintenance and upgrading.

Policy 3-1

- a. the Regional Council and Territorial Authorities must recognise the following infrastructure as being physical resources of regional or national importance:...*
 - ii the National Grid and electricity distribution and transmission networks defined as the system of transmission lines, subtransmission and distribution feeders (6.6kV and above) and all associated substations and other works to convey electricity...*

Policy 3-2

The Regional Council and Territorial Authorities must ensure that adverse effects on infrastructure and other physical resources of regional or national

importance from other activities are avoided as far as reasonably practicable, including by using the following mechanisms:...

- b ensuring that any new activities that would adversely affect the operation, maintenance or upgrading of infrastructure and other physical resources of regional or national importance are not located near existing such resources or such resources allowed by unimplemented resource consents or other RMA authorisations,...*
- e ensuring safe separation distances are maintained when establishing rules and considering applications for buildings, structures and other activities near overhead electric lines and conductors eg., giving effect to the New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001), prepared under the Electricity Act 1992, and the Electricity (Hazards from Trees) Regulations 2003 prepared under the Electricity Act 1992,...*
- g ensuring that any planting does not interfere with existing infrastructure, eg., giving effect to the Electricity (Hazards from Trees) Regulations 2003 promulgated under the Electricity Act 1992...*

11. It is therefore clear that the Powerco assets within the designation boundaries are regionally important, that their continued operation must be provided for, and that effects from the Freight Hub on these Powerco assets should be avoided as far as practicable.
12. The NoR documentation (including further information) appears to be silent on the presence of our networks within the area to be designated. It is noted however, that Section 9.12 of the Assessment of Environmental Effects states the following:

Some services may need to be relocated at the appropriate time with the agreement of the service provider. No adverse effects are therefore anticipated.

13. Due to a lack of information on how impacts on our network will be addressed, Powerco cannot conclude whether its networks will be adversely affected or not. However, due to the lineal and interconnected nature of our electricity distribution networks and the large area that the designation applies to, it is reasonable to assume there will be some level of effect on our networks.
14. Broadly speaking, there are two main areas of concern for Powerco, as outlined below.

Impact on / Relocation of Services

15. If the designation proceeds, Powerco seeks that all of its assets are relocated outside of the designation boundaries. There are a number of reasons for this:
 - Access to any assets remaining within the designation boundaries would become restricted by Kiwirail;

- A 'Permit to Enter' would be required from Kiwirail each time access is required to assets within the designation – with associated cost and time delays;
 - Kiwirail requires assets within their operational areas to be covered by a Grant (essentially a licence to occupy). These Grants are typically subject to timeframes that are significant shorter than the expected lifespan of Powerco assets; they generally attract annual fees for the term of the Grant; and they generally have short relocation / termination clauses.
16. As a result of the above factors, it is unacceptable for Powerco assets to remain within the boundaries of the designation.
17. It needs to be recorded that such relocations are likely to be a time consuming and costly undertaking, the costs of which will be borne by the requiring authority.

Designations over Legal Road / Road Closures

18. The proposed designation will extend over and result in the eventual closure of a number of roads. Due to the scale of the designation, this is problematic for Powerco as public roads are a key thoroughfare for existing and new network linkages – as provided for by s24 of the Electricity Act 1992. The lack of roading connectivity around the designation boundaries will negatively impact Powerco.
19. Significant network deviations will be required to maintain linkages in the network via the remaining road network – or alternatively easements will be required from private landowners. Either situation will result in significant additional costs to Powerco. This is particularly problematic at the southern end of the designation around Roberts Line, Richardsons Line and Railway Road where a number of different network linkages are located. It is also the approximate location where Powerco was proposing to establish a new zone substation to service the North East Industrial area.
20. For the reasons outlined in paragraph 15, Powerco does not want its assets to be located within the Kiwirail designation. It seems unreasonable for Powerco, and ultimately electricity consumers, to have to incur additional costs as a result of this designation. It is considered that some form of legal road or utility corridor needs to be provided by Kiwirail outside the boundaries of the designation to address this situation. However, seeking such relief would be beyond the scope of the current NoR. As such, it is considered that the designation should be reduced in area along Railway Road, Roberts Line and Richardsons Line so the legal road remains unencumbered by the designation.
21. It is noted (according to the landscape plan prepared by Isthmus) that these roads will act as road transport corridors to and from the Freight Hub, so it is unclear why the designation needs to extend over these roads, and why they need to be closed.

RELIEF SOUGHT

22. Should Council recommend that the Notice of Requirement be confirmed, Powerco seeks the following recommendations or decisions from Council:

Modification of the Requirement

- a) That the designation boundaries are reduced in area along Railway Road, Roberts Line and Richardsons Line so that it does not extend over those portions of legal road.

Conditions

- a) That all Powerco owned infrastructure must be relocated outside of the designation boundaries before the Freight Hub becomes operational. All costs associated with this work are to be met by the requiring authority.
- b) The requiring authority shall ensure that the location, design and construction of any works authorised by this designation, including the operation of mobile plant and / or machinery complies with the New Zealand Code of Practice for Electrical Safe Distances 34:2001.
- c) Any trees or vegetation planted in the vicinity of Powerco assets shall be located, selected and/or managed to comply with the Electricity (Hazards from Trees) Regulations 2003 and take into account the potential for roots to interfere with underground infrastructure. Selection of species should be on the basis of the anticipated mature height of the vegetation which should not exceed 4m in height.
- d) Prior to the commencement of any site works, the requiring authority shall accurately identify the location of existing overhead or underground network utilities (www.beforeudig.co.nz). Construction plans must identify the locations of the existing network utilities and appropriate physical indicators must be placed on the ground showing specific surveyed locations. All construction personnel, including contractors, are to be made aware of the presence and location of the various existing network utilities which traverse, or are in close proximity to the project area, and the restrictions in place in relation to those existing network utilities.

CONCLUDING COMMENT

- 23. Powerco appreciates the opportunity to provide input to this Notice of Requirement. Through the suggestions above, Powerco seeks to ensure that its existing assets that will be affected by the work are protected so that we are able to continue to operate, maintain and access them.
- 24. Powerco wishes to be heard in support of this submission.

Signature of person authorised to sign on behalf of Powerco Limited



Gary Scholfield
Environmental Planner

Dated this 26th day of March 2021

Address for Service:

Powerco Limited
PO Box 13 075
Tauranga 3141

Attention: Gary Scholfield

Phone: (07) 928 5659

Email: planning@powerco.co.nz

ATTACHMENT A

**Legend**

-  Designation Boundary
-  33kV in Service
-  11kV in Service

Kiwirail Hub Palmerston North
Powerco Assets within the Designation Boundary
1:10,000 @ A3
March 2021

1,000 500 0 1,000 Meters

KIWIRAIL FREIGHT HUB SUBMISSION FORM



Form 21 – Submission on a Notice of requirement from KiwiRail Holdings Limited for a designation to accommodate a new regional freight hub

TO: Palmerston North City Council
Private Bag 11-034
Palmerston North 4410
ATTENTION: Democracy & Governance Manager

NUMBER OF PAGES

2

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter **Ngati Turanga**

Postal Address

Phone **+64 027 228 5292 (Charlie)**

Email **charlie@thecatalystgroup.co.nz (agent)**

Signature

(Signature of the person making submission or the person authorised to sign on their behalf. A signature is not required if you are submitting by electronic means.)

1 THE SPECIFIC PARTS OF THE NOTICE OF REQUIREMENT MY SUBMISSION RELATES TO ARE:

This submission relates to the whole proposal. Specific parts of the proposal which are of concern include but are not limited to: acquisition and alienation of ancestral lands; reclamation of water bodies; discharge of stormwater and effects on te mana o te wai; modification and destruction of wahi tapu; effects on the mauri and hauora of our people; contamination of soils and whenua; impacts on significant ecological habitats; restrictions on public access to waterbodies; impacts on mahinga kai.

2 MY SUBMISSION IS: (Comment whether you support, oppose, or are neutral regarding specific parts of the Notice of Requirement or wish to have them amended and the reasons for your view.)

Ngati Turanga hold mana whenua over the receiving environment in this case. All adverse effects caused by this proposed development are part of a catchment that flows within and across Ngati Turanga rohe. Therefore this proposed development will have significant adverse effects on te mana o te wai and Ngati Turanga mana whenua. The proposal excludes and alienates Ngati Turanga from ancestral whenua and wai, and therefore is contrary to Te Tiriti o Waitangi and the Regional Policy Statement.

3 I SEEK THE FOLLOWING RECOMMENDATION OR DECISION FROM THE PALMERSTON NORTH CITY COUNCIL: (Give precise details, including the general nature of any conditions sought)

That the territorial authority recommend to the requiring authority that it withdraw the requirement. Alternatively that the territorial authority recommend to the requiring authority that it modify the requirement and impose conditions to the effect that it creates a reference panel which Ngati Turanga is invited to participate on, in order to involve those tangata whenua in decision making relating to natural and physical resources within its rohe.

4 DO YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?

YES



NO

5 IF OTHERS MAKE A SIMILAR SUBMISSION WOULD YOU BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING?

YES



NO

6A I AM A TRADE COMPETITOR FOR THE PURPOSES OF SECTION 308B OF THE RESOURCE MANAGEMENT ACT 1991

YES (If Yes, go to 6B)



NO

6B I AM DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT:
i. adversely affects the environment; and
ii. does not relate to trade competition or the effects of trade competition

YES (If Yes, comment below)



NO

Ngati Turanga hold mana whenua over its rohe which this site is contributes to. Ngati Turanga are affected by the proposal, including but not limited to exclusive occupation of ancestral whenua, exclusion from decision making regarding natural and physical resources, discharge of contaminants, take and use of water.

PLEASE SEND YOUR SUBMISSION BY 4PM, 26 MARCH 2021**MAILING TO**

Palmerston North City Council
Private Bag 11-034,
Palmerston North
ATTENTION: Democracy & Governance Manager

DELIVERING TO

Council's Contact Services Centre, Civic Administration Building,
Te Marae o Hine: The Square,
Palmerston North
ATTENTION: Democracy & Governance Manager

EMAILING TO

submission@pncc.govt.nz

YOU MUST SERVE A COPY OF YOUR SUBMISSION ON KIWIRAIL HOLDINGS LIMITED BY**MAILING TO**

RMA Team
KiwiRail Holdings Limited
PO Box 593
Wellington 6140

EMAILING TO

Pam.Butler@kiwirail.co.nz

Please note that your submission (or part of your submission may be struck out if Palmerston North City Council is satisfied that at least one of the following applies to your submission (or part of your submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter

KIWIRAIL FREIGHT HUB 50 - 1 SUBMISSION FORM



Form 21 – Submission on a Notice of requirement from KiwiRail Holdings
Limited for a designation to accommodate a new regional freight hub

TO: Palmerston North City Council
Private Bag 11-034
Palmerston North 4410
ATTENTION: Democracy & Governance Manager

NUMER OF PAGES

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter Kevin and Erina Carroll

Postal Address 1 Maple Street Bunnythorpe

Phone 021482802

PO BOX 52

Email carroll.contractors@xtra.co.nz

Signature

(Signature of the person making submission or the person authorised to sign on their behalf. A signature is not required if you are submitting by electronic means.)

1 THE SPECIFIC PARTS OF THE NOTICE OF REQUIREMENT MY SUBMISSION RELATES TO ARE:

Please refer to the letter attached

2 MY SUBMISSION IS: (Comment whether you support, oppose, or are neutral regarding specific parts of the Notice of Requirement or wish to have them amended and the reasons for your view.)

i oppose, Please refer to the letter attached

3 I SEEK THE FOLLOWING RECOMMENDATION OR DECISION FROM THE PALMERSTON NORTH CITY COUNCIL: (Give precise details, including the general nature of any conditions sought)

Please refer to the letter attached

4 DO YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?☐ YES☐ NO**5 IF OTHERS MAKE A SIMILAR SUBMISSION WOULD YOU BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING?**☐ YES☐ NO**6A I AM A TRADE COMPETITOR FOR THE PURPOSES OF SECTION 308B OF THE RESOURCE MANAGEMENT ACT 1991**☒ YES (If Yes, go to 6B)☐ NO**6B I AM DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT:**
i. adversely affects the environment; and
ii. does not relate to trade competition or the effects of trade competition☒ YES (If Yes, comment below)☐ NO**PLEASE SEND YOUR SUBMISSION BY 4PM, 26 MARCH 2021**

MAILING TO	Palmerston North City Council Private Bag 11-034, Palmerston North ATTENTION: Democracy & Governance Manager
DELIVERING TO	Council's Contact Services Centre, Civic Administration Building, Te Marae o Hine: The Square, Palmerston North ATTENTION: Democracy & Governance Manager
EMAILING TO	submission@pncc.govt.nz

YOU MUST SERVE A COPY OF YOUR SUBMISSION ON KIWIRAIL HOLDINGS LIMITED BY

MAILING TO	RMA Team KiwiRail Holdings Limited PO Box 593 Wellington 6140
EMAILING TO	Pam.Butler@kiwirail.co.nz

Please note that your submission (or part of your submission may be struck out if Palmerston North City Council is satisfied that at least one of the following applies to your submission (or part of your submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
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- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter

50 - 3

26th March 2021

To whom it may concern,

We received a letter from the Council to advise us that there will be a Freight Hub built soon by our house.

Unfortunately, this concerns both my wife and I as we are hearing impaired. Being hearing impaired makes us very sensitive to vibration, noise and lighting and having the Freight Hub near our house will cause us mental and anxiety stress.

My name is Kevin Carroll, my wife Erina and I live and own 1 Maple Street Bunnythorpe.

You can contact me via email on carroll.contractors@xtra.co.nz or text me on 021482802. If you need to get a hold of me urgently you can call my daughter Riana Carroll 0220355320.

Kind Regards

Kevin and Erina Carroll

KIWI RAIL FREIGHT HUB SUBMISSION FORM

51 - 1



Form 21 – Submission on a Notice of requirement from KiwiRail Holdings Limited for a designation to accommodate a new regional freight hub

TO: Palmerston North City Council
Private Bag 11-034
Palmerston North 4410
ATTENTION: Democracy & Governance Manager

NUMER OF PAGES

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter Manawatu District Council

Postal Address Private Bag 10001, Feilding 4743

Phone 06 323 0000

Email shayne.harris@mdc.govt.nz

Signature

(Signature of the person making submission or the person authorised to sign on their behalf. A signature is not required if you are submitting by electronic means.)

1 THE SPECIFIC PARTS OF THE NOTICE OF REQUIREMENT MY SUBMISSION RELATES TO ARE:

The NOR and proposed Freight Hub

2 MY SUBMISSION IS: (Comment whether you support, oppose, or are neutral regarding specific parts of the Notice of Requirement or wish to have them amended and the reasons for your view.)

see attached

Manawatu District Council:

1. Supports the KiwiRail Regional Freight Hub Notice of Requirement (NoR) recognising the significant economic & employment benefits the development will bring to the wider Manawatu region.
2. Supports the need for mana whenua to complete cultural impact assessments.
3. Notes the work completed by Kiwirail to understand transport impacts of the Freight Hub. The commuter transport routes between Feilding and Palmerston North are

3 I SEEK THE FOLLOWING RECOMMENDATION OR DECISION FROM THE PALMERSTON NORTH CITY COUNCIL: (Give precise details, including the general nature of any conditions sought)

see attached

Manawatu District Council:

1. supports the KiwiRail Regional Freight Hub Notice of Requirement
2. recommends that the NOR address the findings from the cultural impact assessments completed with mana whenua.
3. looks forward to working with Kiwirail and other stakeholders on strategic transport planning and improvements for the future.

4	DO YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
5	IF OTHERS MAKE A SIMILAR SUBMISSION WOULD YOU BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING?
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
6A	I AM A TRADE COMPETITOR FOR THE PURPOSES OF SECTION 308B OF THE RESOURCE MANAGEMENT ACT 1991
<input type="checkbox"/> YES (If Yes, go to 6B)	<input checked="" type="checkbox"/> NO
6B	I AM DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT: i. adversely affects the environment; and ii. does not relate to trade competition or the effects of trade competition
<input type="checkbox"/> YES (If Yes, comment below)	<input type="checkbox"/> NO

PLEASE SEND YOUR SUBMISSION BY 4PM, 26 MARCH 2021	
MAILING TO	Palmerston North City Council Private Bag 11-034, Palmerston North ATTENTION: Democracy & Governance Manager
DELIVERING TO	Council's Contact Services Centre, Civic Administration Building, Te Marae o Hine: The Square, Palmerston North ATTENTION: Democracy & Governance Manager
EMAILING TO	submission@pncc.govt.nz
YOU MUST SERVE A COPY OF YOUR SUBMISSION ON KIWIRAIL HOLDINGS LIMITED BY	
MAILING TO	RMA Team KiwiRail Holdings Limited PO Box 593 Wellington 6140
EMAILING TO	Pam.Butler@kiwirail.co.nz

Please note that your submission (or part of your submission may be struck out if Palmerston North City Council is satisfied that at least one of the following applies to your submission (or part of your submission):

- it is frivolous or vexatious
- it discloses no reasonable or relevant case
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- it contains offensive language
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter

1. The specific part of the NoR my submission relates to are:

The NOR and proposed Freight Hub

2. My Submission is:

Manawatuū District Council:

1. Supports the KiwiRail Regional Freight Hub Notice of Requirement (NoR) recognising the significant economic & employment benefits the development will bring to the wider Manawatuū region.
2. Supports the need for mana whenua to complete cultural impact assessments.
3. Notes the work completed by Kiwirail to understand transport impacts of the Freight Hub. The commuter transport routes between Feilding and Palmerston North are significant to Council and the wider Manawatuū community. Council encourages Kiwirail to continue the engagement with key stakeholders to ensure a joined up & well planned integrated transportation network for the future.

3. I seek the following recommendation or decision from the Palmerston North City Council:

Manawatuū District Council:

1. supports the KiwiRail Regional Freight Hub Notice of Requirement
2. recommends that the NOR address the findings from the cultural impact assessments completed with mana whenua.
3. looks forward to working with Kiwirail and other stakeholders on strategic transport planning and improvements for the future.

KIWIRAIL FREIGHT HUB SUBMISSION FORM



Form 21 – Submission on a Notice of requirement from KiwiRail Holdings
Limited for a designation to accommodate a new regional freight hub

TO: Palmerston North City Council
Private Bag 11-034
Palmerston North 4410
ATTENTION: Democracy & Governance Manager

NUMER OF PAGES

2

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter Jeff Williams

Postal Address 6/454 Stoney Creek Road

Phone 0274472380

Palmerston North 4470

Email jwxtwo@gmail.com

Signature

(Signature of the person making submission or the person authorised to sign on their behalf. A signature is not required if you are submitting by electronic means.)

1 THE SPECIFIC PARTS OF THE NOTICE OF REQUIREMENT MY SUBMISSION RELATES TO ARE:

Concerned about the proposed location of the Kiwirail Freight Hub

2 MY SUBMISSION IS: (Comment whether you support, oppose, or are neutral regarding specific parts of the Notice of Requirement or wish to have them amended and the reasons for your view.)

Concerned about the increase in traffic flow/volume in the area. Specifically roads such as Stoney Creek Road that are narrow and unsafe to sustain an influx of traffic volume.

3 I SEEK THE FOLLOWING RECOMMENDATION OR DECISION FROM THE PALMERSTON NORTH CITY COUNCIL: (Give precise details, including the general nature of any conditions sought)

I request that the council declines the current Kiwirail Freight Hub proposal and looks instead at a more suitable location that doesn't affect Railway Road as a busy road between Palmerston North and Feilding.

4	DO YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
5	IF OTHERS MAKE A SIMILAR SUBMISSION WOULD YOU BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING?
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
6A	I AM A TRADE COMPETITOR FOR THE PURPOSES OF SECTION 308B OF THE RESOURCE MANAGEMENT ACT 1991
<input type="checkbox"/> YES (If Yes, go to 6B)	<input checked="" type="checkbox"/> NO
6B	I AM DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT: i. adversely affects the environment; and ii. does not relate to trade competition or the effects of trade competition
<input checked="" type="checkbox"/> YES (If Yes, comment below)	<input type="checkbox"/> NO
Live in an area affected by this proposal	

PLEASE SEND YOUR SUBMISSION BY 4PM, 26 MARCH 2021	
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DELIVERING TO	Council's Contact Services Centre, Civic Administration Building, Te Marae o Hine: The Square, Palmerston North ATTENTION: Democracy & Governance Manager
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MAILING TO	RMA Team KiwiRail Holdings Limited PO Box 593 Wellington 6140
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