

KIWI RAIL 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 **Steve Michael Kinane**

Postal Address **P.O Box 73, Bunnythorpe 4867**

Phone **027 2963463**

Email

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 redesignation of the land for the proposed Kiwirail regional 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.)

Please see attached submission on next page


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 wish for the Palmerston North City Council to reject the application for land redesignation, due to the negative effects of the project on residents. And advise Kiwirail to investigate alternative land options.

2 – My submission is:

As a resident and ratepayer of land directly related to this planned freight hub, I wish to make a submission in opposition to this project. Although my property is not within the boundary of the proposed design, we directly border the site and will suffer effects of the build and operation. I am specifically concerned about the lighting, noise and activity of the site causing disruption to myself and my family. Additionally, the proposal indicates changes to Sangsters road, creating a thoroughfare in front of my house. With the required upgrades and widening of the road, with the addition of boundary planting and increased traffic, this will greatly impact the liveability and comfort of my country property. Overall, this project in its current position will cause many negative effects on myself and neighbouring properties, and I strongly oppose it going forward.

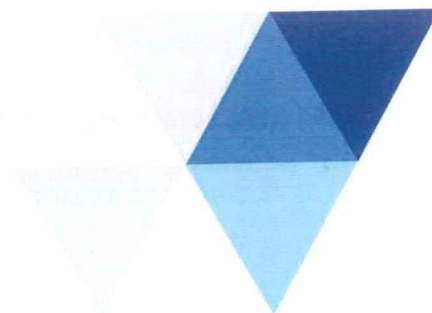


4	DO YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
5	IF OTHERS MAKE A SIMILAR SUBMISSION WOULD YOU BE PREPARED TO CONSIDER PRESENTING A JOINT CASE WITH THEM AT ANY HEARING?
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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 checked="" 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



FORM 21

Submission on requirement for designation or heritage order or alteration of designation or heritage order that is subject to public notification or limited notification by a territorial authority under Clause 21 of Schedule 1, Resource Management Act 1991

To: Palmerston North City Council

Name of Submitter: Ministry of Education

Date: 29 March 2021

Address for service: C/- Beca Limited
PO Box 448
Hamilton 3240

Attention: Danielle Rogers

Phone: (07) 838 0510

Email: danielle.rogers@beca.com

Notice of requirement from KiwiRail for a designation to accommodate a new intermodal rail and freight hub

The Ministry of Education is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

Background:

The Ministry of Education (the Ministry) is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new property to meet increased demand, identifying and disposing of surplus State school sector property and managing teacher and caretaker housing. The Ministry is therefore a considerable stakeholder in terms of activities that may impact on educational facilities and assets in the Palmerston North District.

The Ministry of Education's submission:

The Ministry understands that Palmerston North City Council (PNCC) has received a notice of requirement from KiwiRail Holdings Limited (KiwiRail) to designate land for the purpose of accommodating a new intermodal rail and freight hub. This designation is intended to replace the existing Palmerston North Freight yard that is currently designated by KiwiRail.

The activities that currently take place at KiwiRail's existing Tremaine Avenue freight yard (apart from the passenger terminal and the network communications centre) would be relocated to the new site to form part of the new Regional Freight Hub. The proposed designation area is approximately 177.7 hectares, including some land that is already designated for the North Island Main Trunk rail line (see Figure 1). The Regional Freight Hub (RFH) will also include:

- Marshalling yards (including tracks, signals, overhead line equipment and lighting)
- Container terminal
- Wagon storage
- Maintenance and network services facilities
- Freight forwarding facilities

- Log handling yard
- Bulk liquid storage
- Train control and rail operation centre, administration offices and carparking
- Staff facilities, including parking
- Access roads, and changes to existing road layouts and intersections
- Stormwater management areas with associated planting
- Noise management areas with associated planting
- Buildings and other activities ancillary to the freight hub.

Approximately 370m north of the proposed designation boundary is Bunnythorpe School which is designated (D96) by the Minister of Education for education purposes with an underlying zoning of Residential (see Figure 1). It is understood that there have been two community drop in sessions held at Bunnythorpe School and the school is aware of the proposal by KiwiRail.

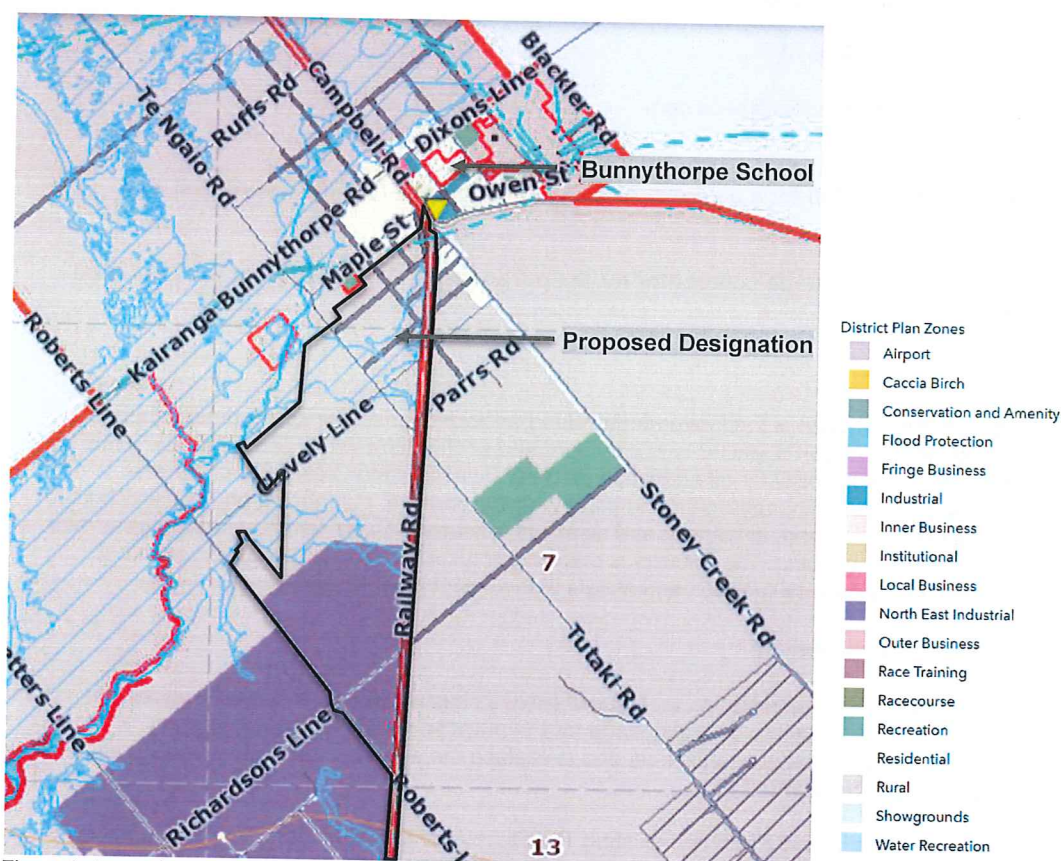
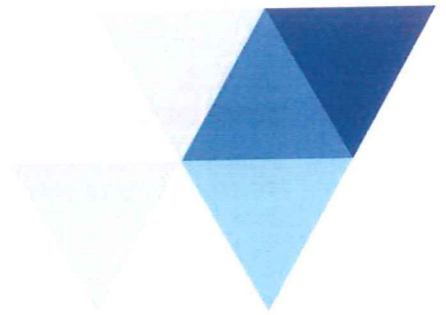


Figure 1: Approximate proposed designation boundary (black line) and proximity to Bunnythorpe School (PNCC Planning Maps)



Visual and Landscape Effects

The visual landscape assessment notes that although the new RFH will be of a different scale and character to the surrounding rural and rural-residential properties and the township of Bunnythorpe, larger scale buildings are located to the south of the site within the North East Industrial Zone which means the proposed layout provides the best potential interface with the scale of the surrounding land uses.

The Ministry notes that the potential adverse visual amenity effects are assessed as low from the Bunnythorpe township, including Bunnythorpe School, due to limited views from discrete areas and the low visual quality of existing views.

Construction and Operational Traffic Effects

Given the location of the subject site, there is potential that the traffic generated as a result of the construction works will create safety and/or traffic concerns for students who may be travelling by foot, car or other means to and from Bunnythorpe School. The notice of requirement confirms that a Construction Traffic Management Plan (CTMP) will be prepared to manage construction traffic in the vicinity of the site which will aim to minimise adverse effects on property access, traffic safety and efficiency as a result of construction works.

The Integrated Transportation Assessment analysis shows that at full build out the road links around the RFH will operate at the same level of service (LOS) with or without the RFH therefore the road network will have sufficient capacity to accommodate the traffic demand. Intersection analysis shows more intersections operating at unacceptable levels in the future regardless of whether the RFH is constructed.

The development of the RFH will result in a number of additional changes and upgrades to the transport network. Although the application states that the long-term effects of the project are improved transport safety because to the increased capacity to manage freight through the rail network, the project is still expected to cause an increase in transport movements to and from the RFH, which could have adverse effects on Bunnythorpe School and its students who commute.

Construction and Operational Noise Effects

The application indicates that the proposed activities have the potential to create adverse noise and vibration effects during the construction and operational phase of the RFH.

The Acoustic Assessment Report indicates that the construction noise and vibration at sites that are over 200m from the RFH, including Bunnythorpe School (370m away), will meet the construction noise standard used in the Palmerston North District Plan (PNDP) and the Waka Kotahi NZ Transport Agency developed construction vibration criteria.

The Acoustic Assessment Report indicates that it is unlikely that on-site operational noise and vibration will reach the school given its distance to the RFH, however, there is a potential for road traffic operational noise and noise from maintenance of trains/carriages to adversely affect the school. Further assessment is therefore required.

Network Impacts

The Design, Construction and Operation Report states that the RFH will likely provide around 300 jobs associated with the construction phase and up to 2,000 jobs in the first decade of operation. Employment opportunities created through both construction and operation of the RFH may see people relocating closer to Bunnythorpe, increasing pressure on the Bunnythorpe School roll.

Relief Sought:

The Ministry support the Notice of requirement from KiwiRail for a designation to accommodate a new intermodal rail and freight hub subject to the PNCC (as the Territorial Authority) provided that the following are taken into account:

1. An appropriate condition is in place for managing noise and vibration associated with construction including the requirement for the development and implementation of a Construction Noise and Vibration Management Plan with suitable monitoring conditions in place to manage any potential noise and vibration effects on the surroundings including Bunnythorpe School.
2. Further information on the potential impact if increased noise on the school is requested and an appropriate condition is requested to manage and monitor noise associated with the operation of the RFH on the surroundings including Bunnythorpe School. This condition may include the establishment of noise boundaries that protect the existing noise environment at the school.

In order to address the above concerns, the Ministry requests that KiwiRail engage with the Ministry in terms of the staging and timing of the development and to keep them informed of any potential activity that would have an impact on the school network and associated school sites and plan for future growth.

The Ministry would like to be consulted during the preparation of the CTMP and any future traffic management plans that Kiwirail proposes to mitigate network traffic effects. In particular the Ministry should be consulted in the establishment of safe pedestrian crossing facilities (both across the roads and when crossing the RFH accessways) and footpaths or cycleways within the school's catchment.

The Ministry would also like to work with PNCC and KiwiRail to look at potential travel plans to Bunnythorpe School (during both the construction and operation phase) and how students may get to and from the school during peak hours safely.

Further, the Ministry requests that PNCC continue to engage with the Ministry on matters that have the potential to facilitate residential growth in this and other areas of the District. The key Ministry contact person to engage with regarding this development area is Darryl Leath. Contact details for Darryl are:

Darryl Leath | Education Advisor Network | SE&S Director Education Taranaki, Whanganui, Manawātū
DDI +6467576477 | Mobile +64272305623
Darryl.Leath@education.govt.nz

The Ministry wish to be heard in support of their submission. If others make a similar submission, the Ministry would consider presenting a joint case with them at the hearing.

Should you wish to discuss any aspect of this submission, please do not hesitate to contact the undersigned as the consultant on behalf of the Ministry.



Danielle Rogers
Planner (Beca Limited)
Email: danielle.rogers@beca.com
Ph: 07 838 0510

KIWI RAIL FREIGHT HUB SUBMISSION FORM

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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

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter **CRAIG FORBES**

Postal Address **1 KAIRANGA BUNNYTHORPE
RD KAIRANGA PALMERSTON NTH.**

Phone **022 348 5573**

Signature

C.R. Forbes

(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:

**I AM CONCERNED ABOUT THE PROPOSAL TO OPERATE
A FREIGHT HUB IN BUNNYTHORPE.**

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 EXTENDED AND THE REASON FOR YOUR ACTION

**TRAFFIC VOLUME, NOISE. LIVING ON K.B. ROAD IS BUSY
NOW SO ITS GOING TO GET WORSE AND NOISIER.**

3 I SEEK THE FOLLOWING RECOMMENDATION OR DECISION FROM THE PALMERSTON NORTH CITY COUNCIL (PLEASE CHECK, INCLUDING THE GENERAL NATURE OF ANY COMMENTS REQUIRED)

**I REQUEST THAT THE COUNCIL DECLINES KIWI RAIL'S
REQUIREMENT FOR DESIGNATION FOR FREIGHT HUB.**

ORIGINAL TO
FOR ACTION AND REPLY

RECD

31 MAR 2021

PNCC

COPY TO

1.

2.

4	DO YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION?
<input 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 type="checkbox"/>	NO
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<input type="checkbox"/>	YES (If Yes, go to 6B)
<input type="checkbox"/>	NO
6B	I AM DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT: (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z)
<input type="checkbox"/>	YES (If Yes, comment below)
<input type="checkbox"/>	NO

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

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DR FILENAME: 20210324 MCPHS, KIWI RAIL FREIGHT HUB NOR SUBMISSION

Resource Management (Forms, Fees and Procedure) Regulations 2003 Form 21

**SUBMISSION ON A PUBLICLY NOTIFIED REQUIREMENT FOR DESIGNATION UNDER
SECTION 181 OF THE RESOURCE MANAGEMENT ACT 1991**

To the Palmerston North City Council.

This is a Submission by: MidCentral District Health Board (MDHB) Public Health Service.

1. Requiring authority KiwiRail Holdings Limited, trading as KiwiRail.
2. Proposed Designation(s) Palmerston North Regional Freight Hub for the construction and operation of a new intermodal rail and freight hub and is located at the site north-east of Palmerston North.
3. This submitter is not a trade competitor for the purposes of s.308B of the Act.
4. The broad reason for these submissions is to provide objective and independent input to promote the reduction of adverse effects on the health of people and communities pursuant to the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
5. MDHB Public Health Service has statutory obligations for public health within this area under Crown funding agreements between the Ministry of Health and the MidCentral District Health Board. The Ministry of Health requires public health services to reduce any potential health risks by means including submissions on any Designation to ensure matters of public health significance are considered by the local authority. The proposed Designation covers matters with potential health effects on people and communities.
6. The specific parts of the Notice of Requirement to which this Submission relates are shown in the attached schedule including whether we support, oppose or are neutral regarding the specific parts or wish to have them amended, and our reasons are stated.
7. The recommendation we seek from the Council for each submission point is set out in the attached schedule together with precise details. Where we seek amendment to the proposed Designation, or imposition of conditions by stating new words to be inserted into the provisions, or seek amendment to the wording of specific parts, we assert that the scope of our Submissions is intended to also cover words to the like effect in the specific part or elsewhere in the proposed Designation, which might be consequentially added or amended.
8. This submitter wishes to be heard in support of these Submissions at any hearing but is not prepared to consider presenting a joint case with other submitters. This submitter is willing to participate in any pre-hearing conferences, or mediation.

Date 25th day of March 2021.

Signed _____

Name: Dr Robert Holdaway

A person authorised to sign on behalf of MDHB, Public Health Service

Address for service

Contact person: Dr Robert Holdaway

Email: PublicHealthOps@midcentraldhb.govt.nz

Telephone: 06-3509110

Postal address: Private Bag 11036, Palmerston North

SCHEDULE OF SUBMISSIONS BY MDHB Public Health Service.

1. Submission 1

Submission relates to this specific part of the proposed Designation:	KiwiRail response to PNCC request for further information, Appendix C: under the heading 'Contamination', proposed conditions 29 and 30.
<p>Regarding this part, we support the provision</p> <p>For the following reasons. Some hazardous activities and industry list (HAIL) sites have already been identified on the proposed site of the Freight Hub. Given the size and historical agricultural land use of the proposed site, there may be unidentified contaminated sites within its boundaries. If these sites are not adequately remediated prior to construction work, people could be exposed to contaminants. We therefore support the provision that a detailed site investigation is undertaken in accordance with the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, (NES-CS) and that any contaminated soil is managed in accordance with (NES-CS).</p>	
<p>We seek the following recommendation or decision from the Palmerston North City Council that PNCC recommend that KiwiRail retain this provision.</p>	

2. Submission 2

Submission relates to this specific part of the proposed Designation:	KiwiRail response to PNCC request for further information, Appendix C: Under the heading 'Construction Management Plan', proposed condition 53(d) relating to construction dust.
<p>Regarding this part, we wish amendment to this part:</p> <p>For the following reasons. We agree that measures to minimise dust from construction and related earthworks are required to protect public health. We submit that condition 53(d) does not provide adequate detail about how construction dust will be minimised and that additional conditions are required. A specific construction dust management plan should be included as part of the proposed construction conditions. Section 9.2.3.2 of the Assessment of Environmental Effects (AEE) notes that given the broad scale of earthworks that are proposed dust will need to be controlled. It outlines some measures that could be implemented to control construction dust and states that management of dust will be outlined in the Construction Management Plan. Although resource consent may be required for major earthworks which could impose conditions to minimise dust produced by those earthworks, a construction dust management plan would encompass all sources of construction dust. We submit that a construction dust management plan should be included in NoR conditions rather than relying on adequate provision of dust management being included in the Construction Management Plan when that is created after the Designation.</p> <p>It is noted that in the section on Operational Dust Management there are a range of conditions (75 – 80) that provide for the creation of an Operational Dust Management Plan with comprehensive requirements. There is no clear rationale presented regarding the reasons why a specific and comprehensive plan is required for operational dust but not for construction dust. We therefore submit that a Construction Dust Management Plan including clearly outlined conditions and requirements, with a similar level of detail as has been provided for the Operational Dust Management Plan, be included in the NoR conditions.</p> <p>Potential health effects of inadequately controlled construction dust: If construction dust is not adequately controlled, neighbouring residents could be exposed to dust beyond the site boundary. Construction dust includes particulate matter PM₁₀ as well as coarser material. PM₁₀ can cause both</p>	

acute and chronic adverse health effects as well as causing a nuisance. Health effects caused by PM₁₀ range from minor effects, such as nose and throat irritation, to more serious effects such as aggravation of existing respiratory conditions, cardiovascular disease and premature death. PM₁₀ is a non-threshold contaminant, there is no tolerable level of exposure. Construction dust may also contain other contaminants that could cause adverse health effects.

We seek the following recommendation or decision from the Palmerston North City Council that PNCC recommend that KiwiRail modify the NOR and impose additional conditions by:

Under the construction heading, condition 53(d) is substituted with an additional section headed 'Construction Dust Management' with specific conditions added under the new heading that provide for the creation and implementation of a comprehensive Construction Dust Management Plan.

Content similar to the proposed conditions in the Operational Dust Management section (75, 76, 77, 78(a), 78(b), 78(c), & 78(d), 78(f), 78(g), 78(h) and 79), are included in the new 'Construction Dust Management' section with the content of those conditions being replicated or altered as required to be relevant to construction dust (e.g. the reference to 'Operational Dust Management Plan' being substituted with 'Construction Dust Management Plan.')

That the wording of proposed condition 76 (as currently pertains to Operational Dust Management), when revised to be relevant to Construction Dust Management, is amended and additional wording is added after 'Freight Hub' so that the condition will read as:

'The objective of the Construction Dust Management Plan is to detail the mitigation and ongoing measures to control dust effects from the construction of the Freight Hub in order to minimise dust exposure to protect human health, specifically that of sensitive receptors.'

3. Submission 3

Submission relates to this specific part of the proposed Designation:	KiwiRail response to PNCC request for further information, Appendix C: Under the heading 'Operational Dust Management', proposed condition 76, the objective of the Operational Dust Management Plan.
<p>Regarding this part, we wish amendment to this part:</p> <p>For the following reasons. The AEE notes in section 9.13 that there is potential for operational dust to accumulate on roofs within 250m of the marshalling yards. That document recommends the installation of first flush diverters for those effected residential properties as a protective measure to limit contamination of drinking water gathered from a roof. Any residence where dust from marshalling yards could accumulate on the roof to the extent where first flush diverters are required to remove that contamination from water supplies suggests residents of those properties could also be exposed to airborne dust that may cause adverse health effects. Section 9.13 does not assess or comment on any health risk of exposure to airborne dust from the marshalling yards.</p> <p>Exposing neighbouring residents to dust could breach Policy 8-2: Regional standards for ambient air quality of the Manawatu-Wanganui Regional Council's One Plan if localised adverse effects on human health, amenity values, property or the environment where dust (amongst other contaminants) is not adequately managed. In relation to dust, table 8.3 of the One Plan states:</p>	

'That a discharge should not cause any noxious, offensive or objectionable dust to the extent that causes an adverse effect beyond the property boundary or on public land. As dust can cause adverse health effects, exposing neighbouring residents to dust constitutes exposure to noxious dust.'

The objective of the Operational Dust Management Plan should explicitly state that protection of human health, specifically sensitive receptors is an objective of the plan.

We seek the following recommendation or decision from the Palmerston North City Council that PNCC recommend that KiwiRail modify the NOR and amend this provision as follows:

That proposed condition 76 is amended and additional wording is added after 'Freight Hub' so that condition will read as:

'The objective of the Operational Dust Management Plan is to detail the mitigation and ongoing measures to control dust effects from the operation of the Freight Hub in order to minimise dust exposure to protect human health, specifically that of sensitive receptors.'

4. Submission 4

Submission relates to this specific part of the proposed Designation:	KiwiRail response to PNCC request for further information, Appendix C: Proposed Condition 72(e), relating to the process for undertaking noise modelling and monitoring in the Operational Noise and Vibration Management Plan.
<p>Regarding this part, we oppose this provision</p> <p>For the following reasons. We oppose the provision to the extent it does not require normal assessment of sound in accordance with NZS 6802:2008 and specifically, consideration of the provisions related to adjustments for special audible characteristics.</p> <p>The second to last paragraph of the AEE Conclusion states in 'assessing the effects the works (sic), a conservative or worst case approach has been adopted in terms of the activities to be undertaken on the land.'</p> <p>This statement is not supported by the approach taken to noise assessment for noise modelling purposes where a non-conservative non-worst case assessment method is utilised i.e. omission of consideration of adjustments for special audible characteristics.</p> <p>The s.92 response by KiwiRail to Request 9 relating to maximum predicted noise levels re-affirms that the LAeq(1h) noise contours represent a busy hour during the daytime, without duration adjustment for scenarios with and without perimeter barriers. The noise contours are expected to reduce for night operations but the response says that exact contours at night cannot be reliably predicted at this stage because future operational requirements are unknown. So there is no consideration of impulsive events associated with, for example night-time log handling, an inherently noisy activity, even with the most careful handling by skilled operators. Similarly shunting coupling activities will often include significant impulsive events which might cause sleep disturbance in off-site environs.</p> <p>The proposed Operational Noise and Vibration Management Plan requires the plan be reviewed prior to any significant changes in activity that might reasonably be expected to affect the noise and vibration levels generated, which would require the noise contours to be updated prior to any night</p>	

operations. That is a reasonable approach but does have the limitation of assuming the LAeq(1h) contours in Figures 9 and 12 of the Technical Report D define the limits of off-site noise without taking into account, as is the case in routine noise assessment using NZS6802:2008, adjustments for any special audible characteristics which might if applied have the effect of enlarging the noise effects contour and encompassing additional off-site buildings used for noise sensitive activities.

The response to request 9 reaffirms noise levels in terms of LAF max are discussed on page 29 of Technical Report D and does not address the issues raised in the s.92 request by PNCC.

In conclusion, present modelling may under-estimate the extent of off-site noise effects by modifying standard noise assessment methodologies by excluding consideration of adjustments for special audible characteristics.

We seek the following recommendation or decision from the Palmerston North City Council that PNCC recommend that KiwiRail modify the NOR and amend this provision as follows:
By adding to condition 72 (e), after the word 'vibration' the following:

'and shall include assessment of sound in accordance with NZS 6802:2008 including consideration of adjustments for special audible characteristics.'

5. Submission 5

Submission relates to this specific part of the proposed Designation:	KiwiRail response to PNCC request for further information, Attachment 13 S92 Q 187 Response: Updated Appendix 2 Schedule.
<p>Regarding this part, we are neutral.</p> <p>For the following reasons. We are neutral regarding the outcome of the Master Plan approach by KiwiRail and takes no issue with the outcome of consideration of alternative sites or the revised extent of the proposed Designation.</p>	
<p>We Seek the following recommendation or decision from the Palmerston North City Council: Confirm this requirement.</p>	

6. Submission 6

Submission relates to this specific part of the proposed Designation:	KiwiRail response to PNCC request for further information, Appendix C: Proposed Conditions as a whole under the heading 'Operational Noise and Vibration.'
<p>Regarding this part, we oppose this provision</p> <p>For the following reasons. We oppose the conditions to the extent there is an absence of more specific provisions in regard to the obligation for the Requiring Authority to meet the costs of off-site noise mitigation works and wishes to have the conditions amended for the following reasons:</p> <p>The proposed conditions of consent relating to noise management plans are inadequate in regard to the obligation for the Requiring Authority to meet the costs of off-site noise mitigation works (including where necessary ventilation), necessary for the reasonable protection of people from the adverse effects of noise and vibration arising from activities within the Designation.</p> <p>Conditions of Designation must be enforceable. For off-site noise effects to be remedied and mitigated on land outside the Designation there should be a condition of Designation imposed of the kind normally found as part of Airport related Designation conditions and/or associated District Plan rules.</p>	

In principle such conditions prescribe the basis for off-site noise mitigation packages being offered at the cost of the Requiring Authority to owners of classes of buildings used for noise-sensitive activities, e.g. dwellings, to meet in whole or part costs associated with a defined level of noise mitigation works including defined levels of ventilation works and operation. A standard agreement is normal and upon acceptance of such offer, the Requiring Authority arranges for the predefined works to be undertaken. Mitigation Packages may be predefined as appropriate for any particular class of buildings and type of construction.

Examples of such provisions which may be adapted by KiwiRail and may be found in conditions of Designation related to Auckland and Wellington Airports. (Similar provisions to the same effect may be found in some Conditions of Designation for State Highways and in District Plans related to land around ports).

We seek the following recommendation or decision from the Palmerston North City Council, that PNCC recommend that KiwiRail modify the NOR and amend this provision as follows:

That the proposed conditions be amended by adding such provisions to the same effect as described as reasons above, and to be developed by KiwiRail in conjunction with PNCC and representatives of the affected communities.

7. Submission 7

Submission relates to this specific part of the proposed Designation:	KiwiRail response to PNCC request for further information, Appendix C: Proposed Conditions.
<p>Regarding this part, we oppose this provision</p> <p>For the following reasons. We oppose the conditions to the extent there is an absence of more specific provisions in regard to the obligation for the Requiring Authority to avoid, remedy and mitigate unreasonable noise. This Public Health Service wishes to have them amended for the following reasons:</p> <p>In relation to the proposed conditions of Designation about noise, and consistent with the decision of the Environment Court in <i>Dunedin CC v Tranz Rail Ltd</i> C214/00 itself having regard to the Court of Appeal Decision in <i>Watercare Services Ltd v Minihinnick</i>, (1997) 3 ELRNZ 511; [1998] 1 NZLR 294; [1998] NZRMA 113; (CA), We recognise that a requiring authority acting within the terms of a designation is probably not susceptible to the duty under s.17 RMA and related enforcement provision, nor by extension s.16. This Public Health Service notes the Court's determination in <i>Dunedin CC v Tranz Rail Ltd</i> that a condition should be imposed, putting in place an over-arching requirement which reflects the provisions of section 16 of the Act. Therefore an additional proposed general condition relating to noise should be imposed in the two sections relating to noise.</p>	
<p>We seek the following recommendation or decision from the Palmerston North City Council that PNCC recommend that KiwiRail modify the NOR and amend this provision as follows: Add additional conditions under both headings 'Operational Noise and Vibration, and 'Construction Noise and Vibration Management Plan' stating:</p> <p>'The requiring authority shall adopt the best practical option to ensure that the emission of noise from the area subject to Designation does not exceed a reasonable level at any point within the notional boundary of any building used for residential purposes outside the land area subject to the Designation.'</p>	

KIWI RAIL 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

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter Owen Leonard Reid

Postal Address 418 Tutaki Road RD 10

Phone 06 329 2102

Palmerston North

Email owenhome@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:

Noise mitigation.
Location of site.

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 make sure that the noise mitigation part is done first.

We at this address object to the location of the site, from the noise, air pollution, roading restrictions, and property value reduction, standpoints.

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)

Move the site choice towards Feilding, where less community impact will occur.

Please make sure that the noise mitigation part is done first.

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

We would be affected, by any noise, dust, and fumes emitted from the site, the prevailing wind is from the proposed site towards our property.

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

KIWI RAIL 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

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter Te Runanga o Raukawa

Postal Address 70 Ruamahanga Cres, Palmerston North Phone +64 027 228 5292 (Charlie)

Email charlie@thecatalystgroup.co.nz (agent)

Signature Jessica Kereama

Digitally signed by Jessica Kereama
Date: 2021.03.26 09:36:27 +13'00'

(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.)

The proposal is contrary to Te Tiriti o Waitangi and the Regional Policy Statement Chapter 2 Te Ao Maori provisions as the process undertaken by KiwiRail to date has been cursory at best and has effectively excluded Kauwhata and nga hapu o Ngati Raukawa from decision making as it relates to the management and decision making regarding natural and physical resources on and te taiao in its rohe. Te Runanga o Ngati Raukawa oppose the proposal and seek that its tikanga be reflected in the projects objectives and design.

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 Raukawa 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

Te Runanga o Ngati Raukawa is the mandated iwi authority for Raukawa. Te Runanga is adversely affected by the proposal through the alienation of exclusive occupation of ancestral land and discharges. We support Ngāti Kauwhata's leadership and will work with them, and alongside them to protect our environment.

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
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KIWI RAIL 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

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SUBMITTER DETAILS

Full name of Submitter **Ji Hangfeng**

Postal Address **C/- K Olliver, Strategy & Planning, PNCC** Phone **3568199 ext 8444**

Private Bag 11-034, Palmerston North Email **kath.olliver@pncc.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 overall project, being the construction and operation of a new intermodal rail and freight hub on land between Palmerston North and Bunnythorpe.

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 attached document.

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 see Part 3 "Suggestions and recommendations" in the attached document.

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 checked="" type="checkbox"/> YES	<input 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
<div></div> <div></div> <div></div>	

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
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SUBMISSION TOWARDS KIWIRAIL REGIONAL FREIGHT HUB PROPOSAL

Submitter: Ji Hangfeng

26 Mar 2021

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My wife and I are the owners of our home, which would be acquired by KiwiRail should this proposal (regional freight hub) go ahead. We are strongly against this proposal for the following reasons.

1. Reasons for objection

1.1 Personal and family reasons

1.1.1. An absolute gem

Our two-storey architect-designed European style house (left photo below) was designed and built of a very high standard (e.g., high quality rimu timber was extensively used in the whole house joinery, which is rarely seen even decades ago) by its previous owners, who were builders themselves and spent 12 years to build. The house with over 500 m2 floor area has five bedrooms/five bathrooms, sixth bedroom/office, huge living areas, formal dining and lounge. The stunning house is situated in a very beautiful and large (over 1200 m2) landscaped gardens and lawns providing excellent privacy, which makes it hugely appealing. The previous owners estimated it could last for two hundred years. We dare to say its quality, size, appearance, and value are by no means inferior to the Caccia Birch House (right photo below) near the Lagoon.

Its loss is unendurable for us, our family and friends, the previous owners and their families, and even the city. While the city is preserving Caccia Birch House, why should our beautiful house be destroyed? Who can ruthlessly demolish it?



1.1.2. A nine-people home

We have spent two years in house hunting before we bought this home on the last day of 2017. Since we intended to live here for life and for our future generations, on 20 Nov 2017, we emailed and asked the previous owners via the agent if there is any development or development plans around this area and was told they were not aware of any. Also, as part of our culture and tradition, our parents live together with us and our three young kids. So, in total, our home accommodates 9 people. Losing this home would greatly impact our large family.

1.1.3. A place for church people gathering

Our home has been used as a place for church people gathering many times since we moved in, where typically 50+ people enjoyed pleasant hours when praying and socialising each time.

1.1.4. We are probably the most vulnerable

Loss of our home planned for a bed and breakfast business would make us very vulnerable and leave us almost no option for future income/employment and relocation, as neither my wife nor I have a job. We intended to run a B&B business at our home as it is an ideal house for that purpose and we consider it is probably the only income/employment option in the future due to our personal circumstances (specific profession making finding another job extremely difficult, my wife's non-competent English level, our young kids' ages, immigration status, etc.).

More details on our personal circumstances are not given here as they are very personal but I will present during the hearing.

While our neighbours might have reasonably good household income and therefore options for relocation, we are afraid that we do not have them. The KiwiRail project would have a very negative economic impact on our future lives including our young kids.

[About 400 words containing lots of personal information are not showing here but will be presented in the hearing.

97 - 7

1.1.5. Loss of very valuable Christian school education opportunities for our young kids

Our kids would lose very valuable Christian education opportunities at a local Christian school from year 1 to 13.

More details on our personal circumstances (kids' genders and ages, school name, etc.) are not given here as they are very personal, but I will present during the hearing.

[About 150 words containing lots of personal information are not showing here but will be presented in the hearing.]

]

1.1.6. Huge (3000+ m2) chicken garden, vegetable garden and others

After we moved in, we planned to turn our 3000+ m2 paddock into an orchard and garden for animals. We have completely fenced this area using chicken wires, planted some trees and even ordered some trees in June 2020 just before we knew KiwiRail's potential acquisition. Inside this paddock, we raise many chicken, ducks, and geese along with sheep, which are the favourites for the three young kids and the sources of yummy eggs and meat. Also, as a semi-mature idea, we wanted to raise more birds to potentially increase our income, and which can be seamlessly integrated into the B&B business. Unfortunately, we have to stop hatching new birds in the past season after we heard the proposed project as we do not want to see a large number of birds being killed as there would be no place for them after we are forced to leave our home.

We also have a large (about 100 m2) vegetable garden with a large glass house, raised vegetable beds, etc. constructed by the previous owners and ourselves after we moved in. All of us enjoy planting, harvesting, eating and even outgiving the fresh food very much.

Should the project go ahead, we lose all of them. This project is going to ruin our lives.

1.1.7. Potentially significant time required to relocate

Due to our house's many unique features mentioned above, it could take us not weeks, not months, but years or even decades to find an alternative comparable property. It could take even longer while the country is experiencing housing crisis. Should we have to look at comparable properties outside Palmerston North (as such properties are really rare to our best knowledge), it could take us even longer if not impossible to find since we need significant time and money to travel to other places to view those potential properties. As we migrated into NZ only years ago, have very limited travel in the country as the kids are too young, and have very limited friends in other cities, finding a comparable property outside

Palmerston North is really a big challenge. In the worst scenario, we could not recover a comparable property forever.

1.2 Legal issues

Currently relevant laws would not provide fair compensation to us should the project go ahead. It is very likely that the current applicable laws would put us into a worse situation after the land acquisition. Some of those could also affect other land owners.

1.2.1 Too outdated Public Work Act 1981 (PWA)

We understand should KiwiRail acquire our property, the ways of compensation are currently regulated by the Public Work Act 1981 (PWA). **Section 60(1) of PWA provides that affected landowners are entitled to "full compensation" so that they are left in a no better or worse position, than they were before the public work commenced.**

However, this very outdated 40 years old act could not fairly compensate us and other land owners in the current housing market, where NZ house prices, labour costs, material costs, etc. are much higher than 40 years ago. In addition, as our house is so unique (great location, architectural design, huge floor area, well built with rimu timber, large beautiful landscaped lawn, huge chicken and vegetable gardens, etc.), we would be in an even unfair situation than other land owners should this outdated act be applied. I outline the reasons below.

1.2.1.1 Incorrect current market valuation based compensation

According to PWA, the value of land is based upon the amount the land would be expected to sell for if sold on the open market by a willing seller to a willing buyer on a specified date. During a visit, KiwiRail confirmed with us in July 2020 that they would only compensate us for acquiring our home "at fair market value based on the principles of compensation as set out in the Public Works Act 1981 (PWA)" although we insisted in our case, such compensation is not appropriate and instead compensation based on reinstatement cost should be applied. We believe the below points should be considered when determining the compensation basis should KiwiRail eventually acquire our home.

- a) There is no market (supply and demand) or more specifically no supply of **reasonably comparable** properties on the market.

We assume by "reasonably comparable", at least the following factors out of many more should be well considered: proximity to town/city/school, land area and slope, house style and quality, number of storeys, house floor area, number of rooms.

In the past few months, we have spent quite some time looking for similar lifestyle properties on the market even outside Palmerston North, however to our best knowledge we could not find any. If we only look at properties located in Palmerston North, we could not even find any such a property if we only look at one single factor – "comparable floor area".

- b) We are not a willing seller at all.

As mentioned earlier, we have spent two years before we bought our current home. We were determined to live here for the rest of life and even wanted to pass it to our kids as part of our tradition/culture. There is by no means we want to sell the house at all! Not to mention there is no comparable house on the market.

c) It is very difficult or even impossible to estimate our home's true current market value.

Two real estate agents provided their valuation of our current property in July 2020. However, their estimations were based on only 4 or 5 recently sold properties including one of our neighbours (117 Clevely Line, who would potentially be acquired by KiwiRail as well). Furthermore, apart from that neighbour, all have floor area significantly smaller (about 40%-50% smaller) than ours. The methodology used for their estimation is therefore very questionable. One agent acknowledged that "With properties like your own, if we can not find direct comparison of recent sales at the time of conducting an appraisal for selling a property, we will state there are no comparables so therefore we can not give an estimated market value."

Put in a very simple way, if there are no sufficient sales of comparable houses, estimating its current market value is very difficult or impossible, and would result in great errors. While we fear an underestimation of our house valuation, it is also likely that an overestimation of the house valuation is made simply due to insufficient data and/or inappropriate methodology. In both scenarios, it goes against PWA's general compensation principle of not left land owners "in a no better or worse position" as mentioned above. **Such great errors could inevitably lead to very lengthy and costly arguments or even proceedings between KiwiRail and us, which would make us very stressful for a long time or even forever.** As residents in Palmerston North, we want the city council well consider our points and convince KiwiRail to not use current market value to compensate us should this project go ahead.

Having said that, if the project goes ahead and KiwiRail acquires our house, we think compensation based on reinstatement cost should be applied instead. In fact, section 65(1) (copied below) in the Public Works Act suggests compensation on the basis of the reinstatement for land for which no general demand or market exists.

Where land that is taken or acquired for a public work was devoted to a purpose of such a nature that there is no general demand or market for land for that purpose, compensation may be assessed on the basis of the reasonable cost of equivalent reinstatement in some other place if the Land Valuation Tribunal or, in the case of any claim not before the Tribunal, the Minister or the local authority, is satisfied that such reinstatement is in good faith intended.

We spent two years to find our current property, which is devoted to a purpose of being a comfortable home for up to 9 people, including our three young children, and our parents. To our best knowledge, there is no or so few properties that can comfortably accommodate so many people on the market. Furthermore, our home also serves as a Christian gathering place. Since we moved in, our home has been used as a gathering place many times attended by 50+ people from a local church and their family members each time, which we and our guests enjoyed so much in our home and the beautiful landscaped gardens. We would say there is no or very few homes can achieve these purposes. Therefore, we consider Act s65(1) should be applied.

While there might be some people doubting the suitability of applying this section to our case, we would urge the relevant section to be amended to be clearer that a property like ours, where there is general no market/supply, should be compensated based on reinstatement costs, and/or KiwiRail agrees on this suitability. Otherwise, we believe the legal issue would very likely make us worse off after the land acquisition.

1.2.1.2 *No compensation towards our potential B&B Business loss*

In the PWA, land owners are entitled to get compensation for the business loss resulting from the relocation of the business made necessary by the taking or acquisition. Business loss of "anticipated profits" is not provided for in the outdated PWA 1981, which is understandable for many cases.

However, we wanted to start a B&B business to make a living. As mentioned above, the reasons that it has not been successfully running in the past include the two young kids at home, covid-19 impact on tourism and the KiwiRail acquisition plan. Under current PWA, we would not get compensation since the business has not been set up. However, our plan of starting a B&B business is really something we want to do to MAKE A LIVING and it is simply in our pipeline.

Not sure if there are other households inappropriately affected by this, but we believe the relevant sections in the PWA should be amended to make it fair. **Otherwise, the acquisition would not only make us lose a fantastic home, but potentially also our future income reliance.**

1.2.1.3 *Insufficient payment for homeowners*

In the PWA, there is payment for land owners when their land to be acquired. Compensation up to \$50,000 is payable under section 72, which \$35,000 if vacant possession is given on the agreed date, \$10,000 if a sale and purchase agreement that includes a date for vacant possession is executed within six months of the negotiation start date, and \$5,000 at the Minister's discretion if land owners' personal circumstances or the circumstances of the acquisition warrant such a payment.

However, this amount is obviously too low when the national median house price is over \$730,000 (Feb 2021 data), far higher than that when the Act became effective 40 years ago, and it seems the house price is still climbing. This is especially true when we consider a house with much higher value, larger floor area, etc. The type of compensation is therefore considered not enough. The law should be amended to reflect the current house prices and should even be linked to the value of the to be acquired house, to be current market value, or current value associated with reinstatement costs.

1.2.1.4 *Insufficient payment for landowners*

PWA also regulates that if the land acquired does not include a home, compensation at the rate of 10 percent of the value of the land taken is payable from a minimum of \$250 to a maximum of \$25,000 provided vacant possession is given on the agreed date. The land owners cannot get compensation for the land being acquired if they are paid compensation for the loss of their home on that land.

For the same reason (much higher house price, land price than 40 years ago) mentioned above, a cap of 25,000 is of course too low and is unfair. This does not apply to our land. However, it could affect others. The cap needs to be lifted accordingly.

1.2.1.5 *No compensation for removable specifically purchased for the (unique) property*

PWA does not entitle land owners get compensations for those removeable stuff. We consider this is inappropriate for those specifically purchased/built for the property and would be useless or be much less value when a comparable property cannot be easily and quickly found.

Since we moved in, we bought/built/planted a lot of things belong to this category, including mow-rider (to mow our large lawn), 7 meter long ladder (to maintain two story house), new trees/flowers (favourite fruit trees/berries to replace some existing plants), chicken/duck/goose houses/feeders/fence, kids

playground, etc. If we could not find a comparable property reasonably quickly, their value would be g down or completely lost. Not getting compensation for these would make us worse off.

1.2.1.6 Lack of extra payment in a hot house market especially for recovering (buying or building) a comparable property elsewhere which would take significant time

As mentioned above, we spent two years finding our current home. We anticipate we have to take years or even decades in buying or building a comparable property elsewhere due to the rarity of comparable home on the market, not to mention there are so few listings of houses in the country currently. Potentially, if we are lucky to be able to recover (buy or build) a comparable home, we might find we have to pay more to buy or build a comparable one as the prices or building costs are going up in a seller market in years, not in months, not in weeks! The compensation we get when we are forced to leave our home would be therefore insufficient to make that happen, i.e., the acquisition would leave us in a worse situation since the PWA 1981 does not provide any extra payment for the foreseen house price increase especially if we look at a very long timeframe necessary for us to buy or build.

Of course, the house market could be relatively stable or go downwards during those years, which could potentially make us better financially after the acquisition (which again is violating the general compensation principle set in the PWA). However, we do not want to take such a great risk to bet the house market, since that would cause lots of stress to us for years if not forever, from the day we leave our current home to the time we eventually own a comparable home.

Solving this issue might be quite complicated by the law as no one can predict house market in say 3-5 years' time accurately. **But as a pragmatic solution, should the project go ahead, we suggest KiwiRail to build or purchase a comparable property for us to swap our current home.**

1.2.2 The bright-line property rule and similar taxation regulations

To dampen speculative house demand, the government introduced the bright line property rule, which taxes money earned on people's additional homes if sold within a certain period of time, which is increased from 5 to 10 years at the time when this submission is being prepared.

As mentioned above, it could take us significant time (years, or even decades) if not impossible to recover a comparable home. If KiwiRail could not build a comparable home for us, we might have to invest the money received from them in houses, securities, and/or something else to tackle the possible house price increase issue (otherwise, that money might not be sufficient to recover a comparable one in years). In the fast-changing markets, due to the real fear of missing out, we might have to invest quickly without proper assessment of the houses, securities, etc. and their risks, i.e., we have to take great risks as our investment could be result in a loss, or not getting enough return. Professional investors might not do such a good job, not to mention that we have no sufficient financial/investment knowledge.

In addition, we might have to pay tax from the investment gains, no matter what we invest in. Should the markets go higher, the tax payable could be quite significant. After paying the taxes, we could not be able to recover a comparable home.

One might argue we could quickly or even immediately buy a non-comparable family house worth the money we received from KiwiRail and then sell it when we see a comparable house in the market in years as selling of the family house would not incur any tax. However, there are lots of issues here. Just name a few. First, it could be painful for some or all of our family members to live in a place not

comparable/satisfactory to our current home for years, not months, not weeks! Second, we have to pay when we sell houses, move our home belongings, etc., which are not compensated according to the PWA. Third, we take great risks here to buy a non-comparable house, which might partially lose its value, or do not catch up with the house price hikes.

1.3 Economic reasons

1.3.1 Too old data used to justify KiwiRail's proposed project

The proposed freight hub is designed for 100 years' use. KiwiRail claimed that "freight volumes are expected to increase significantly in the coming decades, and it is crucial that we have an integrated transport network to support this growth". Its proposed traffic demand is based on the Ministry of Transport's National Freight Demand Study dated back to 2014, where it says *"New Zealand's freight task is projected to increase by about 50 per cent over the next 30 years, with freight volumes in the Auckland and Canterbury regions projected to grow by 78 per cent and 73 per cent respectively"*. In its Technical Report C - Integrated Transport Assessment (section 9.3), KiwiRail acknowledges that this report has recently been updated and reflects a lower forecast growth for rail due to several factors.

KiwiRail has been asked in question 126 why 2017/2018 National Freight Demand Study was not chosen to inform the concept design described in section 1.3.1 of the Design, Construction and Operation Report. However, we cannot find the answer to this question in its response, at least at the document the answer should be (along with answers to other questions). We would ask KiwiRail to properly answer this question (#126) to justify its market forecast.

Actually, as shown in below graph/table from the Ministry of Transport National Freight Demand Study 2017/18, the overall supply-driven commodities between 2017/18 and 2052/53 is relatively stable. Therefore, should KiwiRail uses this updated study, **how could KiwiRail come to a conclusion that freight volumes are expected to increase significantly in the coming decades?**

It is quite evident, based on the 2017/2018 study report, building an expensive freight hub is not justified.

**NATIONAL FREIGHT DEMAND STUDY 2017/18
MAIN REPORT**

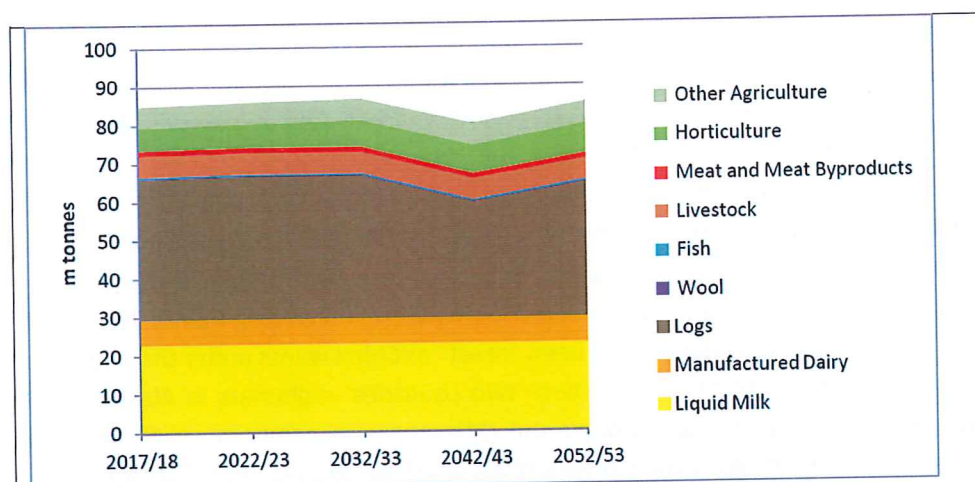


Figure 7.8
Estimates and forecasts of movements of supply-driven commodities
2017/18 to 2052/53 (m tonnes)

Commodity	2017/18	2022/23	2032/33	2042/43	2052/53
Liquid Milk	22.8	22.9	22.9	22.9	22.9
Manufactured Dairy	6.6	6.7	6.7	6.7	6.7
Logs	36.5	37.0	37.0	29.9	35.0
Wool	0.3	0.3	0.3	0.3	0.3
Fish	0.4	0.4	0.4	0.4	0.4
Livestock	5.6	5.6	5.6	5.6	5.6
Meat and Meat Byproducts	1.3	1.3	1.3	1.3	1.3
Horticulture	5.9	6.2	6.8	7.3	7.7
Other Agriculture	5.5	5.5	5.5	5.5	5.5
Total supply driven commodities	84.9	85.8	86.5	79.9	85.4

In addition, we feel even a study conducted in 2017/2018 is too old to properly project future freight demand in the coming decades. Its forecast might be too optimistic as it has not considered the following factors.

1.3.2 Covid-19 and possible other infectious disease impact

The covid-19 impact is very significant in many many aspects, including international trades and tourism, which would greatly impact the freight volumes. There are views that the viruses highlighted the risks and vulnerabilities inherent in deep trade integration, spurring countries to reduce their reliance on other economies.

While the world (at least World Health Organisation) is still not that clear where the covid-19 virus was from especially when China blocked the investigation in the first place, we could not rule out the possibility of future other similar or even more severe infectious disease outbreak across the global. If the covid-19 virus were artificially made by human being and intentionally or unintentionally released to the public, such possibility would be even higher. The world could combat the viruses using different ways including quarantine, vaccinations, etc., the new outbreaks would inevitably have a negative impact on consumers'

confidence and hence the freight volumes. Even today, we could not accurately predict when the global covid-19 pandemic would end and the trades, tourism, etc. would resume.

1.3.3 Geopolitical changes

There has been a lot of geopolitical changes after the 2017/2018 Ministry of Transport National Freight Demand Study was conducted. New Zealand's biggest export market China experienced and is experiencing higher and higher pressure from the US-China trade war, lifting tariffs, blocking of Chinese investment, stopping exporting US technologies and products to China, etc. under Trump administration. China was forced to launch its "dual circulation" strategy, which cuts its dependence on overseas markets and technology in its long-term development, a shift brought on by a deepening rift with the United States as it is afraid of being decoupled with the US and even the rest of the world (excluding Russia, Iran, North Korea, etc. of course). The US-China relationship has not been "reset" as China wants under the new Biden administration. The recent unsuccessful talk between these two countries' diplomats in Alaska in Mar 2021 is a clear evidence, which is due to the fundamental differences in values pursued by them. Furthermore, according to Guardian (<https://www.theguardian.com/world/2021/mar/10/china-could-invade-taiwan-in-next-six-years-top-us-admiral-warns>), top US admiral Philip Davidson warned on 9 Mar 2021 that China could invade Taiwan in next six years as Beijing accelerates its moves to supplant American military power in Asia. If that happened, the freight volumes could drop significantly.

On the other hand, China often uses economic sanctions to punish countries pointing out its weak points. This type of sanctions happened to South Korea, Norway, Taiwan, Sweden, etc. and recently Australia. When Australia (China again is its biggest trading partner) wanted the world to investigate the root cause of the covid-19 outbreak in China, China targeted a growing list of imported products by putting tariffs on wine and barley, and suspending beef imports, discouraging its students not to study in Australia by misleading them that Australia is not a safe country. When New Zealand stands up and speaks against China, China could impose similar intimidation or even real actions towards it. Just when this submission is being prepared, on 23 Mar 2021, New Zealand joined Australia to condemn China's atrocities in its Xinjiang Province towards its Uighur people and welcome the coordinated sanctions by US, Canada, EU and UK. Many political observers recognise that China is being isolated by a number of countries especially western countries including NZ for what it has done in Hong Kong, Taiwan, Xinjiang, South China sea, uncovering of the covid-19, etc.

Actually, the 2017/2018 Ministry of Transport National Freight Demand Study also points out that "the heavy dependence of other primary products on export markets in China also increases the uncertainty surrounding the forecasts".

In short, the recent geopolitical development could greatly reduce the freight volumes for years, or even decades.

1.3.4 Aging and to be shrinking Chinese population

According to Wikipedia and other reliable sources, China, NZ's biggest export market, is experiencing aging population problem. Its population is aging faster than almost all other countries in modern history. In 2050, the proportion of Chinese over retirement age will become 39 percent of the total population. China is rapidly aging at an earlier stage of its development than other countries.

To tackle this problem, the Chinese government abandoned its one-child policy in 2015 to encourage population growth. However, very few Chinese people are reluctant to have their second child. In contrast,

according to Guardian, “The data released on Monday, from the Chinese ministry of public security, showed the number of new birth registrations in 2020 was 10.035 million, compared with 11.8 million in 2019. The 2019 figure marked the lowest point since the People’s Republic of China was founded in 1949.” Similar or even more severe warning towards its population can be easily found elsewhere.

This problem would impact the long-term export of NZ’s primary products, such as baby milk powder, logs, etc.

Of course, New Zealand could look at other markets, but there are lots of uncertainty as well. There seems a trend that when the economies grow to a certain level, the population will be aging and declining, as one can see from Japan, South Korea, Taiwan, etc.

1.3.5 Effect of global warming on NZ’s primary industries and its production

Global warming also imposes a possible negative impact towards the primary product production and hence the freight volumes in NZ.

On Thursday 24 October 2019, the government announced the introduction of the Climate Change Response (Emissions Trading Reform) Amendment Bill. This Bill supports New Zealand’s move to a low emissions, climate-resilient economy. It includes decisions to address our agricultural emissions. This would inevitably impact the productions in the primary industries, which might have not been well considered in the 2017/2018 consideration. In fact, the drought problem, which has been seen more frequently, will greatly reduce the milk production. The increasingly unpredictable weather cycles could make production inconsistently and unpredictable at different years/decades. More information on this topic can be found, e.g., on Ministry of Primary Industries website.

1.3.6 Erosion of rail transport share by alternative new technological solutions

While the Regional Freight Hub project is planned for the next 100 years and aim to reduce green house emissions, KiwiRail and decision makers need to look at the technology trends in the coming years/decades, especially the emerge of truck platooning, electric vehicle batteries, etc. when compared with rail transport.

Truck platooning is a technology where trucks can travel on motorways with specified gaps between them using autonomous technology (see below). By using advanced technology trucks form organised, identically spaced convoys and can therefore drive closer together over long distances, thereby cutting air drag friction, significantly bringing down fuel consumption and cutting costs. Furthermore, truck platooning optimizes transport by using roads more effectively and flexibly, delivering goods faster and reducing traffic jams. In terms of a freight hub, using truck platooning instead of traditional railway transport, also saves time in loading and unloading goods, etc., and therefore save significant time, cost, labour and green house emission.



Truck platooning (source: <https://pnorental.com/truck-platooning-the-future-of-road-transport/>)

On the other hand, electric battery technologies have been developed and continuously improved over the past 5-10 years. Utilizing batteries in cars and trucks have been seen in many vehicle producers. According to a Forbes article (<https://www.forbes.com/sites/oliverwyman/2017/09/26/railroads-versus-trucks-the-one-willing-to-invest-in-innovation-is-likely-to-win/?sh=493771e51d1b>), "Electrification is particularly promising in the near term, as it could offer substantial reductions in fuel and maintenance costs."

Therefore, rail carriers like KiwiRail and decision makers need to investigate solutions towards reducing emission alternative to rail transport. **KiwiRail, in particular, should include a comprehensive report and inform the decision makers and the public if their proposal is better in terms of emissions, cost, flexibility, labour, etc. than other alternative solutions.** Such a report should also include evaluating how and how much other technologies/solutions would erode the market share of rail transport so to justify its proposal of building a regional freight hub designed for 100 years' use.

1.4 Environmental concerns

1.4.1. Life cycle assessment

The proposed project, which would last 100 years, would have enormous positive and negative environmental impact, such as noise, light, chemical, vibration, etc. over its whole life time. One of the key claimed benefits of the proposed project is to reduce the environmental impact of freight transport. Therefore, the environmental consideration is a key part in the project evaluation and approval phases.

As an international accepted methodology (e.g. AS/NZA ISO 14044:2006, ISO 14040 (2006) and ISO 14044 (2006)), life cycle assessment (LCA) analyses the environmental impacts of a process, product or activity along its "life cycle". This type of analysis encompasses all aspects of a process, product or activity from the building/making, operating/using, maintenance, and disposal or recycling at the end of its service life and can be referred to as "Cradle-to-Grave".

Previously, large scale projects like dams have been assessed its life cycle impact during their construction, operation, and decommissioning phases (e.g., <https://www.ukessays.com/essays/environmental-sciences/a-life-cycle-analysis-of-a-dam-environmental-sciences-essay.php>, <https://www.sciencedirect.com/science/article/pii/B9780128122105000080>, https://www.researchgate.net/publication/273619218_Life-

Cycle Assessment of Concrete Dam Construction Comparison of Environmental Impact of Rock-Filled and Conventional Concrete).

We think a life cycle assessment should also be performed before the proposed regional freight hub project is approved as this would essentially assess the environmental impact of this project over the next 100 years.

We therefore would request KiwiRail to conduct a thorough life cycle assessment study of its proposal hub project. Ideally it should also compare other alternative solutions such as truck platooning, so that the public and the government can be well informed about its environmental impact over the next 100 years. The decision makers should also look at such a study report when they decide to approve this project or not.

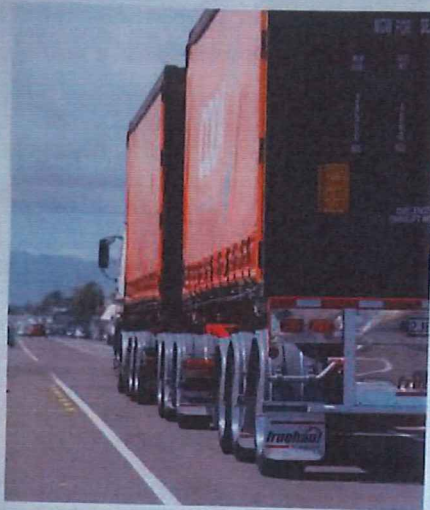
1.4.2. Potential known waste

As far as we know, the followings are the potential wastes should the project go ahead. KiwiRail need to evaluate their impact as well. The decision makers also should not overlook these wastes.

- a) A few brand-new or new houses on Clevely Line, which include two just under 1-2 years old houses, and three just under 5-10 years old houses. This is an enormous waste, economically and environmentally, especially at a time of housing crisis.
- b) A large area (over thousands square meters) of native trees on 105 Clevely Line planted 20 years ago as part of Millennium project.
- c) Two newly sealed roads (Te Nagio road, Clevely Line) sealed just by end of 2019.
- d) The optical fiber construction work around Bunnythorpe finished just by end of 2020.

As far as I know, the city council was talking about this potential hub construction at least in 2019, as shown in its ratespayer newsletter below. We want to question why the city council gave consents to the construction of the new houses, roads, fiber network after the city council was aware of the potential KiwiRail's hub project.

5



KEY PROJECTS

CITY AND REGIONAL DEVELOPMENT

Council recently signed a Memorandum of Understanding with KiwiRail and NZ Transport Agency that lays out a strategic approach of working together with a shared goal of beneficial regional development. This is a significant commitment between the three parties.

Council supported the establishment of an expanded industrial zone on the north-eastern outskirts of the city to encourage growth of our logistics industry. KiwiRail is in the process of identifying a preferred site for their integrated rail freight hub. This is a significant investment if the preferred location is within the city.

The creation of a regional multi-modal hub will be a major drawcard for attracting more logistic firms into the region. This will also present opportunities for our other key sectors, such as defence, education, agri-business and health – but also allows to diversify our economy in a rapidly changing world.

PHCC Ratepayers' Newsletter 2019

1.5 Damaged Community interests

I would join others in Bunnythorpe if possible, regarding expressing the concerns of damaged community interests, such as pollutions by the hub. The Bunnythorpe community has not been well consulted before KiwiRail decided to build a hub here.

1.6 City future development concerns

The country and also the city are experiencing housing crisis at this moment. Just during this submission is prepared, we know from the news (<https://www.stuff.co.nz/life-style/homed/housing-affordability/300248564/pressure-to-grow-up-instead-of-out-as-palmerston-north-runs-low-on-land>) that Palmerston North is under great pressure as there is no or very limited land for new house construction. There are 24 houses within the designation area, which would make house availability in Palmy more severe should the project go ahead.

The city council need to think twice when it decides if it could designate over this 170 hectares of land, potentially very suitable for new houses, to KiwiRail for its freight hub. Due to foreseeable pollutions, the

affected area would be much larger than 170 hectares. The city council need to think how the proposed hub would negatively affect the suitable land for its future development in the next 100 years. This could limit the city's future expansion to e.g., Fielding.

2. Summary

In summary, we oppose the KiwiRail's proposed project for the following reasons.

1) Personal and family reasons.

Our wonderful over 500 m2 home is an absolute gem with many unique features for our family, the previous owners and even the city. The home is a home for nine people, a place for Christian people gathering. Our three young kids would lose valuable Christian school education opportunity from year 1 to 13. We would lose the huge gardens for birds and vegetable planting. We would possibly be the most vulnerable people if we lose this home as we would lose the only income/employment opportunity (by running a B&B business at this home) and we might also be unable to recover a comparable home for years, decades, or even forever. Losing this home would leave us no relocation option.

2) Legal issues.

There is no fair applicable compensation law towards the land owners. The current "applicable" compensation law, Public Works Act 1981, is a very outdated law and would be unfair for land owners with their land be acquired due to public works. The Act cannot provide certainty to put the land owners "in a no better or worse position" after the acquisition and very likely would make us worse off mainly because KiwiRail told us that they would compensate us based on current market valuation while this method could make great errors as there is no comparable property on the market. The Act also would make us (and other land owners) worse off in many other aspects as discussed above especially because house price increases significantly over the past few decades after the Act passed and the portion of the house in the overall household assets becomes larger and larger.

As recovering a comparable home would take significant time, the taxation regulations would require us to pay significant amount of tax for the possible capital gains from investment using the compensation money before we recover a comparable home if we do not want to miss out the house price increase. This extra tax payment would eventually make us have no sufficient money to recover a comparable home when such an opportunity arises. Potentially, we could be better off if the house market cools after we get compensation. However, betting the house price change would make us very stressful for years, decades or even forever and is something we definitely do not want to see.

3) Economic reasons.

KiwiRail used a too old and optimistic 2014 report instead of a newer 2017/2018 version to justify the future freight volume's significant growth in the coming decades. KiwiRail was questioned for that, however in its response it did not answer why they did not used the newer data, which actually forecasts overall relatively flat freight volumes from 2017/18 to 2052/53.

In addition, the forecast freight volumes could be even more pessimistic than that forecast in the 2017/2018 National Freight Demand Study report, as it did not consider the significant development/changes happened after the study was finished. Such development/changes include:

- US-China trade war;
- Covid-19 and possible other infectious disease impact;
- Geopolitical changes where NZ's largest export market China is clashing with the west countries in many areas like Taiwan, Hong Kong, Xinjiang, South China Sea, etc., and it is bullying countries like Australia who stand up against its human rights violation, threaten to the region safety, etc. and boycotting products from the companies who speak out;
- Potential significant lower market demand from China due to its aging and even soon be decreasing population over the next decades;
- Lower primary production capabilities of NZ due to global warming;
- Possible erosion of rail transport share by alternative new technological solutions like truck platooning and batteries powered vehicles.

4) Environmental concerns.

The hub planned for the next 100 years' use would have significant environmental impact from its construction, operation, maintenance and disposal. We request KiwiRail to conduct a thorough life cycle assessment, an international accepted methodology, to evaluate its impact, like other studies on large scale dam projects. Ideally the assessment should also compare other alternative solutions such as truck platooning, so that the public and the government can be well informed about its environmental impact over the next 100 years. The decision makers should also look at such a study report when they decide to approve this project or not.

Large investment has been taken place within the past few years in the chosen designation site. Should the project go ahead, the lost would include many newly built houses even brand new houses on Clevely Line, two roads sealed just by end of 2019, optical fiber construction work around Bunnythorpe finished just by end of 2020, and thousands square meter native trees planted 20 years ago. Should these investment lost, PNCC need to explain why it gave consents to these work while it was aware of the KiwiRail's proposed project, which wastes rates payers' huge amount of money.

5) Damaged Community interests

The Bunnythorpe community has not been well consulted before KiwiRail announced its preferred site. Many families in the community express great concerns regarding potential pollution, traffic changes, etc.

6) City future development concerns

The proposed project which would require over 170 hectares would make the housing crisis even more severe when the city is lack of land for new house construction. It might also block future city development such as a city expansion to Fielding.

3. Suggestions and recommendations

- 1) I request the city council to decline KiwiRail's requirement for designation for the regional freight hub.
- 2) I request KiwiRail to answer why freight volume data in 2017/2018 National Freight Demand Study was not used in its freight volume forecast.

- 3) I request KiwiRail to justify why a regional freight hub is necessary when the 2017/2018 National Freight Demand Study forecasts a relative stable freight volume from 2017/18 to 2052/53.
- 4) I request KiwiRail to forecast the rail freight volume data in the coming decades with at least those six new big development/changes mentioned taken into consideration.
- 5) I request KiwiRail to conduct a thorough life cycle assessment of the proposed project to evaluate its environmental impact, like what others have done on large scale dam projects.
- 6) I request the city council to justify how it gave consents to those large construction investment mentioned (houses, roads, etc.) after it knew KiwiRail intended to build a hub here.
- 7) I request PNCC/KiwiRail to lobby the Government and/or Parliament to amend the Public Works Act and other taxation bills mentioned appropriately to ensure fair compensation to all land owners affected by any future land acquisition including us considering the greatly changed circumstances compared to 40 years ago and rarely seen properties on the market which would be acquired for public works and very hard to recover.

KIWI RAIL 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

Continue on separate sheets if necessary

SUBMITTER DETAILS

Full name of Submitter **David Odering**

Postal Address **813 Roberts Line**

Phone **063592575**

Palmerston North

Email **daveo12@hotmail.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 proposal to operate a freight hub in Bunnythorpe

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.)

Opposed to the rail hub proceeding without rezoning of rural land to the west of the proposed site being re-zoned to industrial.
We purchased our property (LOT 1 DP 304361) 6 years ago for its rural lifestyle. If the proposed hub proceeds, we will be directly across the road from one of the largest industrial sites in the country. This will come with increased traffic, noise, and light pollution as well as dust. We will no longer have the have quiet enjoyment of our rural property. From the day of the announcement our property has become undesirable.

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)

The rural land to the west of the proposed freight hub bounded by the Mangone Stream, the NEI Park and the rail hub. Be re-zoned to industrial.

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 checked="" type="checkbox"/> YES (If Yes, comment below)	<input type="checkbox"/> NO
<div></div> <div></div> <div></div>	

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 KIWI RAIL 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

David Odering

Q2. MY SUBMISSION IS:

Opposed to the rail hub proceeding without rezoning of rural land to the west of the proposed site being re-zoned to industrial.

We purchased our property (LOT 1 DP 304361) 6 years ago for its rural lifestyle. If the proposed hub proceeds, we will be directly across the road from one of the largest industrial sites in the country. This will come with increased traffic, noise, and light pollution as well as dust. We will no longer have the quiet enjoyment of our rural property. From the day of the announcement our property has become undesirable reducing its value significantly. Rezoning will allow us to regain that value and move away.