

BEFORE THE PALMERSTON NORTH CITY COUNCIL (PNCC), THE MANAWATU DISTRICT COUNCIL (MDC)  
AND THE TARARUA DISTRICT COUNCIL (TDC)

IN THE MATTER OF      The Resource Management Act 1991 ('the RMA')

AND

IN THE MATTER OF      NOTICES OF REQUIREMENT by the New Zealand Transport Agency ('the Agency') under section 168 of the RMA for the construction, operation, maintenance and improvement of approximately 11.5 km of new State Highway between Ashhurst and Woodville to replace the closed section of State Highway 3 through the Manawatu Gorge and associated works, known as the Te Ahu a Turanga; Manawatu Tararua Highway Project ('the Project')

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HEARING SCHEDULE UPDATE

15 March 2019

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For Information

Submitter #365 KiwiRail will not be appearing and has tabled the attached evidence to be considered.

Kath Olliver  
Hearing Administrator



BEFORE THE MANAWATU DISTRICT COUNCIL

IN THE MATTER **of the Resource Management  
Act 1991**

AND

IN THE MATTER **of the Notice of Requirement  
from NZTA for Te Ahu a  
Turanga**

**Evidence to be Tabled at Hearing on 27 March 2019**

**Evidence of Rebecca Beals, RMA Team Leader**

**Submitter: KiwiRail Holdings Ltd.**

### **Introduction**

1. My name is Rebecca Beals and I am a RMA Team Leader for KiwiRail Holdings Limited ("**KiwiRail**"). I have over 17 years RMA and planning experience. I hold a Bachelor of Laws, a Bachelor of Science (Geography) and a Masters in Resource and Environmental Planning. I am a full member of the New Zealand Planning Institute and also a member of the Resource Management Law Association.
2. This statement is submitted on behalf of KiwiRail in connection with its function as a Requiring Authority for the designation of the Palmerston North to Gisborne Line (PNGL), and the operator of the rail network. Of particular interest to KiwiRail in this application is the proposed structure that crosses over the rail corridor as part of the new road route and the construction methodology around that.

### **KiwiRail Submission**

3. KiwiRail's submission only relates to the area of the new route that crosses the existing rail corridor, being a section of the PNGL within the Manawatu District.
4. There are a number of points raised in the KiwiRail submission in relation to the proposal by NZTA and while in support of the project, KiwiRail sought to ensure that the areas of interest to KiwiRail continued to be addressed through the conditions proposed. The specific conditions of relevance to KiwiRail are Conditions 5, 22 and M2.

### **S42A Planning Report**

5. I have reviewed the Planning Officers report on this Notice of Requirement prepared by Phillip Percy and Anita Copplestone. In relation to the matters relevant for KiwiRail, I note that changes to the general wording of conditions supported by KiwiRail is proposed, however I agree that the effect of these changes does not alter the protection provided to KiwiRail through those conditions. This is the same conclusion reached by the reporting officers at paragraph 647.

**NZTA Evidence**

6. Following the lodgement of the KiwiRail submission, continued engagement with NZTA has occurred, and this is anticipated to continue through to and during construction.
7. In reviewing the evidence by Ainsley McLeod on planning and conditions for NZTA, I note that wording changes to Condition 22 are proposed. Clause (i) that includes the KiwiRail mitigation is not proposed to be changed, other than being re-numbered. KiwiRail are therefore not opposed to the changes suggested.
8. I note the discussion at paragraph 310 on Condition 22(h), as it was referenced at notification, and support that while the logistics of access to the rail corridor for construction purposes are being refined and approved, that opportunity cannot be specifically required to be realised through this condition. KiwiRail support the wording and detail as discussed in this paragraph.
9. Condition 5A is proposed to be inserted to focus on Outline Plan(s) for enabling works. Condition 5 relates to Outline Plan(s) for permanent works. Clause d(iii) of condition 5A references through to the requirements in Condition M2, as does clause f(iii) of condition 5.
10. Condition M2 that relates to the Outline Plan and approval for works in the rail corridor, is unchanged. This is supported by KiwiRail.

**Resolution**

11. KiwiRail support that there are conditions proposed that seek to ensure effects on KiwiRail from the construction and operation of the new route are managed appropriately, and noting the changes that are proposed, KiwiRail do not oppose the wording as it relates to KiwiRail assets and operations. Any changes to the wording outside of the specific clauses within those conditions that relate to KiwiRail, is between Council and NZTA.



Rebecca Beals  
**RMA Team Leader**  
**14 March 2019**