

BEFORE THE INDEPENDENT COMMISSIONERS

IN THE MATTER

of the Resource Management Act 1991
("RMA")

AND

IN THE MATTER

of a submission by KiwiRail Holdings
Limited ("**KiwiRail**") (submitter 132) on
Hearing Stream 6 of the Proposed Gore
District Plan ("**Proposed Plan**")

**STATEMENT OF EVIDENCE OF MICHELLE GRINLINTON-HANCOCK
ON BEHALF OF KIWIRAIL HOLDINGS LIMITED**

CORPORATE

1. INTRODUCTION

- 1.1 My name is Michelle Grinlinton-Hancock and I am the Manager of the RMA Team for KiwiRail. I have over 20 years of RMA and planning experience and am a full member of the New Zealand Planning Institute. I have a Bachelor of Resource and Environmental Planning (Hons) from Massey University.
- 1.2 I began my career in planning and resource management in 2000 and have over the course of my career worked as a planner in Council processing applications, as well as a consultant where I prepared consent applications and submitted on district and regional plan provisions on behalf of clients.
- 1.3 Prior to working at KiwiRail, I was the programme manager for the Ministry of Environment Making Good Decisions Programme while I was employed at WSP. I am also a certified Commissioner under the Ministry of Environment Making Good Decisions Programme.
- 1.4 I have worked at KiwiRail as a Senior RMA Advisor, Team Leader and now Manager of the RMA Team for over four years.

2. SCOPE OF EVIDENCE

2.1 This statement has been prepared on behalf of KiwiRail and relates to the matters contained in the Noise chapter of the Proposed Plan, which KiwiRail submitted on.

2.2 My evidence will outline:

- (a) KiwiRail's infrastructure and activities within the Gore District; and
- (b) the need for noise controls and a vibration alert layer.

3. KIWIRAIL IN THE GORE DISTRICT

3.1 KiwiRail is a State-Owned Enterprise responsible for the management and operation of the national railway network. The rail network is an asset of national and regional importance. Rail is fundamental to the safe and efficient movement of people and goods throughout New Zealand. There continues to be ongoing critical investment in the maintenance and expansion of the rail network to meet future growth demands and improve transport network efficiency.

3.2 To assist with New Zealand's move towards a low-carbon economy and to meet the needs of New Zealand's growing population, rail services will grow. Recognising that rail produces at least 70 percent less carbon emissions per tonne of freight carried compared with heavy road freight, plans to accommodate more freight on rail are underway. The designated rail corridor of the Main South Line ("**MSL**") passes through the Gore District and is a key part of the national rail network.

3.3 The current rail volumes are 50 trains per week through the Gore District, which includes 8 trains per day that run for five days of the week. Rail volumes are expected to increase over the life of the Proposed Plan. Growth in the use of rail is expected as part of the mode shift in freight moving off road and onto rail as part of New Zealand's goal to reduce emissions. KiwiRail seeks to protect its ability to operate, maintain and upgrade these lines into the future.

4. NOISE AND VIBRATION

4.1 Acoustic and vibration standards are important controls to ensure the ongoing health and wellbeing of people, and are instrumental in ensuring that reverse

sensitivity effects on rail are minimised, particularly where intensive residential development is proposed adjacent to the rail corridor.

- 4.2 KiwiRail is supportive of urban development. KiwiRail is a responsible infrastructure operator and has an ongoing programme of upgrade and maintenance work to improve track conditions over time, which helps to minimise potential rail noise and vibration. However, as outlined in Dr Chiles' evidence, residual noise and vibration effects cannot be entirely internalised within the rail corridor and have the potential to cause ongoing disturbance and adverse health effects to communities surrounding the rail corridor.¹
- 4.3 Planning instruments are an appropriate tool to manage adverse effects of rail activities on adjacent land users. It is critical that the Proposed Plan appropriately addresses these issues so that health and wellbeing impacts on neighbouring communities are minimised, and the ongoing operation and efficiency of the rail network can be maintained.
- 4.4 A particular concern for KiwiRail is the potential for reverse sensitivity effects to arise from new or intensified sensitive activities (eg dwellings) developing near the rail corridor. Reverse sensitivity is a well-recognised resource management concept which refers to the impact that locating new, sensitive activities adjacent to existing lawfully established effects-generating activities has on the ongoing operation of those existing activities. New developments, or higher density redevelopment of existing sensitive uses, can result in greater numbers of individuals being subject to adverse noise and vibration effects. This can result in increased complaints and operational constraints on the rail network (such as limitations on operating hours), which in turn constrains the ongoing operation and future development of the rail corridor.
- 4.5 In its submission, KiwiRail sought:
- (a) the retention of various objectives and policies relating to noise in the Proposed Plan;²
 - (b) amendments to the definitions of "noise sensitive activity" and "construction activity" in the Proposed Plan;³

¹ Evidence of Dr Stephen Chiles dated 30 September 2024 at [5.1].

² KiwiRail's submission sought to retain Objectives NOISE-O1, NOISE-O2 and NOISE-O3 and Policy NOISE-P3 of the Proposed Plan as notified, which has been accepted by the Council Officer. This relief is not discussed further in my evidence.

³ KiwiRail accepts the Council Officer's recommendations in respect of these submission points, and these is not discussed further in my evidence.

- (c) the inclusion of a new standard relating to reverse sensitivity for noise and vibration;⁴
- (d) an amendment to the Rail Corridor Noise Control Overlay (which requires acoustic insulation and ventilation to be installed in new or altered sensitive uses) to apply within 100 metres of the rail corridor (the notified overlay currently applies within 70 metres of the rail corridor); and
- (e) the inclusion of a Vibration Alert Area Overlay that applies within 60 metres of the rail corridor.

Noise

- 4.6 As set out in the evidence of Dr Chiles, the understanding of rail noise effects and necessary mitigation has evolved in the past decade. Dr Chiles' evidence demonstrates that adverse noise effects are experienced 100 metres from the rail corridor. As Dr Chiles explains, the 100 metres KiwiRail generally seeks reflects a reasonable compromise to capture the most affected sites without requiring assessment where building treatment is less likely to be required.⁵
- 4.7 At present, Ms Woodbridge does not accept the Rail Corridor Noise Control Overlay should be increased from 70 metres to 100 metres.⁶ Ms Woodbridge and the Council's acoustic expert (Mr Styles) recommend that KiwiRail provide further information on the number of freight trains that could be reasonably expected on the MSL which passes through Gore in one hour over the next 10 years.⁷
- 4.8 As illustrated by the traffic volumes included in my paragraph 3.3 above, the MSL is a busy line and will only get busier over the life of the Proposed Plan as demand for rail freight grows. Given these volumes, I consider it is appropriate and necessary to apply the Rail Corridor Noise Control Overlay within 100 metres of the rail corridor to mitigate adverse effects on the most affected sites.

⁴ KiwiRail accepts the Council Officer's recommendation in respect of this submission point, and this is not discussed further in my evidence.

⁵ Evidence of Dr Stephen Chiles dated 30 September 2024 at [6.1].

⁶ Section 42A Officer's Report – Hearing Stream 6 – Noise at [190].

⁷ Section 42A Officer's Report – Hearing Stream 6 – Noise at [183]; Consulting Advice Note prepared by Jon Styles for Gore District Council dated 29 August 2024 at section 2.1.

Vibration

- 4.9 Dr Chiles' evidence demonstrates that rail vibration has a very real effect on neighbours (with the potential to result in reverse sensitivity effects on KiwiRail) that requires mitigation. He considers that vibration effects are experienced more than 100 metres from the rail corridor, but that a control to 60 metres would manage the worst of vibration effects.⁸ These effects will only increase as the rail network continues to grow.
- 4.10 Dr Chiles' evidence is that vibration controls are appropriate to mitigate effects.⁹ However, given the practicalities of implementing vibration controls is in its infancy in New Zealand, KiwiRail has taken a pragmatic approach and sought a rail vibration "alert layer" in its submission.
- 4.11 Ms Woodbridge agrees that a vibration alert layer would provide useful information to plan users and people living near the rail corridor that they may experience vibration effects.¹⁰ Ms Woodbridge recommends a vibration alert layer be included in the Proposed Plan.¹¹ This is also supported by Mr Styles.¹² I disagree with Ms Woodbridge's conclusion that the alert layer does not need to be included in the planning maps as it is outside the Proposed Plan.¹³ The information signalled by the alert layer is important for readers of the Proposed Plan and needs to be included in the planning maps.

5. RESPONSE TO SECTION 42A REPORT

- 5.1 In addition to the points set out in Dr Chiles' evidence, KiwiRail seeks an additional further amendment to the provisions recommended by Ms Woodbridge.
- 5.2 KiwiRail maintains its submission seeking the inclusion of "The outcome of any consultation undertaken with KiwiRail" as a matter of discretion in NOISE – S3. This is an important matter of discretion to ensure that KiwiRail's views are sought on any application to infringe the noise standard. Consultation with KiwiRail will assist in informing decision makers and applicants of any existing or future changes in the rail network which may impact decisions on whether it is appropriate that resource consent is granted.

⁸ Evidence of Dr Stephen Chiles dated 30 September 2024 at [6.4].

⁹ Evidence of Dr Stephen Chiles dated 30 September 2024 at [6.3]-[6.4].

¹⁰ Section 42A Officer's Report – Hearing Stream 6 – Noise at [165]-[166].

¹¹ Section 42A Officer's Report – Hearing Stream 6 – Noise at [167]-[169].

¹² Consulting Advice Note prepared by Jon Styles for Gore District Council dated 29 August 2024 at section 2.8.

¹³ Section 42A Officer's Report – Hearing Stream 6 – Noise at [169].

6. CONCLUSION

- 6.1 For the reasons set out in the evidence of Dr Chiles and above, the amendments to the noise and vibration provisions sought by KiwiRail are appropriate and necessary for the safe and efficient operation of the rail network in the Gore District.

Michelle Grinlinton-Hancock

30 September 2024