

Before the Hearings Commissioners

Under the Resource Management Act 1991 (the **RMA**)

In the matter of a submission by KiwiRail Holdings Limited (Submitter 54 and Further Submission 3) on Plan Change 26

and in the matter of Waipā District Plan

Supplementary statement of evidence of Catherine Lynda Heppelthwaite for KiwiRail Holdings Limited regarding Plan Change 26 on the Waipā District Plan

Dated 8 May 2023

1 INTRODUCTION

- 1.0 My Primary Statement sets out my qualifications and commitment to comply with the Environment Court's Code of Conduct for Expert Witnesses (2023).
- 1.1 My Primary Statement describes KiwiRail's relief which extended noise and new vibration controls.
- 1.2 The Panel has requested further information during the hearing of KiwiRail's submission on 2 May 2023 for KiwiRail to identify the numbers of sites potentially affected by the noise and vibration provisions.
- 1.3 I rely on my Primary Statement to address the statutory and higher order planning framework and the details of KiwiRail's submissions and further submissions.

2 NOISE

- 2.0 KiwiRail have provided the two attached maps which utilise the District Plan cadastral and zoning information. I have assessed numbers of residentially zoned sites fully or almost fully located between the Operative Plan 40m noise Rule 2.4.2.29 and the proposed 100m noise contour are as described below:
 - a. Eastern side of the North Island Main Trunk (**NIMT**) between Alexandra Street and Rewi Street, an estimated 37 residentially zoned sites have been identified. The majority of these contain existing dwellings.
 - b. Western side of NIMT between Industrial zoned land and Structure Plan Area – Growth Cell Structure Plan Area boundary, excluding sites subject to Western Arterial Designation DN154, six sites plus a small section of the Structure Plan Area for which we have estimated three sites (nine in total). For clarity, this includes land north and south of Rewi Street. The DN154 area has been excluded as it is assumed the designation will remain in place; however, should it be uplifted, an additional three sites have been identified.
 - c. For the area to the east of the NIMT and in Structure Plan Area – Growth Cell Structure Plan Area to the south of Rewi Street; for purpose of considering a yard setback control, my Primary Statement (paragraph 7.6

and Figure 1) sets out my methodology which has concluded an estimated 43 sites could be located directly adjacent to the NIMT. I have applied the same methodology to the area between existing 40m and proposed 100m noise provision and consider an estimate of 43 sites is reasonable, if not slightly conservative due to no allowance being made for roading in the area.

- 2.1 The estimated total number of sites which would likely be included within KiwiRail's proposed noise provisions is between 89 to 92 residential sites (pending DN154).

3 VIBRATION

- 3.0 Based on the same KiwiRail provided maps, I have estimated numbers of residentially zoned sites fully or almost fully located between the rail designation boundary (D1) and the proposed 60m vibration line are as follows:
- a. Eastern side of the NIMT between Alexandra Street and Rewi Street, 18 residentially zoned sites would be included. The majority of these contain existing dwellings.
 - b. Western side of NIMT between Industrial zoned land and Structure Plan Area – Growth Cell Structure Plan Area boundary, excluding sites subject to Western Arterial Designation DN154, there are no residentially zoned sites within the 60m vibration control. This is because DN154 encompasses the full extent of the residentially zoned vibration control area in this locality. For clarity, this includes land north and south of Rewi Street. If DN154 is uplifted, four residential sites have been identified.
 - c. As with noise, I have relied on my primary evidence methodology (paragraph 7.6 and Figure 1) to consider the impact of the vibration control for the area located in Structure Plan Area – Growth Cell Structure Plan Area to the south of Rewi Street and east of the NIMT. An estimate of 43 sites is considered to also be reasonable (in absence of any development plans) for vibration based on a development 'depth' of future residential sites being 40m from NIMT designation boundary plus a 20m to 25m allowance for road access to these sites.

- 3.1 The estimated total number of sites which would likely be included within KiwiRail's proposed vibration provisions is 61 to 65 residential sites (pending DN154).

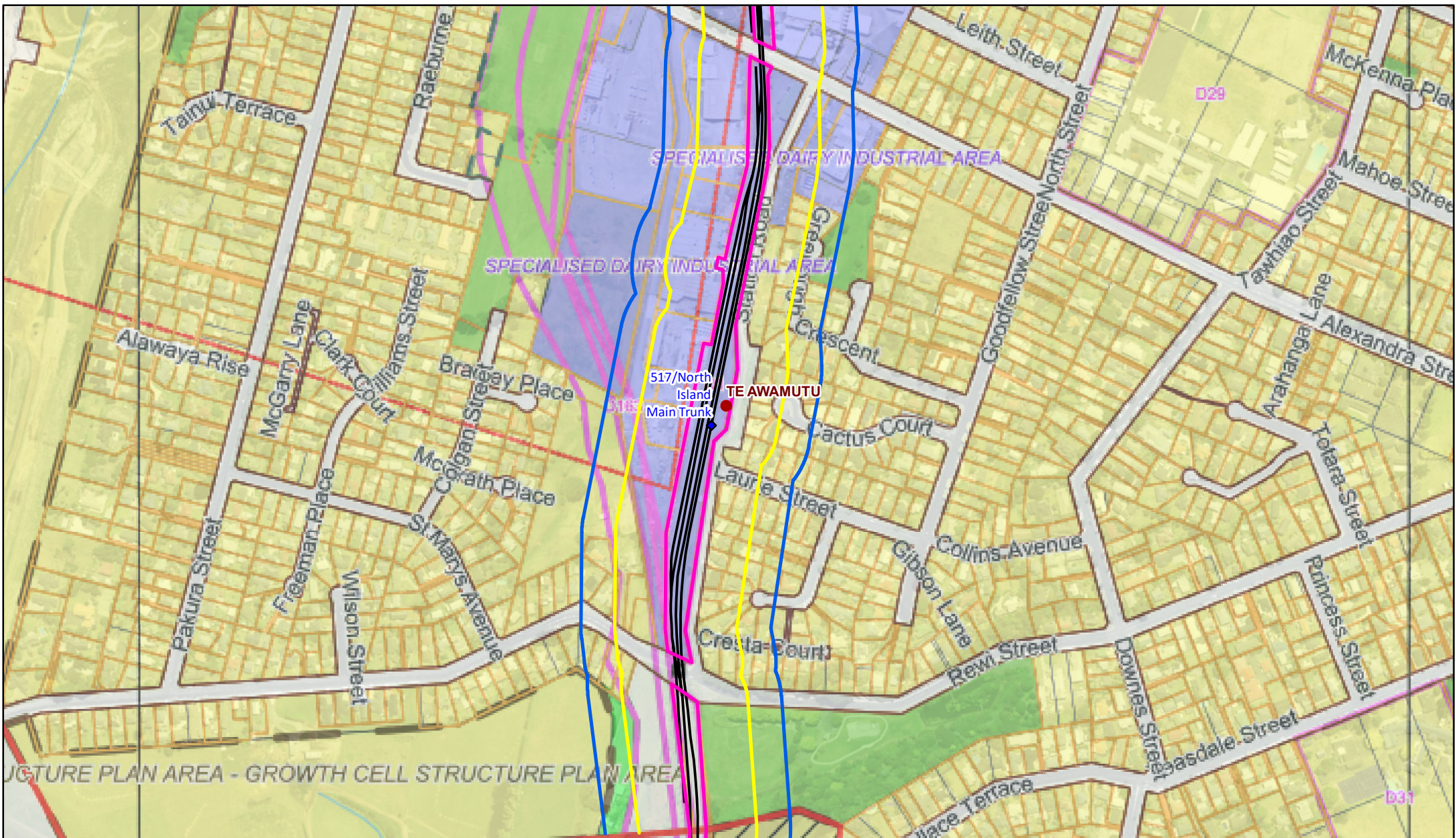
4 ADJACENT INDUSTRIAL ZONED SITES

- 4.0 For **noise**, no assessment is made of Industrial zones between 40m and 100m as there is no rule which requires acoustic standards to be met for noise sensitive activities locating in the Industrial zone (with the exception of the Bardowie Industrial Precinct Structure Plan Area Campus Hub which is not relevant located adjacent to the NIMT).
- 4.1 For **vibration**, there are 12 Industrial zoned sites (both east and west sides of the NIMT) affected by the vibration control. The vibration control only applies to defined noise sensitive activities (all types of residential, marae, education and hospitals). These are non-complying activities (Rule 7.4.1.5) in the Industrial zone therefore the vibration control is not considered to have a significant impact on the use of the 12 Industrial sites.

Cath Heppelthwaite

8 May 2023

Attachment 1: KiwiRail Maps Noise and Vibration



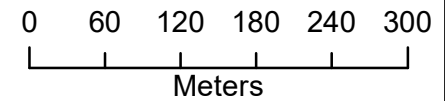
- Rail noise 100m setback line
- Rail vibration 60m setback line
- Rail designation

Land at Teawamutu



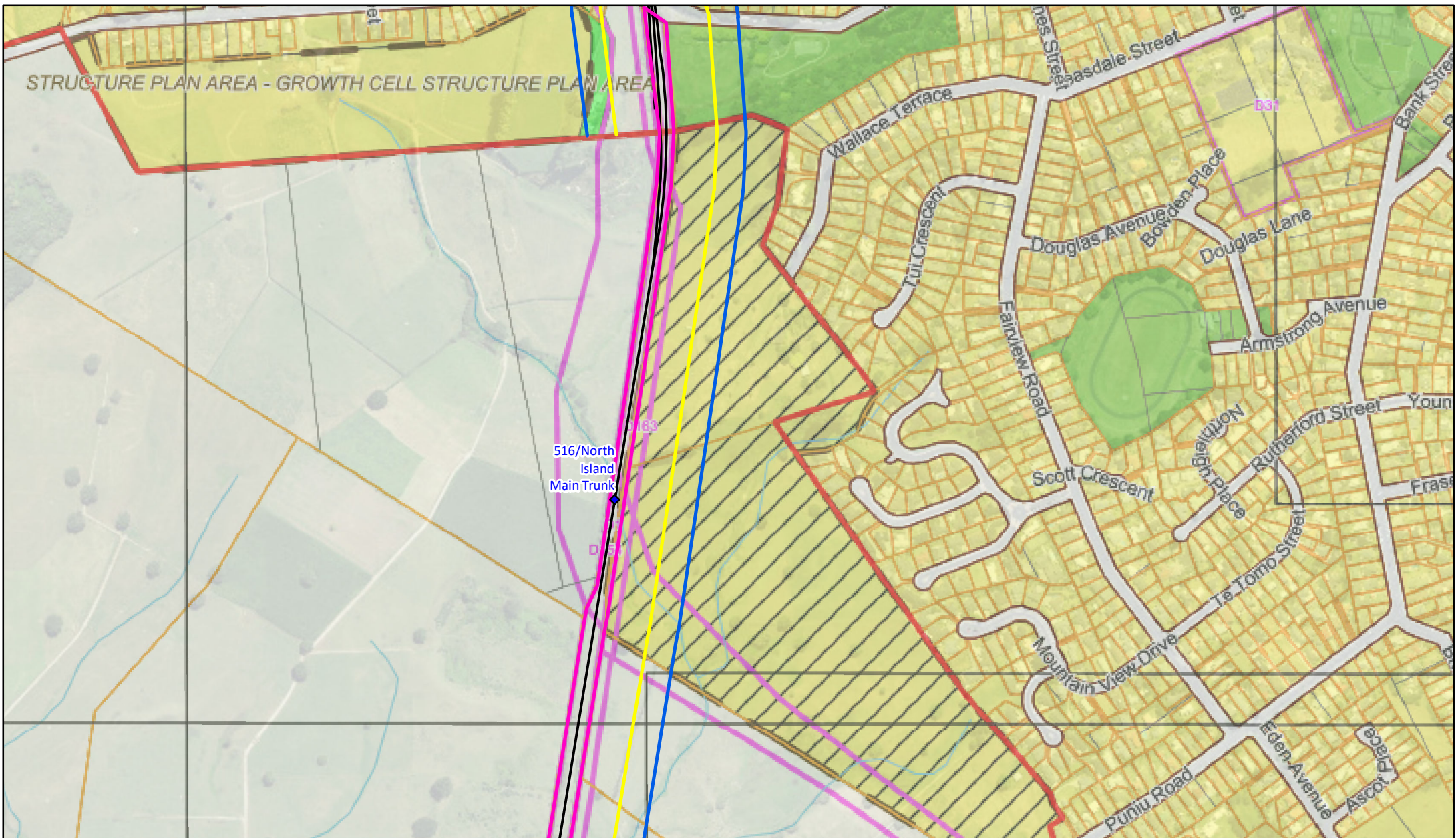
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3/05/2023

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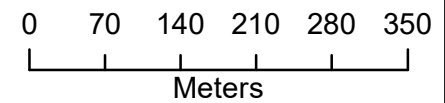
- Rail noise 100m setback line
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Land at Teawamutu



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