

**SUMMARY STATEMENT OF MICHELLE GRINLINTON-HANCOCK
ON BEHALF OF KIWI RAIL HOLDINGS LIMITED**

1. INTRODUCTION

- 1.1 My name is Michelle Grinlinton-Hancock and I am the RMA Team Leader for KiwiRail. I am a planner and a member of the New Zealand Planning Institute.
- 1.2 In terms of KiwiRail's operations in the Porirua District, the North Island Main Trunk Line ("**NIMT**") passes through this district. The NIMT is infrastructure of regional and national importance, supporting the movement of freight and passengers throughout the country via rail. Growth in use of the NIMT will be influenced by the desire to achieve a low-carbon economy and the mode shift in freight moving off roads and onto rail, as well as increased rail commuter demand. This growth in rail is anticipated to require electrification to extend further north from central Wellington.
- 1.3 KiwiRail largely submitted in support of the notified version of the Proposed Plan and as set out in my statement of evidence, KiwiRail is broadly aligned with the Reporting Officer's recommendations on the matters subject to this hearing.
- 1.4 Since the preparation of my evidence, the Reporting Officer has provided supplementary evidence which I will address where it relates to provisions relevant to KiwiRail. The remainder of my summary is focussed on the key outstanding issues.

2. SIGHT DISTANCES AT RAIL LEVEL CROSSINGS

- 2.1 As set out in my evidence, I largely agree with the Reporting Officer's recommendations in respect of the Transport provisions relating to the sight distances at rail level crossings.
- 2.2 In my evidence, I sought the addition of an advice note to clarify the matters that are taken into account for the sight distances. The Reporting Officer has accepted the amendments in my evidence, meaning there is agreement between KiwiRail and the Council in relation to those provisions.

3. BUILDING SETBACKS FROM THE RAIL CORRIDOR

- 3.1 I maintain my view that a setback of 5m from the rail corridor is appropriate and have provided reasons as to why this is appropriate in my evidence. In summary:
- (a) The rail network in Porirua is expected to result in growth of the next 25 years. It is also electrified. In my experience of how the network operates, these aspects increase the potential for inadvertent interference with the rail corridor.
 - (b) Some of the zone provisions in the Proposed Plan include exemptions for eaves and gutters which already impact on the extent of the setback. In the context of a 1.5m setback (supported by the Council Officer), this effectively leaves 0.75m of space for maintenance and other activities to occur which I do not consider to be sufficient.
 - (c) The setback does not prevent development. Some activities like sheds and water tanks can occur within that area in certain zones. Further, the setback is a permitted activity standard. Where the setback is infringed, resource consent can be sought

which enables the design of the building to be considered having regard to the safety of the rail corridor. I also note that there is agreement between KiwiRail and the Council that "the safe and efficient operation of the rail network" is an appropriate matter of discretion. Ms Williams, on behalf of Kainga Ora, seeks that this matter is narrowed which I do not consider necessary.

3.2 In terms of the zones to which the setback from the rail corridor should apply, KiwiRail's submission sought that this be added to all zones adjoining the rail corridor where there is already a setback from the road boundary. In his supplementary evidence, the Reporting Officer has recommended that a rail setback be included in the:

- (a) residential zones where there is a road boundary setback; and
- (b) open space and recreation zone, local centre zone and mixed use zone, which he notes do not contain existing setbacks from road boundaries.

3.3 I support the inclusion of the rail setback in these zones. I note that the open space and recreation zones already contain a 5m setback from road boundaries.¹ Consistent with KiwiRail's submission, a rail setback should also be included in all other zones adjoining the rail corridor that have a road boundary setback, including the General Rural zone and Rural Lifestyle zone.²

4. NOISE AND VIBRATION CONTROLS

4.1 It is widely accepted that trains create noise and vibration. Based on my knowledge of how KiwiRail operates, it is not possible for these effects to be internalised within the rail corridor in all cases. There has been some suggestion by developers (Kainga Ora in particular) that KiwiRail is not managing its effects from the rail corridor and putting the onus entirely on its neighbours.

4.2 KiwiRail is a responsible infrastructure operator. As I have explained my evidence, it has a programme of upgrade and maintenance work to improve track condition which helps to minimise noise and vibration. These measures include rail grinding and tamping, ballast cleaning and replacement, replacement of wooden sleepers with concrete, and monitoring of rolling stock wheel condition. Even with these measures in place, there will still be adverse noise and vibration effects on adjacent landowners.

4.3 As a result, planning documents need to manage the establishment and expansion of sensitive uses on adjoining land. These provisions are important to ensure that:

- (a) new lineside neighbours can enjoy safe and quality urban environments; and
- (b) the rail network can continue to operate safely and efficiently now and into the future.

4.4 KiwiRail continues to strongly support the inclusion of noise and vibration controls in the Proposed Plan. I will briefly summarise KiwiRail's position on the drafting of those provisions:

- (a) *NOISE-P4* - KiwiRail does not support the additional consideration in this policy recommended by the Reporting Officer in respect of vibration. I consider the drafting

¹ SARZ-S5 and OSZ-S5.

² GRUZ-S4 and RLZ-S4.

is unclear and that the ambiguity could enable developers to avoid necessary mitigation.

- (b) *NOISE-R5* - I proposed further amendments to *NOISE-R5* in my evidence to streamline the provisions (and these which were further refined in the provisions included with KiwiRail's legal submissions). Those amendments seek to remove the requirement to obtain resource consent for new and altered sensitive activities, provided that they comply with acoustic insulation requirements (within 100m of the rail corridor) and vibration controls (within 30m of the rail corridor). From a planning perspective, I do not consider that there is a need to require developers to seek resource consent where the noise and vibration limits are complied with.
- (c) *NOISE-S2* - The Reporting Officer has recommended in his supplementary evidence that an advice note be included in the Proposed Plan to specify the rail source noise level to be used in certifying whether the indoor noise limit has been complied with. I support this. Although, I note the reporting officer has referred to "NOISE-R2" in his evidence which I consider an error based on the joint witness statement and consider that this should refer to *NOISE-S2*.
- (d) *NOISE-S4* – KiwiRail continues to seek the inclusion of the vibration control and opposes the Reporting Officer's recommendation to delete this for the reasons outlined in Dr Chiles' evidence.

4.5 In my opinion, the controls supported by KiwiRail are appropriate and reasonable.

Michelle Grinlinton-Hancock

14 February 2022