

Before the Expert Panel appointed under the
Fast-track Approvals Act 2024

FTAA-2604-1207

Under	the Fast-track Approvals Act 2024
In the matter	of the Southern Link Inland Port
By	Southern Link Property Limited

**MEMORANDUM OF COUNSEL ON BEHALF OF SLPL RESPONDING TO COMMENT
FROM W AND K STEWART**

9 September 2026



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MAY IT PLEASE THE PANEL

1. This memorandum is filed on behalf of the applicant, Southern Link Property Limited (**SLPL**) under s 55 of the Fast-track Approvals Act 2024 (**FTAA**) in response to the s 53 comment of Wayne and Karen Stewart (**Stewarts**). The Expert Panel granted leave in Minute 12 for the Stewarts to provide a late s 53 comment, and SLPL was given two working days to respond to any comment lodged.
2. The Stewarts' comment generally raises four issues:
 - (a) Noise and sleep;
 - (b) Air Quality;
 - (c) Traffic Safety; and
 - (d) Isolation and Light Spill.

Noise and sleep

3. The Stewarts say that "uninterrupted night-time noise from idling diesels, air brakes and container handling will directly disrupt their sleep". Idling diesels is understood to refer to idling diesel engines.
4. In respect of construction noise, DCC condition 27 is that construction hours are limited to 7:00am to 7:00pm, Monday to Saturday (excluding public holidays), with the exception of:
 - (a) Works associated with maintaining plant or amenities (e.g. cleaning activities);
 - (b) Works associated with the supply and placement of concrete;¹ and
 - (c) Low noise generating activities (e.g. painting, installation of lighting fittings, or activities that require no or minimal power tools).

1 Concrete placing will only happen periodically during the construction phase with "some" early morning concrete pours taking place.

5. The Marshall Day Acoustics Report that forms part of the Application confirms that construction vibration will be insignificant, and specifically for [REDACTED], that construction activities may be just perceptible (less than 1 mm/s PPV) at the closest receiver ([REDACTED]) for the highest vibration sources.²
6. SLPL consider that the technical advice of Mr Shanks demonstrates that construction noise cannot impact sleep.
7. In respect of operational noise, the noise modelling of Mr Shanks has demonstrated that:
- (a) Predicted noise levels at [REDACTED] comply with the 2GP limits at all noise sensitive receivers;³ and
 - (b) The predicted change in road traffic noise on Dukes Road North would be “just perceptible”. The MDA report then concludes that “there are limited effects on neighbouring dwellings from road traffic on Dukes Road North, particularly as the character of the noise source (i.e. traffic) will remain unchanged”.⁴
8. The distance of [REDACTED] from the highest noise source – being the container stack – is some 370m in Stage 1. In respect of Stages 2 and 3, the proposed order of development will mean that the Stage 2 Warehouse will be built, which works as a noise barrier, before any Stage 2 or 3 operations (including any container stacking noise) take place. This is relevant to the noise assessment contained in the MDA Substantive Application Report assessed by Mr Shanks, and can be seen in the cross section provided in **Annexure 1** to this s 55 response. Further, the noise source is still some 303m away.
9. SLPL has also already proposed operational noise conditions requiring reversing alarms on motorised vehicles, plant and equipment used at the

2 MDA Substantive Application Report, Section 8.5.

3 MDA Substantive Application Report, Section 9.3.

4 MDA Substantive Application Report, Section 9.6.

SLIP site to be broadband “squawker” alarms where practicable, rather than traditional tonal reverse beepers. This requirement forms part of the proposed Operational Noise Management Plan, alongside physical acoustic mitigation, driver training, identification of sensitive areas where noisy night-time activities should be avoided where practicable, and active onsite noise monitoring.

10. Taking this into account, SLPL consider that night-time noise is appropriately managed through the conditions of consent and compliance with 2GP limits at the dwelling.

Air Quality

11. The Stewarts say that constant truck movements will generate diesel exhaust and dust right outside their home. SLPL’ response to this is threefold:

- (a) The truck movements will not be “constant”;
- (b) As the entranceway and internal roads will be paved, there is no increase in dust sources compared to current users of Dukes Road North;
- (c) SLPL also refer to the section 55 evidence of Matt Horan relating to effects on GH2 emissions.

Traffic Safety

12. The Stewarts say that “merging 250 heavy trucks onto a rural two-lane road makes entering and existing our sole driveway highly hazardous”.
13. The Stewarts driveway is 190m from the proposed SLIP entrance. The Integrated Traffic Assessment (ITA) Report prepared by Mr Rossiter, did not identify any undue risk, including in its specific consideration of the Duke Road North entrance design (in Section 7.5). Following lodgement of the ITA, Dunedin City Council requested that the right-turn bay be increased in length to provide for two B-trains (2 truck and trailer units) to wait before turning into the site. This has been agreed to by SLPL, and Stantec have

confirmed that the increased length of 56m (as opposed to 30m as assessed in the ITA), makes no change to the original safety assessment.

14. **Annexure 2** shows the access intersection into the SLIP site. The right turn accessway into the Site allows for two trucks to 'stack', waiting for traffic coming from the east to provide a clear turning point. With two trucks stacked and waiting to turn into the SLIP site, there would still be circa 160m of clear sight distance past the rear of the second truck to the driveway entrance of the Stewarts.
15. Clause 6.6.3.2(b) of the Dunedin 2GP requires a minimum sight distance of 111m for a vehicle access onto an 80km/h road. The 85th percentile speed for this section of road was measured by Council at 81km/h and the mean speed was measured at 72km/h. Stantec has confirmed that as there is circa 160m of sight distance from the existing access, the new intersection is not compromising the existing access sight distance and exceeds the applicable standard by approximately 49m.
16. SLPL do not agree with the assertion that the SLIP will make entering and existing the sole driveway into the dwelling at [REDACTED] highly hazardous.

Isolation and Light Spill

17. The Stewarts raise an issue with their immediate outlook being dominated by stacked containers. The cross section provided in **Annexure 1** demonstrate that the Stewarts will not be able to view any stacked containers from the dwelling at [REDACTED].
18. Further, Ms Gilbert's evidence recommended, and the associated SLPL conditions included in the Council's s 55 response include, a suite of conditions requiring off site visual mitigation to assist the management of adverse visual amenity effects in relation to [REDACTED].

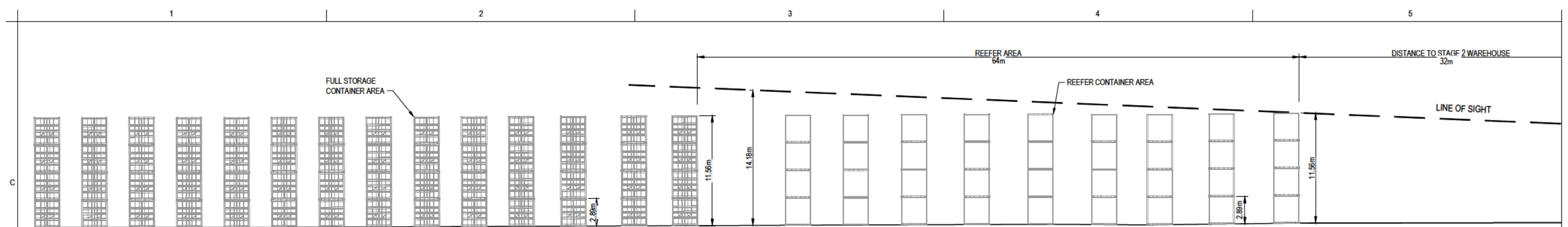
19. In respect of light spill, Ms Pederson assessed the effect on the dwelling at [REDACTED] in her s 55 evidence, at Section 2, which SLPL relies on in respect of the Stewarts' comment.

Dated: 9 September 2026

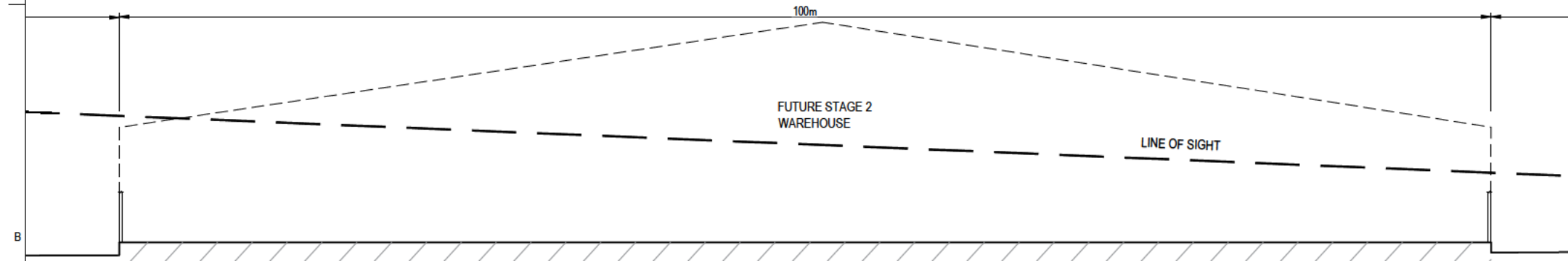
A handwritten signature in black ink, reading "Sarah J Scott". The signature is written in a cursive style with a large initial 'S'.

S J Scott
Counsel for Southern Link Property Limited

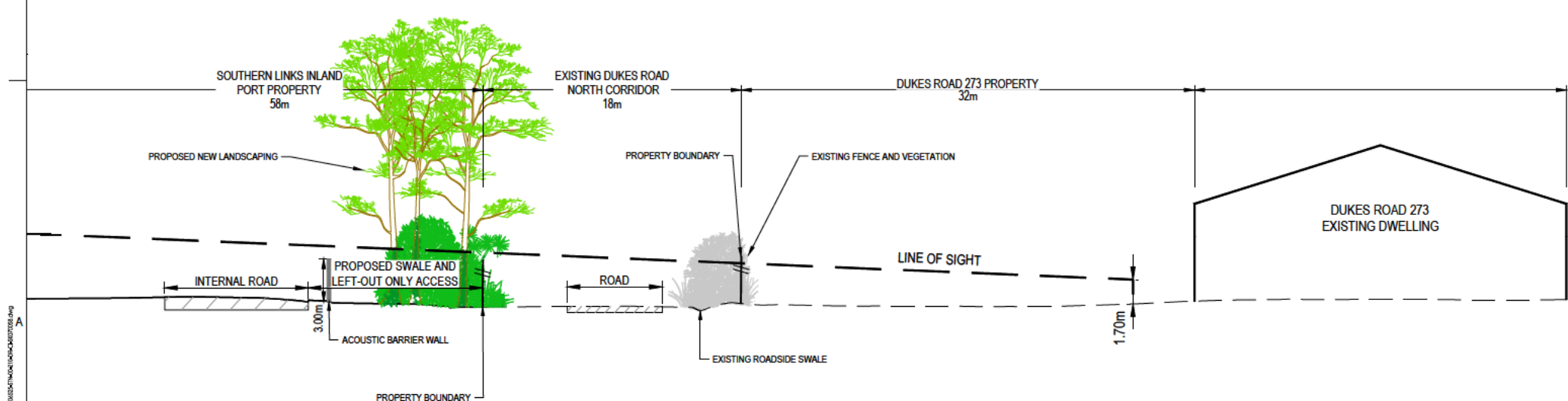
Annexure 1 – Cross section



SECTION A
SCALE 1 : 200

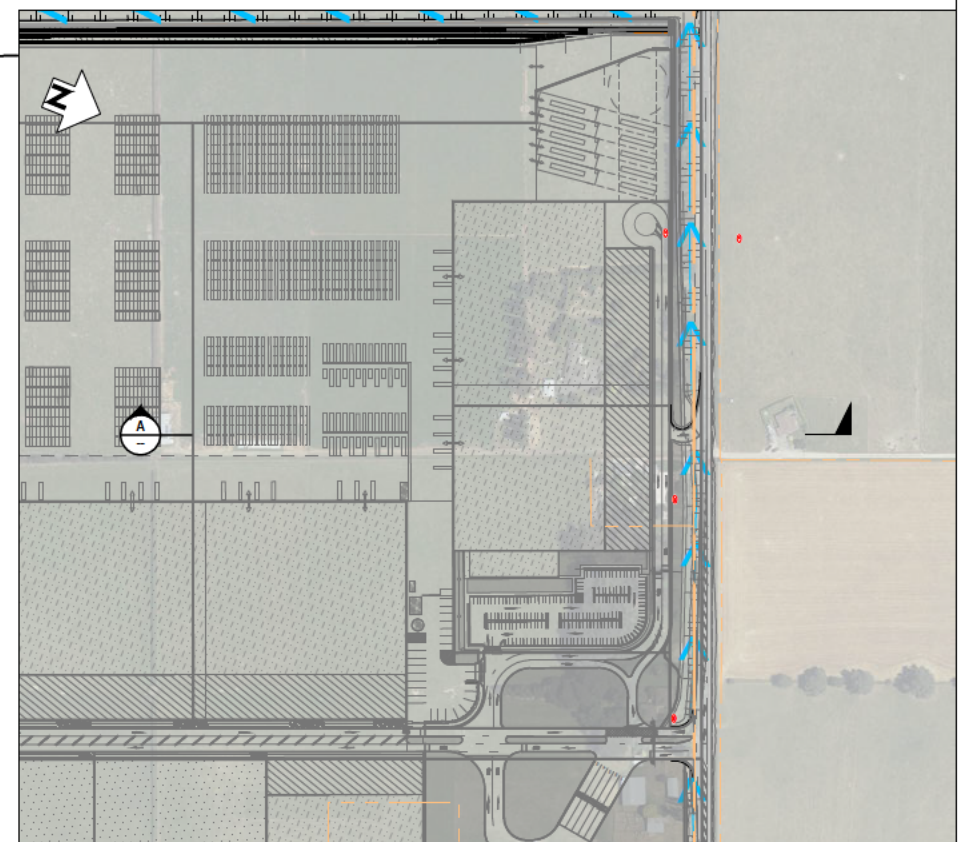


SECTION A
SCALE 1 : 200



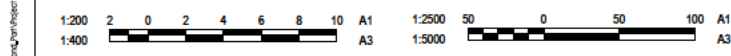
SECTION A
SCALE 1 : 200

DISTANCE FROM [REDACTED] TO STAGE 2 FUTURE WAREHOUSE = 108m
DISTANCE FROM [REDACTED] TO REEFER STACK = 240m
DISTANCE FROM [REDACTED] TO CONTAINER STACK = 303m



PLAN LAYOUT
1 : 2500

FOR INFORMATION



Revised/Revision By Appd YYYY.MM.DD			Issue Status S2 SUITABLE FOR INFORMATION This document is suitable only for the purpose noted above. Use of this document for any other purpose is not permitted.	Coordinate System NZGD North Tairāwhiti Circum 2000 Datum NZVD 2016 Colour Disclaimer This drawing has been documented in colour. This drawing is required to be printed in colour. Failure to do so may result in loss of information. Black and white printing may be used if specific black and white documents have been obtained from Stantec.	Client/Project Logo Client/Project SOUTHERN LINK PROPERTY LTD DEVELOPED CONCEPT DESIGN Drawn Designed Reviewed Approved 2026.06.25 YYYY.MM.DD	Client/Project SOUTHERN LINK PROPERTY LTD DEVELOPED CONCEPT DESIGN Drawn Designed Reviewed Approved 2026.06.25 YYYY.MM.DD	Title SITE CROSS SECTIONS SITE WIDE Project No. 310206525 Revision Drawing No. 310206525-STN-00-210-DR-CI-SK070058 Scale at A1 AS SHOWN
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Annexure 2 – Access intersection

