

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

FTAA-2604-1207

Under the Fast-track Approvals Act 2024 (FTAA)

In the matter of the Southern Link Inland Port

By Southern Link Property Limited

**STATEMENT OF EVIDENCE BY BRENDON SHANKS ON BEHALF OF SOUTHERN LINK
PROPERTY LIMITED**

Noise

19 August 2026



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1. INTRODUCTION

1.1 My full name is Brendon Shanks. My qualifications and experience, and my role in the Southern Link Inland Port Project (**SLIP**) are set out in my report dated 22 July 2026 provided to the Panel in response to Minute 3 (**assessment**).

1.2 I have been asked by Southern Link Property Limited (**SLPL**) to provide a response to specific matters within my areas of expertise contained in written comments on the SLPL application from persons invited by the Panel to comment under s 53 of the FTAA. The persons I respond to are:

- (a) Dunedin City Council (**DCC**);
- (b) Daniel Winter - Styles Group (Peer reviewer);
- (c) Joanne and Craig Inch – Occupants of 54 Rutherford Road; and
- (d) Brian Anderton and Karen Stewart – White Robe Lodge.

Code of Conduct

1.3 I confirm that I have read the Code of Conduct for Expert Witnesses contained in section 9 of the Environment Court Practice Note 2023 and have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise, and I have not omitted material facts known to me that might alter or detract from my evidence.

2. DUNEDIN CITY COUNCIL

2.1 The comment from DCC includes matters relating to my noise assessment at [187]-[224]. These comments have been based on input from the expert peer reviewer Mr Daniel Winter of Styles Group (review report dated 28 May 2026 and subsequent email dated 15 June 2026), which is in Appendix 5 to the Comment of DCC. DCC states that it is satisfied that noise predictions indicate that acceptable construction noise and operational

noise emissions from the site can be achieved, if appropriate noise mitigation is in place. DCC consider that there are unresolved issues in terms of where noise limits are to be applied and the appropriate limits to apply.

- 2.2** The email from Mr Winter in Appendix 5 of the Comment of DCC summarises the three outstanding issues relating to noise. The DCC comments are based on this summary. I respond to these issues below.

Issue 1– Proposed night-time noise limit of 45 dB L_{Aeq}

- 2.3** My assessment recommends a night-time noise limit of 45 dB L_{Aeq} at or within the notional boundary of existing nearby dwellings. The Dunedin City Council Second Generation District Plan (**District Plan**) rules result in a night-time noise limit of 45 dB L_{Aeq} for dwellings within 350m of an industrial zone (which includes several dwellings near the SLIP site (**Site**)) and 40 dB L_{Aeq} for other dwellings in the rural area. I have recommended that the noise limits for the activity on the Site be simplified to 45 dB L_{Aeq} night-time (10pm – 7am) at or within the notional boundary of any existing noise sensitive receiver (dwelling).
- 2.4** Mr Winter states in item 1. of his email that he considers the District Plan noise limit of 40 dB L_{Aeq} to be appropriate and reasonable for this activity, for dwellings more than 350m from the existing Industrial zone. Notably, he does not conclude that the proposed limit of 45 dB L_{Aeq} is unreasonable.
- 2.5** The recommended noise limit of 45 dB L_{Aeq} is based on what I consider to be reasonable and in proportion to the proposed activity, which is essentially an industrial activity. I consider that in establishing the conditions for the Site, noise limits should avoid overly restricting future activity, whilst still providing reasonable protection to existing dwellings.
- 2.6** The approach I have proposed is backed up by the District Plan, where the noise limit at receivers near an industrial zone is 45 dB L_{Aeq} at night, i.e. I

have recommended the same approach that is used in the District Plan to provide suitable protection for dwellings near an industrial activity. As detailed in the noise assessment, the 45 dB L_{Aeq} noise limit is also consistent with guidance from the relevant New Zealand Standard NZS 6802:2008 '*Acoustics - Environmental Noise*' (NZS 6802:2008) and the World Health Organisation (**WHO**) guidelines.

- 2.7** Notwithstanding the above, based on the modelling of activity scenarios, I predict that noise levels can just comply with the lower night-time noise limit of 40 dB L_{Aeq} at the closest receivers to the east of the Site.¹ Mr Winter has commented that, because I predict that the activity can comply with the existing District Plan noise limit, there is no need to apply for higher noise limits.
- 2.8** I do not agree that setting noise limits at a predicted noise level is an appropriate method for determining suitable controls. The reason for this is because of the potential operational limitations this would impose on the Site. Particularly, noise at these receivers at night is largely a function of vehicle movements on the Site. The noise rules do not allow noise to be “averaged” throughout the night-time period, so a small number of additional truck movements in any 15-minute period on the Site within a certain location could result in a non-compliance, but not necessarily any material additional effects. As such I favour the approach to limiting night-time noise to 45 dB L_{Aeq} .
- 2.9** The simplified limit of 45 dB L_{Aeq} , consistent with other receivers around the Site, would allow some safety margin and flexibility for additional truck movements within a 15-minute period and ensure that trucks can enter the Site to then be shielded by the proposed acoustic barriers. If the noise limit was less than this, there could be a perverse outcome whereby arriving trucks were forced to wait on the public road when other trucks were present on the site, meaning that adverse noise effects could arise from that source.

¹ Noise assessment report Rp 001 R04 20240460 – Table 10, page 22-23

- 2.10** I remain of the opinion that a simplified 45 dB L_{Aeq} noise limit at all notional boundaries of existing dwellings surrounding the Site is the most appropriate and reasonable control, and that this control will address adverse noise effects at night-time.

Issue 2– Proposed removal of site boundary noise limit

- 2.11** The District Plan includes a noise limit of 60 dB L_{Aeq} at the site boundary of rural land where there are no sensitive receivers within 20m (9.3.6 1. d.). The proposed consent conditions do not include a noise limit at the immediate site boundaries. Mr Winter considers without a limit at the site boundary the adjacent land is used as a buffer for noise emissions.
- 2.12** I consider that this noise limit is unnecessary as it applies limits at the immediate site boundary, in an environment absent of noise sensitive receivers. Therefore, this rule imposes limits that do not address any real effects on sensitive receivers.
- 2.13** Furthermore, I consider that localised noise levels greater than 60 dB L_{Aeq} at an area of rural land that is not near a dwelling, would not cause unreasonable noise effects.
- 2.14** Mr Winter comments that removing the noise limit may permit noise levels that are more than 5 decibels above the permitted standard on areas of unoccupied land. He does not comment on whether this would result in unreasonable noise effects.
- 2.15** In my opinion, applying appropriate noise limits at the notional boundary of a noise sensitive receiver is a better way to ensure suitable protection of land that is used for noise sensitive activities. This is consistent with guidance provided in NZS 6802:2008 and the WHO guidelines. NZS 6802:2008² states that “*Unless special planning reasons exist to justify using*

² New Zealand Standard NZS 6802:2008 *Acoustics - Environmental Noise*, section 8.4.6

the legal boundary rather than the notional boundary of dwellings where lot sizes are large and density is low, the appropriate location for assessment of noise in rural character areas with large lot sizes, should be 'at any point within the notional boundary of a dwelling'...". I do not consider that any such reason exists in this case.

- 2.16** I remain of the opinion that the 60 dB L_{Aeq} noise limit at the site boundary is not effects based due to the absence of any receivers and is therefore not necessary or appropriate. For this reason, the proposed consent conditions (58) include noise limits at the notional boundary of a dwelling, but not at the site boundaries.

Noise control boundary recommendation to address Issues 1 and 2

- 2.17** Based on Issues 1 and 2 described above, DCC have suggested the option of a Noise Control Boundary (NCB) with day and night limits applied, to control noise emissions.
- 2.18** I consider that this option would unnecessarily enforce noise limits designed for protection of residential activity on areas of unoccupied rural land. For this reason, I do not agree that this is the most appropriate means of controlling noise effects.
- 2.19** DCC comment that the NCB would “avoid the uncertainty arising from notional boundary changes”. The surrounding sites include a primary dwelling (except where owned by SLPL) and, based on the size of these sites, no future dwellings are permitted near the Site based on the DCC zone rules³. The proposed consent conditions refer to the notional boundary of existing dwellings. This is consistent with the examples included in Section 8.4.8 of NZS 6802:2008.

³ Rule 16.5.2(g) Land Use Standard – DCC District Plan

- 2.20** In summary, I consider that an NCB is not necessary to appropriately control noise effects from the Site on existing neighbouring noise sensitive locations.

Issue 3 – Compliance is not assessed where affected party approval has been given

- 2.21** To provide a buffer zone, SLPL has purchased several properties around the Site. This includes 245 Puddle Alley and 291 Dukes Road North. As owners of these properties, SLPL has given affected party approval for the proposed noise limits.

- 2.22** The proposed condition 58 has been updated to reflect that compliance with noise limits is not required at these properties.

Compliance monitoring of site operations

- 2.23** DCC recommend that the Panel may want to consider including an additional condition requiring verification noise testing to provide certainty that the activity will comply with the specified limits. The DCC comment suggests that this monitoring could be undertaken “prior to the commencement of operations at each development stage”.

- 2.24** If the Panel consider it is appropriate to require noise monitoring, then, given that the key noise sources on the Site are inherently related to the operation of the Site, it is impractical to conduct useful monitoring prior to the commencement of operations. If required, I recommend that monitoring should be conducted within 3 months of operations commencing at each development stage.

3. CRAIG AND JOANNE INCH

- 3.1** The comments from Craig and Joanne Inch of 54 Rutherford Road raises several matters relating to noise. I respond to these in turn.

Construction material of the noise barriers

- 3.2** Mr and Mrs Inch are concerned that the materials for the construction of the noise barriers have not been confirmed.
- 3.3** My assessment includes a design requirement for the barriers - that they shall be constructed without any gaps and from a material with a surface mass of 12 kg/m² or greater. This requirement is included in the proposed conditions (60A). The specific construction material is not relevant to the on-site performance.

Container stacking will be higher than the noise barriers

- 3.4** Mr and Mrs Inch are concerned that stacking containers higher than the proposed noise barriers will result in this activity not being mitigated by the barriers.
- 3.5** I have assessed the noise from container stacking, including at heights above the level of the noise barriers. I predict that this activity can comply with the night-time L_{AFmax} noise limit.
- 3.6** In my assessment I acknowledge that, whilst complying with the noise limits, noise from container stacking is likely to be audible during the quiet periods. However, these events will be within the range of high noise events already received at the site and I consider they will be reasonable.

Rail activity to and from the site

- 3.7** Mr and Mrs Inch have raised concerns about the potential for rail movements past their property to/from the SLIP site during the hours of 7pm to 6am. The dwelling at 54 Rutherford Road is around 38m from the existing railway line that serves the proposed Site and the existing Fonterra Mosgiel site.

- 3.8** I have assessed noise from the rail activity on the Site. This comfortably complies with the daytime noise limits and can comply with the night-time noise limits. The figures attached in **Appendix A** to my evidence have been updated to show the noise levels from activity on the site, including rail activity.
- 3.9** The rail corridor past the dwelling is designated for rail activity, without restriction on noise levels or hours of use. On this basis, the rail operator (KiwiRail) is able to use the corridor as it sees fit.
- 3.10** As the rail corridor is designated and trains that use the line are not owned or operated by SLPL, there is a limit to the mitigation measures that can be adopted as part of this application to mitigate noise effects of trains within the designation. By this I mean the SLIP has no control over the noise from rail within the designated area that has no relationship with the SLIP's operations.
- 3.11** The current KiwiRail timetable to and from the Fonterra Mosgiel site includes 8 movements per day, with one movement timetabled between 6am and 7am.
- 3.12** Night-time movements to or from the Site are not currently proposed in the operational plan. However, future demand from Port Chalmers may require night-time rail movements.
- 3.13** To provide some control on night-time rail movements to the Site, I have recommended a consent condition that limits the number of nighttime (10pm-7am) rail movements to 4 per night-time period (i.e. two trains arriving and departing the Site).
- 3.14** The District Plan recognises the importance of the rail corridor and identifies the risk of reverse sensitivity from dwellings near the rail corridor. It places the onus on property owners to protect themselves against noise by requiring a minimum building envelope sound insulation performance.

- 3.15** I consider that the management proposed by the conditions will appropriately manage effects from rail on the site.

Trucks to the southern exchange area

- 3.16** The Inch's comments identify that there will be truck movements to the southern exchange area (Exchange 2). There will be up to 26 truck movements during a peak hour to Exchange 2. I have predicted noise levels on this basis and my assessment of effects is based on this level of activity.
- 3.17** The Site design includes mitigation to reduce noise from this activity in the form of a 3m high noise barrier along the Site boundary. The predicted noise levels comply with the relevant noise limits, and I consider that the effects are reasonable.

Effect of noise on ambiance of the Inch's site

- 3.18** Mr and Mrs Inch have commented on the peace and quiet that they experience on their site, and that they feel the proposed SLIP activity will affect the ambiance of their site.
- 3.19** The Inch property is less than 150m from an existing industrial zone that includes several sites that generate noise (including a sawmill, an existing container storage area, and the Fonterra Mosgiel site). The District Plan recognises that properties near industrial zones are potentially subject to elevated noise by setting higher night-time noise limits.
- 3.20** As discussed above, the dwelling is around 38m from the railway line that includes existing rail movements. The nearby aerodrome generates noise from regular light aircraft activity, including training involving circuit landing/take-offs, and the emergency helicopter, which includes day and night-time flights as required.

- 3.21** I conducted noise monitoring in a location representative of the dwelling at 54 Rutherford Road (Noise Assessment Rp 001 R04 20240460 - Appendix D, Measurement Position 2). This showed that the average daytime noise level is 52 dB L_{Aeq} (15 hour). The predicted daytime noise level from the Site at the notional boundary of 54 Rutherford Road is 48 dB L_{Aeq} . This comfortably complies with the daytime noise limits (by more than 5 decibels) and is below the existing average daytime noise levels in the area. While noise from the Site may be audible at times, the character of the noise would likely not change significantly given the existing surrounding site uses.
- 3.22** Based on this, I do not consider that this site requires any special consideration over the other nearby receivers.

4. BRIAN ANDERTON AND KAREN STEWART – WHITE ROBE LODGE

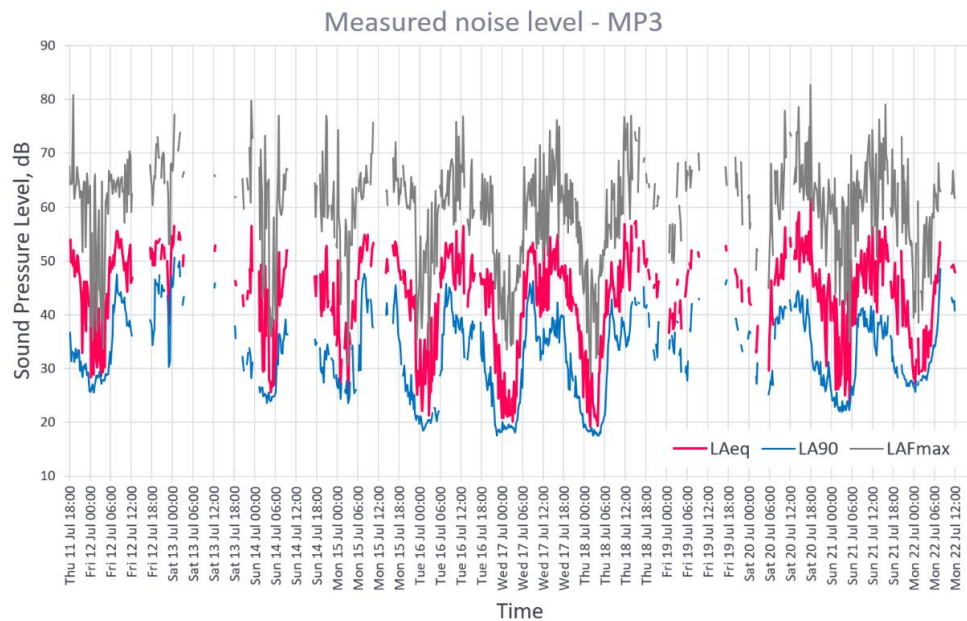
- 4.1** The comments from Brian Anderton and Karen Stewart relating to noise focus on potential effects on the horse breeding activity at the White Robe Lodge. In particular, they are concerned about sudden noises that can cause flight response in horses. They point out the sensitivity of a foaling unit which includes pens adjacent to the dwelling at 273 Dukes Road North.
- 4.2** They have identified several noise sources that they consider will generate such noise events. These include noise sources on the Site and on Dukes Road North. I have addressed the various noise sources below.

Existing noise levels near the foaling unit include high noise events

- 4.3** I have conducted noise monitoring near where the foaling unit is located (Noise Assessment Rp 001 R04 20240460 - Appendix D, Measurement Position 3). The plot in Figure 1 shows the measured noise levels during the monitoring period. The grey line indicates the L_{AFmax} noise levels. This shows that the noise environment in this area includes existing high noise events, with levels regularly above 65 dB L_{AFmax} . These are typically due to aircraft –

helicopters and planes, and vehicles on Dukes Road North – including trucks engine breaking and “boy racer” cars accelerating aggressively.

Figure 1: Noise monitoring data (Appendix D – Rp 001 R04 20240460)



Noise from additional trucks on Dukes Road North

- 4.4 White Robe Lodge have raised concerns over engine noise, air brake release, gear changes, and vibration from truck movements on the public road to and from the Site.
- 4.5 Vehicles on public roads are not required to comply with any noise limits. Notwithstanding this, potential high noise events from trucks, such as engine breaking, can be minimised through management measures i.e. informing drivers not to engine break when approaching the site.
- 4.6 Vibration or noise from clattering trailers would only occur due to an uneven road surface. The road surface is not within the jurisdiction of the SLPL. This could be addressed by an upgrade of the surface of the rail crossing to provide a smoother surface for trucks. However, SLPL has no control over the Authority’s actions in this regard.

- 4.7** The residual noise events from truck engines would be similar to the existing vehicle noise shown in our noise monitoring and would therefore be similar to what the horses are currently exposed to.

The Site has been designed to mitigate noise

- 4.8** White Robe Lodge comment that they believe the acoustic mitigation of the site requires further consideration to provide an appropriate level of protection for horses. The Site includes noise barriers at the boundary, including a 3m high barrier immediately opposite the foaling unit. They correctly point out that the barriers are not high enough to be effective for all noise sources on the Site.
- 4.9** The noise barriers are designed to mitigate noise from lower elevation noise sources, such as truck movements, coupling/uncoupling trailers, train engines, rail unloading activity, machinery engines and broadband reversing alarms. Given the proposed height of container stacks (up to 17.4m), it is not practical to use barriers at the site boundary to block line of sight to all activity. Our assessment has considered contribution from noise sources that are higher than the noise barriers, such as container stacking.
- 4.10** Furthermore, the layout and staging design of the Site have adopted the best practicable option to mitigate noise effects to the surrounding properties, which will also benefit the foaling area. During Stage 1 the container stacking areas are set back from the northern end of the Site – approximately 420m from the foaling unit. During Stages 2 and 3, stacking activity is closer to the northern end of the site, but the Stage 2 warehouse buildings will provide shielding and block line of sight to stacking activity.
- 4.11** Overall, I consider that the Site layout and mitigation will be effective in reducing noise levels at surrounding sites to reasonable levels.

Container stacking is likely to be audible at a reasonable level

- 4.12** Even with the mitigation measures in place, noise from container stacking is likely to be audible at the foaling unit. Stacking noise primarily occurs when containers contact each other during placement. The level of noise generated depends on the skill and care of the driver. As a result, noise from this activity is highly variable.
- 4.13** We have analysed noise data from activity at Port Chalmers to provide a prediction of the level for the loudest representative noise events during container stacking. Table 1 summarises the anticipated loudest L_{Amax} levels at the horse breeding areas, based on the distance and shielding from the warehouse buildings.

Table 1: Indicative L_{Amax} noise levels

Receiver position	Predicted container stacking noise level (dB L_{Amax})	
	Stage 1	Stages 2 and 3 ¹
Foaling unit – 3 pens adjacent to dwelling at 273 Dukes Rd North	60-65	60-65
Building 350m north of dwelling at 273 Dukes Rd North	55-60	50-55

¹ Includes shielding from Stage 2 warehouse buildings

- 4.14** The predicted noise levels indicate that the loudest representative container stacking events would be no greater than 65 dB L_{Amax} at the foaling unit. These levels comfortably comply with the night-time limit of 75 dB L_{Amax} from the District Plan and proposed Condition 58, and are within the level of noise frequently generated by aircraft and existing vehicles on Dukes Road North.
- 4.15** As detailed above, I have recommended removing the 60 dB L_{Aeq} noise limit at the immediate site boundary. This noise limit would have little bearing on noise events such as from container stacking, due to the short duration of the noise. Based on the existing noise environment and the need to comply with appropriate noise limits at the notional boundary of the nearby

dwelling, I consider that the removal of the site boundary noise limit would still ensure reasonable noise levels within the horse paddocks.

5. CONCLUSION

- 5.1** I have reviewed the comments received on the application relating to noise. The concerns of DCC and the peer reviewer relate to potential noise at unoccupied rural land and noise limits during the night-time period. The proposed consent conditions provide appropriate noise limits at the noise sensitive areas without imposing unnecessary restrictions. Based on this, I consider that the DCC concerns have been adequately addressed through proposed consent conditions in a manner that is consistent with the relevant standards.
- 5.2** I have responded to comments raised by Mr and Mrs Inch. I consider that the Noise Assessment has adequately addressed potential noise effects at their property and that these effects are reasonable.
- 5.3** I have responded to comments from Mr Anderton and Mrs Stewart of the White Robe Lodge. I have provided information on likely noise events at the area of their site identified as a foaling unit. The anticipated levels are within the range of the existing noise environment. I do not consider that additional mitigation or controls are required to avoid unreasonable effects on this site.

Dated: 19 August 2026



Brendon Shanks

Appendix A: Noise Contours Stage 1 and Stage 3



