

**EXPERT WITNESS CAUCUSSING CONFERENCE
AND JOINT WITNESS STATEMENT
NOISE**

PROJECT	The substantive application for the Southern Link Inland Port under the Fast-track Approvals Act 2024 (FTAA)	
APPLICANT	Southern Link Property Limited (SLPL)	

Date	7 - 10 September 2026
Venue	MS Teams (online) and via email

Witnesses		For
Brendon Shanks	BS	Applicant, Southern Link Property Limited
Jon Styles	JS	Dunedin City Council
Jeremy Trevathan	JT	Panel Appointed Acoustic Expert advisor

JOINT WITNESS STATEMENT

INTRODUCTION

1.	This conference relates to the application for approvals by SLPL to authorise the construction, use and operation of the Southern Link Inland Port, an inland port / logistics hub at 270-292 Dukes Road North, North Taieri, Mosgiel (the Project or SLIP).
2.	The Expert Panel has directed conferencing between the technical experts engaged by SLPL and DCC, and has also appointed an Acoustic Expert advisor who will participate in expert conferencing. Minute 9 of the Expert Panel sets out the Issues and Questions that they have directed be addressed in a Joint Witness Statement.
3.	All participants agree to the following: a) They have read and understood the Panels Minute 9 dated 26 August 2026; b) They will comply with the relevant provisions of the Environment Court Practice Note 2023; c) They agree that the outcome(s) of the expert conferencing are as recorded in this statement; d) The matters addressed in this statement are within their area of expertise.

QUESTIONS

	Issue 1 — The inputs to the noise model Minute 9, Annexure B paragraphs [44]-[50]
Q1.1	Please reconcile the road traffic inputs at Table 11 of the Marshall Day Acoustics, Southern Link Inland Port Noise Assessment R04 with the transport evidence. If required, update that information with the forecasts provided by the transportation experts via their own conferencing:
	<i>Matters of Agreement</i>
	Mr Shanks has prepared new traffic noise level predictions based on preliminary outputs from the transportation experts' conferencing. All predictions are annual averages for the year when the SLIP is operating at capacity in Stage 3. There is no JWS from the transportation experts available at the time of preparing this JWS. Mr Shanks has therefore been liaising with the applicant's transportation expert and we have relied on the figures they have produced. Mr Shanks advises that the traffic numbers have been updated based on discussion with operations team. The following Annual Average Daily Traffic (AADT) vehicle movements have been provided by the SLIP operations team based on a revised transport assessment. These include vehicles from SH87 and movements between SLIP and Fonterra Mosgiel: • Staff (light vehicles) 310 • Heavy vehicles (trucks) 219 Mr Shanks has recalculated expected noise levels based on the above. We agree that Mr Shanks noise level predictions are approximate and are intended to inform a general assessment of road traffic noise effects. They are predictions over a 24 hour period and do not separate out the daytime noise levels from night time noise levels. Based on the description of daytime vs night time peak hour traffic predictions, we expect that the greatest noise level increase will be in the daytime and that night time increases will be generally less than the predictions below. We can revisit this and potentially provide better insights into daytime and nighttime road traffic noise levels (and noise level increases) if the transportation JWS provides the data needed. The recalculated traffic noise levels indicate the following: 273 Dukes Road North - The predictions show that the existing road traffic noise level at this receiver is 54dB $L_{Aeq(24h)}$ and this will increase to 59dB $L_{Aeq(24hr)}$ for Stage 3 at capacity. We have considered the potential associated noise effects in two ways: <i>Increase in noise level</i> – The average $L_{Aeq(24hr)}$ noise level increase is 5 dB. A 5 dB increase in noise levels

	over a short time period would typically be described as ‘clearly noticeable’ – however in this case the change is to a 24 hour average noise level, and is driven by an increase from 1358 vehicle pass-bys with 2% heavy vehicles, to 1887 vehicle pass-bys with 13 % heavy vehicles. Either way these vehicle volumes are relatively low, and people may be more likely to simply observe that there are more frequent heavy vehicle movements, than perceive the average change in noise levels. The increase will also be gradual over time, except at the commencement of Stage 1 where there will be a small ‘step’ in road traffic noise levels. <i>Total noise level</i> – We agree that a level of 55dB $L_{Aeq(24hr)}$ is generally the upper desirable level for road traffic noise at residential dwellings that rely on partially open windows for ventilation and cooling, and especially where there is a reasonably high proportion of trucks. We agree that the future predicted level of 59dB $L_{Aeq(24hr)}$ is above this level and may generate some adverse health effects. Overall, we consider that the effect at 273 Dukes Road North could be described as ‘moderate’. The total level of road traffic noise (including the SLIP) is reasonably common at houses close to busy roads in New Zealand. All other existing dwellings – All other existing dwellings near to the SLIP will receive road traffic noise increases that are low. The only existing dwelling that is potentially affected by increases in road traffic noise is 231 Dukes Road North. Mr Shanks predictions show that the existing road traffic noise level at this dwelling is 49 dB $L_{Aeq(24hr)}$ and the future level at Stage 3 capacity is 51 dB $L_{Aeq(24hr)}$. We agree that this change of 2 dB is small and will be imperceptible, and that the total level of 51dB $L_{Aeq(24hr)}$ is expected to result in a generally low level of effect.
	<i>Matters of Disagreement</i>
	None
Q1.2	Please confirm agreement or otherwise as to the adequacy of noise modelling undertaken by Marshall Day to inform the assessment of noise effects on sensitive receivers and White Robe Lodge Limited foaling unit, addressing the modelling methodology and activity scenarios at Marshall Day Acoustics, Southern Link Inland Port Noise Assessment R04 (‘MDA 04 Report’) s9.1 and s9.2 and Table 8, and the source sound power data at Appendix G, and confirming whether every noise source disclosed for the Site appears in a modelled activity scenario.
	<i>Matters of Agreement</i>
	We are not aware of any unusually sensitive receivers in the area other than the White Robe Lodge. With regard to the modelling, activity scenarios and noise sources – we agree that Mr Shanks noise modelling is an adequate basis to inform the assessment of noise effects on rural residential receivers in area, with the following notes: - Mr Shanks advised us 8/9/26 that refrigeration containers would now be stacked four high, an increase from two high (and therefore double the number of refrigeration containers) which was considered in the MDA 04 Report. He has updated the model to reflect this change, and

	the increase is up to 0.3 dB (i.e. insignificant) at the key receivers. This is because noise levels experienced off site are dominated by other sources. - Mr Shanks advises that there are 10 forklifts in the Stage 3 model, operating on the Break Bulk Hardstand area to the north-east of the site, which do not appear in Table 8 or Appendix G of the MDA 04 Report. The forklifts each have a sound power of 95 dB L_{AW}, and 100 % on time in both the day and night time scenario. - Mr Shanks advised us that the night time scenario for the Stage 3 model is a 15 minute period, and so the 'peak hour' truck movements described in Table 8 of the MDA 04 Report do not correspond directly to what is in the model. Instead, one truck (meaning an entry and exit) has been assumed for each of Exchange 1, Warehouse, and the Bulk break area in the representative 15 minute period. Trucks have been modelled at a speed of 10 km/hr on the site. - Mr Styles notes that he has noise measurements of locomotives idling and moving, trains moving on curved sections of rail (with track squeal) and refrigeration containers from other projects. His measurements show that the noise levels could be higher than Mr Shanks' in some scenarios. However, even if his data was used, the overall noise predictions would only increase by a small amount, and predicted noise levels would continue to comply with the proposed noise limits.
	<i>Matters of Disagreement</i>
	None
Q1.3	Please confirm whether the additional measurements obtained by Mr Shanks from Port Chalmers container stacking activities (as described in Statement of Evidence, Brendan Shanks, 19 August 2026, at 4.13 and 4.14) is representative of the likely effects that could be experienced by adjacent landowners and occupiers or whether measurements taken from a location such as the Fonterra container operation adjacent to the site is more applicable.
	<i>Matters of Agreement</i>
	We agree that Mr Shanks measurements are likely to represent the highest L_{AFmax} noise <u>levels</u> that could be expected from the container stacking activities. The noise levels would be expected to be lower if the recommendations in the draft NMP around problematic / high noise container handling practices are diligently observed. The proposal now includes L_{AFmax} noise limits of: 1) 75dB L_{AFmax} at receivers <u>within</u> 350m of the existing Industrial Zone 2) 70dB L_{AFmax} at receivers <u>greater than</u> 350m of the existing Industrial Zone We consider that Mr Shanks' measurements demonstrate that the container stacking will be able to

	comply with these limits. We expect that container stacking will typically generate noise levels of between 55-65dB L_{AFmax} at the closest receivers. We expect that there would only be exceedances of the proposed limits if the container handling machines malfunction or there is some accident such as a container being dropped. We expect such events to be very unusual or infrequent. We expect that observing the NMP diligently will be effective at significantly reducing and potentially avoiding these events. We note that New Zealand Standard NZS6802:2008 discusses the reason for and application of L_{AFmax} noise limits. We reproduce clause C7.2 of this standard below for context for the Panel: <i>The intention of L_{max} (L_{AFmax}) noise limits is to provide protection against the effects of 'typical maxima' of the specific sound and not the 'absolute maxima'. A noise nuisance does not generally arise from a single isolated incident. A single isolated noise event which exceeds an applicable limit might not be representative of the sound under investigation and should not be used as the sole basis for compliance action.</i>
	Matters of Disagreement
	None
	<u>Issue 2 - The predicted levels, the compliance margin, and the assumptions on which compliance depends</u> Background Minute 9, Annexure B paragraphs [51]-[54]
Q2.1	Given that the predicted Stage 3 night-time level equals the applicable limit at four dwellings, please state what margin, if any, exists between the predictions and the limits; how uncertainty in the modelling has been allowed for; and whether the experts agree that compliance can be achieved in practice at those receivers.
	Matters of Agreement
	Mr Shanks advises that his model is conservative and will likely be 'over-predicting' the noise levels for the following reasons: • The night-time modelling includes an unlikely or conservative operating scenarios including – 100% use of the container wash, 100% on-time for workshop operating, loading/unloading in the rail siding, rail activity on site, and stacking activity). 100% on times are unlikely in reality. • Noise sources used for predictions are based on traditional diesel engines on reach stackers and straddles. Quieter, hybrid engine equipment may be available for use by the time night-time rail unloading occurs. • Worst case modelled scenario assumed reach stackers will be used for unloading rail when

	quieter straddles are currently proposed. • Straddles have been modelled with an 8 metre high source height. The acoustic centre is often lower than this and would be better-screened by buildings and other barriers. • No shielding from containers on the site – the noise modelling has not relied on shielding from containers stacks on the site or from the rake during loading/unloading. This would provide shielding to equipment moving around the site and to reefer units. • Refrigerated container (reefer) units assume 100% operation in the noise model. In reality, these units will cycle on and off individually during the daytime, typically with an average of 50% “on time”. Night-time operation will typically be less than 50%, due to cooler ambient temperatures. • Noise modelling has been based on the most recent version of the international standard for sound propagation (ISO 9613 2024). This has been found over predict noise where there is grazing angle shielding from topography. This has resulted in minimal barrier attenuation to 54 Rutherford Road. Calculating using the ISO 9613:1996 gave 4-5 dB greater barrier attenuation. It is likely that 2024 version over predicts in these situations. True barrier attenuation is likely to be somewhere in the middle. We agree that the SLIP could comply with the <u>permitted</u> nighttime standards in the 2GP based on the proposed operational scenarios and diligent compliance with the NMP and if tonal reverse alarms are eliminated at night. However, we agree that there is less safety margin in predicted noise levels to receivers east of the SLIP site, and that there may be some 15-minute periods when noise levels are slightly higher than what is predicted (for example if an extra truck or two arrive in the same 15 minute period). We agree that the SLIP can comply with the Applicant’s <u>proposed</u> noise limits and in most cases with a margin of at least 3-4dB. The exception to this relates to the noise from road-going trucks in the northern part of the SLIP where they need to reverse and they have a tonal reverse alarm. This is covered in the Matters of Disagreement below.
	<i>Matters of Disagreement</i>
	Background We agree that tonal reverse alarms are a sound that exhibits special audible character and should attract a +5dB adjustment according to NZS6802:2008. We all agree that if tonal reverse alarms can be eliminated at night, then the noise from the SLIP will comply with the proposed noise limits. This also means that the disagreement described below about

how the +5dB adjustment for special audible character is applied becomes irrelevant.

We disagree on the way that the +5dB adjustment should be applied to the predicted (or measured) noise level where a tonal reverse alarm is present for only part of a 15 minute period. The different methods of application have an effect on the margin of compliance (and potentially noncompliance) with the proposed noise limits at night and only in Exchange 1 (at the northern end) the SLIP.

NZS6802:2008 sets out the procedure for determining how the adjustment is applied. The standard requires that an adjustment of +5dB is applied for sounds that have “... *a distinctive character which may affect its subjective acceptability (for example, it is noticeably impulsive or tonal)*...” The standard requires that the adjustment shall be determined in accordance with the provisions of its’ Appendix B.

Disagreement

Mr Styles and Dr Trevathan consider that the +5dB adjustment should be added to the noise level from the SLIP at the end of the assessment and Rating Level calculation procedure. So, if the measured noise from the SLIP was (say) 40dB $L_{Aeq(15min)}$ in the night time period, and there was some use of tonal reverse alarms in that 15 minute period, the standard requires the +5dB adjustment to be applied to that level. So the final Noise Rating Level (for comparison with the relevant limit) would be 45dB $L_{Aeq(15min)}$. They therefore consider that applying the +5dB adjustment in accordance with the standard could result in the noise levels from the SLIP exceeding the proposed noise limits at the closest receivers (given the agreement that noise levels may exceed 40dB L_{Aeq} at times).

Mr Shanks considers that the special audible characteristic correction applies to the time interval when tonal reversing alarms occur (e.g. 20 seconds for a truck at northern exchange). He disagrees with the interpretation of the other experts, but notes that, if their assessment methodology is used, there is a risk of non-compliance during the night-time period if a tonal reversing alarm is used. However, depending on other activity occurring during this period, noise levels may still comply even with other experts’ assessment method.

Possible resolution

We agree that this issue can be addressed by ensuring trucks reversing on the site during the night-time period do not include tonal reversing alarms. As there is no night-time activity proposed in Stage 1, this policy could be implemented for Stage 2 onwards.

This problem could be addressed by ensuring that tonal reverse alarms are not used at night in Exchange 1. We consider that there are two ways to achieve this:

- 1) Having a section in the NMP that sets out clearly and in detail how the consent holder will ensure that trucks in Exchange 1 at night will not have a tonal reverse alarms. This could be making it a contractual requirement or by some other means.
- 2) Rearranging the truck circulation route so that trucks do not need to reverse at all.

Mr Styles’ and Mr Trevathan’s experience from working with logistics operators and consent holders is

	that option 1 (NMP) is often difficult to administer and enforce and sometimes the large number of contractors and trucks in the fleet makes it impracticable to achieve. Their experience is that option 2 is the most reliable way of ensuring that tonal reverse alarms are not a feature at night. They consider that a combination of both options would be most effective. Mr Shanks considers that broad band reversing alarms are increasingly common and found as standard on many modern trucks. He is aware of several examples of sites where tonal reversing alarms are successfully prohibited. Typically, these are situations where the site operator has sufficient leverage to determine contracts for truck operators, such as the SLIP. Mr Shanks has discussed avoiding tonal reversing alarms on road trucks entering the site with the SLIP Project Team and they are comfortable that such a measure can be administered and enforced before night-time truck movements commence in Stage 2. However ultimately determination of whether the applicant's measures to eliminate tonal reverse alarms is practicable (or not) is beyond our expertise. We leave that to others.
Q2.2	Please identify each operational step on which the predictions depend, including: 1) the management of loading and unloading during a 15-minute period containing a night-time rail movement, 2) the minimisation of high stacking near the Site boundary at night, 3) the use of skilled operators, 4) and the use of broadband reversing alarms; and state, for each, whether it is secured by a proposed condition and, if it is not, should it be.
	<i>Matters of Agreement</i>
	We agree that all noise model outputs depend on the SLIP being constructed and operated using the layout, truck routes, activity areas and truck movements and general configuration and operation as set out in the application material, plans, MDA Report and in the evidence of Mr Shanks. We agree that the following key aspects should be included as consent conditions: 1) Noise barriers around the site on the height and in the locations described in the MDA Report 2) Buildings for Stage 2 and 3 (Warehouses 1A, 1B, 2A, 2B, and 2C) are in the locations shown in the Civil works and earthworks – Part 2 plans (https://www.fasttrack.govt.nz/_data/assets/pdf_file/0019/26326/Part-B.16-Stantec-Civil-Works-and-Earthworks-April_Part2.pdf) and of minimum heights of 14m. 3) No night time operations in Stage 1

- 4) The Stage 2 warehouses must be constructed before any night time operations can occur in Stage 2
- 5) Motorised vehicles, equipment and plant to be fitted with broadband “squawker” reversing alarms (not tonal alarms). This should include road-going trucks that visit the site – this is covered in our response to Q2.1 above.

A Condition relating to the management of unload/loading of the train is not required. This occurs as a natural consequence of not being able to unload a train while it is moving on or off the site.

In addition to the above, there are a number of further measures which in our opinion are part of the Best Practicable Option for the site, and so should be included in the Noise Management Plan (NMP). The condition requiring the NMP sets out what the outcomes are that the NMP needs to achieve, and the NMP then sets out how that outcome will be delivered in practice. These measures are:

- 1) Methods and procedures for ensuring that machinery and plant operators are trained initially and regularly thereafter to minimise noise.
- 2) The methods and procedures to minimise stacking of containers near the boundary at night in situations where acoustic screening to the closest neighbours is low or minimal.
- 3) The procedures to ensure that tonal reversing alarms are eliminated on road trucks (*depending on resolution of Q2.1 above*).
- 4) The methods and procedures for minimising the L_{AFmax} level from container handling (especially at night). This should include requirements for regular plant maintenance, operator training and noise measurements.
- 5) The methods and procedures for requiring continuous onsite noise monitoring, configured to detect and allow a rapid management response to instances of inappropriate container handling that generates higher than typical noise levels.

In general terms we therefore agree with the list of matters which the NMP is to address outlined in Condition 60, and agree that the general form of the draft NMP attached to the 8 June 2026 Memo of Mr Shanks is an appropriate starting point (although some aspects are now outdated). We note that the NMP is intended to be a living document that should also be updated as the site develops, and requires input and coordination with the operators of the site to ensure it is as effective as possible. It is our experience that allowing these matters to be dealt with in a flexible way will deliver a better outcome. We agree that the initial NMP and any updates should be certified by the Council to increase the certainty of the NMP process.

We acknowledge that these recommendations may require refinements and improvements when incorporated into the final condition set. We consider that it would be prudent for the experts to have the opportunity to review the full condition set before it is finalised to ensure that our recommendations are properly captured.

	<i>Matters of Disagreement</i>
	None
Q2.3	Please confirm agreement or otherwise that noise levels during Stage 2 will fall between those predicted for Stage 1 and Stage 3, having regard to the fact that Stage 1 includes no night-time activity and that the eastern shielding relied upon at Stage 3 is not in place at Stage 2; and if that assumption is not agreed, whether Stage 2 should be modelled.
	<i>Matters of Agreement</i>
	We agree that the noise levels during Stage 2 will fall between those predicted for Stage 1 and Stage 3, subject to the matters in Q2.2 above being addressed in Conditions – most importantly, that the Stage 2 warehouses must be constructed before any night time operations can occur in Stage 2. Accordingly, we agree that the noise emissions from Stage 2 does not need to be modelled.
	<i>Matters of Disagreement</i>
	None
<u>Issue 3 - Noise from rail activity on the Site</u> Minute 9, Annexure B, paragraphs [55] – [60].	
Q3.1	1) Having regard to the Applicant’s acceptance that Rule 9.3.6.3(q) does not apply to rail activity within the Site, a) is it appropriate and reasonable from a noise effects perspective for noise from rail movements on the Site to be excluded from the noise limits in condition 58 b) and controlled instead by a limit on the number of movements? 2) Please also address whether it is appropriate for condition 58 to exclude noise on any property owned by the consent holder, 3) and state the predicted noise levels from rail activity on the Site at each receiver, by day and at night.
	<i>Matters of Agreement</i>
	1a) We agree that it is practically very difficult (and potentially impossible) to physically measure the noise of a train entering or leaving the siding when train noise in the designation is not included in the assessment. This difficulty arises because the train is part in and part out of the Site for several minutes of the 15 minute assessment period. We agree that one way to deal with this problem is to draft the noise limit condition to exclude the noise from trains in the siding whilst they are in motion. This would (and should) include the noise of

trains being loaded and unloaded and when the locomotives are idling but not moving.

We agree that it would be appropriate for the conditions to contain an advice note (or similar explanation) that explains that the noise of trains in motion is excluded from having to comply with the noise limits because it is physically impossible to accurately measure the noise of a long train that is part-in and part-out of the Site and moving.

1b) We agree that the conditions should limit the number of train movements at nighttime. The applicant currently proposes up to four movements (two trains in and two trains out) at night. The noise level predictions in (3) below show the noise level at each receiver for the noisiest 15-minute period at night arising from such a condition, for the portion of the movement where the train is on the SLIP site. We understand that this is the maximum number of trains that could be expected when Stage 3 is operating at capacity. We agree that the worst noise effects at 54 Rutherford Road are caused by the train going past that house when it is inside the KiwiRail designation (not when the train is in the SLIP).

2) We agree that it is appropriate to exclude the noise limits from applying on land currently owned or under the control of the consent holder. We agree that the consent conditions should be drafted so that the sites at which noise limits apply (and do not apply) is clear and certain.

3) Mr Shanks has predicted the following noise levels from rail activity on-site at the nearby receivers. The predicted noise levels are the same for the day, evening or night.

Location	Predicted noise level – Train activity on SLIP site (dB L _{Aeq} (15min))
183 Puddle Alley	28
243 Puddle Alley	28
50 Rutherford Rd	36
54 Rutherford Rd	41
55 Rutherford Rd	37
231 Dukes Rd Nth	37
273 Dukes Rd Nth	40
340 Dukes Rd Nth	29

Matters of Disagreement

None

Q3.2 How should proposed conditions 59A and 83 read together?

The condition set we have used is located at

https://www.fasttrack.govt.nz/_data/assets/pdf_file/0024/33279/Attachment-22-Updated-proposed-Dunedin-City-Council-conditions.pdf

	Condition 59A in that set states: <i>59A. Rail movements on the Southern Link Inland Port site between 10:00pm and 7:00am must not exceed two movements arriving to the site and two movements departing the site per night.</i> Condition 83 in that set states: <i>83. All train movements to and from the Southern Link Inland Port must operate between the hours of 7am and 10pm, unless otherwise approved in writing by Dunedin City Council.</i> We agree that condition 83 should be deleted if train movements at night are to be authorised by the consent.
	<u>Issue 4 - The mitigation design and effects on the White Robe Lodge foaling unit</u> Background in Minute 9, Annexure B, paragraphs [61] –[64]
Q4.1	Please confirm agreement or otherwise as to whether the proposed mitigation design is the best practicable option. If not agreed please specify alternatives.
	<i>Matters of Agreement</i>
	We have read the comments from the operators of the White Robe Lodge Thoroughbred Stud (WRL) and the occupiers of 273 Dukes North Road. The comments from the occupiers of 273 Dukes North Road do not raise any issues in relation to noise effects on horses. Section 4 of Mr Shanks’ evidence responds to the comments from WRL. Effects on WRL Our expertise is in acoustics and in assessing the effects of noise on people. Assessing the effects of noise on horses and a foaling unit is outside the area of our expertise, although our assessment of the noise levels and nature and character of the noise may be helpful to inform the specific assessment of effects on the specialist activities at WRL. We generally agree with section 4 of Mr Shanks’ evidence but with the following qualifications: 1) The existing ambient measurements conducted by Mr Shanks show that there are currently regular noise events experienced at WRL at noise levels between 60dB L_{AFmax} and 75dB L_{AFmax}. Events over 75dB L_{AFmax} are uncommon. However, these events are primarily during the day. We agree that the SLIP will create more of these L_{AFmax} events through the day and at night (from Stage 2 onwards). 2) We agree that the SLIP will change the character of the passing truck noise. At present, most or all passing trucks are moving at or near a constant speed or they may be decelerating slowly

towards or accelerating away from the rail crossing. However, trucks associated with the SLIP will be decelerating towards or accelerating away from the SLIP entrance. This will change the character of the truck noise because although the entrance to the SLIP is slightly closer to WRL than the rail crossing, the speed differential is likely to be much greater.

- 3) We agree that the container handling, truck movements and use of other machinery and plant will change the character and often be perceived as an increase over the current background noise levels (in between the louder L_{AFmax} events).
- 4) We also note that container stacking in Stage 1 will not be screened from WRL by any buildings or barriers. However, during this stage, the increased distance to the stacking activity means that L_{AFmax} levels will be generally between 60dB and 65dB and will only be undertaken during the day.¹

We leave the assessment of these changes in noise levels and effects on the specialist activities at WRL to others.

Adoption of BPO to minimise noise effects on WRL

We have adopted the definition of the BPO from s2 and taking guidance from s16 of the RMA. This essentially means that the noise maker must adopt the BPO to ensure or until the noise levels are reasonable. We are also aware that the determination of the BPO includes assessments of the technical feasibility and cost implications. Such factors are outside our expertise.

Mr Styles and Dr Trevathan consider that the design of Stages 1, 2 and 3 demonstrates that the applicant has carefully considered noise emissions. The design and operational constraints show that minimisation of noise effects (especially to the north) seem to have been an important design consideration.

We all agree that the noise from the SLIP will be able to comply with the proposed noise limits at the WRL (subject to the discussion in Q2.1 above). If those noise levels are reasonable, then the BPO has achieved a reasonable noise level.

Notwithstanding, we consider that there may be additional measures that could be adopted to further minimise noise effects at WRL when their operation is particularly sensitive. These include:

- 1) Ensuring that there are no tonal reverse alarms in Exchange 1 (as set out above).
- 2) New / hybrid / low noise plant being prioritised for use at the northern end of the Site.
- 3) The NMP requiring active and ongoing engagement with WRL to understand if there are times of day / year when sensitivities vary, and particular noise sources of most concern, and to implement any practicable measures to mitigate the effects at those times, even if the SLIP is complying with its noise limits. *For example, the foaling unit could advise the consent holder that they are expecting new foals within a certain period of days. The consent holder could adopt temporary measures during that time.*
- 4) Specific measures that could be adopted to reduce the effects on WRL activity will depend on

¹ This is response to paragraphs 19 and 20 of Annexure B of Minute 9 from the Panel

	the nature of the noise effects e.g. general noise levels or “surprise” noise events. Such measures would typically be adopted into the NMP. Measures may include: • If noise concerns are mostly problematic because they are ‘unexpected’, then it may be possible for the NMP to prescribe some measures to reduce those noises in the vicinity of WRL. That is, restricting or limiting noisy activity on parts of site during particularly sensitive different times of day / year (e.g. night times during foaling). • Prioritising the use of low noise equipment during sensitive periods (e.g. unloading rakes with straddles rather than reach stackers) We expect that the consent holder will need to evaluate the practicability of the different options. This is outside our expertise.
	<i>Matters of Disagreement</i>
	None
Q4.2	What further mitigation measures are available to the applicant if sensitive receivers or activities such as the White Robe Lodge foaling unit experience noise greater than that predicted by the experts?
	<i>Matters of Agreement</i>
	Noise levels between what is predicted and the proposed noise limits We agree that it is possible that the L_{AFmax} noise levels at the foaling unit may exceed the predicted levels (generally between 55dB to 65dB L_{AFmax}) from time to time. However, we expect that L_{AFmax} events above 65dB are likely to be very unusual and likely the result of equipment failure or similar. We consider that the NMP would be the best tool for managing these effects out. Noise levels above the proposed limits We agree that if the noise level from the SLIP exceeds the noise limits set in the consent conditions, the consent holder will have to reduce their noise emissions to comply. The measures required to achieve compliance would depend on the nature and cause of the non-compliance, but could include reduction or cessation of night time activity on certain parts of the site. General We agree that it may be prudent to include a review-type condition that could be used to revisit noise effects and appropriate mitigation with respect to WRL foaling unit in the event that the effects are greater than what is anticipated. We consider that WRL is the only nearby receiver that would warrant such a review.
	<i>Matters of Disagreement</i>
	None

Q 4.3	Does the shielding relied upon at 4.10 of Mr Shanks' evidence depend on the Stage 2 warehouse buildings being constructed before container stacking moves to the northern part of the Site, and if so, should that sequence be secured by condition?
	<i>Matters of Agreement</i>
	Yes, the shielding does depend on the Stage 2 warehouse buildings being constructed before container stacking moves to the northern part of the Site, and as above we agree that a Condition addressing this is appropriate.
	<i>Matters of Disagreement</i>
	None
<u>Issue 5 - Condition 58 and the noise limits</u>	
Consider background of Minute 9, Annexure B, paragraphs [65]-[69]	
Q5.1	Is the proposed nighttime noise limit of 45dBA LAeq (15min) and 70dB LAFmax measured at the notional boundary of noise sensitive receivers in the Rural and Rural Residential Zone located more than 350m from an Industrial Zone appropriate and reasonable from a noise effects perspective (leaving aside the implications on operational constraints), or is it appropriate and reasonable for the SLIP to operate in accordance with the standards required by the 2GP?
	<i>Matters of Agreement</i>
	We understand that the noise standards for permitted activities at night is 40dB LAeq for receivers more than 350m from the Industrial Zone and the application seeks consent to authorise noise levels of 45dB LAeq. The 2GP states that this requires a non-complying consent. Mr Shanks' modelling indicates that the activity can comply with the 2GP limits. Although not directly related to the question, we agree that the wording of condition 58 could be improved to: 1) Refer specifically to a Noise Rating Level 2) Delete reference to 'activities authorised by this consent' 3) List the exclusions to the noise limits in a numbered list, and make it clear that they are excluded from compliance generally – not just measurements 4) Include an advice note relating to the rail noise exclusion, as discussed in Q3.1 above, and limit the exclusion to trains in motion on the site and potentially include an advice note setting out the technical reasons why they are excluded (so that it cannot be construed that they are excluded for an effects-based reason).
	<i>Matters of Disagreement</i>
	Further to the points of improvement to Conditions 58 listed above, Mr Styles and Dr Trevethan also consider that the wording of the condition could be improved to consider whether the phrase "within 350 m of the Industrial Zone" is sufficiently certain, if the extent of the Industrial Zone were to change in the future. They consider that it may be more appropriate for the condition to refer to a site address or other way of noting the extent of the sites that are currently zoned Industrial. Mr Shanks considers that the proposed condition wording of "within 350m of the Industrial Zone" is appropriate, as it accounts for any changes to land use around the SLIP site.

Mr Styles considers that the assessment of noise effects in the MDA Report, the MDA Memo and in the evidence of Mr Shanks only addresses the relevant objectives and policies in the noise section of the 2GP. He understands that the noise effects need to be considered against the relevant objectives and policies 16.2.3 and 16.2.3.5 for the rural zone as well. He considers that this assessment is missing from the application.

Mr Styles has considered the noise effects against objectives and policies 16.2.3 and 16.2.3.5 for the rural zone. In summary, these require that *“adverse effects from large scale development on rural character and visual amenity will be avoided or minimised as far as practicable”*. He considers that the noise from the SLIP will often be well above the current background noise levels and the dominant sound source, particularly at night and when the noise is approaching the proposed limits. This likely to change the current rural character, and on some days considerably. He considers that the determination of whether the noise has been *“minimised as far as practicable”* involves an evaluation of acoustics and other factors such as cost and feasibility etc. that are outside of his expertise. He considers that the applicant has identified and proposes to adopt a number of mitigation measures that will keep the nighttime noise to no greater than 45dB L_{Aeq} at the closest houses (and 40dB L_{Aeq} at others). Compliance with this level should avoid any significant adverse health effects arising when assessed on a ‘community-average’ basis.

Mr Styles considers that it is inappropriate to assess the effects against the WHO guidelines (as Mr Shanks has done) as those guidelines are not referenced in the 2GP, are international guidelines that are designed for managing the health effects on large populations and do not contain any guidance on managing rural amenity. They also require that all noise in an area meets the guideline noise levels it sets out – not just the noise from one activity.

Mr Shanks considers that a night time noise limit of 45 dB L_{Aeq} is appropriate and consistent with guidance and noise limits for nearby properties. The noise assessment has acknowledged that noise at this level would be audible during quiet night time periods.

Mr Shanks considers that the non-complying activity has been acknowledged in the Substantive Application Report (dated 17 April 2026). He has considered the noise levels against the Public Health and Safety objectives and policies (Objective 9.2.2, Policy 9.2.2.1) in his memorandum response to peer review (Mm004 R02, dated 8 June 2026). He references the WHO Guidelines as these provide guidance as to the potential onset of health effects, that he considers is directly relevant to Policy 9.2.2.1.

Mr Shanks has also considered Objective 16.2.3 and Policy 16.2.3.5 in this JWS. These require that *“adverse effects from large scale development on rural character and visual amenity will be avoided or minimised as far as practicable”*. Mr Shanks considers that the design of the SLIP has adopted the best practicable options to minimise noise effects on the rural character. He considers that the primary function of the night-time noise limit is protect against potential health effects related with sleep disturbance, and that the proposed night-time noise limit of 45 dB L_{Aeq} would not result in an unreasonable effect on the rural character.

Dr Trevathan observes that night time limits of either 40 or 45 dB L_{Aeq} are not uncommon with regard to the control of industrial noise received at the notional boundary of rural dwellings. In this case, for 243 Puddle Alley and 340 Dukes Road (the two key dwellings more than 350m from the Industrial

	Zone), a night time limit of 40 dB L _{Aeq} is reasonable, as that is what is required to accommodate the level of activity described in the MDA Report. A 40 dB L _{Aeq} limit is therefore preferable, compared to putting in place a higher 45 dB L _{Aeq} noise limit to provide headroom for undefined future operations which have not been specifically considered in the noise analysis.
Q5.2	Is it appropriate and reasonable from a noise effects perspective to not include a site boundary limit as required by the 2GP?
	<i>Matters of Agreement</i>
	We agree that the 2GP noise limit applying at the site boundary of the SLIP can impose a significant constraint on SLIP activities undertaken close to the boundary. We agree that the consent conditions could make it clear that the 2GP noise limit at the site boundary does not apply provided that the noise limits (in other conditions) adequately manage the noise effects at all other receivers and land not owned by the applicant in a clear and certain way.
	<i>Matters of Disagreement</i>
	None
Q5.3	Is the alternative of a noise control boundary, as suggested by Mr Winter, an appropriate and reasonable response to addressing noise effects on sensitive receivers, now and in the future?
	<i>Matters of Agreement</i>
	Upon further deliberation, it became evident that the 'noise control boundary' discussion was not primarily about the merits of a condition which expressed the noise limits in words versus a condition which contained a diagram. Mr Styles and Dr Trevathan consider that the foundational concern is about the possibility of the ownership or existence of dwellings, and therefore notional boundaries, changing in the future. Specifically, if the Consent Holder were to purchase one or more of the neighbours' sites where the dwelling notional boundaries are currently predicted to 'constrain' the operation (predicted noise levels are at or approaching the noise limits). Depending on how the noise limit condition was worded, this may allow the operator to make 'more noise' (albeit still at levels which comply with the stated noise limits at the notional any remaining relevant dwelling) at distant sites. Mr Styles and Dr Trevathan consider that the prospect of noise levels at or approaching the noise limits at distant sites via this mechanism has not been considered as part of the effects assessment to date. Those potential future scenarios may also make it unclear to the Council where the noise limits applied. If this issue is of concern to the panel, options include: 1. Inserting a figure in the noise limit condition with a perimeter at which the noise limits apply, regardless of changes in dwellings or neighbouring site ownership. This essentially locks in the

	currently modelling level of noise emissions. However, there would be some complexity (different figures required for day / night, and difficulty in locating 'on the ground' compliance assessment locations). 2. Instead of "any property owned by the Consent Holder", Condition 58 could name the two specific neighbouring properties currently owned by the Consent Holder 3. Instead of "at the notional boundary of noise sensitive receivers", Condition 58 could name the specific neighbouring properties which currently constrain noise emissions, or the location of other specific 'compliance points' (via coordinates).
	<i>Matters of Disagreement</i>
	Mr Shanks considers that assessing compliance at the notional boundary of a dwelling is the most practical way to protect noise sensitive land. This is the typical approach to setting assessment locations in a rural environment, and this is consistent with recommendations of NZS 6802:2008. He considers that, regardless of any properties that may or may not be purchased by the consent holder, any remaining dwellings would be protected by limits that ensure a reasonable noise level. He considers that the concerns around expanding noise footprint from the site assume that noise is the only constraint to a significant increase or change in activity on the SLIP site. Removing a sensitive receiver from near the site does not mean that overall noise emissions will increase as other controls, including other nearby dwellings will remain. Further to this, he considers that where adjacent landowners have a particular sensitivity to noise, purchasing land is a common and pragmatic approach. The options suggested by the other experts would remove this option. To provide certainty on assessment positions, a register could be maintained and updated (and made accessible to DCC) that clarifies which properties are owned by the consent holder and identifies assessment positions (i.e. the notional boundaries of privately owned dwellings). Mr Styles considers that a noise limit condition that applies at notional boundaries and excludes land (and notional boundaries) owned by the consent holder (including what they might acquire in the future) essentially comprises consent conditions that allow for growth in noise levels (and activity) over time, or a proportional reduction in scope or effectiveness of the NMP if the consent holder acquires more land. He considers that this has the potential to authorise different noise effects and potentially over a greater area of land than what has been proposed. For that reason, he considers that fixing the noise compliance positions in the conditions is important and will provide certainty to the Council and surrounding landowners into the future. Dr Trevathan considers that this is largely a non-acoustics issue, as any material increases in activity and noise from the site may presumably require variation to Conditions other than noise, and so it is unclear to what extent the noise limits will be solely responsible for 'holding the line' to prevent the activity being undertaken in a manner not in accordance with the Application. If it is determined that the noise limits are key in this regard, then option 2 or 3 above may be appropriate.
	<u>Issue 6 - Management plans, monitoring and verification</u> See Minute 9 paragraph [70] – [72].
Q6.1	Is the Applicants draft Noise Management Plan fit for purpose? Please address whether the qualification "where practicable" should be retained,

	and whether the requirement for broadband reversing alarms should extend to road trucks entering the Site.
	<i>Matters of Agreement</i>
	We agree that the proposed Noise Management Plan will be an important tool for managing noise. NMP's are used in many similar situations throughout the country, and are a proven method for reducing noise effects, and identifying ongoing opportunities for improvement. As outlined in Q2.2 above, in general terms we agree with the list of matters which the NMP is to address outlined in Condition 60, and agree that the general form of the draft NMP attached to the 8 June 2026 Memo of Mr Shanks is an appropriate starting point (although some aspects are now outdated). We note that the NMP is intended to be a living document that should also be updated as the site develops, and requires input and coordination with the operator. With regard to the phrase "where practicable" – we agree that this wording presents a potential issue where the practicability of a mitigation measure is difficult to determine when the NMP is drafted, and therefore it is unclear if any weight should be placed on the potential benefit of the mitigation measure. We agree that the approach of the NMP requiring mitigation measures to be implemented 'where practical' should only be used where it has already been determined that it will be generally feasible to implement the mitigation from a technical and operational perspective in this circumstance. That would mean that any subsequent instances of non-conformance will typically be unexpected, infrequent and not a regular feature. We have discussed the issue of broadband reversing alarms for road trucks in Q2.1 and Q4.1 above.
	<i>Matters of Disagreement</i>
	None
Q6.2	Should the monitoring trigger at condition 60(e) be aligned with the limits in condition 58, given that condition 58 sets 70 dB LAFmax at dwellings more than 350m from the Industrial Zone?
	<i>Matters of Agreement</i>
	We agree that the primary purpose of the active onsite noise monitoring mentioned in Condition 60(e) should be to detect instances of poor container handling practice, and trigger a management response. This approach will ensure that this issue is proactively managed and provide increased certainty that the LAFmax limits are achieved at receivers. As such, the LAFmax level nominated in 60(e) will serve as a trigger and should be set at a level that will detect 'potential poor container handling' before noise levels begin to approach the actual LAFmax noise limits at the compliance positions (at or within the notional boundary of a dwelling). A suitable trigger may be 65 dB LAFmax at the compliance positions (or an appropriately adjusted level at a monitoring position closer to the site), as based on our experience 'competent container handling' should be able to readily achieve 60 dB LAFmax or less at the compliance positions given the setbacks and screening in

	this situation. The actual location, process and system for noise monitoring will be determined via the NMP. We consider that it will be workable, but relatively complex to develop an on-site system which can be used to determine approximate expected L_{AFmax} levels at receiver locations, in (or near) real time.
	Matters of Disagreement
	None
Q6.3	Should a verification noise testing condition be imposed; if so, should testing occur before the commencement of operations at each Stage or within a period after commencement; and what should follow a test that does not demonstrate compliance?
	Matters of Agreement
	We agree that noise monitoring is appropriate and required, and that the timing and triggers for monitoring are important. We agree that there is a practical issue with the concept of monitoring “before the commencement of operations” because there is no activity to monitor. We agree that monitoring would be appropriate within a certain period of the commencement of operations of each stage. Monitoring may also be appropriate in various other circumstances, for example: - If there is a change to the layout / intensity of use of the site, other than as current anticipated by the Stage 1 – 3 plan. - Once the facility is operating at full capacity, and potentially annual monitoring. We consider that the annual monitoring requirement may be waived if the Consent Holder can satisfy the Council annually that the operation has not materially changed since the previous monitoring exercise. - In response to complaints if the complaint cannot be resolved in some other way. As noted above, acknowledge that these recommendations may require refinements and improvements when incorporated into the final condition set.
	Matters of Disagreement
	None
Additional Matter	Residential Development Potential for Sites Surrounding the Inland Port Under the 2GP
	Matters of Agreement

The Panel directed in paragraph 69 of Minute 9 that the DCC and the applicant's planner advise acoustic experts on the potential for replacement dwellings to occur at locations closer to proposed port operations than existing dwellings. This is to assist in determining the 'date stamp' issue raised in Mr Winters' review.

We have read the advice prepared by the DCC and applicant's planners. Table 1 of their advice is reproduced below.

Zone	Site	Complies with 2GP density	Permitted Replacement dwelling able to be located closer to the port	Permitted family flat/workers accommodation
Taieri Plains				
	231 Dukes Road North	No	No – relies on existing use rights	No
	273 Dukes Road North	No	Yes (provided land within overall site included)	Yes – One 60m ² unit (provided land within overall site included)
	340 Dukes Road North	No	No - relies on existing use rights	No
	347 Dukes Road North**	Yes/No	Yes, if LUC-2018-355/B is not implemented	Yes – One 60m ² unit if LUC-2018-355/B is not implemented
	176 Puddle Alley	No	No – relies on existing use rights	No
	243 Puddle Alley	No	No – reliant on a land use consent	No
	245 Puddle Alley*	No	No – reliant on a land use consent	No
Rural Residential 1				
	50 Rutherford Road	Yes	No – restricted by existing land use consents	No - existing family flat on the site
	55 Rutherford Road	Yes	Yes	Yes – One 60m ² unit
	54 Rutherford Road	Yes	Yes	Yes – One 60m ² unit

Notes -

* Owned by SLIP;

** Subject to an unimplemented Land use Consent (LUC-2018-355/B) to authorise a density contravention that if implemented would preclude further residential development.

	We understand from their advice that the development potential of surround land for new dwellings is limited and the most likely potential issue is a new family flat or workers accommodation units (Units) on four of the surrounding sites. We understand that these new Units could be established closer to the SLIP than the existing dwellings, but not so close that noncompliance with the proposed noise limits becomes a risk. Accordingly, we conclude that there is some development potential on sites surrounding the SLIP, but none that would be likely to create some future compliance risk for the SLIP.
	Matters of disagreement
	Mr Styles considers that the applicant's concern about encroachment of new dwellings (and therefore a risk of future noncompliance with noise conditions) is addressed by the conclusion that potential development is limited and will not create an issue. Proposed condition 58 does not contain the 'date stamp' words that originally caused concern for Mr Winter. Accordingly, if the date stamp remains absent from the noise conditions, Mr Styles considers that the issue is resolved. Mr Shanks considers that establishing new dwellings near the SLIP site would potentially result in reverse sensitivity effects and noise compliance issues that could restrict the operation of the SLIP. He considers that, while development of new dwellings on land closer to the SLIP is unlikely or not currently permitted, there is some risk of future consents or plan changes allowing dwellings closer to the site. He understands that the planning process for such a change should consider the potential reverse sensitivity effects on the SLIP. However, he considers that a date stamp option would provide greater protection against potential reverse sensitivity in the future i.e. the noise limits would apply at the notional boundary of dwellings that exist at the time of the consent being granted and are not owned by the consent holder.

Signed:

Witness	Signature	Date
Brendon Shanks		10/09/2026
Jon Styles		
Jeremy Trevathan		