

Teihana Road - Te Puna Pony club grounds Flooding images and further info as requested by Commissioner Campbell from Sarah Rice

Bad weather, wind in the wrong direction, King Tide = disaster back in 2018

Wairoa broke its banks and water came in fast. Water was up to chest height at our front gate within 45 minutes of the breach.

Existing flood gate was washed away and the grounds became tidal for 9 months until a new flood gate with two way fish flap was fitted and grounds restructured.

WBOPDC were a huge help. BOPRC were very unhelpful when they came out at my request.

WBOPDC sorted flood gate and dealt with resource consent and BOPRC on behalf of the club. They also helped with raising bits of land so that we had safe spaces to escape to in the event of a future similar situation.

We had some issues once new gate was in place with debris getting into the gate and a bund was fitted. Later we had issues with vandals propping the gate open so it couldnt work as it was designed to. TECT and WBOPDC helped the club by putting in security cameras. This solved the problem of the vandals and the gate has worked well since. It does however show how vulnerable these flood protection systems can be. Drains are kept clear and have heaps of eels and other life now.

I have titled photos clearly and am available to give further info if required

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Link to Video of John Carmichael at PC Grounds at High tide on 4th Feb 2018

[https://www.nzherald.co.nz/bay-of-plenty-times/news/red-tape-prevents-flooding-fix-for-te-puna-rose-grower/FUTXLN5HE55HVHHQB3IGSFINMA/?c\\_id=1503343&objectid=11987141&fbclid=IwZxh0bgNhZW0CMTEAAR3zvWZvp8ClxG2L9Kq-A1PA5Eze5C8lVxd0xBipVN9uHJbMQBPW0vBa9WU\\_aem\\_v2qlzU2WWJEhnYnpyPWL\\_A](https://www.nzherald.co.nz/bay-of-plenty-times/news/red-tape-prevents-flooding-fix-for-te-puna-rose-grower/FUTXLN5HE55HVHHQB3IGSFINMA/?c_id=1503343&objectid=11987141&fbclid=IwZxh0bgNhZW0CMTEAAR3zvWZvp8ClxG2L9Kq-A1PA5Eze5C8lVxd0xBipVN9uHJbMQBPW0vBa9WU_aem_v2qlzU2WWJEhnYnpyPWL_A)

Verbal submission - Speaking Notes - Sarah Rice. On behalf of Priority Te Puna, Te Puna Pony Club, Rice Family.

*IMAGE 1*

*Looking over Land*

<https://drive.google.com/file/d/1UK9YBFUclO6E1YJLIElibjhlcyevZuLF/view?usp=sharing>

This is a photo of the applicant's proposed site taken last year. I'll just let that sit there while I introduce myself.

Good afternoon

My name is Sarah Rice. I live in Lochhead Road, Te Puna. I'm the secretary of Priority Te Puna Incorporated Society and a past President for Te Puna Pony Club in Teihana Road. Today I am speaking on behalf of both of those organisations as well as for my family and myself.

My husband is on his way to the UK for a family wedding right now but I have chosen to be here instead. That's my first statement about how important this is to me and others in our community. Impacts are more than minor for our entire community. I am here while my family are in the UK.

I've been around in a lot of circles about what I should say today as there is so much evidence, so many holes, errors and assumptions in the documentation I have read.

I was overseas on holiday between the 22nd and 30th of June and was dismayed if not surprised to see all of the last minute evidence the applicant put in around the 26th June. I know its within the rules and we understand that this applicant will play to the very edge of the rules as they have demonstrated from the point their shenanigans upset the Overseas investment office right at the start of their vision to turn this land into a container facility.

Then again on Friday evening, after I thought I'd finished preparing my verbal submission yet another legal submission arrived in my inbox at 5.39pm. Then again minutes before the hearing began and throughout this process.

The amount of last minute and missing evidence does upset me and I think its appropriate to point out that when I and 273 others made our submissions in October, expecting to attend a hearing within 75 days, we never expected to be reading last minute evidence just a weekend ahead of us before the hearing.

This applicant has used every extension that they and both councils are allowed and there are still massive problems with the application. Holes like not presenting any spill plan in their huge amount of documentation. Holes like completely ignoring the issues that they have no answers for, one of those being the sharp corner on Station Road just before the JMC entrance.

Stretching of the rules for allowed activities. We disagree that the proposed use is appropriate under the 2005 environment court ruling.

Failing to mention the flawed process for the 2012 district plan review where the intention to lose subzones was not communicated in the Key changes documents that went out to the community for consultation.

Another point I read which made my jaw drop, was Point 8.3 of BOPRCs S42 Report where writer, Marcia Christian states that she is not intimately familiar with either the Structure Plan or the Environment Court Decision.

That 2005 decision is the founding document of this business park. How on earth can anyone make recommendations on this proposal when they are not intimately familiar with its founding document.

The community are. We have had to be. There has been a distinct lack of care from BOPRC and Ms Christians advice to approve despite there being many unresolved issues and outstanding questions is in the community's opinion, a reflection of Regional Councils long term, unengaged attitude to this site.

We submit that Regional Council dropped the ball here a very long time ago and now see this proposal as a way to get the applicant to clear up after them. This is despite their climate change modeling clearly telling us that this is not only a flood plain but will be completely under water within 100 years.

It is of course in the interest of BOPRC to have this project go ahead. They are major shareholders in the Port of Tauranga who need more space for their ever growing mountains of containers. So there is a huge lack of trust between our community and Regional Council.

We have a better relationship with Western Bay who have acknowledged past failings and now have a much better understanding of the area.

I have a couple of other immediate issues with BOPRCs s42 report. At Point 2.2 and 2.3 it states that the applicant proposes to develop the site in accordance with the structure plan. The structure plan is for the entire park and the 2005 Environment court ruling provides guidance for the entire park to be developed in accordance with an integrated structure plan. (See point 27 in ECR) This application only deals with and can only deal with, land owned by TPIL and so therefore by definition is not integrated, so not in accordance with the structure plan.

In my written submission to Western Bay I mention integrated plans 5 times. In my written submission to Regional Council I mention integrated plans 6 times. Its because thats what the community were guaranteed with the 2005 Environment Court Ruling.

Proposed piecemeal development is Not acceptable.

At point 2.11 Ms Christian notes that no affected party approval has been provided to BOPRC regarding the widening of the overland flow path across 245 TPSR. There are other 'working together' proposals such as removing the illegal untested fill from Daniels land and putting it on TPILs land, but even with all the extra time allowed and the very deep pockets of Containerco , no agreement has been made between the 3 owners. In fact, These 3 landowners have failed to come up with an integrated plan for the last 20 years. Until there is an integrated plan that answers ALL the questions about ALL the issues, ALL applications should be denied.

So, apart from all that, today, with a few asides, I've decided to come back to stating the obvious because I think we have become so bogged down in the detail of all the evidence, that we cannot see the wood for the trees.

In these days of modern technology, our community, were this to go ahead, will point fingers in 20 years, 50 years or even 100 years time, essentially when the site is under water and everyone is raising their hands to heaven to say 'How could this have happened?'

We will out those who recommended, fought for and approved this unsafe, unsustainable development to go ahead.

We will tell the insurance companies of the history of the site and who then will pay for the clean up? The ratepayers probably because with every corporate and council failure, at the end of just about every legal fight its the rate payer who is the last man standing. As the ratepayers of today, we say the risks of developing this low lying floodplain as is being proposed are unacceptable.

Look at this photo. (Image 1) This was taken from the road after Anniversary weekend last year. The water did not disappear for literally months. On which planet should we even be considering this piece of land for any type of industrial activity.

At the end of the road, (the road, which is lower than the surrounding land) is the mouth of the Wairoa River. All this water, eventually will end up there.

How can anyone be so arrogant as to think that there is a solution that will not end in disaster here?

Have we learned nothing from the devastating flooding and red sticker aftermath we saw across New Zealand last year?

To the people of Te Puna who have seen this site flood regularly for years and years it's obvious, as it should be to experts, that this piece of land should not be developed at all let alone as the applicant proposes.

My next obvious point to state is the way into the proposed park. Te Puna Station Road has now been closed at Pukewhanake Pa for over a year and is unlikely to be reopened.

The degradation of the Pa site in response to mans arrogance of choosing to cut through, to make a road, back in the day has finally come back to bite us.

A warning maybe, about what happens when you mold land against natures will.

Judge Smith did not foresee the Road closure occurring prior to any infrastructure being put in place.

What would the decision be if it were made today?

Its a messy situation so we need to move forward with a 2024 lens. The traffic plan for this park needs to be revised in response to the road closure. As yet it hasn't been. Thats OK say Team Containerco. We'll just use Te Puna Road.

### *Image 2*

*TPR Roundabout end at Harvest Festival*

[https://drive.google.com/file/d/1-4NNZsWKe-Tk1AnsF0OHIXw\\_C52i1zft/view?usp=sharing](https://drive.google.com/file/d/1-4NNZsWKe-Tk1AnsF0OHIXw_C52i1zft/view?usp=sharing)

This is the roundabout end of Te Puna Road on a Saturday Morning in May this year. Local families walking to a Harvest Fair being held at our Memorial Hall, Cars parked on both sides of the road while a rural community spent the day celebrating Harvest together.

### *Image 3 - Pumpkin competition*

[https://drive.google.com/file/d/10HenhJ8UmlY-wgO5pJvhLLqkvRQzcpyj/view?usp=drive\\_link](https://drive.google.com/file/d/10HenhJ8UmlY-wgO5pJvhLLqkvRQzcpyj/view?usp=drive_link)

This is how we live.

### *Image 4 - Parking on TPR*

<https://drive.google.com/file/d/1oQcQr8r11PoeYdvpZrGi1tW2FfuojHBJ/view?usp=sharing>

This is how Te Puna Road looks while we live how we live. This photo wasn't taken at the end of the parking either. People parked down Armstrong Road and up Armstrong Road and then further down Te Puna Road.

And just as an aside,

### *Image 5 - Parking Maramatanga Park*

<https://drive.google.com/file/d/1PZPVtPUznXlvtotp6g07-heckRCojobZ9/view?usp=sharing>

Here is a picture taken on the same day of the opposite end of Te Puna Road. To the right of this photo is Maramatanga Park, home to our very successful and well supported Rugby Club.

So with regular events being held at both ends of Te Puna Road, and our school in the middle, how can we even start to think about this as the accessway to a container terminal?

Where else in New Zealand do you see industrial parks being developed with their main access being via residential roads such as this one?

I note that when we wrote our submissions we made truck calculations based on the applicant bringing in 80,000m<sup>3</sup> of additional earth. The updated numbers are now sitting at 155,000m<sup>3</sup>. Thats 15,500 truckloads of earth. Presumably those trucks must also be leaving the site. So Within the days and hours allowed that will be 113 trucks per day or 13 trucks an hour or one every 4 and a half minutes.

Thats a major impact on our local road. To make it personal for you. A child walking between the corner of Te Puna and Armstrong Roads, to Te Puna school would be passed by 7 or 8 of these earth moving vehicles on their short journey.

And then the same to get home. If the child also has to cross the road to get to their home then I think parents would see that as an unacceptable risk.

This is not minor or less than minor.

*Image 6 Te Puna roundabout to Armstrong Road*

<https://drive.google.com/file/d/1CNS028O04WFz5k5DhWTZf4VXeGQpNUgj/view?usp=sharing>

The roundabout end of Te Puna Road up to Armstrong Road has and continues to be developed. There is the development locals refer to as Nourish because thats the name of the popular cafe there. There are approximately 120 car parking spaces there and its a well used development as alongside Nourish, there is a child care facility, boutique shopping, a doctor, a dentist, chemist, there's a physio, a chiropractor and a hairdresser.

The car park is frequently full. Im not sure what the turn around of vehicles is and I haven't seen any evidence presented about the safety of that junction if dealing with increasing heavy traffic. Neither have I seen any interest taken in how safe it will be to turn into or out of the BP / 4 Square / Memorial Hall entrance.

*Image 7 Container truck in BP*

<https://drive.google.com/file/d/1AtNySwHTqJBdTCyH1C5-9xdYbbnHCgac/view?usp=sharing>

Its always a shock when we see one of these huge vehicles on our local roads. This truck was photographed on the slip road of the BP. Theres not a lot of room when people get off the roundabout before the slip road to the BP. A huge truck like this, turning right to get back out to the roundabout is a major hazard. The exit to the BP is pretty much directly opposite the

entrance to the Nourish car park. Actually, its just offset enough that you can fail to see it if you're not 100% focussed.

*Image 8 - Back to the roundabout map*

Between the Nourish Development and Armstrong Road is DMS, our local packhouse. Te Puna's hub is here, around the roundabout.

Farmlands, the deli, the White House restaurant, the takeaways, vets and bottle shops are situated on the opposite side of the roundabout.

Diagonally across from Farmlands is the BP, 4 square, Te Puna Motors and the memorial Hall. Behind Te Puna Hall is a space that has recently been zoned as commercial so we expect to see further commercial development that will serve the community in this appropriately zoned space.

Where are the studies that investigate the risk for the new commercial zone at Te Puna Springs? We can't just say, Lets use Te Puna Road, without understanding the implications of that.

The community use this area of Te Puna well. We support the businesses and they are part of our thriving rural community. We are looking forward to the TNL being completed, at which point this part of SH2 becomes a local road with less through traffic that is safe for pedestrians to cross. Unless of course we end up seeing thousands of Container Trucks thundering through our hub every day.

*Image 9 Armstrong to Station Road*

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Beyond Armstrong Road you are straight into our lifestyle block space. Rural residential, home businesses, orchards, nurseries.

You can see from above the amount of kiwifruit and other orchards. None of these people feel that a container washing facility in their local area is appropriate. Concerns around contamination are high. If the containers need to be washed then presumably it's because they are not clean already. The threat of fungal, bacterial or other bio hazards is real and we don't want that in the heart of our prize export orchards. There has been plenty of confusion about the plans for the water here, Is there a fox valve, will the water all be removed from site or will it just be the solids. Who is going to monitor it once its up and running.

Its not an appropriate activity for this business park. Take it to Rangiuuru, the purpose built business park with great infrastructure.

Although maybe they are not welcome there either? I did hear a rumour from a former Mayoral candidate that the people of Te Puke had said a big fat No to a container washing facility there due to the parks proximity to local kiwifruit orchards. Well look at the photo above and tell me why Te Puna is any different.

There are 37 private entrance ways to homes and orchards on Te Puna Road (a local road by definition,) between Armstrong Road and Te Puna Station Road. Many of those entranceways are shared driveways that lead to up to sometimes 6 or 7 houses. Children cross the road to walk or cycle to school along the pavement, residents cycle along the road or pavement to join up with the Omokoroa Tauranga cycleway.

*Image 10 Horse Riders - Around the Block*

[https://drive.google.com/file/d/1c7ognXfLF8-2JSCVwLnNnOxRHx\\_GzCsT/view?usp=sharing](https://drive.google.com/file/d/1c7ognXfLF8-2JSCVwLnNnOxRHx_GzCsT/view?usp=sharing)

There are plenty of people who ride their horses along there too. A ride around the block, the block being Armstrong, Snodgrass, Borell and Te Puna Road is well used. This photo was taken on Friday by a community member on Snodgrass Road. These girls were on a 'Round the block' ride.

*Image 11 - Roadside produce stands*

<https://drive.google.com/file/d/1SKMmWCJM2rA1hmcl0oebBK6YOjy3JuCd/view?usp=sharing>

Horticultural vehicles buzz in and out of orchards, going pretty slowly along the road and we are used to that. People stop on the side of the road to buy produce from stands where honesty boxes are set up. Tractors, school busses are all part of the traffic environment that we expect.

*Image 12 - Loose stock*

<https://drive.google.com/file/d/1XTr34f7hCYIqNDQFAIbRyBX8kj5IKH6w/view?usp=sharing>

Western Bay will have records of complaints about loose animals on this road too. Although to be honest, the community deals with most of them ourselves. I have personally had horses, dogs, goats, a cow, a sheep and a pig turn up at my property.

Local horses, pigs, dogs are frequently out on the road. These are rural roads. Stock gets out. Its a fact. There is a Stallion who lives up Oikimoke Road who frequently jumps out and causes trouble. His photo goes up on facebook with a message saying 'he's in Borell Road' or Armstrong road or 'marching up the middle of Te Puna Road' and eventually his owner comes out to find him then rides him home bareback in a halter. Its not ideal but its real Te Puna.

*Image 13 crashed car*

<https://drive.google.com/file/d/1UCWZfFPtWdEaPNSI3ZL1g3mYOIKvLzdC/view?usp=sharing>



Traffic along Te Puna Road is pretty bad at the moment and there are a lot of accidents. Te Puna Road residents recently experienced two days without power when an out of control vehicle took out a power pole.

TPILs traffic expert quotes the traffic numbers but fails to understand the significance of them to the local population.

Increased traffic noise and being in peril everytime you prepare to turn into or out of your home driveway has a huge impact on our lives.

We have all been hanging on, waiting for the TNL to open which will relieve the morning commuter traffic that cuts through, down Snodgrass and along Borell Road to avoid congestion on SH2.

With regard to infrastructure planning requirements under the structure plan, originally back in 2005, the idea was that much of the industrial park traffic would have been routed directly from SH2 into Station Road.

This would have made a huge difference to our roading concerns and had less impact on the residents of Te Puna Road. Now Station Road is closed, Te Puna Road is expected to take 100% of the business park traffic.

I repeat, Traffic routes and numbers for this park need revising in consideration of TPSR Closure and with a 2024 lens on what options remain available. For Te Puna Road to take ALL of the business park traffic, is unreasonable. It will be a huge (not minor) impingement upon the lifestyles of these residents.

Snodgrass and Borell Roads are equally unsuitable as the driveways and orchard entrances that you see along Te Puna Road are reflected along Snodgrass and Borell Roads.

Imagine you live along the eastern side of Te Puna Road. You now have massively increased heavy traffic noise coming from the road in front of you. Every 4 and a half minutes, A rumbling truck. And thats before the container facility is even established. You can also hear and see the industrial park activities behind your property. Your rural idyll is now an island surrounded by noise and danger.

Allowing this proposal to commence will cause long term mental stress to residents living in constant awareness of it. While Container co's traffic numbers are limited until the TNL opens, once it opens, and I cannot emphasise this enough, because this is when its all going to go to custard ... all restrictions are removed and if they wish, they can bring in as many trucks per day

as they like. This will fundamentally change the character of our environment and should not be considered minor or less than minor. Where are the plans for traffic numbers moving forward.

*Image 14 TPR TPRS Junction*

<https://drive.google.com/file/d/1OCUAWyZc-pmXCTrGv5CpNB-Bg3ByGA5G/view?usp=sharing>

The proposal to upgrade the right turn bay at the junction of Te Puna and Station road allows for 1 truck to turn right.

So what happens when there are 3 trucks turning right. After all there will be 13 trucks an hour just to get the earth in. If its the first dry day after a series of wet days, there may well be double that. How can a proposal that took so long to develop, fail to plan for the obvious high points and expansion of operations.

When trucks are coming one after an other who is going to control the rate at which they get to this intersection.

As to the lack of agreement around who will pay for the junction with TPIL wanting to claw back their financial contributions from the other developers, ... This is a classic example of the long term lack of ability for these 3 owners to come together and agree anything.

*Image 15 Corner TPSR*

<https://drive.google.com/file/d/1qEYOJxHnT0PMG1FuaLZzUe1-hQZhge19/view?usp=sharing>

Its not all about the intersection either. What about the ridiculously tight corner on TPSR that follows the junction? There is no way a large earth carrying truck or container carrying truck can negotiate this corner without crossing the white line.

A couple of years ago the entire left hand lane of the road just collapsed. It was coned and single laned for a few months while wbopdc worked out how to repair it. Its not a particularly stable road

*Image 16 TPSR corner from the other side*

<https://drive.google.com/file/d/12Hw3I2pwLDrwoUDIEzDTFWa-ZrroCkyv/view?usp=sharing>

Heres that corner from the other side

Note the entranceway on the right hand side. This is the existing entranceway to JMC. With regard to site access, both JMC and Grant Overton have made the obvious objections in that the TPIL proposed entrance will majorly impact their own entranceways.

I do note that although this corner was raised as a concern in many of our written submissions, TPIL have not presented any new evidence or solutions regarding it. Things that cannot be fixed cannot just be ignored. This corner is well known as an accident blackspot already. What happens when a vehicle meets a truck full of earth that is too big to stay on its side of the road. Its a likely occurrence if 31000 earth moving trucks go in and out of that corner.

Mr Harrison, when asked on Tuesday said in his opinion, if this road were not widened then that would be acceptable. Wrong. The road is unsuitable in its entirety for the operations proposed.

With regard to having less earth coming in by taking the illegal fill from the Tinex site .... We have no idea if that earth is contaminated or if that will be possible so the idea of moving earth locally should be disregarded by the decision makers. Its just the bones of an idea that has no meat on it at present. The applicant has had the maximum amount of extensions and has still not managed to lock down the detail required. Its time to give the community some certainty around this site that has been in limbo without any reasonable solutions for 20 years.

The applicant has had enough time to confirm if this idea is a goer or not but hasn't done so. No consent should be granted.

At point 6.10 in his statement of evidence, Bruce Harrison notes that WBOPDC advised they intend to widen Te Puna Station Road to 8.5m, still less than the 10 required for the existing traffic volumes.

Lets for a moment assume that this application fails and Containerco see sense and set up their operation in the purpose built Rangiuuru business park instead of here in Te Puna.

Once the TNL opens, its very possible that local traffic numbers will fall enough that WBOPDC need not widen the road at all. It would be foolish of the council, who are struggling along with all other councils to manage the ever increasing costs, to widen a road that may not need widening due to reduced demand in a couple of years.

I didn't see 'widening Te Puna Station Road' written anywhere in the recent long term plan draft for which a consultation process has recently occurred either so at the moment, widening TPSR is just a pipe dream that Western Bay can't afford and the community aren't asking for.

But again I pull myself out of the detail and back to the big picture.

*Image 17 Nevs truck*

<https://drive.google.com/file/d/19O5WWIQdKBtv4wTZtlvmib7MDAVPy-CI/view?usp=sharing>

Making this road wider and adding a right hand turn bay is really not going to make any difference to how navigable it is when its under water. Unless the entire road is raised along with all the land that is proposed to be raised, then Container co may well only be able to access their site via boat.

As I mentioned at the beginning, I'm a past president of Te Puna Pony Club, based in Teihana Road. In January 2018 we suffered a devastating flood. Water levels were above our front

gate. We managed to get horses out, just, by using station road which was closed shortly after we made our escape.

*Image 18 Te Puna PC Grounds 2018*

[https://drive.google.com/file/d/1sW5qRGrV561Xa8YUNa5z178mH1bn\\_PLb/view?usp=sharing](https://drive.google.com/file/d/1sW5qRGrV561Xa8YUNa5z178mH1bn_PLb/view?usp=sharing)

These are some images of our land taken after we got horses out to safety.

The treeline on the right follows the line of the cycleway that is so popular today. The fenceline that you can see the top of in the middle of the picture runs along a drain that's a good 6 foot wide and 6 foot deep. You can see how the water is right up to the top of the fenceline. So directly on the left of that fence, taking the drain into consideration, that water is 9 to 10 feet deep. You can see my float, well half of it, parked on slightly higher ground. The water is half way up it in this photo. It took us 7 days until flood water subsided enough to get a tractor in to pull that out. It was of course a complete insurance write off having stood in brackish water for that amount of time.

*Image 19 Grounds cont*

<https://drive.google.com/file/d/1JGui4yXeJ5kkhFwR9iqFMqZ7ygJjnL9s/view?usp=sharing>

Here you see more of our paddocks This photo was taken from Teihana Road

*Image 20 Grounds Cont*

[https://drive.google.com/file/d/1LZm\\_msblwyvkW\\_o9LAESO7IRlipqqo6R/view?usp=sharing](https://drive.google.com/file/d/1LZm_msblwyvkW_o9LAESO7IRlipqqo6R/view?usp=sharing)

And here is Teihana Road. The flood waters had subsided from their worst at this point but you can see our gate posts. The water was up to just under to top rail of our front gate at this point.

This water did not subside fully for months. The damage was enormous. There wasn't even a fence that survived intact.

So, when we talk about 50 year floods and 100 year floods you have to believe me when I say as a local person who has been affected by 2 of these major floods in the last 5 years. You can do all the modeling you want but this area floods. It floods all the time. Raise the ground and you can create an island but unless you raise the roads you are not going to have any way of getting to that island. There is no proposal to raise the road.

In response to Mr Taylors Geotech report. He mentioned yesterday that the Teihana development had a pre load requirement of 2 metres. Now I was active down at Te Puna PC when this pre loading was going on and I remember seeing the preloading going up to way higher than 2m. And I remember talking to Bryce Donne, the developer of Teihana and a good neighbour to the Pony Club about it, and he told me that BOPRC had come out and done some testing and that he now had to pre load to a level of 5m not the original 2 that had been agreed.

He wasn't very happy about it but once the flood happened, he acknowledged that there was good reason to do so. Last night, I found a photo of this preloading occurring at this height

### Image 21 Preloading

<https://drive.google.com/file/d/1ryptSh8eMo2X2Kj6eBD39TqyGRfJyuhE/view?usp=sharing>

You can see this is clearly being preloaded to way above 2m. It also had to be compacted for well over the 6 to 12 months that the applicant is suggesting is required. Anyway. If Teihana went from 2m to 5m prefill requirement, as its geologically similar to the applicants site as Mr Taylor asserted, then that could mean even more fill needing to be transported to the TPIL site.

Id like to quote Steven Joynes report on the projected coastal inundation in 2130.

"If this inundation does occur, the whole industrial area becomes a swamp with water at least 0.5m for all recently consented and unconsented industrial zone land. It is my opinion that if sea level rise in the next century is 1m or more then very valuable industrial land will be swamped, the railway line moved and the road impassable. This is beyond the scope of the applicant."

My point here is that although it appears beyond the scope of the applicant to think 100 years ahead, it is not beyond the scope of the council or the commissioners. In fact its your responsibility to consider long term implications. Stop this ridiculous proposal right now. Before the damage is irreversible.

OK Id like to raise something that my daughter, Annabelle wrote in her submission about potential noise pollution.

### Image 22 Doves

" I love living here because I enjoy the peace and quiet that Te Puna offers. I enjoy painting and creating art in my shed in the garden. I sometimes hear the train, I sometimes hear lawnmowers, occasionally chainsaws and other rural noises. I mostly hear the birds. We have heaps of native birds living on our property including lots of tuis and moreporks. I wake up to birdsong each morning and go to sleep to the sound of moreporks. There are over 80 doves that have made our almond trees their home. I hear them cooing. Its peaceful and conducive to creating art. "

Picture that. Now picture this.

- 100 refrigerated containers (turned on) at 61DB each, left on overnight.
- Trucks idling at 58DB each.
- Trucks loading and unloading at 70DB each.
- Forklifts idling at 68 DB each and operating at 78DB each.
- Containers being stacked at 75 DB.
- Jet Washing at 80DB.
- Cutting and Grinding at 85 DB.

Please note the limits on this park are just 45DB at night time and 55DB during the daytime.

Dr Harris said yesterday that the site may have 150 to 200 refrigerated containers on site, some full. These containers turn on and off as the thermostat allows. The proposal limits the number that are turned on to 100. So if there are 150 with produce inside then how do they monitor controlling the noise to their prescribed limit. If they go over their limit, do they have a plan to sacrifice produce? Who will monitor this. Yesterday, Dr Harris had to be reminded by her legal counsel that they were limited to 100 at a time. If they cant keep up with the detail now then How on earth will they keep track of their requirements when they are up and running.

Do these refrigerated containers all get turned off on Sundays?

There is no way that even 15500 trucks full of earth will create enough protection to keep this operation under its noise limits.

Another Container co operation in Hawkes Bay is to the relief of the residents moving to a more appropriate site. The Hawkes Bay Today reported on the move on 7th April 2024 about the relief of Sandra and Robert Codd.

### *Image 23 Hawkes Bay Today Snippet*

I'll read that to you.

Sandra and Robert Codd never complained about the Ahuriri depot they overlook, but said they are very relieved noisy operations will move away. "You get banging if they are fixing anything and sometimes we cant sit on our deck, because it just gets to us," she said. Mr Harris said that the Ahuriri site would continue to be operated until the new depot was operational and would be retained by ContainerCo, possibly as a secure storage facility for the public. The company has consulted with a group of residents since the depot's noise became an issue several years ago.

Several years ago. So if this site gets up and running and we complain because there is more noise than is reasonable, we get to talk to Mr Harris and his team for years and years and years.

Just more talking until we all just give up. Talking to someone who listens but does not hear.

A Te Puna community member reported to Priority Te Puna that she spoke to the Codds last Saturday.

The Codds shared, that the entire community had been complaining about the truck noise, shaking of the ground and clanging of containers. It was apparently constant. Living on a hill, with the containerco site below them, the noise from truck movements was a permanent issue. When noise was tested, wind interfered with noise monitoring equipment and accuracy of readings was hard to establish. The community tried to get the local MP and local council to do something but nobody seemed able to help.

The Codds story resonates with us in Te Puna where Containerco want to develop at the base of a bowl that will reflect noise to all and sundry.

We don't want to talk to Mr Harris anymore. We don't want the benefits he believes his container facility will bring to Te Puna. He said on Tuesday that his heart and soul lives in Tauranga. But he doesn't. He lives in a delightful rural spot north of Wellington where there are no containers. We, who do live here, don't want the noise, the traffic, the flooding, the inevitable clean up that this facility will bring. Take it to Rangiuru, the purpose built site, where Containerco belongs.

Please then note that these plans are just the beginning.

It's clear as day to the community that this application is just the first step down the road to a much bigger operation.

Mr Harris himself, in an email to a member of our community, wrote, back in 2022 that the supply chain business he plans for TPSR will employ perhaps 40 people and the site can accommodate around 1500 containers. On Tuesday he suggested the Admin team of 15 may be based at Te Puna.

The numbers are just all over the place.

This is all very different to the 300 containers and 5 employees he is currently asking for. It demonstrates that plans for this site are at least 5 times greater than what is being considered under this application.

That makes sense. There is no smart businessman that would spend the amount he plans to spend on filling and roading if the endgame is just what is being asked for now.

In his statement of evidence, at point 4.3 Mr Harris muddles the facts about allowed activities stating that as Mr Murphy explains, yard based light industrial activity are allowed. We have submitted the environment court ruling as part of our evidence as it appears both regional council and the applicant are not terribly familiar with it. Although it mentions yards as in sections of land, it does not mention 'yard based activities' once. A misunderstanding of the term yards perhaps? A convenient one for sure.

A list of permitted activities describes a very different park to the one that is being proposed. For clarity, please refer to points (102) to (108) of the 2005 Environment Court judgement which can be found on page 25 of said ruling. In addition from page 41 through to 43 where amongst other things it talks about how building colour must be of natural / recessive shades that assist the development integrating visually with the neighbouring rural environment.

A Shipping container can be considered to be a building under section 8 of the Building Act 2004. Does this mean that every container stored here will be painted a recessive colour before it arrives? Or is the intention to paint them on site? Oh and please note that all these containers are going to be stacked 3 high on ground that has been raised from its existing level, So they will be even more offensive to the local population who have fought so hard to keep them out.

### *Image 24 Homepage*

Heres containerco's homepage. Not very recessive colours hey. Not really in sympathy with our rural environment. The proposed walkways and cycleways through this container park ... Assuming, and lets face it, its pretty unlikely that anyone chooses to walk or cycle through such an area, where would they park, its surely not going to be safe to walk or cycle along TPSR when there are big trucks coming in and out. We understand that access to the site will be controlled by TPIL. Should we book?

Reading the 2005 Judgement will give you a clear idea about what we were promised vs what is being proposed.

We have pointed out in our submissions that the proposed operation is not compatible with our rural environment so Mr Harris in his statement of evidence at point 4.6 suggests the services Containerco are intending to provide from the site are benign and

at 5.1 to 5.3 that the site is intended to directly support the regions primary production exporter. Specifically kiwifruit.

Our local packhouses have been contacted by community members and we've established they have an existing, suitable, supply chain of containers, storage and refrigeration. They don't want or need Container co to set up in te puna any more than the residents do.

At point 6.1 to 6.7 Mr Harris talks about the need to upgrade the TPR TPSR junction and that they are committing a large amount of money to it.



The junction is only required to support the traffic going to the business park so is a benefit to them only, not the community.

The community disagree that Container co coming to Te Puna has any benefits at all. When TPIL first purchased the land here, 1759 people signed a petition to demand all resource consents be publicly notified. Thats Huge.

The submission process was too arduous for many people but Im so proud to be a part of this community where people who had never engaged with council before, worked their way through this process in order to have their say.

The message we want to send loudly and clearly to Mr Harris, Container Co and TPIL is that we don't want or need your facility.

Your business is not appropriate to this space or to our rural community.

Take it to Rangiuru.

It's crazy that when there is such an appropriate well developed space that's been purposely set up for needs such as container cos, with infrastructure that takes you along appropriate roads straight to the port, that you insist on coming to Te Puna instead.

To the Commissioners,

There have been so many unanswered questions that the applicants have been presented with and they are being allowed to provide answers as part of their reply. Well their reply will come in after this hearing has concluded and the community get no right of reply to that. Is it fair that we keep raising issues that TPIL have had extended time to answer and still they get more time to address their incomplete evidence. When does this end for the community? Can we, the community reserve the right to address the new evidence TPIL are being given yet more extra time to present.

Please support our community in bringing this nonsense to a sensible end.

Regional Council wring their hands and keep telling us how complicated it is.

I understand that legally it is complicated and the long history of non development, illegal development, road changes, flood risk changes its certainly very messy.

But when you step back and look at the big picture. Its really very straightforward. Under a 2024 lens there is no solution, either for flooding or roading, that will make this proposal viable.

The amount of water management options presented, non of which provide a silver bullet answer, prove that even the applicant knows that.

There are no conditions that you can put in place that will prevent this site being under water within 100 years.

There are no conditions you can put in place that allow the traffic to go down a road that has been closed.

There are no conditions that you can put in place that take the traffic away from Te Puna Road.

There are no conditions that will make this application acceptable to the community.