



ECM Project: DPRPh5-03
ECM # .....
Submission # 986
Customer # .....
Property # .....

09 October 2018

Waikato District Council  
Private Bag 544  
Ngaruawahia  
3742

**By email: [districtplan@waide.govt.nz](mailto:districtplan@waide.govt.nz)**

## SUBMISSION ON PROPOSED WAIKATO DISTRICT PLAN

### NAME OF SUBMITTER:

KiwiRail Holdings Limited (KiwiRail)

### ADDRESS FOR SERVICE:

Level 1  
Wellington Railway Station  
Bunny Street  
PO Box 593  
**WELLINGTON 6140**

Attention: Pam Butler

Ph: 04 498 2127

Email: [Pam.butler@kiwirail.co.nz](mailto:Pam.butler@kiwirail.co.nz)

### **KiwiRail Submissions on Proposed Waikato District Plan**

KiwiRail could not gain an advantage in trade competition through this submission.

### **Background**

KiwiRail Holdings Limited (KiwiRail) is the State-Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail is also the Requiring Authority for land designated "Railway Purposes" (or similar) in District Plans throughout New Zealand.

The North Island Main Trunk Line (NIMT) and the East Coast Main Trunk (ECMT) pass through the Waikato District. The Hautapu and Rotowaro Branch Lines also run within the District. The railway network plays a critical role in supporting the social and economic well-being of the District and the Waikato region. KiwiRail's submissions on the Proposed Waikato District Plan (Plan) therefore seek to protect its ability to operate, maintain and upgrade these lines well into the future.

To achieve this, KiwiRail encourages land uses near the railway corridor that do not compromise the short or long-term ability to operate a safe and efficient rail network, both day and night. Where noise sensitive activities are proposed on land near railway corridors, appropriate controls should be added in the Plan to ensure their long-term amenity, including at the subdivision stage.

Safety is a key concern for KiwiRail. Ensuring level crossing sightlines are kept clear and that access and activity setbacks are provided is increasingly important as development intensifies. To date, safety has been less of an issue in rural areas, where larger lot sizes have meant that there has been greater flexibility and buildings could be located a good distance away from the rail corridor. The width of the rail corridor has also generally been sufficient to incorporate railway infrastructure at some distance from boundaries with private properties. As the District grows, the tolerance for effects arising from living near an operational rail line will tend to reduce and level crossing use will increase. This means that protecting those people who choose to live near or travel across a rail line is now a greater priority for KiwiRail.

In addition to population growth, greater operational use is planned. Sustainable rail transport must be enabled to service new population and economic growth in and through the District. KiwiRail seeks enabling Plan provisions which will allow its infrastructure to be installed, maintained, upgraded and replaced to support local and national social and economic growth.

#### **Format of submission**

KiwiRail's submission on the Plan is set out in the attached table. The comments largely follow the structure of the Plan but there are some areas where comments are grouped into topic or issue areas. In terms of relief sought, insertions are marked in **bold** and underlined, while any recommended deletions of text are shown in *italics* and ~~struck-out~~. All requested changes include any consequential changes to the Plan to link and/or accommodate the requested change in the stated, or alternate location.

I am happy to clarify any of KiwiRail's submissions and / or supporting comments, if necessary.

KiwiRail wishes to be heard in support of this submission.

If other parties make similar submissions, KiwiRail would consider presenting a joint case with those parties at the hearing.

Kind regards



Pam Butler  
**Senior RMA Advisor**  
KiwiRail

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
<b>Introduction</b>				
1	Strategic directions 1.5.4 Urban growth Clauses: (a) (b)	Support	The rail network (like other land transport networks) traverses through multiple districts. It is critical to the ongoing operation and effectiveness of the rail network that it is coordinated across different districts (a).  Uncoordinated or ad hoc urban growth can have significant adverse effects on, and undermine, the efficient provision and use of infrastructure (b), particularly in terms of reverse sensitivity.	<b>Retain</b> as notified
2	Strategic directions 1.5.5 Services and Infrastructure clauses; (a) (b) (c) (d) (e) and (g)	Support	Like other long linear networks, the rail network is unable to easily be relocated. Therefore, KiwiRail submits that mitigation of the effects of new or altered development in the surrounding area and managing reverse sensitivity effects (a) is fundamental to ensuring that the rail network can operate and be maintained efficiently, as well as ensuring that the residents and communities of the region are provided with an appropriate quality of life.  Land transport networks need to be integrated and coordinated (b) and (e) and protected from the adverse effects of other activities (c). Consistent Plan wide provisions which enable the effective and efficient operation of infrastructure and protect it from incompatible activities being established in close proximity is important for KiwiRail in continuing to provide rail services within the District (d).  In addition, the rail network is infrastructure that has the potential to adversely impact on the social and economic wellbeing, as well as the health and safety, of the community if not able to operate efficiently, effectively and safely. KiwiRail therefore support Council in working to ensure that the infrastructure is protected and can operate appropriately (g).	<b>Retain</b> as notified
3	Strategic directions 1.5.6 Transport and Logistics clauses; (a) (d)	Support	KiwiRail supports recognition of the importance of land transport networks to the District (a) and the rail network (d) as significant infrastructure networks and seeks that recognition is provided for the social, economic, environmental, and health and safety benefits to the community that arise from those networks.	<b>Retain</b> as notified
4	Strategic directions 1.12.8 Strategic objectives	Seek Amendment	There is a need to plan for and protect regionally significant infrastructure from the adverse effects of inappropriate urban development. The two elements should be integrated, supportive and beneficial. Urban development should not only be sited so as to utilise existing or planned infrastructure most effectively, it must also be located where it minimizes impacts on infrastructure (such as regional land transport networks) to allow them to operate effectively. The concept of integration of both infrastructure and development is a critical Plan theme which should be referenced here by changing the policy so that it promotes integration.  Paragraph 1.12.8 refers to "paragraphs 4.1.1-4.1.7", which appears to be an error and should presumably refer to 1.12.1-1.12.7.	<b>Amend</b> 1.12.8 Strategic objectives as follows:  <i>"The matters set out in paragraphs 4.1.1—4.1.7 <b>1.12.1 – 1.12.7</b> provide the overarching directions for the development of the objectives, policies and other provisions within the district plan. (b) In summary, the overarching directions include the following: (i) Urban development takes place within areas identified for the purpose in a manner which utilises <b>and integrates</b> land and infrastructure most efficiently</i>
<b>Natural Environment</b>				
5	3.2 Significant Natural Areas 3.2.3 Policy	Support	KiwiRail supports the management of Significant Natural Areas (SNAs) and the recognition that where development is necessary these effects on SNA values can be managed by a suite of options including avoiding, remedying, mitigating and offsetting. The rail network is not able to be easily relocated and given the function it provides for the region and the country, the rail network may cross or run parallel SNAs. Given KiwiRail's operational need to maintain existing corridor, it is important that it is able to utilise the measures identified in the Policy to address any adverse environmental effects.	<b>Retain</b> as notified
6	3.2 Significant Natural Areas	Support and seek	KiwiRail supports the management of SNAs and the recognition that where development is necessary SNA values are protected by avoiding,	<b>Amend</b> 3.2.3 (b) (ii) Policy Biodiversity off setting so that it reads:

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
	3.2.4 Policy– Biodiversity Offsetting (b)	amendment	remedying, mitigating and offsetting any effects. KiwiRail has a narrow, linear corridor which cannot easily be relocated nor can the effects of works to maintain it be completely avoided be times. The ability to off-set is important for linear infrastructure providers, such as KiwiRail, where functional and locational constraints apply. Offsetting and its application to projects are part of the RMA framework, and the term is not exclusive to biodiversity values e.g. this could include a financial offset. In some cases, it may not be possible to achieve a 100% 'no net loss' and the policy should be broadened to accommodate acceptable proposals. It is noted that the imperative is inconsistent with Policy 11.1 of the Regional Policy Statement.	<i>the biodiversity offset can achieve <u>an equivalent level of no net loss of indigenous biodiversity</u>:</i>
7	3.2 Significant Natural Areas 3.2.6 Policy - Providing for vegetation clearance	Seek Amendment	Reasonable works required to keep tracks and equipment functioning and clear of vegetation should be permitted in SNAs to ensure existing infrastructure is able to be maintained in an operational condition.	<b>Amend</b> 3.2.6 Policy - Providing for vegetation clearance as follows:  (a)Provide for the clearance of indigenous vegetation in Significant Natural Areas when:  <b><u>(v) operating, maintaining or upgrading existing infrastructure</u></b>
8	3.2 Significant Natural Areas 3.2.8 Policy – Incentivise subdivision	Seek amendment	The policy can be read as though widespread subdivision in the Rural zone is encouraged rather than the object, which is to incentivise the legal protection of SNAs where rural subdivision is otherwise appropriate. KiwiRail would be concerned if the policy promoted subdivision which could have adverse effects on land transport infrastructure by being encouraged where it otherwise does not meet the Rural subdivision rules. As notified, the policy could be read as supporting ad-hoc rural subdivision and not as it is intended to be, which is to incentivise sustainable subdivision in and around SNAs.	<b>Amend</b> 3.2.8 Policy – Incentivise subdivision <b><u>that Protects Significant Natural Areas</u></b> as follows:  (a) Incentivise <b><u>appropriate</u></b> subdivision in the Rural zone when there is the <b><u>which provides for the</u></b> legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a functioning ecosystem.
9	Outstanding Natural Features and Landscapes  3.3.2 Policy Recognising values and qualities	Seek amendment	As a continuous linear network KiwiRail's railway corridor is located within some ONL areas. The policy should include recognition that the location of significant land infrastructure in these areas is an attribute similar to the farming and recreational activities also noted.	<b>Amend</b> 3.3.2 Policy Recognizes values and qualities by adding new item (vii):  (b)Recognise the attributes of the Waikato River delta and wetlands, Whangamarino Wetland and Lake Whangape identified as Outstanding Natural Features, including:  <b><u>(vii) existing infrastructure, including land transport networks.</u></b>
10	Natural Character  3.5.4 Policy - Protecting the natural character of wetlands, and lakes and rivers and their margins	Seek amendment	This clause is unreasonably restrictive for linear land transport networks like KiwiRail. KiwiRail supports Council in requiring activities to be setback from rivers, lakes and the coastal marine area, however this policy as worded gives no recognition to existing encroachments or where activities have a functional and operational need to be located in these areas. The rail network is not able to be easily relocated and frequently crosses watercourses.	<b>Amend</b> 3.5.4 Policy as follows;  (iv)requiring appropriate setbacks of <b><u>new</u></b> activities from wetlands, lakes and rivers.
<b>Urban Environment</b>				
11	Chapter 4: Urban Environment 4.1.1 Objective – Strategic (a) Liveable, thriving and connected communities that are sustainable, efficient and coordinated.	Support	KiwiRail supports the objective as it recognises the interconnected nature of land use and transport planning.	<b>Retain</b> as notified
12	Chapter 4: Urban Environment 4.1.2 Objective – Urban growth and development	Support	KiwiRail support that there is a focus on consolidating growth near existing settlements.	<b>Retain</b> as notified
13	Chapter 4: Urban Environment 4.1.8 Policy –	Seek amendment	Policy 4.1.3 (a) and (b) cover integration and connectivity issues. The railway network provides for freight transport which is an essential part of meeting the District's economic and social wellbeing. Rail should therefore	<b>Amend</b> Policy 4.1.8 (1) (i)– Integration and connectivity as follows:  (i)Providing good access to facilities and services by a range of transport modes through the

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
	Integration and connectivity		<p>be added to the policy.</p> <p>Urban development locating near land transport networks need to address reverse sensitivity effects on infrastructure which is largely dealt with in the Objectives and Policies in Chapter 6. However, given urban development needs to address certain restrictions relating to setbacks and acoustic protection across the Plan and not just in specific growth areas, there should be some mention of reverse sensitivity in this part of the Plan and in a 'location' policy topic. This higher tier policy would then apply to all the specific growth nodes which follow.</p> <p>Submissions are made to each of the nodes following 4.1.8 Policy – Integration and connectivity, in case this submission is not accepted. The purpose and principles of the Resource Management Act 1991 (the Act) are stated in Part 2. The rail network is a physical resource that needs to be sustainably managed through the Plan. Of specific relevance to the issue of safety (a key concern for KiwiRail), is that the Act seeks to enable people and communities to provide for their well-being and their health and safety. Section 7 of the Act identifies 'other matters' which need to be given particularly regard to in achieving the purpose of the Act. These include the efficient use and development of natural and physical resources.</p> <p>Part 2 of the Act also supports the efficient use and development of the rail network while also enabling people and communities to provide for their well-being and their health and safety. An appropriate balance needs to be achieved between ensuring the rail network is efficiently utilised and adjacent development can be facilitated, without compromising safety of people and communities.</p>	<p>provision of integrated networks of roads, <u>rail</u>, public transport, cycle, and pedestrian routes;</p> <p><b>Add</b> a new item (v) as follows:</p> <p><b><u>(v) Avoiding or managing reverse sensitivity effects on the strategic transport infrastructure networks</u></b></p>
14	Chapter 4: Urban Environment 4.1.10 Policy – Tuakau	Seek amendment	<p>Tuakau is near the NIMT which bisects the township. Growth can impact the line and any level crossings to a greater or lesser degree depending upon location of new development. The policy should be amended to provide for the avoidance of reverse sensitivity effects on strategic transport infrastructure, as this will enable development proposals to be assessed to achieve sustainable growth.</p>	<p><b>Amend</b> 4.1.10 Policy – Tuakau by adding a further item a new (iv)</p> <p><b><u>Reverse sensitivity effects on strategic transport infrastructure networks are avoided or managed;</u></b></p> <p><b>or:</b></p> <p><b>Adopt the relief</b> set out in the KiwiRail submission number 13 to add <b><u>Avoiding or managing reverse sensitivity effects on the strategic transport infrastructure networks</u></b> to 4.1.8 Policy – Integration and connectivity, to then apply equally to all towns and growth nodes in Chapter 4.</p>
15	Chapter 4: Urban Environment 4.1.11 Policy – Pokeno	Seek amendment	<p>KiwiRail supports the specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Pokeno, but considers the wording needs to be amended to more accurately capture the concept of reverse sensitivity. Reverse sensitivity effects are effects <u>on</u> existing infrastructure (and other lawfully established, effects-generating activities) that arise from the location of incompatible sensitive activities in proximity.</p>	<p><b>Amend</b> 4.1.11 Policy – Pokeno (a) (iii)</p> <p>Reverse sensitivity effects <del>from</del> <b>on</b> the strategic transport infrastructure networks are avoided or managed;</p>
16	Chapter 4: Urban Environment 4.1.12 Policy - Te Kauwhata	Seek amendment	<p>KiwiRail seeks specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Te Kauwhata. KiwiRail has recently canvassed reverse sensitivity issues with the developer in this area via Plan Change 20.</p>	<p><b>Amend</b> 4.1.12 Policy – Te Kauwhata (b) to add a new item (vii)</p> <p><b><u>Avoids or manages reverse sensitivity effects on strategic transport infrastructure networks.</u></b></p>
17	Chapter 4: Urban Environment 4.1.13 Policy – Huntly	Seek amendment	<p>KiwiRail supports the specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Huntly, but considers the wording needs to be amended to</p>	<p><b>Amend</b> 4.1.13 Policy – Huntly (a)(ii)</p>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
			more accurately capture the concept of reverse sensitivity.	Reverse sensitivity effects <del>from</del> <b>on</b> the strategic transport infrastructure networks are avoided or managed;
18	Chapter 4: Urban Environment 4.1.14 Policy – Taupiri	Seek amendment	The North Island Main Trunk Line will continue to pass through Taupiri township. Growth can impact the line and any crossings or a greater of lesser degree depending upon location of new development and this should be added to the policy to enable development proposals to be assessed to achieve sustainable growth.	<del>Amend</del> 4.1.14 Policy – Taupiri by adding a further item a new (v)  <b><u>Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or managed.</u></b>  <b>Or</b>  <u>Adopt the relief</u> in KiwiRail submission 13 to add <b>Avoiding or remedying reverse sensitivity effects on the strategic transport infrastructure networks</b> to 4.1.8 Policy – Integration and connectivity, to then apply equally to all towns and growth nodes in Chapter 4.
19	Chapter 4: Urban Environment 4.1.15 Policy – Ngaruawahia	Seek amendment	While the SH1 alignment has changed, the NIMT runs through Ngaruawahia township. Growth can impact the line and any crossings to a greater of lesser degree depending upon the location of new development and this should be added to the policy to enable development proposals to be assessed to achieve sustainable growth.	<del>Amend</del> 4.1.15 Policy – Ngaruawahia by adding a further item new (vi)  <b><u>Reverse sensitivity effects on the strategic transport infrastructure networks are avoided or managed.</u></b>  <b>Or</b>  <u>Adopt the relief</u> in KiwiRail submission 13 to add <b>Avoiding or remedying reverse sensitivity effects on the strategic transport infrastructure networks</b> to 4.1.8 Policy – Integration and connectivity, to then apply equally to all towns and growth nodes in Chapter 4.
20	Chapter 4: Urban Environment 4.1.16 Policy – Horotiu	Seek amendment	KiwiRail supports the specific recognition that reverse sensitivity effects (which includes those on the land transport network) are required to be addressed in Horotiu, but considers the wording needs to be amended to more accurately capture the concept of reverse sensitivity.	<del>Amend</del> 4.1.16 Policy – Horotiu  Reverse sensitivity effects <del>from</del> <b>on</b> the strategic transport infrastructure networks are avoided or managed;
21	Chapter 4 Urban Environment 4.2.15 Policy – Earthworks (b)	Support with amendments	Policy 4.2.15(b) seeks to ensure that earthworks do not undermine surrounding land, buildings and structures. KiwiRail seeks to add the word infrastructure to the policy to recognise the need to protect it from adjacent earthworks activity.	<del>Amend</del> Policy 4.2.15(b) as follows:  <i>“Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings, <b>infrastructure</b> and structures.”</i>
22	Chapter 4 Urban Environment 4.4.2 Policy Noise	Support with amendments	KiwiRail supports the policy, particularly clauses (iii)-(v). These clauses support noise sensitive activities managing reverse sensitivity effects on the railway corridor including through both setbacks and acoustic design. The terminology used in the policy is ‘sensitive land uses’. The policy should be expanded to include ‘noise’ sensitive activities (as this is also defined in the Plan). A separate KiwiRail submission seeks that the definitions of ‘noise sensitive’ and ‘sensitive’ land uses be clarified or combined.	<del>Retain</del> Policy 4.4.2 and <del>Amend</del> Policy 4.4.2 (iii)-(v) as follows;  <i>(iii) Maintaining appropriate setback distances between high noise environments and sensitive land uses <b>noise-sensitive activities</b>;</i>  <i>(iv) Managing the location of sensitive land uses <b>and noise-sensitive activities</b>, particularly in relation to lawfully-established high noise generating activities; and</i>  <i>(v) Requiring acoustic insulation where <b>noise-sensitive</b> activities are located within high noise environments.</i>
23	Chapter 4 Urban Environment 4.4.7 Managing the adverse effects of signs	Support with amendments	KiwiRail supports the policy as it provides for the assessment of the effects of signs on land transport safety. This is reflected in the minor amendment sought.	<del>Retain</del> Policy 4.4.7 and <del>Amend</del> Policy 4.4.7(a) as follows: <i>(a) The location, colour, content, and appearance of signs directed at traffic is controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road <b>land transport</b> users;</i>
24	Urban Outcomes	Support with	KiwiRail supports the policy which seeks to ensure that any urban	<del>Retain</del> Policy 4.7.11 and <del>Amend</del> 4.7.11 Policy (a) – Reverse sensitivity as follows:

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
	4.7.11 Policy	amendments	<p>development addresses reverse sensitivity effects. While there are policies in the Infrastructure section supporting this, it is important that the effects of subdivision on the safety and efficiency of existing network utilities such as land transport networks are considered at the time of subdivision. Good subdivision design can address many issues for example; stormwater arrangements, noise bunds and lot design.</p> <p>The addition of the term 'lawfully established activities' reflects its use in 5.6.3 Policy – Subdivision within the Country Living Zone.</p> <p>In addition, there are no targeted policies relating to KiwiRail's standards to manage reverse sensitivity effects. The requested changes relate to the setbacks (i.e. adjacent to the corridor, acoustic controls, access at level crossings) and other mitigation required to achieve sustainable development.</p>	<p>(a)Development and subdivision design minimises reverse sensitivity effects on adjacent sites, adjacent <b>lawfully established</b> activities (<b>including infrastructure</b>) or the wider environment; and</p> <p>(b)Avoid <b>the potential for reverse sensitivity effects from the location of</b> new dwellings in the vicinity of an intensive farming, extraction industry or industrial activity, <b>or infrastructure;</b></p> <p><b>(c) Development of noise-sensitive activities is designed to avoid or mitigate reverse sensitivity effects on transport networks</b></p>
<b>Rural Environment</b>				
25	Chapter 5 Rural Environment Policy 5.3.7 (c)	Support	KiwiRail supports this clause of the policy as it addresses the need for appropriate setbacks from lawfully established activities where reverse sensitivity effects may arise.	<b>Retain</b> as notified
26	Chapter 5 Rural Environment Policy 5.3.14	Support with amendments	KiwiRail supports the policy as it provides for the assessment of the effects of signs on land transport safety. This is reflected in the minor amendment sought.	<b>Retain Policy and Amend</b> Policy 5.3.14 (b) as follows (b)Ensure signage directed at traffic does not distract, confuse or obstruct motorists, pedestrians and other <b>land transport read-users</b> .
27	Chapter 5 Rural Environment 5.3.15 Policy – Noise and vibration	Support with amendments	KiwiRail supports the policy which recognises that reverse sensitivity effects occur and need to be managed through managing the location of sensitive land uses in relation to lawfully-established activities, including by maintaining appropriate buffers between high noise environments and noise sensitive activities. The railway corridor operates 24/7 and can produce adverse effects that extend beyond the corridor boundary, such as noise and vibration, emissions, lighting/glare and dust.	<b>Retain</b> Policy 5.3.15 and <b>Amend Policy 5.3.15 (vi)</b> as follows Requiring acoustic insulation where sensitive <b>land use</b> activities are located within high noise environments, including <b>near the railway corridor</b> , Airport Noise Outer Control Boundary, Huntly Power Station, the Gun Club Noise Control Boundary.
28	Chapter 5 Rural environment 5.6.3 Policy – Subdivision within the Country Living Zone	Support	KiwiRail supports the policy's direction that existing infrastructure is not to be compromised by inappropriate subdivision, building and development, and that lawfully established activities are to be protected from reverse sensitivity effects in the zone.	<b>Retain</b> Policy 5.6.3 as notified
29	Chapter 5 Countryside Living zone 5.6.16 Policy Noise	Support with amendments	KiwiRail supports the policy, in particular clauses (iii)-(v). These clauses support noise sensitive activities managing reverse sensitivity effects on the railway corridor, including through both setbacks and acoustic design. The terminology used in the policy is 'sensitive land uses'. The policy should be expanded to include 'noise' sensitive activities (as this is also defined in the Plan). A separate KiwiRail submission seeks that the definitions of 'noise sensitive' and 'sensitive' land uses be clarified or combined.	<b>Retain</b> Policy 5.6.16 Noise, particularly clauses (iii)-(v) and <b>Amend</b> Policy 5.6.16 (iii)-(v) as follows;  (iii)Maintaining appropriate setback distances between high noise environments and sensitive land uses <b>and noise-sensitive activities</b> ; (iv)Managing the location of sensitive land uses <b>and noise-sensitive activities</b> , particularly in relation to lawfully-established high noise generating activities; and (v)Requiring acoustic insulation where <b>noise</b> sensitive activities are located within high noise
<b>Infrastructure</b>				
30	Chapter 6 6.1.1 Objective – Development, operation and maintenance of infrastructure	Support	KiwiRail supports the objective seeking that infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district but requests that it is amended to have a wider focus, to include national and district benefits of infrastructure but seeks an amendment to recognise the wider benefits of infrastructure within and beyond the district.	<b>Amend</b> Objective 6.1.1 as follows;  Infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district.
31	General infrastructure section	Support	KiwiRail supports the policy which provides for the ongoing use, maintenance and development of infrastructure throughout the District. KiwiRail supports policy 6.1.2 as it recognises the benefits infrastructure	<b>Retain</b> Policy 6.1.2 as notified

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
	6.1.2 Policy - Development, operation and maintenance		delivers to the District by enabling network utility operators to operate, maintain, repair, replace, upgrade or remove network utilities in a way which enables the efficient on going use and development of assets. Like other linear networks, the rail network is unable to easily be relocated and therefore supports recognition of issues such as functional need and locational constraints as part of this policy.	
32	Chapter 6 Infrastructure 6.1.3 Policy - Technological advances	Support	This policy allows for the ongoing improvements created by technological advances and their implementation throughout utility networks. Given the fast pace of change it is important the new operational equipment is enabled to be rolled out quickly under the Plan.	<b>Retain</b> as notified
33	Chapter 6 6.1.4 Policy – Infrastructure benefits	Support	Infrastructure development and operations yield significant benefits within the District as recorded in (a) (i) – (vii). These benefits can be maximised by providing for its effective operation, upgrading, maintenance and development.	<b>Retain</b> as notified
34	Chapter 6 Infrastructure 6.1.6 Objective – Reverse sensitivity	Support	KiwiRail supports the Plan direction to ensure that subdivision, use and development avoids reverse sensitivity effects. The operation, maintenance and development of the land transport network has the potential to adversely impact on the social and economic wellbeing, as well as the health and safety of the community if not able to operate efficiently, effectively and safely.	<b>Retain</b> as notified
35	General infrastructure section 6.1.7 Policy – Reverse sensitivity and infrastructure	Amend	KiwiRail supports the broad intent to ensure that subdivision, use and development avoids reverse sensitivity effects. The operation, maintenance and development of the land transport network has the potential to adversely impact on the social and economic wellbeing, as well as the health and safety of the community if not able to operate efficiently, effectively and safely. KiwiRail seeks to slightly amend the policy wording to reflect planned as well as existing infrastructure.	<b>Amend</b> policy 6.1.7 as follows;  <i>Avoid reverse sensitivity effects on <b>existing and planned</b> infrastructure from subdivision, use and development as far as reasonably practicable, so that the ongoing and efficient operation of infrastructure is not compromised.</i>
36	Chapter 6 Infrastructure 6.1.8 Objective – Infrastructure in the community and identified areas	Support	KiwiRail acknowledges that the provision of new infrastructure is influenced by the natural and physical environment within which it is located.	<b>Retain</b> as notified
37	Chapter 6 Infrastructure 6.1.9 Policy - Environmental effects, community health, safety and amenity	Support	KiwiRail acknowledges that the provision and operation of infrastructure be within appropriate health and safety parameters. This has been addressed in KiwiRail's requests for Plan standards which address both the health and safety of road users and residents.	<b>Retain</b> as notified
38	Chapter 6 Infrastructure 6.4.4 Policy – Road and rail network  (a) Discourage subdivision, use and development that would compromise: (i) The road function, as specified in the road hierarchy, or the safety and efficiency of the roading network; and (ii) The safety and efficiency of the railway network.	Support with amendments	KiwiRail supports the intent of the Policy, which seeks to discourage subdivision, use and development which compromises regional land transport infrastructure (including both road and rail).  However, it seeks the following amendments:  <ul style="list-style-type: none"> <li>Change the title to reflect that it is specific to land transport networks</li> <li>Use the Resource Management Act 1991 defined word "avoid" rather than "discourage" subdivision; and</li> <li>Take into account the full range of functions and activities on the land transport network (including road and rail).</li> </ul> KiwiRail also seeks that further arm is added to the policy to address the specific measures sought to be added to the Plan to address reverse sensitivity effects. An additional item is sought to address the mitigation needed through setbacks and acoustic insulation.	<b>Retain</b> Policy 6.4.4 Road and rail network except for the <b>amendments</b> sought below:  <ol style="list-style-type: none"> <li>Alter policy 6.4.1 heading to read 6.4.4 Policy – Road and rail: <b>Land Transport Network</b></li> <li>Alter 6.4.1(a) to read:  Discourage <b>Avoid</b> subdivision use and development that would compromise:   <ol style="list-style-type: none"> <li>Alter 6.4.4 (a) (ii) as follows;  (ii) The safety and efficiency; <b>including the maintenance, upgrading, development and operation of the railway-land transport network.</b></li> </ol> </li> <li>Add a new policy 6.4.4 (b)  <b>(b) Avoid reverse sensitivity effects on the land transport network through setbacks and design controls for new residential and other noise sensitive activities established in proximity to existing or planned transport corridors.</b></li> </ol>



Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
39	Chapter 6 Infrastructure 6.5 Transport 6.5.1 Objective – Land transport network	Support	The objective is supported as it recognises the integral role transport infrastructure plays in the District and that it meets several key community wellbeings. Development which is inappropriately located can result in adverse effects as well as compromised amenity if not appropriately designed and located.	<b>Retain Objective 6.5.1(a)(ii) Land transport and Amend as sought below</b>  (a)An integrated land transport network where: (i)All transport modes are accessible, safe and efficient; and (ii)Adverse effects from the construction, maintenance, <b>upgrading</b> and operation of the transport network are managed
40	Chapter 6 Infrastructure 6.5.2 Policy – Construction and operation of the land transport network	Support with amendments	KiwiRail supports the policy but considers it would be better expressed as separate items for clarity. KiwiRail supports the policy as it discourages new level crossings on the network. Where any new crossing is sought as part of new development, KiwiRail would need to be formally consulted and approve any proposal. Level crossings are a hazard to both rail and road traffic and every effort should be made to manage risks associated with them.	<b>Retain Policy 6.5.2 Construction and operation of the land transport network and Amend 6.5.2 Policy (viii) as follows:</b>  <b>(viii)Discouraging the installation of new at grade road and pedestrian rail level crossings:</b> <b>(ix) Controlling the location of buildings and other visual obstructions within the sightline areas of rail level crossings</b> <b>(x) Railway crossing design in accordance with the requirements of the rail operator.</b>
41	Chapter 6 Infrastructure 6.5.5 Policy - Road safety	Seek alteration	Widen to apply to land transport networks which include road and rail. Including 'vehicle accesses provides further policy support for KiwiRail level crossing standard.	<b>Amend</b> as follows:  6.5.5 Policy – Road <b>Land transport</b> safety  (a)Ensure that structures, <b>vehicle access</b> , lighting, signage and vegetation are located and designed so as to not compromise the safe and efficient operation of the land transport network, or obscure RAPID numbers.
42	Chapter 6 Infrastructure 6.5.7 Policy – Vehicle access (a)Control the location of new vehicle accesses to sites adjacent to other accesses and rail level crossings to improve the safety and efficiency of the land transport network.	Support	The policy is supported in that it provides support for Plan rules restricting new access ways near level crossings.	<b>Retain</b> as notified
<b>Historic heritage</b>				
43	Chapter 7 7.1 Protection of Historic Heritage and Notable Trees	Support	KiwiRail supports the identification and protection of NZ's archaeological and historic heritage. In selected circumstances, the removal of heritage sites is acceptable and the policy provides for an assessment of the reasons for the removal in these (relatively rare) occurrences.	<b>Retain</b> Policy 7.1.3 (e) as notified
<b>Definitions</b>				
44	Chapter 13 Definitions Infrastructure	Support	KiwiRail support that this replicates the definition in s2 of the RMA, and that at (g) this includes rail. This is consistent with the Proposed National Planning Standards.	<b>Retain</b> as notified
45	Chapter 13 Definitions Network Utility Operator	Support	KiwiRail supports that the definition directly references s166 of the Resource Management including at (f) it includes rail. This is consistent with the Proposed National Standards.	<b>Retain</b> as notified
46	Section B Definitions: New definition Reverse sensitivity	Seek amendment	The definition for reverse sensitivity is sought to be added to support KiwiRail's requested measures to avoid and manage reverse sensitivity effects.	<b>Add</b> a definition of reverse sensitivity based on the Proposed National Planning Standard as follows.  <b>means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity</b>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
47	Chapter 13 Definitions Road network activities	Seek amendment	The 'road network activities' definition contains specific road and rail activities and others which could equally apply to all land based linear transport networks including rail. The definition should be amended to clarify that it provides coverage for all listed infrastructure activities within the railway corridor by changing the definition to 'road and rail network activities'.	<b>Alter</b> the 'road network activities' definition to include the railway corridor as follows:  <b>Land transport Road network activities</b>  <b>And;</b>  <i>Means road <u>or rail</u> infrastructure and transport services provided within <u>the road a land transport network corridor</u>, including;</i>  <b>And;</b>  Add additional item to list  <b><u>(p) railway tracks, bridges, tunnels, signaling, access tracks and facilities</u></b>
48	Chapter 13 Definitions Noise-sensitive activity	Seek amendment	The definitions of noise sensitive activity and sensitive land use are used interchangeability in the Proposed Plan. KiwiRail seeks changes to the definition of 'noise sensitive activity' to better align it with its proposed noise and vibration standards to address reverse sensitivity in the Plan. The definition of noise sensitive activity proposed is wider than the proposed definition for 'sensitive activity'. KiwiRail would support the definitions being consolidated; as it could be confusing when using the Plan when there are two very similar terms.	<b>Alter</b> definition of Noise-sensitive activity  <i>(a) buildings used for residential activities, including boarding establishments, rest homes, retirement villages, papakainga housing development, in-house aged care facilities, travellers' accommodation, and other buildings used for residential accommodation but excluding camping grounds;</i> <i>(b) marae and marae complex;</i> <i>(c) hospitals;</i> <i>(d) <b>educational facilities including teaching areas and sleeping rooms in an education facility and student accommodation;</b></i> <i>(e) places of assembly</i>
49	Chapter 13 Definitions Sensitive land use	Support with amendments	KiwiRail supports the definition of sensitive land use, but considers it should be amended to provide clarity as to the activities that fall within the definition. As notified, the definition could be read as saying that all sensitive land uses are education facilities.	<b>Retain</b> definition of Sensitive land use with the following <b>amendments</b>  Means: <b>(a)</b> an education facility including a childcare facility, waananga and kohanga reo; <b>(b)</b> a residential activity, <b>including</b> papakainga building, rest home, retirement village, travellers' accommodation, home stay; <b>or</b> <b>(c)</b> a health facility or hospital.
50	Chapter 13 Definitions Forestry	Seek amendment	The National Environmental Standards for Plantation Forestry defines afforestation as 'planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years'. Other Plan definitions do not cover small woodlots, nor shelter belts. The planting of shelter belts and woodlots poses a similar risk and danger to the operation of the railway network as commercial forestry. When planted near to the rail corridor, woodlot or commercial forestry species can intrude into sight lines which raises particular safety issues at level crossings and around curves. Such plantings often also drop branches or leaves onto the rail corridor, increasing the risk of derailment. Trains cannot stop in a hurry, nor are they able to drive over such impediments. Roots from trees can also result in undermining of the rail corridor through the creation of mud spots. Mud spots occur where ballast under the rails is removed. When a train goes over a mud spot, the track bounces, creating a risk that either the track breaks or the train derailed. Further, replanting trees often get closer and closer to the boundary and can end up encroaching into rail land. Modifying the Plan's definition of 'forestry' as sought supports a new rule seeking a 10m setback from the operational railway corridor.	<b>Amend</b> definition of forestry to read;  <i>Forestry</i>  <i>Means the planting and growing of trees (<b>including shelterbelts and woodlots</b>) and is an integrated land use including land preparation, roading, tree planting and maintenance (i.e. thinning, pruning, noxious weeds and animal control) and harvesting of trees and includes the use of accessory buildings, but not the establishment and/or use of permanent sawmills or other methods of timber processing.</i>
<b>Infrastructure and energy (and various zones throughout the Plan)</b>				
51	Chapter 14 Infrastructure and	Add new rule applying to	KiwiRail seeks that provisions be inserted requiring all new, or alterations to, buildings for noise sensitive activities be appropriately mitigated in	<b>Amend</b> either by adding to; <b>(a) Chapter 14 Infrastructure a new rule section called 'Rules applying to development</b>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)						
	<p>Zones as listed below, and Section D: Appendices and Schedules Appendix 1 Acoustic Insulation.</p> <p>The zones are;</p> <p>Chapter 16: Residential zone 16.1.2 Permitted activities 16.3 Land Use – Building</p> <p>Chapter 17: Business zone 17.1.2 Permitted activities 17.3 Land Use - Building</p> <p>Chapter 18: Business town Centre zone 18.1.2 Permitted activities 18.3 Land Use - Building</p> <p>Chapter 20: Industrial zone 20.1.1 Permitted activities 20.3 Land Use - Building</p> <p>Chapter 21: Industrial zone heavy 21.1.1 Permitted activities 21.3 Land Use - Building</p> <p>Chapter 22: Rural zone 22.1.2 Permitted activities 22.3.7.4 Building – Noise Sensitive Activity</p> <p>Chapter 23: Country Living 23.1.1 Permitted activities 23.3 Land Use - Building</p> <p>Chapter 24: Village zone 24.1.1 Permitted activities 24.3 Land Use - Building</p> <p>Chapter 25: Country Living 25.1.2 Permitted activities 25.3 Land Use - Building</p>	all listed zones	<p>relation to rail noise and vibration. The proposed Plan acknowledges reverse sensitivity with some supportive policies and objectives, which are supported by KiwiRail but does not contain a definition of reverse sensitivity – which is sought by KiwiRail. The Plan protects some activities sensitive to noise but not the effects from operational railway and road noise and vibration within in the District.</p> <p>The KiwiRail submission seeks to introduce new rule, which has been developed collaboratively with NZTA , providing for the Plan and developers to ensure potential adverse effects (including conflicts between incompatible activities and associated reverse sensitivity effects) are mitigated (where they cannot be avoided). Two options are proposed:</p> <ul style="list-style-type: none"> <li>The first, which is KiwiRail's preferred option, is to locate the Rule where it will apply to all plan zones; or</li> <li>Alternatively, add the Rule to each of the zones where state highways or rail networks are located.</li> </ul> <p>The rail network operates 24 hours a day, 7 days a week operation, and the frequency, length and weight of trains can change without community consultation. Noise and vibration effects can interrupt people's amenity and enjoyment of their dwelling, as well as people's ability to sleep. Appropriate mitigation, installed to ensure that the health and wellbeing of those living near to the rail network is not adversely affected, is pivotal to ensure that undue restrictions are not placed on the operation of the rail network.</p> <p>Part 2 of the Act supports the efficient use and development of the rail network while also enabling people and communities to provide for their well-being and their health and safety. An appropriate balance needs to be achieved between ensuring the rail network is efficiently utilised and adjacent development can be facilitated, without compromising safety of people and communities.</p> <p>The new Rule provides for new or altered buildings within 100m of the railway boundary, which can achieve the required internal noise standard, to be permitted activities. Where windows need to be closed to achieve the desired internal noise levels then ventilation performance is prescribed. Where a new or altered building is 50m away from the railway corridor boundary and there is a line of sight i.e. a cut or a physical barrier removing line of sight to 3.8m high, this can also be assessed as a permitted activity.</p> <p>Enhancements to building are best achieved at the time of construction. The further removed from the rail corridor a building is, the less additional mitigation may be required. The noise level proposed is in accordance with World Health Organisation standards.</p> <p>The mitigation for reverse sensitivity effects proposed through these provisions reflects that in some circumstances, e.g. smaller residential sites near the rail corridor, requiring a greater setback from the rail boundary as a means of addressing noise and vibration effects may not always be practicable. The rules seek to ensure that building development options can still maximise the use of a site, while at the same time having standards for mitigating noise and vibration effects arising from the rail corridor.</p> <p>Plan-wide rules are already included in the proposed Plan in respect of other types of infrastructure, including for example the National Grid.</p>	<p><u>adjacent to railway corridors' applying to new, or alterations to buildings for any Noise Sensitive Activity at any point within 100 metres from the legal boundary of any railway network.</u></p> <p><b>or</b></p> <p>(b) <b>Add</b> to the following Plan Zones a new permitted activity;</p> <p>Chapter 16: Residential zone</p> <p>Chapter 17: Business zone</p> <p>Chapter 18: Business town Centre zone</p> <p>Chapter 20: Industrial zone</p> <p>Chapter 21: Industrial zone heavy</p> <p>Chapter 22: Rural zone</p> <p>Chapter 23: Country Living</p> <p>Chapter 24: Village zone</p> <p>Chapter 25: Country Living</p> <p>The new Rule, to be added either to Chapter 14 only relief (a), or to all of the above listed zones relief (b), is as follows:</p> <p><b>X. Land Use – Building</b></p> <p><b>X.X Building – Noise Sensitive Activities</b></p> <table border="1"> <thead> <tr> <th>Activity</th> <th>Activity-specific condition</th> </tr> </thead> <tbody> <tr> <td><b>P 'x'</b></td> <td><b><u>New, or alterations to buildings for any Noise Sensitive Activity at any point within 100 metres from the legal boundary of any railway network</u></b></td> </tr> <tr> <td></td> <td><b><u>The new or altered building complies with the standard 'Noise Sensitive Activity near a network' in Section D: Appendices and Schedules Appendix 1: Acoustic Insulation new section (7).</u></b></td> </tr> </tbody> </table> <p><b><u>Alter Appendix 1: Acoustic Insulation 1. Application (a) This appendix is referred to in the rules related to' by adding the following list to (a):</u></b></p> <p><b><u>Buildings for Noise Sensitive Activities near railway network within:</u></b></p> <p><b><u>A. Chapter 16: Residential zone</u></b></p> <p><b><u>B. Chapter 17: Business zone</u></b></p> <p><b><u>C. Chapter 18: Business town Centre zone</u></b></p> <p><b><u>D. Chapter 20: Industrial zone</u></b></p> <p><b><u>E. Chapter 21: Industrial zone heavy</u></b></p> <p><b><u>F. Chapter 22: Rural zone</u></b></p> <p><b><u>G. Chapter 23: Country Living</u></b></p> <p><b><u>H. Chapter 24: Village zone</u></b></p>	Activity	Activity-specific condition	<b>P 'x'</b>	<b><u>New, or alterations to buildings for any Noise Sensitive Activity at any point within 100 metres from the legal boundary of any railway network</u></b>		<b><u>The new or altered building complies with the standard 'Noise Sensitive Activity near a network' in Section D: Appendices and Schedules Appendix 1: Acoustic Insulation new section (7).</u></b>
Activity	Activity-specific condition									
<b>P 'x'</b>	<b><u>New, or alterations to buildings for any Noise Sensitive Activity at any point within 100 metres from the legal boundary of any railway network</u></b>									
	<b><u>The new or altered building complies with the standard 'Noise Sensitive Activity near a network' in Section D: Appendices and Schedules Appendix 1: Acoustic Insulation new section (7).</u></b>									

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)																						
				<p><b><u>I. Chapter 25: Country Living</u></b></p> <p><b><u>Add to Appendix 1 a new standard as follows:</u></b></p> <p><b><u>X. Noise Sensitive Activities within 100m of a Rail Network Boundary:</u></b></p> <p><b><u>Activity sensitive to noise near a railway network</u></b></p> <p><b><u>All zones – at any point within 100 metres from the legal boundary of any railway network</u></b></p> <p><b><u>Activity status: Permitted</u></b></p> <p><b><u>Indoor railway noise</u></b></p> <p><b><u>1. Any new building or alteration to an existing building that contains an activity sensitive to noise where the building or alteration:</u></b></p> <p><b><u>(a) is designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in the following table: or</u></b></p> <table border="1" data-bbox="1361 587 1794 1086"> <thead> <tr> <th><b><u>Building type</u></b></th> <th><b><u>Occupancy/activity</u></b></th> <th><b><u>Maximum railway noise level L<sub>Aeq</sub>(1h)</u></b></th> </tr> </thead> <tbody> <tr> <td rowspan="2"><b><u>Residential</u></b></td> <td><b><u>Sleeping spaces</u></b></td> <td><b><u>35 dB</u></b></td> </tr> <tr> <td><b><u>All other habitable rooms</u></b></td> <td><b><u>40 dB</u></b></td> </tr> <tr> <td rowspan="4"><b><u>Education</u></b></td> <td><b><u>Lecture rooms/theatres, music studios, assembly halls</u></b></td> <td><b><u>35 dB</u></b></td> </tr> <tr> <td><b><u>Teaching areas, conference rooms, drama studios, sleeping areas</u></b></td> <td><b><u>40 dB</u></b></td> </tr> <tr> <td><b><u>Libraries</u></b></td> <td><b><u>45 dB</u></b></td> </tr> <tr> <td><b><u>Overnight medical care, wards</u></b></td> <td><b><u>40 dB</u></b></td> </tr> <tr> <td rowspan="2"><b><u>Health</u></b></td> <td><b><u>Clinics, consulting rooms, theatres, nurses' stations</u></b></td> <td><b><u>45 dB</u></b></td> </tr> <tr> <td><b><u>Places of worship, marae</u></b></td> <td><b><u>35 dB</u></b></td> </tr> </tbody> </table> <p><b><u>(b) is at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks, or</u></b></p> <p><b><u>(c) is a single-storey framed residential building with habitable rooms designed, constructed and maintained in accordance with the construction schedule in Schedule Y,</u></b></p> <p><b><u>Mechanical ventilation</u></b></p> <p><b><u>2. If a building is constructed in accordance with 2(c), or if windows must be closed to achieve the design noise levels in clause 2(a), the building is</u></b></p>	<b><u>Building type</u></b>	<b><u>Occupancy/activity</u></b>	<b><u>Maximum railway noise level L<sub>Aeq</sub>(1h)</u></b>	<b><u>Residential</u></b>	<b><u>Sleeping spaces</u></b>	<b><u>35 dB</u></b>	<b><u>All other habitable rooms</u></b>	<b><u>40 dB</u></b>	<b><u>Education</u></b>	<b><u>Lecture rooms/theatres, music studios, assembly halls</u></b>	<b><u>35 dB</u></b>	<b><u>Teaching areas, conference rooms, drama studios, sleeping areas</u></b>	<b><u>40 dB</u></b>	<b><u>Libraries</u></b>	<b><u>45 dB</u></b>	<b><u>Overnight medical care, wards</u></b>	<b><u>40 dB</u></b>	<b><u>Health</u></b>	<b><u>Clinics, consulting rooms, theatres, nurses' stations</u></b>	<b><u>45 dB</u></b>	<b><u>Places of worship, marae</u></b>	<b><u>35 dB</u></b>
<b><u>Building type</u></b>	<b><u>Occupancy/activity</u></b>	<b><u>Maximum railway noise level L<sub>Aeq</sub>(1h)</u></b>																								
<b><u>Residential</u></b>	<b><u>Sleeping spaces</u></b>	<b><u>35 dB</u></b>																								
	<b><u>All other habitable rooms</u></b>	<b><u>40 dB</u></b>																								
<b><u>Education</u></b>	<b><u>Lecture rooms/theatres, music studios, assembly halls</u></b>	<b><u>35 dB</u></b>																								
	<b><u>Teaching areas, conference rooms, drama studios, sleeping areas</u></b>	<b><u>40 dB</u></b>																								
	<b><u>Libraries</u></b>	<b><u>45 dB</u></b>																								
	<b><u>Overnight medical care, wards</u></b>	<b><u>40 dB</u></b>																								
<b><u>Health</u></b>	<b><u>Clinics, consulting rooms, theatres, nurses' stations</u></b>	<b><u>45 dB</u></b>																								
	<b><u>Places of worship, marae</u></b>	<b><u>35 dB</u></b>																								

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
				<p><u>designed, constructed and maintained with a mechanical ventilation system that</u></p> <p><u>(a) For habitable rooms for a residential activity, achieves the following requirements:</u></p> <ul style="list-style-type: none"> <li><u>i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u></li> <li><u>ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and</u></li> <li><u>iii. provides relief for equivalent volumes of spill air;</u></li> <li><u>iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</u></li> <li><u>v. does not generate more than 35 dB L<sub>Aeq(1h)</sub> when measured 1 metre away from any grille or diffuser.</u></li> </ul> <p><u>(b) For other spaces, is as determined by a suitably qualified and experienced person.</u></p> <p><u>Indoor railway vibration</u></p> <p><u>3. Any new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 60 metres from the boundary of a railway network:</u></p> <p><u>(a) is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw.95 or</u></p> <p><u>(b) is a single-storey framed residential building with:</u></p> <ul style="list-style-type: none"> <li><u>i. a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</u></li> <li><u>ii. vibration isolation separating the sides of the floor slab from the ground; and</u></li> <li><u>iii. no rigid connections between the building and the ground.</u></li> </ul> <p><u>Design report [alternatively may be replaced with development meeting construction schedule 'Y' to demonstrate compliance]</u></p> <p><u>4. A report is submitted to the council demonstrating compliance with clauses (1) to (4) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:</u></p> <p><u>(a) railway noise is assumed to be 70 L<sub>Aeq(1h)</sub> at a</u></p>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)																																				
				<p><u>distance of 17 metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</u>  <u>Where the activity complies with the following rule requirements:</u>  <u>Nil</u></p> <p><b>Add: Construction Schedule Y</b></p> <p>Schedule Y Construction schedule for indoor noise control</p> <table border="1" data-bbox="1238 475 1973 1417"> <thead> <tr> <th data-bbox="1238 475 1406 507"><u>Elements</u></th> <th colspan="2" data-bbox="1406 475 1973 507"><u>Minimum construction for noise control in addition to the requirements of the New Zealand Building Code</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1238 507 1406 555"><u>External walls</u></td> <td colspan="2" data-bbox="1406 507 1973 555"><u>Wall cavity infill of fibrous insulation, batts or similar (minimum density of 9 kg/m<sup>3</sup>)</u></td> </tr> <tr> <td></td> <td colspan="2" data-bbox="1406 555 1973 603"><u>Cladding and internal wall lining complying with either Options A, B or C below:</u></td> </tr> <tr> <td></td> <td data-bbox="1406 603 1742 770"><u>Option A - Light cladding: timber weatherboard or sheet materials with surface mass between 8 kg/m<sup>2</sup> and 30 kg/m<sup>2</sup> of wall cladding</u></td> <td data-bbox="1742 603 1973 770"><u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard on resilient/isolating mountings</u></td> </tr> <tr> <td></td> <td data-bbox="1406 770 1742 890"><u>Option B - Medium cladding: surface mass between 30 kg/m<sup>2</sup> and 80 kg/m<sup>2</sup> of wall cladding</u></td> <td data-bbox="1742 770 1973 890"><u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard</u></td> </tr> <tr> <td></td> <td data-bbox="1406 890 1742 962"><u>Option C - Heavy cladding: surface mass between 80 kg/m<sup>2</sup> and 220 kg/m<sup>2</sup> of wall cladding</u></td> <td data-bbox="1742 890 1973 962"><u>No requirements additional to New Zealand Building Code</u></td> </tr> <tr> <td data-bbox="1238 962 1406 1010"><u>Roof/ceiling</u></td> <td colspan="2" data-bbox="1406 962 1973 1010"><u>Ceiling cavity infill of fibrous insulation, batts or similar (minimum density of 7 kg/m<sup>3</sup>)</u></td> </tr> <tr> <td></td> <td colspan="2" data-bbox="1406 1010 1973 1058"><u>Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in</u></td> </tr> <tr> <td></td> <td colspan="2" data-bbox="1406 1058 1973 1106"><u>Roof type and internal ceiling lining complying with either Options A, B or C below:</u></td> </tr> <tr> <td></td> <td data-bbox="1406 1106 1742 1217"><u>Option A - Skillion roof with light cladding: surface mass up to 20 kg/m<sup>2</sup> of roof cladding</u></td> <td data-bbox="1742 1106 1973 1217"><u>Internal lining of minimum 25 kg/m<sup>2</sup> plasterboard, such as two layers of 13 mm thick high density plasterboard</u></td> </tr> <tr> <td></td> <td data-bbox="1406 1217 1742 1337"><u>Option B - Pitched roof with light cladding: surface mass up to 20 kg/m<sup>2</sup> of roof cladding</u></td> <td data-bbox="1742 1217 1973 1337"><u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard</u></td> </tr> <tr> <td></td> <td data-bbox="1406 1337 1742 1417"><u>Option C - Roof with heavy cladding: surface mass between 20 kg/m<sup>2</sup> and 60 kg/m<sup>2</sup> of roof cladding</u></td> <td data-bbox="1742 1337 1973 1417"><u>No requirements additional to New Zealand Building Code</u></td> </tr> </tbody> </table> <p><b>Glazed areas</b> Aluminium frames with full compression seals on opening panes</p>	<u>Elements</u>	<u>Minimum construction for noise control in addition to the requirements of the New Zealand Building Code</u>		<u>External walls</u>	<u>Wall cavity infill of fibrous insulation, batts or similar (minimum density of 9 kg/m<sup>3</sup>)</u>			<u>Cladding and internal wall lining complying with either Options A, B or C below:</u>			<u>Option A - Light cladding: timber weatherboard or sheet materials with surface mass between 8 kg/m<sup>2</sup> and 30 kg/m<sup>2</sup> of wall cladding</u>	<u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard on resilient/isolating mountings</u>		<u>Option B - Medium cladding: surface mass between 30 kg/m<sup>2</sup> and 80 kg/m<sup>2</sup> of wall cladding</u>	<u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard</u>		<u>Option C - Heavy cladding: surface mass between 80 kg/m<sup>2</sup> and 220 kg/m<sup>2</sup> of wall cladding</u>	<u>No requirements additional to New Zealand Building Code</u>	<u>Roof/ceiling</u>	<u>Ceiling cavity infill of fibrous insulation, batts or similar (minimum density of 7 kg/m<sup>3</sup>)</u>			<u>Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in</u>			<u>Roof type and internal ceiling lining complying with either Options A, B or C below:</u>			<u>Option A - Skillion roof with light cladding: surface mass up to 20 kg/m<sup>2</sup> of roof cladding</u>	<u>Internal lining of minimum 25 kg/m<sup>2</sup> plasterboard, such as two layers of 13 mm thick high density plasterboard</u>		<u>Option B - Pitched roof with light cladding: surface mass up to 20 kg/m<sup>2</sup> of roof cladding</u>	<u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard</u>		<u>Option C - Roof with heavy cladding: surface mass between 20 kg/m<sup>2</sup> and 60 kg/m<sup>2</sup> of roof cladding</u>	<u>No requirements additional to New Zealand Building Code</u>
<u>Elements</u>	<u>Minimum construction for noise control in addition to the requirements of the New Zealand Building Code</u>																																							
<u>External walls</u>	<u>Wall cavity infill of fibrous insulation, batts or similar (minimum density of 9 kg/m<sup>3</sup>)</u>																																							
	<u>Cladding and internal wall lining complying with either Options A, B or C below:</u>																																							
	<u>Option A - Light cladding: timber weatherboard or sheet materials with surface mass between 8 kg/m<sup>2</sup> and 30 kg/m<sup>2</sup> of wall cladding</u>	<u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard on resilient/isolating mountings</u>																																						
	<u>Option B - Medium cladding: surface mass between 30 kg/m<sup>2</sup> and 80 kg/m<sup>2</sup> of wall cladding</u>	<u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard</u>																																						
	<u>Option C - Heavy cladding: surface mass between 80 kg/m<sup>2</sup> and 220 kg/m<sup>2</sup> of wall cladding</u>	<u>No requirements additional to New Zealand Building Code</u>																																						
<u>Roof/ceiling</u>	<u>Ceiling cavity infill of fibrous insulation, batts or similar (minimum density of 7 kg/m<sup>3</sup>)</u>																																							
	<u>Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in</u>																																							
	<u>Roof type and internal ceiling lining complying with either Options A, B or C below:</u>																																							
	<u>Option A - Skillion roof with light cladding: surface mass up to 20 kg/m<sup>2</sup> of roof cladding</u>	<u>Internal lining of minimum 25 kg/m<sup>2</sup> plasterboard, such as two layers of 13 mm thick high density plasterboard</u>																																						
	<u>Option B - Pitched roof with light cladding: surface mass up to 20 kg/m<sup>2</sup> of roof cladding</u>	<u>Internal lining of minimum 17 kg/m<sup>2</sup> plasterboard, such as two layers of 10 mm thick high density plasterboard</u>																																						
	<u>Option C - Roof with heavy cladding: surface mass between 20 kg/m<sup>2</sup> and 60 kg/m<sup>2</sup> of roof cladding</u>	<u>No requirements additional to New Zealand Building Code</u>																																						

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)						
				<p><u>Glazed areas shall be less than 35% of each room floor area</u>  <u>Either, double-glazing with:</u></p> <ul style="list-style-type: none"> <li>• <u>a laminated pane of glass at least 6 mm thick; and</u></li> <li>• <u>a cavity between the two panes of glass at least 12 mm deep; and</u></li> <li>• <u>a second pane of glass at least 4 mm thick</u></li> </ul> <p><u>Or, any other glazing with a minimum performance of Rw 33 dB</u></p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><u>Exterior doors</u></td> <td style="width: 50%;"><u>Exterior door with line-of-sight to any part of the state highway road surface or to any point 3.8 metres above railway tracks</u></td> <td style="width: 50%;"><u>Solid core exterior door, minimum surface mass 24 kg/m<sup>2</sup>, with edge and threshold compression seals; or other doorset with minimum performance of Rw 30 dB</u></td> </tr> <tr> <td></td> <td><u>Exterior door shielded by the building so there is no line-of-sight to any parts of the state highway road surface or any points 3.8 metres above railway tracks</u></td> <td><u>Exterior door with edge and threshold compression seals</u></td> </tr> </table>	<u>Exterior doors</u>	<u>Exterior door with line-of-sight to any part of the state highway road surface or to any point 3.8 metres above railway tracks</u>	<u>Solid core exterior door, minimum surface mass 24 kg/m<sup>2</sup>, with edge and threshold compression seals; or other doorset with minimum performance of Rw 30 dB</u>		<u>Exterior door shielded by the building so there is no line-of-sight to any parts of the state highway road surface or any points 3.8 metres above railway tracks</u>	<u>Exterior door with edge and threshold compression seals</u>
<u>Exterior doors</u>	<u>Exterior door with line-of-sight to any part of the state highway road surface or to any point 3.8 metres above railway tracks</u>	<u>Solid core exterior door, minimum surface mass 24 kg/m<sup>2</sup>, with edge and threshold compression seals; or other doorset with minimum performance of Rw 30 dB</u>								
	<u>Exterior door shielded by the building so there is no line-of-sight to any parts of the state highway road surface or any points 3.8 metres above railway tracks</u>	<u>Exterior door with edge and threshold compression seals</u>								
52	Various zones including; Chapter 14 Infrastructure Chapter 16: Residential 16.1.3 Chapter 17: Business 17.1.3 Chapter 18: Business Town Centre 18.1.3 Chapter 20: Industrial 20.1 Chapter 21: Industrial Heavy 21.1 Chapter 22: Rural 22.1.3 Chapter 23: Country Living 23.1 Chapter 24: Village 24.1 Chapter 25: Reserve 25.1	Amend	In view of the KiwiRail request to add a Permitted Activity Rule in submission 51, new Restricted Discretionary activity criteria are required. It is noted that some zones have an RDA category and others do not. KiwiRail's policy is to seek RDA status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.	<p><b>Either:</b>  <b>Add</b> a new Restricted Discretionary Activity applying to development adjacent to railway corridors sought in Chapter 14 Infrastructure which does not comply with the new performance standard sought in the preceding KiwiRail submission; <b>or</b>  <b>Add</b> a new Restricted Discretionary Activity or, where there are no current listed restricted discretionary activities in the zone, introduce a new restricted discretionary activity, to each of the zones listed below;</p> <p><u>Chapter 16: Residential 16.1.3</u>  <u>Chapter 17: Business 17.1.3</u>  <u>Chapter 18: Business Town Centre 18.1.3</u>  <u>Chapter 20: Industrial 20.1</u>  <u>Chapter 21: Industrial Heavy 21.1</u>  <u>Chapter 22: Rural 22.1.3</u>  <u>Chapter 23: Country Living 23.1</u>  <u>Chapter 24: Village 24.1</u>  <u>Chapter 25: Reserve 25.1</u></p> <p><i>Restricted Discretionary Activities</i></p> <p>(1) <i>The activities listed below are restricted discretionary activities.</i></p> <p>(2) <i>Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table;</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Activity</td> <td style="width: 50%; padding: 5px;">Council's discretion shall be restricted to the following matters</td> </tr> </table>	Activity	Council's discretion shall be restricted to the following matters				
Activity	Council's discretion shall be restricted to the following matters									

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
				<p><u>The new or altered building not complying with the standard 'Noise Sensitive Activity near a railway network' in Section D: Appendices and Schedules Appendix 1: Acoustic Insulation proposed new section '7'.</u></p> <p>(a) <u>Location of the building;</u>  (b) <u>The effects of any non-compliance with the standards in Section 7 of Appendix 1</u>  (c) <u>Special topographical, building features or ground conditions which will mitigate vibration impacts</u>  (d) <u>The outcome of any consultation with KiwiRail.</u></p>
53	<p>Various zones including:</p> <ul style="list-style-type: none"> <li>Chapter 16 Residential zone 16.3.9.1 Building setbacks Building setback sensitive land use 16.3.9.2</li> <li>Chapter 22 Rural zone Building setback sensitive land use 22.3.7.2</li> <li>Countryside Living zone 23.3.7.2 Building setback - Sensitive land use</li> <li>Chapter 24: Village Zone 24.3.6.2 Building setback - Sensitive land</li> </ul>	Seek amendment	<p>KiwiRail seeks that a 5metre setback apply to <u>all</u> new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses). Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety. Setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design. Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.</p> <p>A 5m setback is not an acoustic setback. It allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.</p> <p>The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:  (i) location, design and use of the proposed building or structure as it relates to the rail network  (ii) impacts on the safe operation, maintenance and development of the rail network  (iii) construction and maintenance management.</p> <p>The relief provides for the rejection of the primary relief. This setback applies only to sensitive land use buildings which does not achieve the safety and amenity benefits sought throughout the district.</p>	<p><b>Either:</b></p> <p><b>Alter</b> Building setback – Sensitive land use as follows;</p> <p><b><u>Building setback – Sensitive land use</u></b>  <b><u>P1 Sensitive land use</u></b>  <b><u>(a) Any new building or alteration to an existing building for a sensitive land use must be set back a minimum of:</u></b>  <b><u>(i) 5m from the designated boundary of the railway corridor</u></b>  <b><u>P2 Railway corridor</u></b>  <b><u>any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary</u></b></p> <p>Or, if the primary relief above is not granted</p> <p><b>Retain</b> Residential 16.3.9.2 P1(a)(i)  <b>Retain</b> Rural 22.3.7.2 P1 (a)(i)  <b>Retain</b> Countryside Living 23.3.7.2 P1 (a)(i)  <b>Retain</b> Village zone 24.3.6.2 P1 (a)(i)</p>



Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
	use			
54	<p>Various zones listed below:</p> <ul style="list-style-type: none"> <li>Business zone Land use building 17.3.4</li> <li>Business Town Centre zone 8.3 Land Use</li> <li>Industrial Zone 20.3 Land use Building, 20.3.4</li> <li>Industrial Zone Heavy Building setback 21.3.4.1 Building setbacks – all boundaries</li> <li>Reserve zone to 25.3.5 Land use building</li> </ul>	Seek amendment	<p>KiwiRail seeks that a 5 metre setback apply to all new building development adjacent to operational railway corridor boundaries (i.e. not just sensitive land uses). Ensuring all new structures in all zones are set back from the rail corridor allows access and maintenance to occur without the landowner or occupier needing to gain access to the rail corridor- potentially compromising their own safety. For these safety reasons setting back buildings from the rail corridor boundary is a means of ensuring people's health and wellbeing through good design. Construction of buildings in close proximity to the rail corridor has significant safety risk if it is not managed appropriately in accordance with relevant standards.</p> <p>A 5m setback allows for vehicular access to the backs of buildings (e.g. a cherry picker) and would also allow scaffolding to be erected safely. This in turn fosters visual amenity as lineside properties can then be regularly maintained. A setback is the most efficient method of ensuring intensification does not result in additional safety issues for activities adjacent to the rail corridor, whilst not restricting the ongoing operation and growth of activity within the rail corridor.</p> <p>The proposed provisions would require any development within the setback to obtain consent with matters of discretion relating to:</p> <ul style="list-style-type: none"> <li>(i) location, design and use of the proposed building or structure as it relates to the rail network</li> <li>(ii) impacts on the safe operation, maintenance and development of the rail network</li> <li>(iii) construction and maintenance management.</li> </ul>	<p><b>Add</b> new building setback rule to each of the zones listed as follows:</p> <p><b><u>Building setback - railway corridor</u></b>  <b><u>(a) any new buildings or alterations to an existing building must be setback 5 metres from any designated railway corridor boundary</u></b></p>
55	<p>Various zones including:</p> <ul style="list-style-type: none"> <li>Residential zone section 16.1</li> <li>Business zone section 17.1</li> <li>Business Town Centre Section 18.1</li> <li>Industrial Zone Section 20.1</li> <li>Industrial Zone Heavy Section 21.1</li> <li>Rural zone Section 22.1</li> <li>Countryside living zone Section 23.1</li> </ul>	Seek amendment	<p>KiwiRail accepts that there will be at times situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.</p> <p>It is noted that some zones have restricted discretionary activity categories and some don't. It's been KiwiRail's policy to seek restricted discretionary activity status for non-compliance with its noise and vibration performance standards. The criteria allow for a bespoke consideration of site specific effects.</p> <p>Application for resource consent under this rule can be decided without public notification. KiwiRail are likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.</p>	<p><b>Add new</b> matters of discretion relating to noncompliance with proposed 5m Building setback - railway corridor in the listed zones:</p> <ol style="list-style-type: none"> <li><b><u>1. The size, nature and location of the buildings on the site.</u></b></li> <li><b><u>2. The extent to which the safety and efficiency of rail and road operations will be adversely affected.</u></b></li> <li><b><u>3. The outcome of any consultation with KiwiRail.</u></b></li> <li><b><u>4. Any characteristics of the proposed use that will make compliance unnecessary.</u></b></li> </ol>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
	<ul style="list-style-type: none"> <li>Village zone Section 24.1</li> <li>Reserve zone Section 25.1</li> </ul>			
56	Various including: Residential zone 4.2.5 Policy – Setback: Side boundaries Village zone 4.3.5 Policy – Building setbacks Business and Town centre zones 4.5.33 Policy - Reverse sensitivity Industrial and heavy industrial zone 4.6.7 Policy Management of adverse effects within industrial zones Rural environment 5.6.4 Policy – Building setbacks Reserves 8.1.2 Policies – Provision, use and development of public open space and reserves	Seek amendment	The policies applying to each zone requiring setbacks from the railway corridor should include reference to the purpose of the setback. Existing and sought changes to the Plans objectives lend sufficient support the need for setbacks for amenity and safety, and the efficient integration of development and infrastructure. Adding an additional item to these plan sections will also facilitate assessment of situations where the proposed 5 metre Building setback - railway corridor rule cannot be met, or it is inappropriate to require compliance.	<p>(a) <b>Amend</b> the following policies by adding a new item;</p> <p>4.2.5 Policy – Setback: <del>Side boundaries</del>: <b>add</b> a new clause (c) as worded below and change the heading            4.3.5 Policy – Building setbacks <b>add</b> a new clause (b) as worded below            4.6.7 Policy Management of adverse effects within industrial zones <b>add</b> a new clause (b) as worded below            5.6.4 Policy – Building setbacks <b>add</b> a new clause (b) as worded below            8.1.2 Policies – Provision, use and development of public open space and reserves <b>add</b> a new clause (e) as worded below</p> <p><b><u>New clause:</u></b>  <b><u>Manage Reverse sensitivity by providing sufficient setbacks buildings to provide for residents' safety and amenity</u></b></p> <p><b>And</b></p> <p>(b) <b>Amend</b> 4.5.33 Policy as follows:</p> <p>4.5.33 Policy - Reverse sensitivity – add a new clause (b) as follows:</p> <p><b><u>Reverse sensitivity is managed by providing sufficient setbacks to provide for residents' safety and amenity</u></b></p>
57	14.2.1 Rules applying to all infrastructure Permitted Activities 14.2.1 (a) (P1) and (P2)	Support	KiwiRail supports P1 as this provides for the maintenance of the railway network.  KiwiRail supports P2 as it enables the maintenance upgrading and operation of land transport networks across a range of routine activities within reasonable parameters.	<b>Retain</b> 14.2.1 (a) P1 and P2 as notified.
58	14.3.1 Permitted Activities Activity P1	Support	KiwiRail supports the provision which permits the operation, maintenance, repair and removal of existing infrastructure as this enables the District to meet its requirements for effective and efficient land transport network systems.	<b>Retain</b> as notified.
59	14.3.1 Permitted Activities Activity P2	Support	KiwiRail supports the provision for minor upgrades to existing infrastructure.	<b>Retain</b> as notified
60	14.3.1 Permitted Activities 14.3.1 P3 Temporary infrastructure	Support	KiwiRail supports provision for Temporary infrastructure activities in the Plan subject to criteria.	<b>Retain</b> as notified
61	14.3.1.3 Earthworks activities associated with infrastructure 14.3.1.3 (1) (a) and (b)	Seek amendment	Parts of the railway corridor lie either within Landscape and Natural Character Areas, Significant Amenity Landscape (SAL), High or Outstanding Natural Character areas of the coastal environment or Outstanding Natural Feature (ONF) or Outstanding Natural Landscapes (ONLs). As the operator of a linear transport network KiwiRail carries out	<p><b>Amend</b> P4 earthworks activities associated with infrastructure 14.3.1.3 (1) (a) and (b) as follows;</p> <p>(a) <b><u>Do not exceed a volume of more than 2,500m<sup>3</sup> for any single activity (with the exception of works associated with Regionally Significant Infrastructure);</u></b></p>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
			linear project works within the railway corridor. These projects are usually carried out either during operations, or during blocks of line - when as much work is done as possible. The small limits applying to any works undertaken for the operation, maintenance or upgrading of the railway corridor would create significant difficulties where for instance work sites may need to set-up, only a small amount of the works completed, then the site(s) had to be broken down await another 'activity' period. Linear projects on the railway corridor tend to be relatively narrow.	<b>(b) Do not exceed an area of more than 2,500m<sup>2</sup> for any single activity (with the exception of works associated with Regionally Significant Infrastructure);</b>
62	Earthworks 14.3.1.3 Earthworks activities associated with infrastructure  Rule 14.3.1.3 (3)	Seek amendment	Parts of the railway corridor lie either within Landscape and Natural Character Areas, Significant Amenity Landscape (SAL), High or Outstanding Natural Character areas of the coastal environment or Outstanding Natural Feature (ONF) or Outstanding Natural Landscapes (ONLs).  Works associated with Regionally Significant Infrastructure often require the use of clean fill. As these works cannot be carried out elsewhere, KiwiRail seeks that the Plan appropriately provides for the use of clean fill in limited circumstances, where necessary to carry out required works on the rail corridor.	<b>Amend</b> Rule 14.3.1.3 (3) as follows; <i>(2) Rule 14.3.1.3(1)(f) does not apply to earthworks required to establish a foundation or surface that will ultimately be sealed or constructed upon.</i>  <i>(3) Earthworks associated with infrastructure in Landscape and Natural Character Areas must not:</i>  <i>(a) Exceed 1.5m in height in relation to the cut or fill batter face; and</i>  <i>(b) Use imported soil other than the placement of aggregate/metal on any access track or in association with laying underground infrastructure and clean fill associated with Regionally Significant Infrastructure; and</i>  <i>(c) Disturb or move more than 50m<sup>3</sup> or exceed an area of 250m<sup>2</sup> in a Significant Amenity Landscape sand dune over any consecutive 12 month time period; and</i>  <i>(d) Disturb or move more than 50m<sup>3</sup> or exceed an area of 250m<sup>2</sup> in a High or Outstanding Natural Character Area of the coastal environment over any consecutive 12 month time period; and</i>  <i>(e) Disturb or move more than 50m<sup>3</sup> or exceed an area of 250m<sup>2</sup> in an Outstanding Natural Feature or Outstanding Natural Landscapes over any consecutive 12 month time period (except for Regionally Significant Infrastructure works);</i>
63	14.3.1 Permitted Activities P4  Earthworks activities associated with infrastructure	Oppose	This clause is unreasonably restrictive for linear land transport networks like KiwiRail. KiwiRail supports Council in requiring activities to be setback from rivers, lakes and the coastal marine area, however this policy as worded gives no recognition to existing encroachments or existing activities already located in these areas. The rail network is not able to be easily relocated and given the function it provides for the district, the region and the country, the rail network often crosses over watercourses. It is therefore likely that works exceeding the limit in (c) would not be capable of being setback in most cases more than 20m from the rivers, lakes or the coastal marine area. Further, there is limited scope to relocate the rail network away from watercourses so that no river crossings were ever required. Parts of the railway corridor lie either within Landscape and Natural Character Areas, Significant Amenity Landscape (SAL), High or Outstanding Natural Character areas of the coastal environment or Outstanding Natural Feature (ONF) or Outstanding Natural Landscapes (ONLs). The thresholds in (c) are unreasonably low when considering long linear land transport operations like railways; where parts of the corridor are on embankments, in cuttings or in remote and topographically challenging areas. KiwiRail seek that the rule be deleted as the effects of any works are adequately address in the remaining rule criteria e.g. control of sedimentation and overall works limits.	<b>Delete</b> P4 14.3.1.3 (1) (c)  <i>(c) Within 10m of a watercourse or 20m of mean high water springs do not exceed a volume of more than 5m<sup>3</sup> and an area of more than 5m<sup>2</sup> for any single activity.</i>  <b>Or:</b>  <b>Amend</b> P4 14.3.1.3 (1) (c)  <i>(c) Within 10m of a watercourse or 20m of mean high water springs do not exceed a volume of more than 5m<sup>3</sup> and an area of more than 5m<sup>2</sup> for any single activity (excluding existing rail infrastructure).</i>
<b>Transportation</b>				
64	14.12 Transportation 14.12.1 Permitted Activities	Seek amendment	There are many elements in the 14.12.1 Permitted Activities in the Transport section of Chapter 14 which could equally apply to railway corridor activities, and should be amended so to make this clear.	<b>Amend</b> 14.12.1 Permitted Activities as follows:  P5 Operation, maintenance and minor upgrading of existing public roads, State Highways,

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
				<p><u>rail corridors</u>, and associated <u>transport</u> road network activities</p> <p>14.12.1.5  (1) Operation, maintenance and minor upgrading of existing public roads, State Highways, <u>railways</u> and associated road network activities must comply with the following conditions:  (a) The works occur within the, road or unformed road <u>or railway corridor</u>;  (b) Works within the road or <u>railway corridor</u> must be: (i) Incidental to, and serve a supportive function for, the existing public road <u>or railway corridor</u>; or ....</p>
65	14.12 Transportation Rule 14.12.1.1(g)	Support	The Rule is consistent with Part 9 of the NZTA Traffic Control Devices Manual, Section 7.8. This rule will ensure that the potential conflicts between new vehicle access ways and level crossings are avoided. Level crossing accidents, whilst rare, are severe and as such require strict safety design criteria. The 30 metre distance enables sufficient stacking distance between the level crossing and the adjacent access way and minimises the risk of traffic being stopped across the railway line.	<b>Retain</b> Rule 14.12.1.1(g) as notified.
66	14.12 Transportation 14.12.2 restricted discretionary activities	Seek amendment	Rule 14.12.1.1(g) provides "No new vehicle access shall be created within 30 metres of a railway level crossing". KiwiRail seeks the addition of new matters of discretion for new vehicle accesses within 30 metres of a railway level crossing, as the general matters identified in RD1 do not address specific effects on the rail network.	<p>Add to 14.12.2 Restricted Discretionary Activities criteria to RD1</p> <p><b><u>(a)The extent to which the safety and efficiency of rail and road operations will be adversely affected, including:</u></b>  <b><u>(b)The outcome of any consultation with KiwiRail.</u></b>  <b><u>(c)Any characteristics of the proposed use that will make compliance unnecessary.</u></b></p>
67	14.12 Transportation 14.12.1 Permitted Activities 14.12.2 Restricted discretionary activities	Seek amendment	<p>KiwiRail seeks the inclusion of the level crossing sightline controls. KiwiRail has developed a sight triangles standard which requires areas are kept free of physical obstructions (erected or placed) from the standards developed by NZTA, contained in the Traffic Control Devices Manual 2008, Part 9 Level Crossings, which prescribes the formula for sight lines. Including these diagrams in the District Plan addresses the need to avoid the poor location of land uses which can obstruct the required safety sight lines for uncontrolled (i.e. no barriers) railway level crossings.</p> <p>One of the key factors in maintaining safety is to ensure road vehicle drivers are presented with sufficient visibility along the rail tracks and obstructions do not block the visibility of level crossing signs or alarms to approaching drivers. 6.5.2 Policy – Construction and operation of the land transport network supports the inclusion of level crossing sightline diagrams in the Plan.</p>	<p><b>Add</b> new activity specific condition to P1 Vehicle access for all activities 14.12.1.1</p> <p><b><u>(h) All existing and new accesses and roads that cross an operational rail network via a level crossing must be maintained in accordance with the sight line triangles provided in 14.12.5 Railway Level Crossing Sight Triangles and Explanations</u></b></p> <p><b>Add</b> the following to 14.12.5 Transportation tables and figures</p> <p><b><u>Railway Level Crossing Sight Triangles and Explanations:</u></b></p> <p><b><u>Level Crossing Sight Triangles and Explanations</u></b></p> <p><b><u>Developments near Existing Level Crossings.</u></b>  <b><u>It is important to maintain clear visibility around level crossings to reduce the risk of collisions. All the conditions set out in this standard apply during both the construction and operation stages of any development.</u></b></p> <p><b><u>Approach sight triangles at level crossings with Give Way signs</u></b>  <b><u>On sites adjacent to rail level crossings controlled by Give Way Signs, no building, structure or planting shall be located within the shaded areas shown in Figure 1. These are defined by a sight triangle taken 30 metres from the outside rail and 320 metres along the railway track.</u></b></p>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
				<p><b>Figure 1: Approach Sight Triangles for Level Crossings with "Give Way" Signs.</b></p> <p><b>Advice Note:</b>  <u>The approach sight triangles ensure that clear visibility is achieved around rail level crossings with Give Way signs so that a driver approaching a rail level can either:</u></p> <ul style="list-style-type: none"> <li>• <u>See a train and stop before the crossing; or</u></li> <li>• <u>Continue at the approach speed and cross the level crossing safely.</u></li> </ul> <p><u>Of particular concern are developments that include shelter belts, tree planting, or a series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.</u></p> <p><u>No approach sight triangles apply for level crossings fitted with alarms and/or barrier arms. However care should be taken to avoid developments that have the potential to obscure visibility of these alarm masts. This is particularly important where there is a curve in the road on the approach to the level crossing, or where the property boundary is close to the edge of the road surface and there is the potential for vegetation growth.</u></p> <p><u>Restart sight triangles at level crossings.</u></p> <p><u>On sites adjacent to all rail level crossings, no building, structure or planting shall be located within the shaded areas shown in Figure 2. These are defined by a sight triangle taken 5 metres from the outside rail and distance A along the railway track. Distance A depends on the type of control (Table 1).</u></p>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)									
				<div data-bbox="1249 236 2004 651"> <p>Centre of roadway</p> <p>677 m</p> <p>677 m</p> <p>OBSTRUCTION FREE ZONE</p> <p>NOTES: Drawing is not to scale. See restart position is taken from the outside rail track.</p> </div> <p data-bbox="1249 655 2004 699"><b>Figure 2: Restart Sight Triangles for all Level Crossings (except those fitted with train activities barriers).</b></p> <p data-bbox="1249 715 2004 735"><b>Table 1: Required Restart Sight Distances For Figure 2</b></p> <table border="1" data-bbox="1249 735 2004 802"> <thead> <tr> <th colspan="3">Required approach visibility along tracks A (m)</th> </tr> <tr> <th>Signs only</th> <th>Alarms only</th> <th>Alarms and barriers</th> </tr> </thead> <tbody> <tr> <td>677 m</td> <td>677 m</td> <td>60 m</td> </tr> </tbody> </table> <p data-bbox="1249 823 2004 903"><b>Advice Note:</b> <u>The restart sight line triangles ensure that a road vehicle driver stopped at a level crossing can see far enough along the railway to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train.</u></p> <p data-bbox="1249 924 2004 983"><u>Of particular concern are developments that include shelter belts, tree planting, or a series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.</u></p> <p data-bbox="1249 1007 2004 1337"><b>Notes:</b></p> <ol style="list-style-type: none"> <li>Figures 1 and 2 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along-track distance in Figure 1, and 50 m to the along-track distance in Figure 2.</li> <li>All figures are based on the sighting distance formula used in NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based; however, the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a: <ul style="list-style-type: none"> <li>train speed of 110 km/h</li> <li>vehicle approach speed of 20 km/h</li> <li>fall of 8 % on the approach to the level crossing and a rise of 8 % at the level crossing</li> <li>25 m design truck length</li> <li>90° angle between road and rail</li> </ul> </li> </ol> <p data-bbox="1249 1342 2004 1362">Add to 14.12.2 new 'RD 10' as follows;</p> <p data-bbox="1249 1383 2004 1399"><b>Activity: Buildings and structures within a road/rail level crossing sight triangle</b></p>	Required approach visibility along tracks A (m)			Signs only	Alarms only	Alarms and barriers	677 m	677 m	60 m
Required approach visibility along tracks A (m)													
Signs only	Alarms only	Alarms and barriers											
677 m	677 m	60 m											

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
				<p><b>Discretion is restricted to:</b></p> <ol style="list-style-type: none"> <li><u>The extent to which the safety and efficiency of rail and road operations will be adversely affected</u></li> <li><u>The outcome of any consultation with KiwiRail</u></li> <li><u>Any characteristics of the proposed use that will make compliance unnecessary</u></li> </ol>
<b>Miscellaneous</b>				
68	Subdivision consent criteria in the following zones; <ul style="list-style-type: none"> <li>Residential zone</li> <li>Village zone</li> <li>Countryside Living</li> <li>Rural zone</li> <li>Business zone</li> <li>Business Town Centre</li> <li>Industrial</li> <li>Heavy Industrial</li> </ul>	Seek Amendment	<p>The design, location and service arrangements for new development carried out in the subdivision process cannot be separated from the future use of the subdivided sites. New buildings, including those containing sensitive or noise sensitive activities, their location and the design and location of access ways may all have an influence on the ultimate impact development has on existing and planned infrastructure. The potential for reverse sensitivity effects is therefore a relevant consideration at this point in the development process.</p> <p>KiwiRail seeks the addition of matters of discretion relating to reverse sensitivity effects on land transport networks to the subdivision consent criteria in the listed zones.</p>	<ul style="list-style-type: none"> <li><b>Add</b> to Subdivision rules in the Residential (16.4.1) and Village Zones (24.4.1) an additional RD1 discretionary criteria: <b>reverse sensitivity effects, including on land transport networks</b></li> <li><b>Alter</b> Subdivision criteria in the Countryside Living Zone 23.4.2 by adding <b>reverse sensitivity effects, including on land transport networks</b></li> <li><b>Alter</b> Subdivision in the Rural Zone 22.4.1.2 (b) (iv) <i>the potential for reverse sensitivity effects</i> by adding <b>including on land transport networks</b></li> <li><b>Add</b> to Subdivision in the Business17.4.1, Business Town Centre 18.4.1, Industrial 20.4.1. and Heavy Industrial Zones 21.4.1 a further discretionary category; <b>reverse sensitivity effects, including on land transport networks</b></li> </ul>
69	Land use effects General earthworks for Permitted Activities in the following zones: <ul style="list-style-type: none"> <li>Residential zone</li> <li>Village zone</li> <li>Countryside living</li> <li>Rural zone</li> <li>Business zone</li> <li>Business Town Centre</li> <li>Industrial Zone</li> <li>Heavy industrial zone</li> <li>Reserve zone</li> </ul>	Seek amendment	<p>KiwiRail supports that earthworks are required to be setback from services and network systems. The rail track itself is most susceptible from adverse effects if adjacent earthworks are not adequately set back. KiwiRail seeks that rule relating to setbacks in certain zones should be amended to reflect that there should be an earthworks setback of 1.5m from infrastructure, to ensure that the efficient and effective operation of the existing network is maintained.</p> <p>KiwiRail also seeks that the rule relating to revegetation in certain zones be amended to include other available methods to stabilise the ground to prevent runoff, including building or hard cover development. As notified, these rules are ambiguous.</p>	<p><b>Setbacks</b></p> <p><b>Amend</b> Rules 16.2.4.1(P1)(a), 20.2.5.1(P1)(a), 21.2.5.1(P1)(a) and 24.2.4.1(P1)(a):</p> <p><i>(i) Be located more than 1.5 m horizontally from any <b>infrastructure, including a</b> waterway, open drain or overland flow path;</i></p> <p><b>Amend</b> Rules 17.2.5.1(P1)(a), 18.2.4.1(P1)(a), 19.2.4(P1)(a) and 25.2.4.1(P1)(a):</p> <p><i>(i) Be located more than 1.5m from <b>infrastructure, including a</b> public sewer, open drain, overland flow path or other service pipe</i></p> <p><b>Amend</b> Rules 22.2.3.1(P2)(a) and 23.2.3.1(P2)(a):</p> <p><b><i>(vii) Be located more than 1.5 m horizontally from any infrastructure, including a waterway, open drain or overland flow path;</i></b></p> <p><b>Revegetation</b></p> <p><b>Amend</b> Rules 16.2.4.1(P1)(vii), 17.2.5.1(P1)(a)(iv), 18.2.4.1(P1)(a)(iv), 19.2.4(P1)(a)(iv), 20.2.5.1(P1)(a)(vii), 21.2.5.1(P1)(a)(vii), 22.2.3.1(P2)(a)(iv), 23.2.3.1(P2)(a)(iv), 24.2.4.1(P1)(a)(vii) and 25.2.4.1(P1)(a)(iv):</p> <p>Areas exposed by the earthworks are <b>stabilized to avoid runoff</b> re-vegetated to achieve <b>80% ground cover within 1 month of the cessation</b> 6 months of the commencement of the earthworks</p>
70	Signs, in all zones	Seek	Signs erected in the City should not have an adverse effect on the safe and	<b>Amend</b> 'all Signs – Effects on traffic' permitted activity standards in each of the listed zones

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)									
	<p>particularly the provisions relating to 'Signs- effects on traffic' standards;</p> <ul style="list-style-type: none"> <li>Residential 16.2.7.2</li> <li>Business zone 17.2.7.2</li> <li>Business Town Centre zone 18.2.7.2</li> <li>Chapter 20 Industrial zone 20.2.7.2</li> <li>Chapter 23 Countryside Living zone 23.2.6.2</li> <li>Village zone 24.2.7.2</li> <li>Reserve zone 25.2.7.2</li> </ul>	amendment	<p>efficient functioning of the land transport network, including railways, and the health and safety of road users. Traffic on the railway network will grow, and with more trains the issue of minimizing driver distraction is important to ensure the efficient running of the land transport network.</p> <p>Further, signs should be restricted where they breach the level crossing sightline areas developed from the NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings as sought in KiwiRail submission 67. It is appropriate to restrict and prevent the placement of signs within required sight lines for vehicles access and intersections, and within the sight lines required for rail crossings.</p>	<p>as follows;</p> <p><i>P1 (a) 'Any sign directed at road land transport users must'</i></p> <p><i>[...]</i></p> <p><i>(iii)Not obstruct sight lines of drivers turning into or out of a site entrance and intersections <u>or at a level crossing</u>. Contain no more than 40 characters and no more than 6 symbols;</i></p>									
<b>Residential</b>													
71	Chapter 16 Residential zone Lakeside Te Kauwhata Precinct 16.5.3 Restricted Discretionary Activities Criteria (a) (iv)	Support	KiwiRail recently engaged for the proponents of Plan Change 20 Lakeside Precinct and developed a comprehensive set of controls relating to upgrades to the level crossing through Te Kauwhata and seek the retention of RDA criteria assessing any non-compliance with the traffic related standards imposed.	<b>Retain</b> 16.5.3 Restricted Discretionary Activities discretionary criteria (a) (iv)									
72	Chapter 16 Residential zone Lakeside Te Kauwhata Precinct 16.5.7.1 Noise and vibration – North Island Main Trunk Line (NIMT)	Support	KiwiRail recently engaged the proponents of Plan Change 20 Lakeside Precinct and developed a comprehensive set of controls relating to noise and vibration and activity controls to the North Island Main Trunk Line (NIMT). These have been included in the Proposed Plan and are supported.	<b>Retain</b> rule 16.5.7.1 Noise and vibration – North Island Main Trunk Line (NIMT) as notified									
<b>Rural zone</b>													
73	22.1.2 Rural zone Permitted Activities	Seek amendment	Both 'Afforestation not in an Outstanding Landscape Area' and 'Forestry' are defined in the Plan and permitted activities in the Rural Zone. The National Environmental Standard for Plantation Forestry controls the planting and location of plantation forestry. Under regulation 14 of the Resource Management (National Environmental Standards for Plantation Forestry) (NES) Regulations 2017 an afforestation setback of at least 10m is required from an adjoining property (which includes the railway corridor). Afforestation means planting and growing plantation forestry trees on land where there is no plantation forestry, and where plantation forestry harvesting has not occurred within the last 5 years. This leaves a temporal gap under the NES where the replanting of trees within 5 years of harvest, closer than 10m to the adjoining property (e.g. railway corridor) appears to be permitted. This means that if replanting of a harvested forest occurs within 5 years, trees may be located closer than 10m to a property boundary. There is currently no rule in the Plan controlling this time period.	<p><b>Add new Permitted Activity standard in all relevant Rural zones:</b></p> <table border="1"> <thead> <tr> <th></th> <th>Activity</th> <th>Activity specific conditions</th> </tr> </thead> <tbody> <tr> <td><b>P6</b></td> <td><b>Afforestation not in an Outstanding Landscape Area</b></td> <td><b>Forestry replanting is setback a minimum of 10m from the rail corridor boundary if it occurs within 5 years after harvesting.</b></td> </tr> <tr> <td><b>P8</b></td> <td><b>Forestry</b></td> <td><b>All planting is set back a minimum of 10m from any railway corridor</b></td> </tr> </tbody> </table> <p><b>Forestry replanting is setback a minimum of 10m from the rail corridor boundary if it occurs within 5 years after harvesting.</b></p>		Activity	Activity specific conditions	<b>P6</b>	<b>Afforestation not in an Outstanding Landscape Area</b>	<b>Forestry replanting is setback a minimum of 10m from the rail corridor boundary if it occurs within 5 years after harvesting.</b>	<b>P8</b>	<b>Forestry</b>	<b>All planting is set back a minimum of 10m from any railway corridor</b>
	Activity	Activity specific conditions											
<b>P6</b>	<b>Afforestation not in an Outstanding Landscape Area</b>	<b>Forestry replanting is setback a minimum of 10m from the rail corridor boundary if it occurs within 5 years after harvesting.</b>											
<b>P8</b>	<b>Forestry</b>	<b>All planting is set back a minimum of 10m from any railway corridor</b>											



Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
			<p>There are also other forms of forestry which are not covered by the NES – such as woodlots and shelter belts less than 30m wide – which may have a safety impact on transport networks and sightlines. KiwiRail seeks a change to the forestry definition to cover these.</p> <p>KiwiRail has experienced safety issues with forestry and forest lots being too close to the rail corridor and therefore wish to ensure that a standard setback (consistent with the distance provided the NES) is imposed to reduce potential safety risks.</p>	<p><b>22.1.3 Restricted Discretionary Activities</b></p> <p><b>Add</b> new RDA:</p> <p><b><u>Afforestation or forestry not meeting permitted activity criteria</u></b></p> <p>Council's discretion is restricted to:</p> <p><b>Effects on the health, safety and efficiency of the railway corridor</b></p>
<b>Designations</b>				
74	Section E Designations	Support	KiwiRail holds designations over its operational railway lines, yards and depots within the District and supports them being shown correctly on the Planning Maps (and as they appeared in the Operative Plan) and in Section E.	<b>Retain</b> all KiwiRail designations as notified under 'L KiwiRail Holdings Limited' and in the Planning maps.
75	Planning maps with KiwiRail Holdings Ltd designations	Seek amendment	<p>KiwiRail submits that its railway designations in the District should not be subject to underlying zoning, but should rather be marked as "un-zoned" as roads or State Highways are. Both corridors are strategic transport infrastructure.</p> <p>The rail corridor is currently zoned Rural throughout the entire District, despite it not being used for any rural activities and in fact traversing a range of rural and urban environments. As detailed further below in submission point 76, this blanket approach to zoning the rail corridor may lead to perverse outcomes for KiwiRail's tenants, who operate under the zone rules rather than KiwiRail's designations.</p> <p>KiwiRail submits that amending the underlying zoning of the rail corridor to be "un-zoned" is the most effective way to achieve the objectives of the Plan directed towards the development, operation and maintenance of infrastructure, in particular Objective 6.1.1. As the rail corridor provides for linear infrastructure that traverses across multiple zones throughout the District, KiwiRail's activities within the corridor are most appropriately managed through its designations and the provisions of Chapter 14 – Infrastructure and Energy, rather than by reference to particular zones.</p> <p>Amending the underlying zoning of the rail corridor would also have no impact on the ability of the Plan to appropriately manage KiwiRail's railway operations, as these activities are covered under Chapter 14 – Infrastructure and Energy, which specifically provides that the provisions of the underlying zone do not apply to infrastructure activities.</p>	<b>Amend</b> all Planning Maps where KiwiRail's designations apply to change the underlying zoning from 'Rural' to 'unzoned'
76	Section E Designations	Seek amendment	<p>Although KiwiRail uses most of its landholdings for railway purposes, parts of KiwiRail's designated land are tenanted by third parties. The activities of KiwiRail's lessees, typically being unrelated to rail operations, are not authorised under KiwiRail's designations and so are subject to the relevant underlying zone provisions.</p> <p>Under the notified Plan, the activities of KiwiRail's tenants would be subject to provisions of the Rural Zone (as the rail corridor currently has this underlying zoning throughout the District), regardless of the activity or where it is located. The blanket approach of zoning the entire rail corridor "Rural" may lead to perverse outcomes for KiwiRail's tenants, who operate under the reasonable expectation that they will be able to carry out activities or development that are in accordance with the development pattern of the</p>	<p><b>Amend</b> the second paragraph of the Introduction as follows:</p> <p><b><u>The zone rules regulate activities that are not covered by the designation. Where designated land is un-zoned, activities not covered by the designation will be subject to the rules of the adjacent zone. If there are two different zones, the adjacent zone extends to the centre line of the designated land.</u></b></p>

Item	Proposed Plan Amendment Section	Support/Op pose/ Seek Amendment	Comments/Reasons	Relief sought (as stated or similar to achieve the requested relief)
			<p>surrounding zone(s). KiwiRail's lessees should be subject to the same planning controls as the owners / occupiers of the surrounding land. To do otherwise would result in an inequitable situation where KiwiRail's tenants could be subject to stricter planning controls than their immediate neighbours, even though their activities are equally as appropriate in that location (or vice versa).</p> <p>KiwiRail submits that the most effective way to achieve the objectives and policies of the Plan, in particular Objective 6.1.1 and Policy 6.1.2, is to have the land subject to KiwiRail's designations un-zoned but include a rule in Section E providing that where activities are occurring on designated land that is un-zoned, the applicable zoning is determined by the adjacent zone. This will allow for the efficient and effective development, operation and maintenance of infrastructure while at the same time ensuring that KiwiRail's tenants enjoy the appropriate zoning for their activities.</p>	

