

2 September 2024

Independent Hearing Panel
Waimakariri Proposed District Plan
PO Box 1005
Rangiora 7440

By email to: audrey.benbrook@wmk.govt.nz

Dear Commissioners,

Waimakariri Proposed District Plan – Hearing Stream 7B (Housing Intensification)

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" in District Plans throughout New Zealand.

KiwiRail made a submission on Variation 1 to the Waimakariri Proposed District Plan (**Proposed Plan**) on 9 September 2022.

KiwiRail supports urban development around transport nodes. However, such development must be planned and managed thoughtfully, with the safety and wellbeing of people and the success of the national rail network in mind. Development near the rail corridor needs to be managed to avoid, remedy or mitigate adverse effects on the health, safety and amenity of adjoining landowners, as well as reverse sensitivity effects on KiwiRail's operations.

I refer to my earlier evidence and the evidence presented by Ms Heppelthwaite for Hearing Stream 6 which sets out the importance of providing an adequate plan-based setback adjacent to the rail corridor across all zones in the Waimakariri District. Fundamentally, KiwiRail seeks setback controls to appropriately manage the health and safety of communities and ensure the ongoing operation of KiwiRail's network as nationally and regionally significant infrastructure.¹

KiwiRail strongly supports the Council Officer's recommendations set out in the Section 42A Report.² Mr Wilson has recommended accepting all four of KiwiRail's submission points on Variation 1 to the Proposed Plan.³ For completeness, these submissions sought retention of the rail corridor as a qualifying matter; retention of TRAN-R21 and TRAN-APP7 as notified;⁴ retention of the 5 metre setback from the rail designation boundary in the Medium Density Residential Zone;⁵ and the inclusion of a new matter of discretion in MRZ-BFS5 relating to the ability to safely use, access and maintain buildings without encroaching into the rail corridor (where there is non-compliance with the setback standard).

¹ Statement of Evidence of Michelle Grinlinton-Hancock dated 25 September 2023 at [4.12].

² Section 42A Officer's Report: Variation 1 – Housing Intensification dated 19 August 2024, pp 188-192 Appendix B.

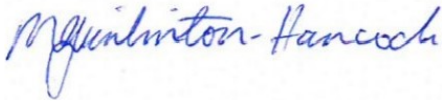
³ Submission points 51.1 – 51.5.

⁴ TRAN-R1 relates to activities adjacent to a road and rail level crossing, and TRAN-APP7 sets out sight triangles for a road and rail level crossing.

⁵ MRZ-BFS5.

At this stage, KiwiRail does not wish to be heard at the hearing for Hearing Stream 7B, and respectfully requests this letter is tabled as a record of KiwiRail's position. I am available to answer any questions from the Hearing Panel either in writing or via video conference if required.

Yours faithfully,

A handwritten signature in blue ink that reads "Michelle Grinlinton-Hancock".

Michelle Grinlinton-Hancock

Manager RMA Team

KiwiRail Holdings Limited

