

28 March 2024

Independent Hearing Panel  
Proposed Waimakariri District Plan

By email to: [audrey.benbrook@wmk.govt.nz](mailto:audrey.benbrook@wmk.govt.nz)

Dear Commissioners,

**Proposed Waimakariri District Plan – Hearing Stream 8 (Subdivision – Rural and Residential)**

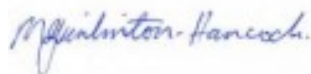
KiwiRail Holdings Limited (**KiwiRail**) is the State-Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail is also the Requiring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

KiwiRail generally supports the Council Officer's recommendations contained in the Section 42A Reports for Subdivision (Rural) and Subdivision (Residential). The Council Officer accepted a number of KiwiRail's submission points on this topic and these submission points are not discussed further in this statement.<sup>1</sup>

The Section 42A Reports make recommendations on KiwiRail's submission points that were not wholly accepted or were rejected. I have provided responses to these recommendations in the table attached to this letter as **Attachment 1**.

KiwiRail does not wish to be heard at the hearing. However, I am available to answer any questions from the Hearing Panel either in writing or via videoconference if required.

Yours faithfully,

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

Michelle Grinlinton-Hancock

**Manager RMA Team**

**KiwiRail Holdings Limited**

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<sup>1</sup> 373.60, 373.61, 373.64, 373.65, 373.66.



Attachment 1 – KiwiRail's response to Council Officer Recommendations

Submission Number	Provision	Section 42A	Response to Council Officers' recommendations
<b>Subdivision (Residential)</b>			
FS99	SUB-O1	Reject	<p>KiwiRail supported the submission by Christchurch International Airport Ltd to add an additional subclause to SUB-O1 to ensure that subdivision design achieves an integrated pattern of land use, development and urban form that "does not give rise to adverse effects on strategic infrastructure".</p> <p>The Council Officer rejected this relief on the basis various chapters in the plan already contain objectives and policies that recognise, provide for and manage adverse reverse sensitivity issues on; critical infrastructure, strategic infrastructure, and regionally significant infrastructure in the district and that more detailed provisions specific to the Airport are unnecessary. KiwiRail is seeking appropriate reverse sensitivity policies in other Chapters of the Proposed Plan and on that basis, will not pursue the relief sought for the Subdivision Chapters further.</p>
373.57	SUB-O2	Accept in part	<p>KiwiRail sought to retain SUB-O2 as notified. The Council Officer recommended amendments to this objective, including in response to the relief sought by Waka Kotahi NZ Transport Agency to include consideration of transport safety in SUB-O2, which was supported by KiwiRail in its further submission.</p> <p>In KiwiRail's view the amendments recommended by the Council Officer will still achieve the relief sought by KiwiRail, and therefore KiwiRail supports the Council Officer's recommendation with respect to this provision.</p>
FS99		Accept in part	
373.58	SUB-P1	Accept in part	<p>KiwiRail sought to retain SUB-P1 as notified, and further submitted in opposition to the relief sought by Kāinga Ora to make several amendments. The Council Officer recommended one amendment to this policy. KiwiRail accepts that the amendment recommended by the Council Officer assists in the readability of this policy and does not substantively change the content of the policy.</p> <p>In KiwiRail's view the amendment recommended by the Council Officer will still achieve the relief sought by KiwiRail, and therefore KiwiRail supports the Council Officer's recommendation with respect to this provision.</p>
FS99		Reject in part	
373.59	SUB-P3	Accept in part	<p>KiwiRail sought to retain SUB-P3 as notified. The Council Officer recommended one amendment to this policy to provide that subdivision design promotes various water conservation and stormwater related matters "where appropriate". KiwiRail does not have a view on this amendment, but in KiwiRail's view the amendment recommended by the Council Officer will</p>



			still achieve the relief sought by KiwiRail, and therefore KiwiRail supports the Council Officer's recommendation with respect to this provision.
373.62	SUB-P6	Accept in part	<p>KiwiRail sought to retain SUB-P6 as notified. The Council Officer recommended several amendments to this policy in response to other submissions. These amendments include specifically referring to new General Residential Zones, minor terminology changes, removing the requirement to indicate how the required infrastructure will be funded, and to include a requirement that Outline Development Plans show how the adverse effects associated with natural hazards are to be avoided, remedied, or mitigated as appropriate.</p> <p>In KiwiRail's view the amendments recommended by the Council Officer will still achieve the relief sought by KiwiRail, and therefore KiwiRail supports the Council Officer's recommendation with respect to this provision.</p>
FS99		Accept	<p>KiwiRail further submitted in opposition in part to the relief sought by Christchurch International Airport Limited. As the Council Officer accepted this further submission, KiwiRail accepts the Council Officer's recommendation.</p>
373.63	SUB-P7	Accept in part	<p>KiwiRail sought to retain SUB-P6 as notified. The Council Officer recommended one amendment to this policy in response to another submission.</p> <p>In KiwiRail's view the amendment recommended by the Council Officer will still achieve the relief sought by KiwiRail, and KiwiRail therefore supports the Council Officer's recommendation with respect to this provision.</p>
373.67	SUB-MCD3	Accept in part	<p>KiwiRail sought to retain SUB-MCD3 as notified. The Council Officer recommended one amendment to this policy in response to another submission, to insert "including consideration of the need for any upgrades to existing accesses where there are increased effects as a result of increased traffic arising from subdivision" into SUB-MCD3 Property access (1)(b).</p> <p>In KiwiRail's view the amendment recommended by the Council Officer will still achieve the relief sought by KiwiRail, and KiwiRail therefore supports the Council Officer's recommendation with respect to this provision.</p>
<b>Subdivision (Rural)</b>			
378.68	SUB-MCD10	Accept with amendment	<p>KiwiRail sought to retain SUB-MCD10 as notified. The Council Officer recommended one amendment to this policy in response to another submission, being a submission KiwiRail supported by way of a further submission. KiwiRail therefore supports the Council Officer's recommendation with respect to this provision.</p>
FS99		Accept	

