

DISTRICT PLAN REVIEW

Proposed Waimakariri District Plan - Submission

Clause 6 of Schedule 1, Resource Management Act 1991

Submitter details

(Our preferred methods of corresponding with you are by **email** and **phone**).

Full name: _____

Email address: _____

Phone (Mobile): _____ Phone (Landline): _____

Postal Address: _____ Post Code: _____

Physical address: _____ Post Code: _____
(if different from above)

Please select one of the two options below:

I **could not** gain an advantage in trade competition through this submission (go to Submission details, you do not need to complete the rest of this section)

I **could** gain an advantage in trade competition through this submission (please complete the rest of this section before continuing to Submission details)

Please select one of the two options below:

I **am** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

I **am not** directly affected by an effect of the subject matter of the submission that:

- A) Adversely affects the environment; and
- B) Does not relate to trade competition or the effect of trade competition.

Submission details

The specific provisions of the proposal that my submission relates to are as follows: *(please give details)*

My submission is that: *(state in summary the Proposed Plan chapter subject and provision of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons) (please include additional pages as necessary)*

I/we have included: _____ additional pages

I/we seek the following decision from the Waimakariri District Council: *(give precise details, use additional pages if required)*

Submission at the Hearing

I/we wish to speak in support of my/our submission

I/we do not wish to speak in support of my/our submission

If others make a similar further submission, I/we will consider presenting a joint case with them at the hearing

Signature

Of submitters or person authorised to sign on behalf of submitter(s)

Signature 

Date _____

(If you are making your submission electronically, a signature is not required)

Important Information

1. The Council must receive this submission before the closing date and time for submissions.
2. Please note that submissions are public. Your name and submission will be included in papers that are available to the media and public. Your submission will only be used for the purpose of the District Plan review process.
3. Only those submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Send your submission to: Proposed District Plan Submission
Waimakariri District Council
Private Bag 1005, Rangiora 7440

Email to: developmentplanning@wmk.govt.nz

Phone: 0800 965 468 (0800WMKGOV)

You can also deliver this submission form to one our service centres:

Rangiora Service Centre: 215 High Street, Rangiora

Kaiapoi Service Centre: Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

Oxford Service Centre: 34 Main Street, Oxford

Submissions close 5pm, Friday 26 November 2021

Please refer to the Council website waimakariri.govt.nz for further updates

26 November 2021

Waimakariri District Council
Proposed District Plan
Private Bag 1005
RANGIORA 7440

By email: developmentplanning@wmk.govt.nz

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PLAN, CHANGE OR VARIATION (FORM 5)
Waimakariri 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: Sheena McGuire

Ph: 027 227 7780

Email: Sheena.McGuire@kiwirail.co.nz

KiwiRail Submission on Proposed Waimakariri District Plan

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 designated corridor of the Main North Line (MNL) passes through the Waimakariri District from north to south and is a key part of the KiwiRail network nationally. KiwiRail seeks to protect its ability to operate, maintain and upgrade this line 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 sensitive activities are proposed on land near the railway corridors, appropriate controls should be imposed to ensure their long-term amenity. Associated with that is the risk of objections and complaints leading to restraints on the operation, maintenance and enhancement of the rail corridor. Safety is a key concern for KiwiRail so ensuring sightlines and level crossings are protected is also paramount.

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.



KiwiRail is available to meet with the Council to discuss any elements of the submissions provided within this table, to provide any clarification that may assist in decisions on the changes requested.

KiwiRail wish to be heard in relation to the submissions and if other parties make similar submissions, KiwiRail would consider presenting a joint case with those parties at the hearing.

Regards,

A handwritten signature in black ink, appearing to read 'Sheena' followed by a stylized surname.

Sheena McGuire
RMA Advisor
KiwiRail Holdings Limited

| Submission Number | Section of Plan | Specific Provision | Support/Oppose/ Seek Amendment | Reasons for Submission | Relief Sought (as stated or similar to achieve the requested relief) |
|--|---------------------------------|--|--------------------------------|--|---|
| Part 1: Introduction and general provisions | | | | | |
| 1. | Definitions | Critical Infrastructure | Support | KiwiRail support the inclusion of strategic rail networks, as well as structures that support, protect or form part of rail networks, as part of this definition. | Retain as proposed |
| 2. | Definitions | Infrastructure | Support | The definition as proposed which replicates the RMA definition, is supported by KiwiRail, noting clause (g) includes rail. | Retain as proposed |
| 3. | Definitions | Land Transport Infrastructure | Support | Inclusion of railway tracks, bridges, tunnels, underpasses, signaling, access tracks and facilities, rail crossings, and rail furniture as well as ancillary structures associated with public transport systems, is supported by KiwiRail. | Retain as proposed |
| 4. | Definitions | Maintenance and Repair | Seek amendment | The definition as proposed, does not specifically include maintenance and repair activities in relation to a network utility or transport network. The rail network is defined in the Plan as Critical Infrastructure. Therefore, the repair, replacement or renewal of the transport network should be specified as part of this definition where the works do not alter the character, intensity and scale of the transport network. | Amend to include: Maintenance and Repair means ... <i>in relation to the transport network, the repair, replacement or renewal of the transport network where the works do not alter the character, intensity and scale of the transport network.</i> |
| 5. | Definitions | Network Utility Operator | Support | KiwiRail support the use of the RMA meaning of Network Utility Operator, which includes railway activities. This approach supports the integrated management and provision of key infrastructure. | Retain as proposed |
| 6. | Definition | Noise Sensitive Activity | Seek amendment | KiwiRail support the inclusion of activities currently listed. However, places of assembly and marae have not been listed. These activities are susceptible to noise disruption and should be included in this definition. | Amend to include: <i>e. marae and places of assembly.</i> |
| 7. | Definitions | Rail Corridor | Support | Inclusion of the Railways Act 2005 definition of Rail Corridor as well as including any land held for rail transport, is supported by KiwiRail. | Retain as proposed |
| 8. | Definitions | Regionally Significant Infrastructure | Support | KiwiRail support the inclusion of strategic land transport network, which includes the rail network, as part of this definition. | Retain as proposed |
| 9. | Definitions | Reverse Sensitivity | Support | KiwiRail support the definition proposed in relation to reverse sensitivity effects. It is appropriate to recognise the vulnerability of existing, lawfully established activities such as the rail network to other activities in the vicinity which may be sensitive to adverse environmental effects. | Retain as proposed |
| 10. | Definition | Strategic Infrastructure | Support | KiwiRail support the inclusion of strategic transport networks, which includes the rail network, as part of this definition. | Retain as proposed |
| 11. | Definitions | Strategic Transport Networks | Support | KiwiRail support the inclusion of the rail network, as part of this definition. | Retain as proposed |
| 12. | Definitions | Transport System | Support | KiwiRail support the inclusion of all transport infrastructure in this definition. | Retain as proposed |
| Part 2 – District-wide matters | | | | | |
| 13. | Strategic Directions | SD-03 Energy and infrastructure | Support | KiwiRail support the objective for efficient and effective operation of infrastructure across the district. KiwiRail further support recognition of the operational and functional need of infrastructure, and the management of adverse effects of other activities on infrastructure. | Retain as proposed |
| 14. | Strategic Directions | UFD-P10 Managing reverse sensitivity effects from new... | Support | KiwiRail support strategic direction to protect the function and operation of regionally strategic infrastructure from incompatible activities, including residential and noise sensitive activities. | Retain as proposed |
| 15. | Introduction and interpretation | Energy and Infrastructure AND | Seek amendment | KiwiRail support separate Infrastructure and Transport chapters within the Plan. However, clarity is sought within the introduction and interpretation sections as well as the structure of these chapters to clearly outline what rail activities are captured as infrastructure versus those captured as transport activities. | Amend the introduction and interpretation sections of the energy, infrastructure and transport chapters and re-structure the energy, infrastructure and transport chapters in-line with the Draft Wellington City District Plan approach. |

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|-----|--------------------------------------|---|----------------|--|---|
| | | Transport | | The Draft Wellington City District Plan is currently out for public consultation and KiwiRail note that the Infrastructure and Transport chapters are well-structured and include separate chapters for infrastructure, energy and transport provisions. KiwiRail would support a similar approach in the Plan which would assist with clear interpretation of policies, objectives and rules that apply to rail infrastructure. | |
| 16. | Energy, infrastructure and transport | EI-01 Provision of energy and infrastructure | Support | KiwiRail support the objective for effective, efficient, resilient, and safe infrastructure across the district. | Retain as proposed |
| 17. | Energy, infrastructure and transport | EI-03 Effects of other activities and development on... | Support | KiwiRail support strategic direction recognising the value of infrastructure and need to protect infrastructure from being unreasonably constrained or compromised by other activities. | Retain as proposed |
| 18. | Energy, infrastructure and transport | EI-P1 Recognising the benefits of, and providing for... | Support | KiwiRail supports Policy EI-P1 clauses 1 and 2 in particular as they recognise the value of infrastructure and need to enable the operation, maintenance, repair, renewal, removal and upgrade of infrastructure. The Main North Line is an existing rail asset and its ability to function safely and efficiently over the life of the Plan, will rely on the ability to be maintained and upgraded as required. | Retain as proposed |
| 19. | Energy, infrastructure and transport | EI-P2 Availability, provision and adequacy of, and... | Support | Policy which provides for integrated land use, development and infrastructure is supported by KiwiRail. | Retain as proposed |
| 20. | Energy, infrastructure and transport | EI-P3 New technologies and techniques | Support | KiwiRail support policy that acknowledges the benefits that new technologies can bring to infrastructure in terms of efficiency of the operation, safety and resilience of the network. | Retain as proposed |
| 21. | Energy, infrastructure and transport | EI-P6 Effects of other activities and development on... | Support | Policy which ensures that the safe and efficient operation of infrastructure is not compromised by adverse effects of other activities, is supported by KiwiRail. | Retain as proposed |
| 22. | Energy, infrastructure and transport | EI-R1 Maintenance or removal of existing... | Support | KiwiRail support the permitted activity status of the maintenance or removal of existing infrastructure in all zones. The rail network requires ongoing maintenance to operate safely and efficiently. The ability to undertake maintenance works on the network without consent is supported by KiwiRail. | Retain as proposed |
| 23. | Energy, infrastructure and transport | EI-R2 Construction of new, or widening or extension... AND EI-MD9 Construction of new, or widening or extension of... | Support | The ability to construct and extend vehicle access tracks, as a permitted activity in all zones is supported by KiwiRail. Vehicle access to the rail corridor is required in order to undertaken inspections and regular maintenance of the rail network. | Retain as proposed |
| 24. | Energy, infrastructure and transport | EI-R3 Ancillary infrastructure equipment | Support | KiwiRail support the permitted activity status of ancillary infrastructure equipment in all zones. | Retain as proposed |
| 25. | Energy, infrastructure and transport | EI-R6 Trimming or removal of trees and vegetation | Seek amendment | The rail corridor is often bordered by vegetation and the ability to trim or remove trees and vegetation required for the safe operation of infrastructure as a permitted activity, is supported by KiwiRail. The Advisory Notes below rule EI-R6 omits rail/infrastructure in listing situations where the rule applies. Amendment to this Note is requested to specify infrastructure. | Amend as follows: Advisory Notes This rule applies to situations such as protecting the safe operation or maintenance of infrastructure , overhead lines or removing an associated potential fire risk, or maintaining sight lines from an intersection. |

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| 26. | Energy, infrastructure and transport | TRAN-01 A safe, resilient, efficient, integrated and... | Support | Balancing the economic, social, cultural and environmental well-being of communities with providing a safe and efficient transport system for all transport modes, is an important objective which KiwiRail supports in full. | Retain as proposed |
| 27. | Energy, infrastructure and transport | TRAN-03 Adverse effects from the transport system | Support | KiwiRail support the objective to manage adverse effects of the transport system while providing for transportation demands. | Retain as proposed |
| 28. | Energy, infrastructure and transport | TRAN-04 Effects of activities on the transport system | Support | The Main North Line is an established part of the land transport infrastructure within the Waimakariri District. The functional and operational needs of transport infrastructure being protected from adverse effects, including in relation to reverse sensitivity effects, is supported by KiwiRail. | Retain as proposed |
| 29. | Energy, infrastructure and transport | TRAN-P1 Recognising the benefits of, and providing for, transport | Support | KiwiRail support recognition of the value of infrastructure and need to enable the operation, maintenance, repair, renewal, removal and upgrade of infrastructure. The rail asset is existing and its ability to continue functioning effectively over the life of the Plan, will rely on the ability to be maintained and upgraded as required. | Retain as proposed |
| 30. | Energy, infrastructure and transport | TRAN-P4 New activities | Support | Policy direction for safe movement of vehicles without compromising the safety and efficiency of the rail corridor is supported by KiwiRail. New activities, particular those that are located adjacent to the rail corridor must allow for safe access for vehicles and safe operation of the railway. | Retain as proposed |
| 31. | Energy, infrastructure and transport | TRAN-P5 High traffic generating activities | Support | KiwiRail support policy direction aimed to manage the effect of high traffic generating activities on the safe, efficient and effective use of the transport system. | Retain as proposed |
| 32. | Energy, infrastructure and transport | TRAN-P6 Road/rail level crossings | Support | Visibility at level crossing is critical for the safety of road users and rail operations. KiwiRail support policy which recognises safe visibility at level crossings. | Retain as proposed |
| 33. | Energy, infrastructure and transport | TRAN-P13 Activities within the transport system | Support | KiwiRail support policy which enables transport-related activities. In particular, KiwiRail support TRAN-P13 1(a) and 1(c) which aim to provide for, maintain or improve the safety, efficiency and functionality of the transport system and associated land transport infrastructure. | Retain as proposed |
| 34. | Energy, infrastructure and transport | TRAN-P14 Adverse effects on amenity values of adjacent activities | Support | KiwiRail support policy direction to ensure adverse effects from the transport connections and land transport infrastructure are managed whilst providing for the efficient and safe operations of the transport system. | Retain as proposed |
| 35. | Energy, infrastructure and transport | TRAN-P15 Effects of activities on the transport system | Support | The functional and operational needs of transport infrastructure being protected from adverse effects, including reverse sensitivity effects, is supported by KiwiRail. | Retain as proposed |
| 36. | Energy, infrastructure and transport | TRAN-R1 Maintenance of the existing transport system | Support | KiwiRail support the permitted activity status of maintenance of the transport system in all zones. Rail infrastructure requires ongoing maintenance for the safe and efficient operation of the railway | Retain as proposed |
| 37. | Energy, infrastructure and transport | TRAN-R2 Provision of new, and additions or upgrades to existing, land transport infrastructure | Support | Land transport infrastructure requires upgrade over time to ensure its safe and efficient operation, and to ensure it continues to serve its purpose to move goods and people across the district. The permitted activity status of new, and additions or upgrades to existing land transport infrastructure is supported. | Retain as proposed |
| 38. | Energy, infrastructure and transport | TRAN-R20 High traffic generators AND TRAN-MD11 High traffic generators | Support | KiwiRail support the restricted discretionary activity status of high traffic generating activities and the matters of discretion outlined in TRAN-MD11. The requirement for a basic or full Integrated Transport Assessment, depending on traffic volume thresholds, will help to identify and manage the adverse effects of high traffic generator activities on the transport system including the rail network and any level crossings effected by the development. | Retain as proposed |

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| 39. | Energy, infrastructure and transport | <p>TRAN-R21 Activities adjacent to a road/rail level crossing</p> <p>AND</p> <p>TRAN-APP7 Sight triangles for road/rail level crossing</p> | Seek amendment | <p>KiwiRail support provisions that manage the effects of activities within proximity to level crossings and require level crossing sightlines to be maintained. Public safety at level crossings is paramount, and protection of sightlines is a key means of ensuring this.</p> <p>TRAN-R21 requires compliance with TRAN-AAP7 for activities adjacent to a road/rail level crossing to be deemed a permitted activity. KiwiRail support the intent of this rule however, TRAN-APP7 requires amendment to support achieving TRAN-P4 and TRAN-P6 and ensure level crossing sightlines are not compromised.</p> <p>TRAN-R21 states that activities shall comply with the road/rail level crossing ‘approach’ and ‘re-start’ sight triangles in TRAN-APP7. TRAN-APP7 provides diagrams which show approach sight triangles and re-start sight triangles for road/rail level crossings. The advisory notes provide clarity around measured points only and give no direction as to how the diagrams and sight triangles are to be applied.</p> <p>KiwiRail produced the diagrams shown on the right, for inclusion in district plans throughout New Zealand. It is noted that similar diagrams have been included in the Plan however, key measurements and details have been omitted.</p> <p>Appendix TRAN-APP7 are incomplete and KiwiRail recommend amendments to support TRAN-P6 and ensure the rule can be interpreted and applied correctly in practice.</p> | <p>Amend as follows:</p> <p>TRAN-APP7 Sight triangles for road/rail level crossings</p> <p>Approach sight triangles at level crossings with Stop or Give Way signs</p> <p><i>On sites adjacent to rail level crossings controlled by Stop or Give Way Signs, no building, structure, road intersections, vehicle crossings or vegetation 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.</i></p> <div data-bbox="1961 577 2748 982"></div> <p>Figure 1: Approach Sight Triangles for Level Crossings with “Stop” or “Give Way” Signs</p> <p><i>Advice Note:</i></p> <p><i>The approach sight triangles ensure that clear visibility is achieved around rail level crossings with Stop or Give Way signs so that a driver approaching a rail level can either:</i></p> <ul style="list-style-type: none"><i>• See a train and stop before the crossing; or</i><i>• Continue at the approach speed and cross the level crossing safely</i> <p><i>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.</i></p> <p><i>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.</i></p> <p>Restart sight triangles at level crossings</p> <p><i>On sites adjacent to all rail level crossings, no building, structure, road intersections, vehicle crossings or vegetation shall be located within the shaded areas shown in Figure 2. These are defined by a sight triangle</i></p> |

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taken 5 metres from the outside rail and distance A along the railway track. Distance A depends on the type of control (Table 1).

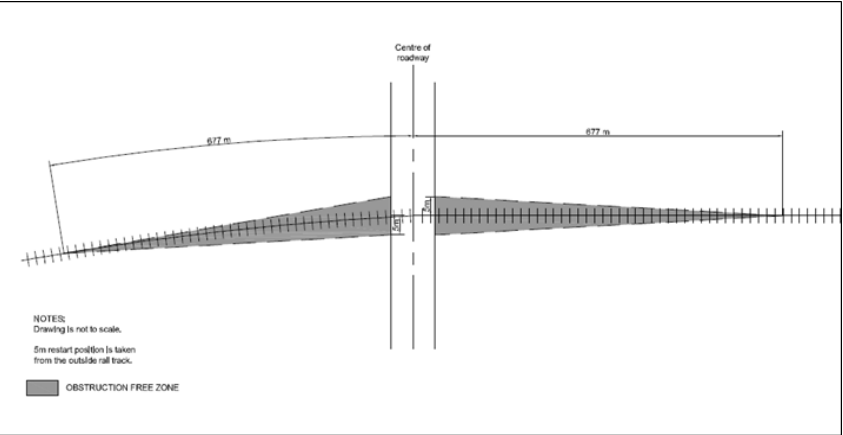


Figure 2: Restart Sight Triangles for all Level Crossings

Table 1: Required Restart Sight Distances for Figure 2

| Required approach visibility along tracks A (m) | | |
|---|-------------|---------------------|
| Signs only | Alarms only | Alarms and barriers |
| 677 m | 677 m | 60 m |

Advice Note:

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.

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.

Notes:

- 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.
- All figures are based on the sighting distance formula used in NZTA Traffic Control Devices Manual, 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:
 - train speed of 110 km/h
 - vehicle approach speed of 20 km/h
 - fall of 8 % on the approach to the level crossing and a rise of 8 % at the level crossing
 - 25 m design truck length
 - 90° angle between road and rail

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| 40. | Energy, infrastructure and transport | TRAN-R22 Installation of a new stock underpass beneath a road... AND TRAN-MD22 New stock underpass beneath a road... | Support | KiwiRail support the Restricted Discretionary activity status of a stock underpass beneath a rail corridor. The safety and structure of the rail corridor is essential for rail operations. KiwiRail support provisions requiring assessment of the activity and the impact on the rail network. | Retain as proposed |
| 41. | Energy, infrastructure and transport | TRAN-MD18 New buildings, other structures, road... | Support | In the case that compliance with rule TRAN-R21 cannot be achieved for activities adjacent to the rail corridor, matters of discretion including the impact on the safety and efficiency of the rail network and visibility and safe sight distances are supported. Further KiwiRail support clause 3 relating to consultation with KiwiRail. | Retain as proposed |
| 42. | Energy, infrastructure and transport | TRAN-MD19 Land transport infrastructure | Support | KiwiRail support the assessment of the extent of adverse effects on the current or future safety and efficiency of transport, where compliance with TRAN-R21 cannot be achieved. | Retain as proposed |
| 43. | Natural hazards | NH-O2 Infrastructure in natural hazard overlays | Support | KiwiRail support recognition that in some instances there are operational and functional needs for activities to be located in certain locations, which can include within hazard areas. The rail network has been in place for many years and for various operational reasons, is unable to be easily relocated to avoid such hazard areas. | Retain as proposed |
| 44. | Natural hazards | NH-P10 Maintenance and operation of existing infrastructure | Support | KiwiRail support policy direction for the continued operation and maintenance of existing rail infrastructure. | Retain as proposed |
| 45. | Natural hazards | NH-13 New above ground critical infrastructure and... | Support | KiwiRail support recognition that in some instances there are operational and functional needs for activities to be located in certain locations. | Retain as proposed |
| 46. | Natural hazards | NH-P14 New infrastructure and upgrading of... | Support | KiwiRail support recognition that in some instances there are operational and functional needs for activities to be located in certain locations. | Retain as proposed |
| 47. | Natural hazards | NH-R6 Above ground critical infrastructure | Support | The Fault Awareness, Urban Floor Assessment, and Non-Urban Flood Assessment overlays all extend beneath the existing rail corridor. This rule supports NH-2 and is supported by KiwiRail. | Retain as proposed |
| 48. | Historic heritage | HH-P7 Siting of infrastructure | Support | KiwiRail support recognition of the operational and functional needs for activities to be located in certain locations, which can include sites with historic heritage values. | Retain as proposed |
| 49. | Notable trees | TREE-P2 Scheduling of notable trees | Support | KiwiRail support recognition that vegetation can threaten the operation and function of critical infrastructure. Policy direction for the assessment of this level of risk is supported. | Retain as proposed |
| 50. | Notable trees | TREE-P4 Maintenance of notable trees AND TREE-P5 Removal of notable trees | Support | KiwiRail support policy direction for the maintenance or removal of a notable tree in order to mitigate or avoid adverse effects on infrastructure. | Retain as proposed |
| 51. | Natural environmental values | ECO-P4 Maintenance and enhancement of... AND | Support | The Lower Plains Ecological District extends beneath the rail corridor. KiwiRail therefore have an interest in these provisions, and support the policy direction setting out the hierarchy of avoid, remedy, mitigation and offsetting in relation to environmental effects. | Retain as proposed |


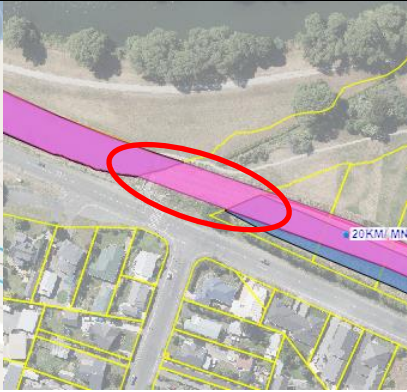
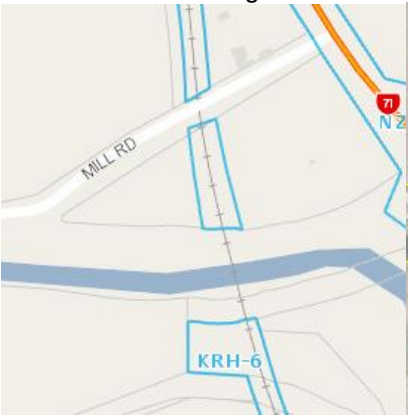
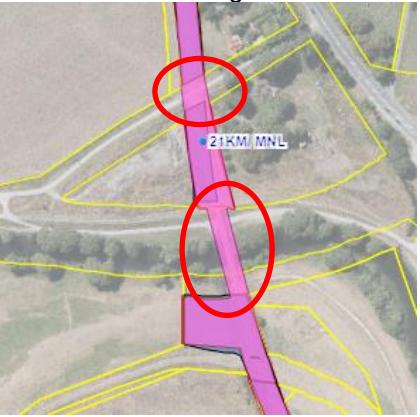
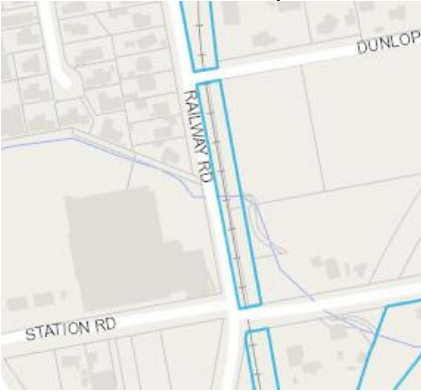

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| | | ECO-P5 Offsetting residual effects | | | |
| 52. | Subdivision | SUB-O2 Infrastructure and transport | Support | Subdivision and associated land use development that subdivision enables can result in compromises to the safe operation of the rail network or public safety is not appropriately designed and mitigated. KiwiRail support policy direction for efficient use and maintenance of infrastructure. | Retain as proposed |
| 53. | Subdivision | SUB-P1 Design and amenity | Support | KiwiRail support the recognition of reverse sensitivity effects in relation to infrastructure that can be created with subdivision, including through the use of setbacks. | Retain as proposed |
| 54. | Subdivision | SUB-P3 Sustainable Design AND SUB-S15 Stormwater disposal in Residential Zones... | Support | Stormwater discharge onto the rail corridor has the potential to damage the rail network and disrupt the safe and efficient function of the railway. KiwiRail support policy direction and provision for new allotments to manage stormwater on-site and within the public network. | Retain as proposed |
| 55. | Subdivision | SUB-P4 Integration and connectivity | Support | KiwiRail support policy direction that recognises reverse sensitivity effects on infrastructure that can be created with subdivision, noting these policies seek to avoid or mitigate effects through the use of setbacks, landscaping and other methods. | Retain as proposed |
| 56. | Subdivision | SUB-P6 Criteria for Outline Development Plans AND SUB-P7 Requirements of Outline Development Plans AND SUB-S4 Areas subject to an ODP | Support | KiwiRail support the requirement and criteria for Outline Development Plans in the Plan, particularly the criteria to demonstrate that the design will minimise reverse sensitivity effects. | Retain as proposed |
| 57. | Subdivision | SUB-R2 Subdivision SUB-MCD2 Subdivision design SUB-MCD3 Property access SUB-MCD10 Reverse Sensitivity | Support | KiwiRail support the controlled activity status for subdivision and the suite of subdivision standards outlined as matters of control/discretion. KiwiRail support that subdivision is anticipated to create allotments and patterns of land development that maintain the safety, efficiency and functioning of the transport network are provided for in SUB-MCD2, SUB-MCD3 and SUB-MCD10. Controls around mitigation and avoidance of reverse sensitivity effects on infrastructure, and around the location and design of vehicle crossings are supported. | Retain as proposed |
| 58. | Earthworks | EW-O1 Earthworks | Support | Earthworks adjacent to the rail corridor have the potential to have an impact on rail infrastructure. KiwiRail support the objective for earthworks to be undertaken in a way that minimises adverse effects on infrastructure. | Retain as proposed |
| 59. | Noise | Introduction | Support | KiwiRail acknowledge that noise and vibration effects can be felt within 100m of the rail corridor and seek appropriate reverse sensitivity provisions which protect rail operations from new development. KiwiRail support paragraph 2 of the introduction to the Noise chapter which states: | Retain as proposed |

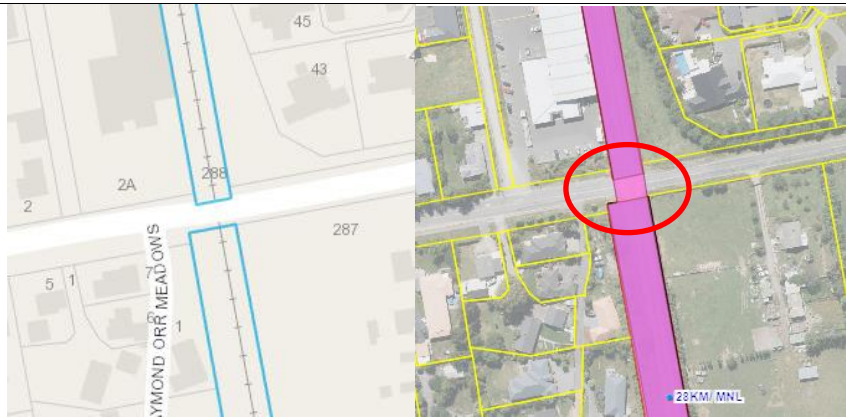
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|---------------|---|--|----------------|--|---|---------------|--------------------|--------------------------------------|-------------|-----------------|-------|---------------------------|-------|-----------|---|-------|---|-------|-----------|-------|--------|-------------------------------|-------|---|-------|
| | | | | Noise from main transport routes can adversely affect residential amenity for people living nearby. Acoustic design for residential development near identified main roads and rail corridors is required to ensure noise levels within residential units do not adversely affect the health and wellbeing of occupants. | | | | | | | | | | | | | | | | | | | | | |
| 60. | Noise | NOISE-O2 Reverse sensitivity | Support | The Main North Line is an existing asset which extends through the Waimakariri District. KiwiRail support the recognition of the value and function of this existing network, and the aim to protect infrastructure activities from reverse sensitivity effects. | Retain as proposed | | | | | | | | | | | | | | | | | | | | |
| 61. | Noise | NOISE-P1 Minimising adverse noise effects | Support | KiwiRail support policy framework which seeks to minimise adverse noise effects. In particular clause 3 which requires sound insulation, or limiting the location of noise sensitive activities where they may be exposed to noise from existing activities, is supported by KiwiRail. | Retain as proposed | | | | | | | | | | | | | | | | | | | | |
| 62. | Noise | NOISE-P3 Rail and roads | Support | Policy which seeks to protect the operation of rail and road infrastructure by identifying locations where acoustic mitigation measures for any new noise sensitive activities are required, is supported by KiwiRail. | Retain as proposed | | | | | | | | | | | | | | | | | | | | |
| 63. | Noise | NOISE-R16 Residential units and minor residential units within 80m of an arterial road, strategic road or rail designation AND New NOISE-MDX | Seek amendment | <p>KiwiRail support district plan provisions which ensure an appropriate level of internal amenity is achieved in buildings adjacent to the rail corridor.</p> <p>The rail network is a 24 hour a day, seven day a week operation, and the frequency, length and weight of trains can change without community consultation. Noise and vibration can have an impact on the internal amenity of a building. Appropriate mitigation, installed to ensure that the health and wellbeing of those living and working near to the rail network are not adversely affected, is pivotal to ensure that undue restrictions are not placed on the operation of the rail network.</p> <p>KiwiRail support the permitted activity status of activities if appropriate mitigation measures are in place. However, KiwiRail submit that the rule should apply to all noise sensitivity activities, not only residential units and minor residential units. Noise and vibration effects from rail operations are not exclusive to residential activities and therefore all noise sensitive activities should be included in this rule.</p> <p>Further, KiwiRail policy recognises that noise and vibration effects can be felt up to 100m from the rail corridor. To effectively manage reverse sensitivity and support objective NOISE-02 and policy NOISE-P3, the distance should be noise sensitive activities within 100m of a rail designation.</p> <p>KiwiRail recommend the suite of provisions provided to the right are included in the Plan. These provisions not only seek to mitigate noise and vibration effects on all noise sensitive activities, but also provide greater clarity around noise, ventilation, vibration.</p> | <p>NOISE-R16 Noise sensitive activities Residential units and minor residential units within 8100m of an arterial road, strategic road or rail designation</p> <p><u>Indoor railway noise</u></p> <p>1. Any new building or alteration to an existing building shall be designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in the following table:</p> <table><tr><td>Building type</td><td>Occupancy/activity</td><td>Maximum railway noise level LAeq(1h)</td></tr><tr><td rowspan="2">Residential</td><td>Sleeping spaces</td><td>35 dB</td></tr><tr><td>All other habitable rooms</td><td>40 dB</td></tr><tr><td rowspan="3">Education</td><td>Lecture rooms/theatres, music studios, assembly halls</td><td>35 dB</td></tr><tr><td>Teaching areas, conference rooms, drama studios, sleeping areas</td><td>40 dB</td></tr><tr><td>Libraries</td><td>45 dB</td></tr><tr><td rowspan="2">Health</td><td>Overnight medical care, wards</td><td>40 dB</td></tr><tr><td>Clinics, consulting rooms, theatres, nurses’ stations</td><td>45 dB</td></tr></table> | Building type | Occupancy/activity | Maximum railway noise level LAeq(1h) | Residential | Sleeping spaces | 35 dB | All other habitable rooms | 40 dB | Education | Lecture rooms/theatres, music studios, assembly halls | 35 dB | Teaching areas, conference rooms, drama studios, sleeping areas | 40 dB | Libraries | 45 dB | Health | Overnight medical care, wards | 40 dB | Clinics, consulting rooms, theatres, nurses’ stations | 45 dB |
| Building type | Occupancy/activity | Maximum railway noise level LAeq(1h) | | | | | | | | | | | | | | | | | | | | | | | |
| Residential | Sleeping spaces | 35 dB | | | | | | | | | | | | | | | | | | | | | | | |
| | All other habitable rooms | 40 dB | | | | | | | | | | | | | | | | | | | | | | | |
| Education | Lecture rooms/theatres, music studios, assembly halls | 35 dB | | | | | | | | | | | | | | | | | | | | | | | |
| | Teaching areas, conference rooms, drama studios, sleeping areas | 40 dB | | | | | | | | | | | | | | | | | | | | | | | |
| | Libraries | 45 dB | | | | | | | | | | | | | | | | | | | | | | | |
| Health | Overnight medical care, wards | 40 dB | | | | | | | | | | | | | | | | | | | | | | | |
| | Clinics, consulting rooms, theatres, nurses’ stations | 45 dB | | | | | | | | | | | | | | | | | | | | | | | |

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| | | | | | <table><tr><td>Cultural</td><td>Places of worship, marae</td><td>35 dB</td></tr></table> <p>Mechanical ventilation</p> <p>2. If windows must be closed to achieve the design noise levels in clause, the building is designed, constructed and maintained with a mechanical ventilation system that</p> <p>(a) For habitable rooms for a residential activity, achieves the following requirements:</p> <ul style="list-style-type: none">i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; andii. 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; andiii. provides relief for equivalent volumes of spill air;iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; andv. does not generate more than 35 dB $L_{Aeq(30s)}$ when measured 1 metre away from any grille or diffuser. <p>(b) For other spaces, is as determined by a suitably qualified and experienced person.</p> <p>Indoor railway vibration</p> <p>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:</p> <p>(a) is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s v_w,95 or</p> <p>(b) is a single-storey framed residential building with:</p> <ul style="list-style-type: none">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; andii. vibration isolation separating the sides of the floor slab from the ground; andiii. no rigid connections between the building and the ground. <p>4. A report is submitted to the council demonstrating compliance with clauses (1) to (3) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:</p> <p>(a) railway noise is assumed to be 70 $L_{Aeq(1h)}$ at a distance of 12 metres from the track, and must be deemed to reduce at a rate</p> | Cultural | Places of worship, marae | 35 dB |
| Cultural | Places of worship, marae | 35 dB | | | | | | |

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|---------------------------------------|----------|--|----------------|--|---|
| | | | | | <p><i>of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</i></p> <p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>NOISE-MD1 - Noise</p> <p>NOISE-MD2 - Management of noise effects</p> <p>NOISE-MD3 - Acoustic insulation</p> <p>New NOISE-MDX</p> <p><i>1. Whether the activity sensitive to noise could be located further from the railway network.</i></p> <p><i>2. The extent to which the noise and vibration criteria are achieved and the effects of any non-compliance.</i></p> <p><i>3. The character of, and degree of, amenity provided by the existing environment and proposed activity.</i></p> <p><i>4. The reverse sensitivity effects on the rail network, and the extent to which mitigation measures can enable their ongoing operation, maintenance and upgrade.</i></p> <p><i>5. Special topographical, building features or ground conditions which will mitigate vibration impacts;</i></p> <p><i>6. The outcome of any consultation with KiwiRail.</i></p> <p><i>Notification:</i></p> <p><i>Application for resource consent under this rule will 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.</i></p> |
| 64. | Noise | NOISE-MD1 Noise | Support | KiwiRail support matters of discretion that consider the effects on human health and well-being from noise generation from the receiving environment. | Retain as proposed |
| 65. | Noise | NOISE-MD2 Management of noise effects | Support | KiwiRail support the specified means for management of noise effects such as the extent and effectiveness of noise insulation, through screening of structures and distance of noise sources, through alternative technologies or materials, and through the provision of a report from an acoustic specialist. | Retain as proposed |
| 66. | Noise | NOISE-MD3 Acoustic insulation | Support | KiwiRail support the matters of discretion in the assessment of acoustic insulation. The proposed matters allow for consideration of other means of mitigation, alternative technologies and materials, reporting from an acoustic specialist in the assessment on amenity values and the health and safety of occupants or residents. | Retain as proposed |
| 67. | Signs | SIGN-O1 Safety, well-being and amenity | Support | KiwiRail support the objective for signs that do not compromise transport safety while providing for the District's economic and community well-being. | Retain as proposed |
| 68. | Signs | SIGN-P3 Transport safety | Support | Signs located on sites adjoining the transport network have a potential to impact on the safe and efficient operation of the network. KiwiRail therefore support policy that provides for signs that do not adversely affect transport safety by causing a distraction or obstruction to road users and pedestrians. | Retain as proposed |
| Part 3 – Area specific matters | | | | | |
| 69. | Multiple | LLRZ-BFS6 Cl 4. | Seek amendment | For safety reasons, KiwiRail seek a setback for structures from the rail corridor boundary. While KiwiRail do not oppose development on adjacent sites, ensuring | Amend as follows: |

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| | | GRZ-BFS5 CI 4. MRZ-BFS5 CI 6. SETZ-BFS5 CI 6. NCZ-BFS7 LCZ-BFS7 LFRZ-BFS7 TCZ-BFS8 LIZ-BFS7 GIZ-BFS7 HIZ-BFS7 | | <p>the ability to access and maintain structures without requiring access to rail land is important.</p> <p>KiwiRail acknowledge the 4 metre building setback rule within the residential, commercial, mixed use, industrial zone rules. However, KiwiRail considers that a 5 metre setback would be more appropriate in providing for vehicular access to the backs of buildings (e.g. a cherry picker) and allowing for scaffolding to be erected safely. This in turn fosters visual amenity, as lineside properties can be regularly maintained. It provides for the unhindered operation of buildings, including higher rise structures and for the safer use of outdoor deck areas at height.</p> <p>KiwiRail seek an increase in the building setback from the rail corridor from 4 metres to 5 metres.</p> | Clause X: All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor. |
| 70. | Multiple | RLZ-BFS4 (new clause 4c) MUZ-BFS (new standard) NOSZ-BFS (new standard) OSZ-BFS (new standard) AND New matters of discretion for each chapter | Seek new standard | <p>The designated rail corridor adjoins the Rural Lifestyle, Mixed Use, Natural Open Space and Open Space zones in parts of the district. Within the built form standards of these zone chapters, there are building setbacks specified from internal boundaries shared with certain zones and from road boundaries.</p> <p>KiwiRail seek inclusion of new built form standards within zone chapters which require a 5 metre building setback from the rail boundary. This approach is consistent with other residential, commercial and industrial zones which have a specific standard or clause for rail boundary setbacks. Building setbacks from the rail corridor are not site/zone specific and should therefore be required in all zones which adjoin the rail corridor.</p> <p>A setback between buildings and the rail corridor provides a safety buffer and allows for maintenance of buildings without the need to access the rail corridor.</p> | <p>Amend as follows:</p> <p>RLZ-BFS4 (new clause 4c) <i>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</i></p> <p>MUZ-BFS, NOSZ-BFS, OSZ-BFS (new standard) <i>Rail boundary setback</i> <i>All buildings shall be set back a minimum of 5m from any site boundary with the rail corridor.</i></p> <p><i>Activity status when compliance not achieved: RDIS</i></p> <p><i>Matters of discretion are restricted to:</i></p> <p><i>XXXX-MDXX - Rail boundary setback</i></p> <p><i>Rail boundary setback</i></p> <p><i>1, The extent to which the reduced setback will compromise the safe and efficient functioning of the rail network, including rail corridor access and maintenance.</i></p> <p><i>Notification</i></p> <p><i>An application for a restricted discretionary activity under this rule is precluded from being publicly notified, but may be limited notified only to KiwiRail where the consent authority considers this is required, absent its written approval.</i></p> |
| 71. | Designations | Planning Maps | Seek amendment | <p>On 2 September 2020 KiwiRail wrote to Council requesting that designations D059 to D081 be rolled over into the new Waimakariri District Plan, with minor alterations as follows:</p> <ul style="list-style-type: none"> Due to a recent name change, 'New Zealand Railways Corporation', is now no longer correct in terms of the responsible Requiring Authority. The formal name of the national rail operator is now KiwiRail Holdings Limited. KiwiRail Holdings Limited is the State Owned Enterprise responsible for the management and | <p>Amend planning maps as shown in map extracts in pink overlay, subject areas shown in red circle (blue underlay is the existing designation).</p> <p>Main North Line Bridge 19</p> |

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| | | | <p>operation of the national railway network. KiwiRail Holdings Limited is also the Requiring Authority for land designated “Railway Purposes” in District Plans throughout New Zealand. Requiring Authority status was granted to KiwiRail on 4th March 2013.</p> <ul style="list-style-type: none">• Updates to the railway land cadastre which may have occurred over the life of the current District Plan. This includes rail land that is currently undesignated or rail land which has been deemed surplus and therefore we no longer wish to designate, <u>as well as where the existing railway lines cross over roads and/or watercourses.</u> <p>KiwiRail have reviewed the planning maps and have noted there are areas where existing railway lines cross over roads which have not been designated as requested as well as three railway bridges within the existing rail corridor. Please see extracts to the right highlighting areas KiwiRail request be designated in the Plan for railways purposes.</p> <p>The left extracts are taken from the Plan and the right extracts are taken from the shapefile submitted to Council on 2 September 2020.</p> | <div><div></div><div></div></div> <p>Main North Line Bridge 21 and Mill Road level crossing</p> <div><div></div><div></div></div> <p>Bramleys Road level crossing</p> <div><div></div><div></div></div> <p>Marsh Road and Dunlops Road level crossings</p> <p>Boys Road level crossing</p> |
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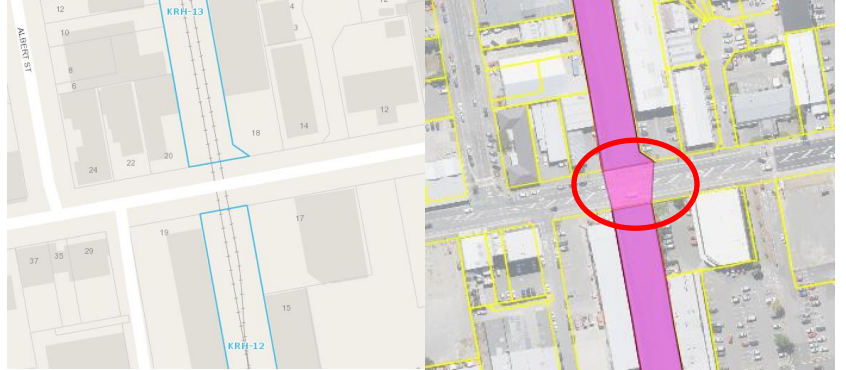
Northbrook Road level crossing



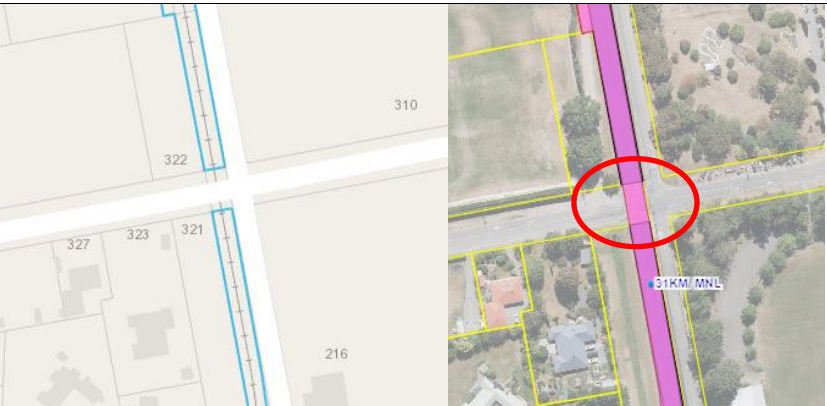
Main North Line Bridge 29



High Street level crossing



Coldstream Road level crossing



High Street level crossing



Beatties Road level crossing and alignment



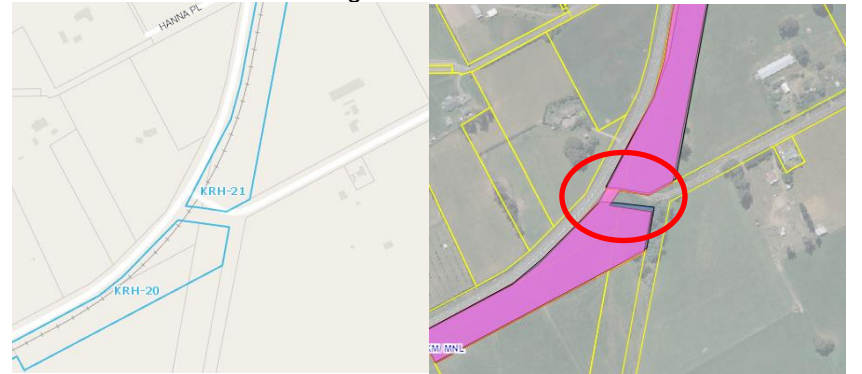
Toppings Road level crossing



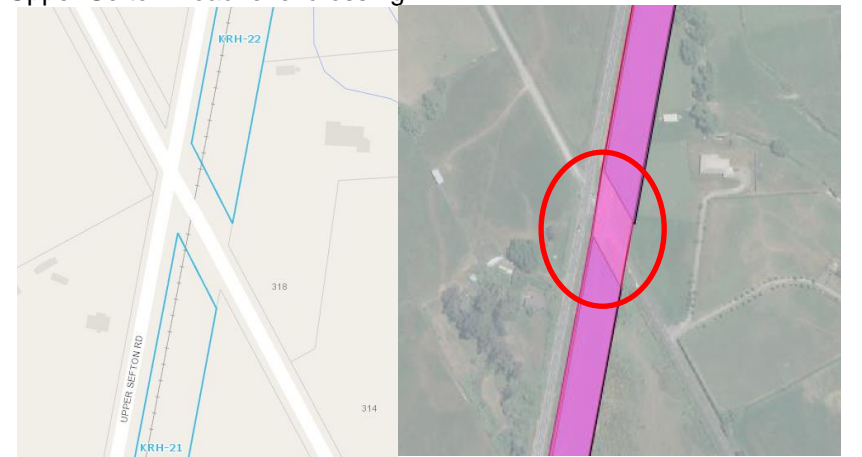
Boyces Road level crossing



Harleston Road level crossing



Upper Sefton Road level crossing



Rangiora Leithfield Road level crossing

