

18 December 2015

Hamilton City Council
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HAMILTON 3240

By email to: districtplan@hcc.govt.nz

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR PLAN, CHANGE OR
VARIATION (FORM 5)
Hamilton Proposed District Plan Variation 1: Ruakura-**

NAME OF SUBMITTER:

KiwiRail Holdings Limited (KiwiRail)

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KiwiRail Submissions on Proposed District Plan Variation: Ruakura

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 Holdings Limited is also the Requiring Authority for land designated "Railway Purposes" (or similar) in District Plans throughout New Zealand.

There are two rail lines within Hamilton City Council's jurisdiction; the North Island Main Trunk Line and the East Coast Main Trunk Line. The North Island Main Trunk extends through the city in a north to south direction and is the primary rail spine for the entire North Island. The East Coast Main Trunk branches from the North Island Main Trunk at the Hamilton Railway Station, and heads east out of the city through the suburb of Ruakura. It provides the only rail access from the Bay of Plenty and Port of Tauranga to the North Island Main Trunk.

These lines are key freight routes and as such are an important part of the KiwiRail network. Therefore KiwiRail seeks to protect its ability to operate, maintain and enhance these lines into the future.

To achieve this, KiwiRail encourages land uses near the railway corridor that does 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 submissions on the Proposed District Plan Variation for Ruakura are set out in the attached table. Insertions we wish to make are marked in **bold** and **underlined**, while recommended deletions are shown as ~~struck-out~~ text. All requested changes include any consequential changes to the Plan to accommodate the requested change in the stated, or alternate, location. The submissions relate to the areas of the Variation that KiwiRail has an interest in, recognising the Board of Inquiry process that the Private Plan Change request went through and the submission that KiwiRail made on the Ruakura provisions within the Proposed District Plan in 2013.

KiwiRail wishes to speak to our submission and will consider presenting a joint case at the hearing with other parties who have a similar submission. KiwiRail could not gain an advantage in trade competition through this submission.

KiwiRail are happy to discuss these submission points should Council have any queries.

Regards



Rebecca Beals
Senior RMA Advisor
KiwiRail

Submission Number	Proposed Amendment	Support/Oppose/Seek Amendment	Submission/Comments/Reasons	Relief Sought (as stated or similar to achieve the requested relief)
Chapter 3.7: Structure Plans - Ruakura				
1.	Paragraph 3.7.1.7(f)	Support	KiwiRail support the reference to the Spine Road requiring a grade separated crossing of the ECMT.	Retain as notified.
2.	Policy 3.7.2.4e	Support	KiwiRail support the requirement for safety and improved facilities to be provided through the transport network, including grade separation where appropriate.	Retain as notified.
3.	Policy 3.7.3.2(f)(iv)	Support	KiwiRail support that the Land Development Plan within the Inland Port Sub Area A, is required to future show rail sidings and connections to the ECMT.	Retain as notified.
Chapter 4: Residential Zones future				
4.	4.1.4a.ii)	Support	KiwiRail support the specific reference to the ECMT as a boundary demarcation for the large lot residential development.	Retain as notified.
Chapter 8: Knowledge Zones				
5.	Policy 8.2.2.b and 8.2.2.c	Support	KiwiRail support specific policy direction seeking integration of transportation networks, including that this relates to rail and road networks, noting that only minor changes are proposed through the Plan Variation to include the wording from the Board of Inquiry (BoI) process.	Retain as notified
6.	Policy 8.2.2 explanation	Support	KiwiRail support the discussion around recognizing the future potential for the rail network and ensuring that any development does not compromise that potential.	Retain as notified.
Chapter 10: Ruakura Logistics Zone				
7.	Rule 10.3.q	Support	KiwiRail note that rail sidings in the Logistics Zone are Restricted Discretionary Activities in Sub Area B (Logistics). KiwiRail note that this is Sub Area B, which is not the Inland Port Area, and therefore KiwiRail do not oppose the requirement for sidings to require consent to ensure that connectivity with the wider transport network is able to be considered.	Retain as notified.
8.	10.7 – Assessment Criteria	Support	KiwiRail note that the assessment of resource consent applications for rail sidings is restricted to those matters relevant to Ruakura.	Retain as notified.
Chapter 25: District Wide				
Chapter 25.8: Noise and Vibration				
9.	25.8.3.11 – Assessment Criteria	Support	KiwiRail support the requirement for noise mitigation for noise sensitive activities, where these are located within 40m of the rail corridor in the Ruakura Logistics Zone, the Ruakura Industrial Park Zone and Precinct C of the Knowledge Zone. KiwiRail note these changes arise as a result of the BoI process.	Retain as notified.
10.	25.8.3.12 -	Support	KiwiRail support that where vibration mitigation is required, that a technical report is required identifying compliance with that standard	Retain as notified.
Appendix 1: District Plan Administration				
1.2: Information Requirements				
11.	1.2.2.25.r – Land Development Plans	Support	KiwiRail support that the integrated transport assessment needs to include grade separation of Spine Road and the ECMT.	Retain as notified.

