

WHANGAREI URBAN AND SERVICES PLAN CHANGE

SUMMARY SPEAKING NOTES OF PAM BUTLER (KIWIRAIL HOLDINGS LIMITED)

KiwiRail's submissions

- KiwiRail accepts the reporting planner's recommendations for the majority of its submission points.
- My evidence is focused on the outstanding matters of disagreement. These fall into three categories, which I will briefly speak to.

Noise and Vibration

- KiwiRail supports points made by NZTA / Stephen Chiles regarding the necessity and benefits of the proposed noise and vibration rules from a health and amenity perspective.
- From a rail perspective, reverse sensitivity effects are a particular concern for KiwiRail (eg Heathcote, noise complaints database):
 - effects of rail noise and vibration are constantly changing as timing, frequency, length of trains change, and as upgrades to the network are rolled out; and
 - trains are large, travel at speed and are powered by diesel locomotives.
- KiwiRail spends considerable time and cost keeping its track in good condition to reduce these effects as much as possible, but these cannot be entirely internalised.
- Designations cannot be relied upon to protect activities from reverse sensitivity effects – only control land uses within the railway corridor, not adjacent to it. It is also not reasonable to designate private land adjacent to the rail corridor to prevent development of sensitive activities.
- KiwiRail seeks the same relief as NZTA – the addition of a suite of provisions requiring the acoustic treatment of sensitive activities within 100m of the railway corridor.

Rail as Transport infrastructure / network

- KiwiRail seeks amendments to include reference to rail in the Transport Chapter and in the definition of Transport Infrastructure. Rail is clearly transport infrastructure (various other plans recognise and provide for it as such).
- Recognition of rail as Transport Infrastructure and provision for it in the Transport Chapter is necessary and appropriate. Otherwise, rail will not enjoy the benefits of the objectives and policies that seek to protect the transport network from adverse effects.
- Designations are not an appropriate resource management tool to protect KiwiRail from reverse sensitivity effects. The railway is similar to the roading network – it should have same protections.

Safe and efficient operation of rail network

New buildings

- KiwiRail seeks a 5m setback rule for all new or altered buildings adjacent to the rail corridor in the Transport Chapter.
- There are safety concerns that are unique to rail infrastructure – a rail-specific setback is appropriate. The nature of the rail corridor and activities within it means there is potential for significant adverse effects in terms of health and safety if the interface between the rail corridor and adjacent activities is not appropriately managed.
- KiwiRail has a "Permit to Enter" system for access to the rail corridor. It is critical that people / objects are prevented from entering the rail corridor unless the correct processes are followed (eg for maintenance).
- A district plan rule is a more appropriate mechanism to manage the interface between the rail corridor and adjacent activities than simply designating a setback along the length of the corridor, as the blighting effect is significantly less – RDA consent can be sought for activities that breach the setback requirement.

Forestry

- KiwiRail also seeks a 10m setback for forestry replanting that occurs within 5 years of harvesting.
- NES for Plantation Forestry provides for the same setback distance for afforestation activities, however the NES definition of afforestation (planting and growing on land where harvesting has not occurred within 5 years) means that replanting within 5 years of harvesting is not captured. A specific rule is sought to be included in the Plan to protect the railway from some of the key adverse effects of forestry.
- KiwiRail's relief is necessary to avoid trees intruding on the rail corridor and affecting sight lines, dropping branches or leaves, which increase the risk of derailment, or roots causing the creation of mudspots that may affect the stability of the track.