

24 November 2022

Kapiti Coast District Council
175 Rimu Road
Paraparaumu 5032

By email: district.planning@kapiticoast.govt.nz

KIWI RAIL FURTHER SUBMISSION ON PLAN CHANGE 2 TO THE KAPITI COAST 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: Michelle Grinlinton-Hancock

Email: Michelle.Grinlinton-Hancock@kiwirail.co.nz

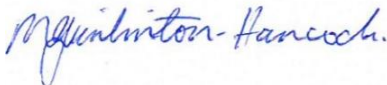
Background

1. KiwiRail made a submission on Plan Change 2 to the Kapiti Coast District Plan ("**Plan Change 2**") (submitter S094).
2. KiwiRail makes the following further submission on submissions on Plan Change 2, as set out in the **attached** schedule.
3. For the submissions that KiwiRail supports, KiwiRail considers that the relief sought should be allowed because it:
 - (a) will promote the sustainable management of the natural and physical resources in the Porirua district, and is therefore consistent with Part 2 and other provisions of the Resource Management Act 1991 (**RMA**) and the Enabling Housing Supply Amendment Act 2021 ("**Amendment Act**");
 - (b) is consistent with other relevant planning documents, including the Wellington Regional Policy Statement and National Policy Statement for Urban Development 2020;
 - (c) will meet the reasonably foreseeable needs of future generations;
 - (d) will avoid, remedy or mitigate actual and potential adverse effects on the environment;



- (e) will enable the social, economic and cultural wellbeing of the people of the Kapiti district; and
 - (f) is the most appropriate way to achieve the objectives of Plan Change 2 in terms of section 32 of the RMA.
4. For the submissions that KiwiRail opposes, KiwiRail considers that the relief sought should be declined because it:
- (a) will not promote the sustainable management of the natural and physical resources in the Porirua district, and is therefore contrary to, or inconsistent with, Part 2 and other provisions of the RMA and the Amendment Act;
 - (b) is inconsistent with other relevant planning documents, including the Wellington Regional Policy Statement and National Policy Statement for Urban Development 2020;
 - (c) will not meet the reasonably foreseeable needs of future generations;
 - (d) will not avoid, remedy or mitigate actual and potential adverse effects on the environment;
 - (e) will not enable the social, economic and cultural wellbeing of people of the Kapiti district; and
 - (f) is not the most appropriate way to achieve the objectives of Plan Change 2 in terms of section 32 of the RMA.
5. For those submissions that KiwiRail supports, KiwiRail seeks that they be allowed, and for those that are opposed, KiwiRail seeks that they be disallowed.
6. KiwiRail wishes to speak to its submission and further submission. KiwiRail could not gain an advantage in trade competition through this further submission.

Kind regards

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

Michelle Grinlinton-Hancock
RMA Team Leader
KiwiRail Holdings Limited



SCHEDULE 1

Submitter and Submission ID	Submitter #	Relevant Provision	Original Submission Point	Support / Oppose	Reasons for Support or Opposition	Decision sought
The Loyalty Initiative	S026.04	SUB-RES-R27	Amendment sought: Amend the restricted discretionary activity subdivision rule SUB-RES-R27 in the Residential Zone to provide for subdivision of land which is not a controlled activity under SUB-RES-Rx1 where it does not meet one or more of the standards under Rule SUB-RES-Rx1 to exclude the requirement for the written approval of person; and exclude the requirement for serving notice on any person.	Oppose	KiwiRail does not consider it is appropriate for limited notification to be precluded for high density developments that do not comply with the prescribed setback standards. In certain instances, including where the rail corridor setback is infringed, it may be appropriate for limited notification to KiwiRail as the owner of the rail corridor to ensure developments are appropriately designed in such a way as to ensure any adverse effects of that non-compliance can be adequately mitigated and managed through the consenting process.	Reject the amendment sought and retain the notification requirements
Infill Tapui Limited	S028.12	GRZ-Rx6, GRZ-Rx7	Combine GRZ-Rx6 and GRZ-Rx7 into one rule as follows: <u>New buildings and structures, and any minor works, additions or alterations to any building or structure, that will result in more than 3 residential units per site.</u> Public and limited notification would be precluded under this rule. Matters of discretion would remain unchanged.	Oppose	KiwiRail does not consider it is appropriate for limited notification to be precluded for high density developments that do not comply with the prescribed setback standards. In certain instances, including where the rail corridor setback is infringed, it may be appropriate for limited notification to KiwiRail as the owner of the rail corridor to ensure developments are appropriately designed in such a way as to ensure any adverse effects of that non-compliance can be adequately mitigated and managed through the consenting process.	Reject the amendment sought and retain the notification requirements
Infill Tapui Limited	S028.49	SUB-RES-R27	If rule SUB-RES-R27 is retained, amend the rule to preclude public and limited notification.	Oppose	KiwiRail does not consider it is appropriate for limited notification to be precluded for high density developments that do not comply with the prescribed setback standards. In certain instances, including where the rail corridor setback is infringed, it may be appropriate for limited notification to KiwiRail as the owner of the rail corridor to ensure developments are appropriately designed in such a way as to ensure any adverse effects of that non-compliance can be adequately mitigated and managed through the consenting process.	Reject the amendment sought and retain the notification requirements
Waka Kotahi	S053.08	GRZ-P9	Amend GRZ-P9 as follows: ... <u>3. transport choice and, efficiency and accessibility to active or public transport will be maximised;</u> ...	Support	KiwiRail supports amendments to ensure accessibility to active and public transport is maximised.	Adopt amendment sought in submission.
Waka Kotahi	S053.09	MCZ-P2	Amend MCZ-P2 as follows: ... 1. ... a. <u>Accessibility to active or public transport, transport circulation and integration within the surrounding Metropolitan Centre precincts and the rail interchange, is improved;</u> ... 2. ... a. <u>Accessibility to active or public transport, transport circulation and integration within the surrounding Metropolitan Centre precincts will be provided, while reinforcing the development of Rimu Road as the Metropolitan Centre's Main Street;</u> ... 3. ... a. <u>Accessibility to active or public transport, transport circulation and integration within the surrounding Metropolitan Centre precincts will be provided for;</u>	Support	KiwiRail supports amendments to ensure accessibility to active and public transport is maximised.	Adopt amendment sought in submission.
Z Energy Limited, BP Oil New Zealand Limited & Mobil Oil New Zealand Limited	S114.06	GRZ-P10	Subdivision, use and development in the Residential Zones will be required to achieve a high level of on-site amenity for residents and neighbours in accordance with the following principles: 1. building size and footprint will be proportional to the size of the allotment ; 2. usable and easily accessible private outdoor living spaces will be provided; 3. buildings and structures will be designed and located to maximise sunlight access, privacy and amenity for the site and adjoining allotments ; 4. buildings and structures will be designed and located to minimise visual impact and to ensure they are of a scale	Support	KiwiRail considers that consideration of potential reverse sensitivity effects on existing non-residential activities (including transport infrastructure) is important and should be recognised in this policy.	Adopt amendment sought in submission.



Submitter and Submission ID	Submitter #	Relevant Provision	Original Submission Point	Support / Oppose	Reasons for Support or Opposition	Decision sought
			<p>which is consistent with the area's urban form compatible with the planned built character of the Zone <u>and minimise reverse sensitivity effects on existing non-residential activities</u>;</p> <p>5. appropriate separation distances will be maintained between buildings ;</p> <p>6. yards will be provided to achieve appropriate building setbacks from neighbouring areas, the street and the coast;</p> <p>7. hard and impermeable surfaces will be offset by permeable areas on individual allotments ;</p> <p>8. unreasonable and excessive noise , odour, smoke, dust , light, glare and vibration will be avoided;</p> <p>9. non-residential buildings will be of a form and scale which is compatible with the surrounding residential environment ; and 10. service areas for non-residential activities will be screened, and planting and landscaping will be provided.</p>			
Z Energy Limited, BP Oil New Zealand Limited & Mobil Oil New Zealand Limited	S114.06	NOISE-R14	Amend NOISE-R14 to ensure that new noise sensitive activities that require resource consent and have potential to generate reverse sensitivity effects on existing lawfully established non-residential activities in residential, commercial, and mixed use zones, including at their interface with other zones, must comply with the requirements of clauses 1 and 4 of NOISE-R14 to minimise reverse sensitivity effects. Make consequential amendments to ensure this is reflected in related provisions.	Support	KiwiRail considers that consideration of potential reverse sensitivity effects on existing non-residential activities (including transport infrastructure) is important and should be recognised.	Adopt amendment sought in submission.



From: [Michelle Grinlinton-Hancock](#)
To: [Mailbox - District Planning](#)
Subject: Further submission on Plan Change 2
Date: Thursday, 24 November 2022 3:47:34 pm
Attachments: [image001.png](#)
[KiwiRail Further Submission on Kapiti Plan Change 2.pdf](#)

To whom it may concern,

Please find attached the further submission of KiwiRail Holdings on Plan Change 2.

Kind regards

Michelle

Michelle Grinlinton-Hancock | **RMA Team Leader**

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KiwiRail 

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