



Timaru District Council  
2 King George Place  
Timaru 7910  
Phone: 03 687 7200

## Further submission in support of, or in opposition to, submission on the Proposed Timaru District Plan

Clause 8 of Schedule 1, Resource Management Act 1991

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Further submissions close on Friday 4 August 2023 at 5pm

To: Timaru District Council

This is a further submission in support of, or in opposition to, a submission on the **Proposed Timaru District Plan**.

Full name of person making further submission:

Sheena McGuire

Organisation name and contact (if representing a group or organisation):

KiwiRail Holdings Limited

Only certain persons can make a further submission. Please select the option that applies.

I am:

- a person representing a relevant aspect of the public interest;
- a person who has an interest in the proposal that is greater than the interest the general public has;
- the local authority for the relevant area.

Please explain why you come within the category selected above:

KiwiRail own and operate rail infrastructure within the Timaru District.

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## Hearing options

I wish to be heard in support of my further submission?  Yes  No

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

Yes  No

Signature: SM Date: 04/08/2023

*(of person making submission or person authorised to make decision on behalf)*

**PLEASE NOTE** - A signature is not required if you submit this form electronically. By entering your name in the box above you are giving your authority for this application to proceed.

**Electronic address for service of person making further submission:** sheena.mcguire@kiwirail.co.nz

**Telephone:** \_\_\_\_\_

**Postal address (or alternative method of service under section 352 of the Act):**

PO Box 593, Wellington 6140

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**Contact person:** *[name and designation, if applicable]:* \_\_\_\_\_

**You have served a copy of the further submission on the original submitter (this is required under the Resource Management Act 1991 Schedule 1, s8A(2) to be completed within 5 working days after it is served on the Timaru District Council)**

Yes     No

**Further submissions close on Friday 4 August 2023 at 5pm.**

04 August 2023

Timaru District Council  
PO Box 522  
**TIMARU 7910**

**By email to:** [pdp@timdc.govt.nz](mailto:pdp@timdc.govt.nz)

## **KIWI RAIL FURTHER SUBMISSION ON PROPOSED TIMARU 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

Email: [Sheena.McGuire@kiwirail.co.nz](mailto:Sheena.McGuire@kiwirail.co.nz)

### **Background**

1. KiwiRail made a submission on the Proposed Timaru District Plan ("**Proposed Plan**") (submitter 187).
2. KiwiRail makes the following further submission on submissions to the Proposed Plan, 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 Timaru District, and is therefore consistent with Part 2 and other provisions of the Resource Management Act 1991 (**RMA**);
  - (b) is consistent with other relevant planning documents, including the Canterbury Regional Policy Statement;
  - (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 Timaru District and



- (f) is the most appropriate way to achieve the objectives of the Proposed Plan 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 Timaru 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 Canterbury Regional Policy Statement;
  - (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 Timaru; and
  - (f) is not the most appropriate way to achieve the objectives of the Proposed Plan 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.

Yours faithfully

A handwritten signature in black ink, appearing to read "Sheena McGuire".

Sheena McGuire  
**RMA Advisor**  
**KiwiRail Holdings Limited**



SCHEDULE 1 – PROPOSED PLAN

Submitter and Submission ID	Submitter #	Relevant Provision	Original Submission Point	Support / Oppose	Reasons for Support or Opposition	Decision Sought
Timaru District Council	42.1	Definitions – Regionally Significant Infrastructure	Amend the definition of Regionally Significant Infrastructure as follows: a. <del>Strategic land transport network</del> National Routes, Principal Roads, and arterial roads b. Timaru Airport [...]	Oppose	KiwiRail opposes deletion of 'Strategic land transport network' from this definition as Regionally Significant Infrastructure and this term are defined in the Canterbury Regional Policy Statement to include the rail network (page 59). National Route is not defined in the plan and it is not clear that it applies to the rail network as well as the road network. The rail network is undoubtedly regionally significant infrastructure and KiwiRail seek that the definition clause a) is retained as notified to ensure it is recognised as such in the district plan.	Reject submission
Waka Kotahi NZ Transport Agency	143.20	EI – Energy and Infrastructure - General	1. Amend the EI - Energy and Infrastructure chapter to allow transport infrastructure to be considered; OR 2. Amend other chapters to provide for an exclusion for transport infrastructure as regionally significant infrastructure where there are exclusions for activities considered in the EI Chapter.	Support	KiwiRail supports amendments which ensure transport activities, such as rail and road activities, have the same exclusions as regionally significant infrastructure. Rail is provided for as infrastructure and transport and there needs to be consistency in provisions that apply to rail activities.	Accept submission
Waka Kotahi NZ Transport Agency	143.107	FDA-O2 Development within the Future Development Area	Supports that the Future Development Areas shall not be developed until the land is rezoned and a comprehensive Development Area Plan is approved. This ensures that effects on infrastructure and the transport network are appropriately considered and managed through the process.	Support	KiwiRail supports the submission and objective as proposed. FDA7 and FDA13 are adjacent to the rail corridor and KiwiRail seeks protection of the rail corridor from reverse sensitivity effects resulting from incompatible activities locating next to the operational corridor.	Accept submission
Waka Kotahi NZ Transport Agency	143.183	DEV3-S1 Rooding	Supports this standard which requires developers to establish new roads to be constructed in general accordance with the Development Area Plan prior to the land use, subdivision or development and prior to any new buildings being occupied.	Support	KiwiRail supports the standard as proposed which requires developers to design and construct roads in accordance with the Transport Chapter which contains provisions and requirements for level crossings in the case that a new road crosses the rail corridor.	Accept submission

