23 November 2026

Hearings Panel
Hutt City Council
Private Bag 31912
LOWER HUTT 5040

By email to: district.plan@huttcity.govt.nz

Dear Commissioners,

Proposed Lower Hutt District Plan – Hearing Stream 9 (Designations)

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" in district plans throughout New Zealand.

KiwiRail holds the following three designations in the Lower Hutt District:

1. KRH-01 (Melling Branch)
2. KRH-02 (Gracefield Branch)
3. KRH-03 (Wairarapa Railway)

These designations are proposed to roll over from the Operative Plan and be included in the Proposed Lower Hutt District Plan (**Proposed Plan**) with some minor corrections sought by KiwiRail in its submission. KiwiRail's submission points seeking minor corrections have been allocated to Hearing Stream 9 (Designations).

The Council Officer, Mr Peter McDonald, has recommended KiwiRail's submission points be accepted or accepted in part. He has also suggested minor amendments to KiwiRail's designations in response to submission points from the Policy Planning Team of Hutt City Council. KiwiRail's position on these recommendations is set out in **Appendix A** to this letter.

Designation KRH-01 (Melling Branch)

The Proposed Plan rolls over KiwiRail's designation KRH-01 for the Melling Branch line (previously NZR-1 in the Operative Plan) with no conditions. KiwiRail's submission supported this, subject to two minor corrections to remove the designation from properties not owned by KiwiRail.

Mr McDonald has recommended the removal of the designation from the two properties identified by KiwiRail but also recommends Designation KRH-01 be subject to the RiverLink conditions. He states at 173:

> *"The designation table for KRH-1 in the PDP incorrectly states that no conditions apply to this designation. The designation was altered through a notice of requirement as part of the RiverLink project (Te Wai Takamori o Te Awa Kairangi), which introduced a suite of conditions which apply to KRH-01 and designations of other requiring authorities. As the RiverLink project is still to be completed (including works enabled by the alteration to KRH-01), then the conditions still apply."*

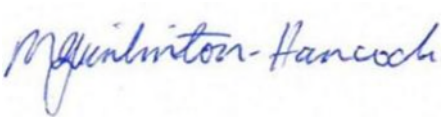
While KiwiRail supports the recommendation to remove the designation from 431 and 435 Hutt Road, KiwiRail opposes the recommendation that KRH-01 be subject to the RiverLink conditions. While Mr McDonald is correct that Designation NZR-1 (now KRH-01 in the Proposed Plan) was altered as part of the RiverLink Project to enable rail realignment at the Melling Branch Station, this alteration was never subject to any RiverLink conditions. The respective applications made by the RiverLink Project Partners and KiwiRail were clear that the RiverLink conditions would apply only to the RiverLink Project Partners (that is, NZTA, Greater Wellington Regional Council and Hutt City Council, **not** KiwiRail), and that no conditions would apply to the alteration to KiwiRail's designation NZR-1. KiwiRail's notice of requirement to alter Designation NZR-1/KRH-01 was also lodged separately to the RiverLink application / notices of requirement and was never treated as forming part of the Project Partners' application package.

The proposal in the notified Proposed Plan to roll over Designation KRH-01 with no conditions is therefore correct. KiwiRail does not accept Mr McDonald's recommendation to include the RiverLink conditions on KRH-01, as set out in **Appendix A** to this letter.

Hearing attendance

At this stage KiwiRail seeks to be heard at the hearing.

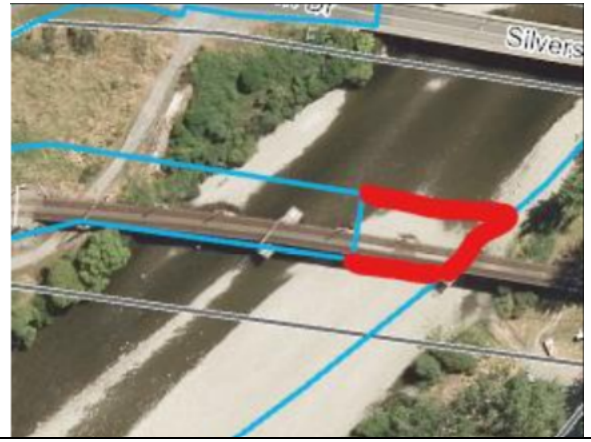
Yours faithfully,



Michelle Grinlinton-Hancock
Manager RMA Team

Appendix A – KiwiRail's position on the Council Officer's recommendations

Submission number(s)	Provision	Submission	Council Officer Recommendation	KiwiRail's Comments on Council Officer's recommendation
442.78	Designations chapter	Retain as notified.	Accept in part.	KiwiRail supports Mr McDonald's recommendation, subject to the below comments on specific points.
442.79	KRH-01	KiwiRail supports inclusion of the KRH-01 designation on the planning maps but seeks removal of the designation from 431 and 435 Hutt Road. These properties are not owned by KiwiRail, and KiwiRail seeks to ensure that its designations only include land that it owns and manages. KiwiRail seeks the removal of the designation from these properties as a minor correction under Schedule 1, cl 16(2).	Accept.	KiwiRail supports Mr McDonald's recommendation.
442.80	KRH-03	KiwiRail seeks to extend the designation extent of KRH-03 to take in that part of the Silverstream Rail Bridge up to the district boundary so that the designation reflects land ownership. KiwiRail seeks that this land be	Accept in part. Mr McDonald does not consider the extension of designation KRH-03 over additional land to be a minor correction under Sch 1, cl 16(2). He instead considers it to be a modification to the designation under s171(2).	KiwiRail does not accept Mr McDonald's recommendations in relation to the designation extent of KRH-03, where he has recommended the extended parts of the designation be vertically stratified such that the designations do not encompass road reserve or the Hutt River and its banks. This is because the road underpass is right next to the abutment of the bridge, and any works to the Hutt River and its banks have the potential to directly impact the stability of the bridge. KiwiRail seeks KRH-03 be extended as shown in **red** in the Figure below, which was included with its submission on the Proposed Plan

Submission number(s)	Provision	Submission	Council Officer Recommendation	KiwiRail's Comments on Council Officer's recommendation
		included in the Proposed Plan in designation KRH-03 through a minor correction under Schedule 1, cl 16(2).	He also recommends that the extended parts of the designation, and the extensions of KRH-03 at the road underpasses be vertically stratified such that the designations do not encompass road reserve or the Hutt River and its banks.	which would extend the designation to the landholding extent within the Hutt District: 
440.76, 440.77, 440.78	KRH-01 KRH-02 KRH-03	The Policy Planning Team of the Hutt City Council seek amendments to add site identifiers to KRH-01, KRH-02 and KRH-03.	Mr McDonald has recommended this submission from the Policy Planning Team be accepted, and that site identifiers are added to KiwiRail's designations KRH-01, KRH-02 and KRH-03. He considers these are consistent with KiwiRail's rollover notice which requested bridges and level crossings be included in the site identifiers.	KiwiRail supports Mr McDonald's recommendations.
	KRH-01 designation	N/A	Mr McDonald notes that the designation table for KRH-01 in the Proposed Plan incorrectly states that no conditions apply to this	KiwiRail does not agree that the RiverLink conditions should be included on KRH-01 for the reasons set out in the main body of this letter.

Submission number(s)	Provision	Submission	Council Officer Recommendation	KiwiRail's Comments on Council Officer's recommendation
			designation. He says that the designation was altered through a notice of requirement as part of the RiverLink project (Te Wai Takamori o Te Awa Kairangi), which introduced a suite of conditions which apply to KRH-01 and designations of other requiring authorities. He considers the conditions still apply and should be included on designation KRH-01 because the RiverLink project is still to be completed.	