

31 July 2018

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Chief Executive  
Bay of Plenty Regional Council  
PO Box 364  
Whakatāne 3158

Attn: Trish Peers-Adams

By email to: [air@boprc.govt.nz](mailto:air@boprc.govt.nz)

**FURTHER SUBMISSIONS ON PUBLICLY NOTIFIED PROPOSAL  
FOR A PLAN CHANGE (FORM 6)  
Proposed Bay of Plenty Regional Council Plan Change 13 – Air Quality**

**NAME OF SUBMITTER:**

KiwiRail Holdings Limited (KiwiRail)

**ADDRESS FOR SERVICE:**

Wellington Railway Station  
PO Box 593  
**WELLINGTON 6140**

Attention: Pam Butler

**KiwiRail's Further Submissions on Proposed District Plan Change 13**

KiwiRail Holdings Limited (KiwiRail) is the State-Owned Enterprise responsible for the management and operation of the national railway network. KiwiRail Holdings Limited (KiwiRail) has made further submissions to the Plan Change in the attached table.

KiwiRail is not a trade competitor to any of the primary submitters and our interest in Proposed Plan is greater than the general public. KiwiRail wishes to be heard in support of these further submissions. I also confirm that KiwiRail has served a copy of these further submissions on the primary submitters.

Please confirm receipt in due course.

Regards



Pam Butler  
**Senior RMA Advisor, KiwiRail**

PRIMARY SUBMITTER NUMBER	SUPPORT/OPPOSE	PLAN PROVISION	SUBMISSION POINTS	REASONS FOR SUPPORT OR OPPOSITION	DECISION SOUGHT
64 -14 Port of Tauranga	Support	New Plan Rule	Whole submission	KiwiRail supports the PoT submission that the operation of diesel fired generators to provide emergency electricity or are mobile be anticipated as a permitted activity in the Plan. While infrequent, incidents which require emergency power are slated to increase and by providing for quick restoration of operational activities the Plan will increase the resilience and ability of key infrastructure to maintain operations.	Accept submission
67-8 Port of Tauranga	Support	Rule AQ R1: permitted activities	Whole submission	While other Plan rules permit many of KiwiRail's activities at its depots and yards, small and contained emissions could be unreasonably prevented by clause (c). The way the rule is currently drafted it makes all other industrial or trade premises a discretionary activity, irrespective of size, scale and effects. KiwiRail therefore supports the PoT submission, as minor discharges meeting criteria (a) and (b) should be permitted on ITP sites under Rule AQ R1.	Accept submission
36-9 Mercury Ltd	Support	Rule AQ R1: permitted activities	In part, being the deletion of clause (c)	KiwiRail lodged a primary submission (69-4) supporting the first clause of Rule AQ R1 which reinforces that any air discharges from Industrial and Trade Premises (ITP) permitted by any other rule in the Plan are permitted. While other rules permit many of KiwiRail's activities at its depots and yards, small and contained emissions could be unreasonably prevented by clause (c). The way the rule is currently drafted it makes all other industrial or trade premises a discretionary activity, irrespective of size, scale and effects. KiwiRail therefore supports the Mercury submission insofar as minor discharges meeting criteria (a) and (b) should be permitted on ITP sites under Rule AQ R1.	Accept submission.