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Waitomo District Council
Via email: districtplan@waitomo.govt.nz

Form 5

Waka Kotahi NZ Transport Agency submission on notified Proposed Waitomo District Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Section 1: Applicant Details:

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Introductory Comments

The provisions of the Waitomo Proposed District Plan (PDP) have the potential to have a direct effect on the ability of Waka Kotahi to operate, maintain, and improve the road network. This submission focuses on ensuring that the Waka Kotahi roading assets are adequately provided for in the draft provisions, that the approach to the transport issues in Waitomo District align with the Waka Kotahi strategic direction, and that Waka Kotahi delivers on the mandate from Central Government to promote best practice transport solutions across the country. We thank Waitomo District Council (WDC) for engaging early with Waka Kotahi on the draft provisions and subsequently including many of our suggestions.

Waka Kotahi Statutory Functions, Powers and Responsibilities

1. Waka Kotahi statutory objective under the Land Transport Management Act 2003 (LTMA) is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest.
2. Waka Kotahi must carry out its functions in a way that delivers the transport outcomes set by the Government which are provided in the Government Policy Statement on Land Transport 2020/21 (GPS).
3. In September 2020, the Minister of Transport released the GPS 2021, which took effect from 1 July 2021. It builds on the strategic direction set in the earlier GPS and has four strategic priorities:
 - Safety
 - Better travel options
 - Improving freight connections
 - Climate Change
4. To deliver on the outcomes set by the GPS, Waka Kotahi have developed several strategies. A summary below is provided of those strategies relevant to this plan change; Arataki and Toitū Te Taiao.
5. Arataki is the Waka Kotahi ten-year view on the step changes and actions needed to deliver long-term outcomes for the land transport system. It includes a national view as well as a regional view for the Waitomo region, which includes the following areas of focus. These are therefore relevant when considering this plan change:

- Improve urban form – ensure that land-use patterns reduce dependence on private vehicles, limit the need to travel long-distances to access employment and services, and limit carbon emissions,
 - Transforming urban mobility – through a focus on opportunities to support increased use of public transport and improvements to walking and cycling networks,
 - Significantly reduce harms - an ongoing safety focus is needed on the greater Waitomo region to address high-risk rural roads, vulnerable users, motorcyclists and speeding,
 - Tackle climate change – ensuring urban form and land use / transport planning supports reduced emissions, private vehicle travel and average trip length.
6. Toitū Te Taiao is the Waka Kotahi sustainability action plan. This seeks to address the strategic challenges of reducing greenhouse gas emissions and improve public health.
7. Toitū Te Taiao identifies an “Avoid Shift Improve” framework which includes:
- Avoid: reducing the need to travel and/or the time or distance travelled by car, while improving or maintaining accessibility;
 - Shift: changing how we move; e.g. shifting from cars to lower-emission types of travel (e.g. public transport, cycling and walking);
 - Improve: improving the emissions efficiency and the use of low-carbon fuels.
8. The Ministry of Transport (MOT) has issued its ‘Outcomes Framework’ to define the long-term strategic outcomes for New Zealand’s transport system and explain how government and the transport sector should work together toward these outcomes.
9. The MOT Framework describes the following five long-term outcomes for the transport system:
- Inclusive Access
 - Economic Prosperity
 - Resilience and Security
 - Environmental Sustainability
 - Healthy and safe people

The Waka Kotahi feedback:

10. Matters have been identified through the review of the Proposed District Plan, which are either in support or are seeking relief in the form of amendments or clarity. The matters raised are summarised in Table 1, which forms the bulk of our feedback. Where a provision is not specified in Table 1, Waka Kotahi generally supports the way it is drafted or is neutral on the matter.
11. Waka Kotahi could not gain an advantage in trade competition through this submission.
12. Waka Kotahi encourages further consultation to discuss the matters raised in this submission.

Signature of person authorised to sign on behalf of Submitter:



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Table 1: Decisions Sought on the Proposed Waitomo District Plan

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
General Comments				
1.			Waka Kotahi seeks that reference to 'New Zealand Transport Agency' throughout the plan is amended to 'Waka Kotahi New Zealand Transport Agency' to reflect the updated name of the organisation (with the exception of designations where the Requiring Authority name recorded in the Proposed District Plan should be the 'New Zealand Transport Agency').	
2.			Waka Kotahi notes that there is inconsistent reference made to the transport network throughout the plan, with common reference to a variety of descriptors such as 'roads', 'road users', 'road network', 'transport system' or specific reference to vehicle access points. It is also noted that the definitions chapter includes a definition for 'transport system'. Waka Kotahi seeks that the definition for 'transport system' is amended to become 'transport network' and for reference to be made throughout the PDP to the 'safe and efficient operation of the transport network'.	
3.			Waka Kotahi notes that the Plan does not refer to Emissions Reduction Plan or National Adaptation Plan. These are relevant considerations to which regard shall be given under Section 74(2)(b)(i) of the RMA. They are also relevant with respect to Sections 7(i) & 6(h) of the Resource Management Act 1991 (RMA). Waka Kotahi seeks that the District Plan demonstrates how it has had regard to these matters and how it recognises and provides for the National Adaptation Plan.	
4.			Waka Kotahi notes that the Plan doesn't refer to the National Policy Statement – Highly Productive Land. As required by Sections 74(ea) and 75(3)(a) of the RMA the District Plan must give effect to a national policy statement. This National Policy Statement may have spatial implications that could impact on land use and infrastructure within the District, including the transport network. Waka Kotahi seeks that the District Plan demonstrates how it give effect to this NPS.	
5.			<p>Waka Kotahi supports the intent of the proposed noise insulation for noise sensitive activities provisions throughout the zone chapters of this plan. However, Waka Kotahi seek alignment with the National Planning Standards (District-wide matters standard) which states that sound insulation requirements for sensitive activities and limits to the location of those activities relative to the noise generating activities must be located in the Noise chapter. Waka Kotahi therefore seek that the noise sensitive activities provisions are moved to the Noise chapter. Waka Kotahi further note that the distances imposed for the various state highways are in some instances inadequate to manage the effects on human health from state highway noise. Waka Kotahi therefore seeks to replace the existing rules with the noise provision set out in Appendix B, which provides for new or altered buildings within 100m of the highway boundary which can achieve the required internal noise standard to be permitted activities. Where windows need to be closer to achieve the desired internal noise levels then ventilation performance is prescribed.</p> <p>Further to the above, Waka Kotahi will be seeking to amend the approach to reverse sensitivity at the further submission stage as noise contours are completed for the Waitomo District which allow Waka Kotahi to identify property specific noise effects and ensure requirements are not too onerous for properties that are adjacent to low volume and/or low speed sections of the highway network. Waka Kotahi would like to work with Council ahead of further submissions to explain this approach in more detail.</p>	
6.			Reference is made throughout the plan to vehicle movements. Waka Kotahi seeks that the definition for "vehicle movement" be replaced with a definition for "equivalent car movements per day". It is considered that there is a significant difference between the effects created by small vehicles (cars) and those created by larger vehicles (trucks, and multi-unit heavy commercial vehicles (HCVs)). Therefore, if reference throughout the District Plan is provided to vehicle movements as currently defined, the traffic-related effects of some land use activities may not not be assessed appropriately.	
Part 1 – Introduction and General Provisions				

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
INTERPRETATION				
9. Definitions				
Definitions Chapter	Digital Signs	Support in part	Waka Kotahi supports the inclusion of this definition, however, it is considered that the definition requires an amendment to adequately address the concerns with Digital Signs.	Delete the definition for 'digital signs' and replace with the following definition: <u>Digital signs: electronic display systems designed to capture attention, primarily, but not exclusively, for the purposes of advertising. The digital signage display may be static or non-static.</u>
	Functional Need	Support	Waka Kotahi supports this definition which is consistent with other statutory documents such as the National Policy Statement on Freshwater Management (2020).	Retain as notified.
	Maintenance (in relation to network utilities)	Support	Waka Kotahi supports this definition.	Retain as notified.
	Noise sensitive activity	Oppose	Waka Kotahi opposes this definition as it excludes residential activities that can be subject to noise effects and are therefore considered a noise sensitive activity. These activities are educational facilities, marae, tiny houses/developments and hospitals. Waka Kotahi consider that the definition be replaced to ensure that all noise sensitive activities are captured within the definition.	Replace the definition of "noise sensitive activity" with the following: <u>Noise sensitive activity: means any residential activity including visitor, student or retirement accommodation, educational activity including any child care facility, healthcare activity, papakāinga units and papakāinga housing developments and any congregations within places of worship/marae but excludes:</u> (a) <u>Camping grounds</u>
	Operational Need	Support	Waka Kotahi supports this definition.	Retain as notified.
	Regionally significant	Support in part	Waka Kotahi supports this definition. However, the definition incorrectly references the Operative Waikato Regional Policy Statement (WRPS). Clause (g) of the definition refers to Map 6.1 and 6.1A of the WRPS when the correct maps are Map 25 and 26.	Amend definition: Means:

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	infrastructure		Waka Kotahi therefore seeks that the definition be amended to ensure that the definition correctly references the WRPS.	... (g) significant transport corridors as defined in Map 6-1 <u>25</u> and 6-1A <u>26</u> of the Operative Waikato Regional Policy Statement;
	Transport System	Support in part	Waka Kotahi supports this definition but seeks that the term 'transport system' is replaced with 'transport network'. As noted elsewhere, there is inconsistent reference made to the transport network throughout the plan, with common reference to a variety of descriptors such as 'roads', 'road users', 'road network', 'transport system' or specific reference to vehicle access points. Providing a reference to 'transport network' only will help aid plan user interpretation.	Amend definition: Transport <u>network system</u> : means the combined network of: (a) Existing and future transport corridors. (b) Private roads and ways, access ways, service lanes, pedestrian, cycle and passenger transport lanes or routes (including walkways and cycleways) both within and outside the transport corridor. (c) Rail routes that provide for the movement of people and goods to, from and through the district. It includes all of the ancillary support transport infrastructure and activities, and vehicle access points. It also includes those facilities in addition to transport infrastructure that support the use of the transport <u>network system</u> , as well as (but not limited to) end-of-journey facilities and travel management plans.
	Vehicle movements	Oppose	Waka Kotahi considers that the definition for "vehicle movement" be replaced with a definition for "equivalent car movements per day". It is considered that there is a significant difference between the effects created by small vehicles (cars) and those created by larger vehicles (trucks, and multi-unit heavy commercial vehicles (HCVs)). Therefore, if reference throughout the District Plan is provided to vehicle movements as currently defined, the traffic-related effects of some land use activities may not not be assessed appropriately.	Delete the definition for "vehicle movements" and replace the definition of "vehicle movements" with the following: <u>Equivalent car movements per day (ecm/d)</u> <u>Equivalent car movement per day (averaged over a year) is defined as follows:</u> • <u>1 car to and from the property = 2 equivalent car movements</u> • <u>1 truck to and from property = 6 equivalent car movements</u> • <u>1 truck and trailer to and from property = 10 equivalent car movements.</u>

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Part 2 – District Wide Matters				
STRATEGIC DIRECTION				
16. Strategic Direction, Urban Form and Development - SD				
District - Wide Matters	SD-07	Support	Waka Kotahi supports this objective as compact and mixed-use urban form contributes to improved accessibility and can support a shift towards multi modal travel options including cycling and walking that will assist with achieving transport target 1 of the NZ Emissions Reduction Plan.	Retain as notified.
	SD-08	Support	Waka Kotahi supports this objective as innovative approaches to development within remote settlements can help to reduce VKT and support multi modal travel options including active travel.	Retain as notified.
	SD-014	Support	Waka Kotahi agrees that it is important that growth and new development does not expose infrastructure, including the transport network to increased risk from natural hazards. The impact of natural hazards can have adverse effects on the infrastructure resource itself, with associated financial implications. Disruption to the transport network can also have adverse effects on the local economy and social well-being of the population.	Retain as notified.
	SD-016	Support	Waka Kotahi support this objective as it aligns with the NZ Emissions Reduction Plan which recognises that planning and infrastructure systems have an important role to play in supporting climate outcomes, including the delivery of low-emissions and efficient buildings and infrastructure.	Retain as notified.
	SD-019	Support	This objective is consistent with Objective 1 of the NPS-UD. As the district's main settlement, it is important to ensure that Te Kuiti has a well-functioning urban environment that can provide easy access to a range of activities and modal choice that supports walking and cycling.	Retain as notified.
	SD-020	Support	Waka Kotahi support this objective as mixed use development within Te Kuiti will improve access to jobs, services, recreation	Retain as notified.

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			and education. This will support a reduction in VKT and enable modal choice, in particular walking and cycling.	
	SD-021	Support	Waka Kotahi supports development where infrastructure has sufficient capacity to accommodate the form and type of development anticipated. It is important to ensure that subdivision and development contributes to well-functioning urban environments that enable efficient, effective and safe infrastructure networks and land use to be achieved.	Retain as notified.
	SD-022	Support	Waka Kotahi supports intensification within existing townships and in areas that are already serviced by existing or planned infrastructure. Enabling intensification and mixed land use within existing areas where there is infrastructure capacity available, or able to be secured through the development, will contribute to well-functioning urban environments that can help reduce the need to travel and promote active modes.	Retain as notified.
	SD-023	Support	Waka Kotahi support this objective as high quality urban design will contribute to achieving well-functioning urban environments. Successful place making can support safer active travel modes that will reduce VKT.	Retain as notified.
	SD-027	Support in part	Waka Kotahi considers that this objective should go further than encouraging development that supports a reduction in greenhouse gas and transport demand. The strategic direction of the GPS on Land Transport recognises that climate change is a strategic priority, and the NZ Emissions Reduction Plan establishes transport targets, with 1 & 3 being of particular relevance. Transport is one of our largest sources of greenhouse gas emissions and is responsible for 17 per cent of Aotearoa New Zealand's gross emissions. The objective should be amended so that urban development contributes to a reduction in greenhouse gas emission and travel demand.	Amend objective as follows: Encourage urban development that supports <u>contributes to</u> reductions in greenhouse gas emissions, minimises waste production, transport and energy demand, and is resilient to the current and future effects of climate change.
	SD-029	Support	Waka Kotahi considers that industrial development should be well located in relation to the transport network to enable the efficient,	Retain as notified.

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			effective and safe operation of freight movement and to provide good access opportunities for employees. Care is needed to ensure that the location does not generate adverse effects on the operation of the transport network. The location of development should contribute to achieving NZ Emissions Reduction Plan transport targets 1 & 3.	
	SD-O30	Support	Waka Kotahi supports provision for nationally and regionally significant infrastructure.	Retain as notified.
	SD-O31	Support	Waka Kotahi supports the requirement of a comprehensive integrated structure plan ahead of development of future urban areas. The use of structure planning will assist in the co-ordination of land use and infrastructure planning and implementation. This will contribute to growth areas providing well-functioning urban environments that integrate well with the surrounding land use and infrastructure networks. Structure plans can help to achieve effective mixed land uses, improve connectivity and promote multi modal transport options that will improve accessibility and reduce VKT.	Retain as notified.
ENERGY, INFRASTRUCTURE AND TRANSPORT				
19. Network Utilities - NU				
Network Utilities Objectives	NU-O2	Support	Waka Kotahi supports this objective as it recognises the positive effects and functional and operational needs of the transport network.	Retain as notified.
	NU-O4	Support in part	Waka Kotahi supports this objective, but notes that it is not the role of Waka Kotahi, nor is it practically feasible to provide infrastructure connections for out of sequence land use or development.	Waka Kotahi seeks an amendment to the objective as follows: The transport network is a well-connected, integrated and accessible system that meets, and is responsive to current and future needs, and maximises opportunities to link with <u>anticipated</u> land use and development.
Network Utilities Policies	NU-P1	Support	Waka Kotahi supports this objective as it recognises the need to allow for the development, upgrade, operation, maintenance, repair or removal of network utilities.	Retain as notified.

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	NU-P5	Support	Waka Kotahi supports this objective as it provides for signage typically erected by Waka Kotahi to direct traffic and promote safety of the network users.	Retain as notified.
	NU-P6	Support	Waka Kotahi supports restriction of signs which affect the safe functioning of the transport network and which result in visual clutter and driver distraction.	Retain as notified.
	NU-P13	Support	Waka Kotahi supports this policy as it is considered a pragmatic approach. In particular Waka Kotahi supports the acknowledgement that in some instances there are functional and operational constraints where all adverse effects cannot be avoided, remedied or mitigated.	Retain as notified.
	NU-P16	Support	Waka Kotahi supports the co-location of network utilities within transport corridors where these do not adversely impact the safe and efficient operation of the transport network.	Retain as notified.
	NU-P19	Support	Waka Kotahi supports this policy as it protects the state highway network from the adverse effects, including reverse sensitivity effects, of subdivision, use and development.	Retain as notified.
Network Utilities Rules	NU-R8	Support in part	<p>Waka Kotahi supports new electric vehicle charging facilities, however would like to ensure appropriate consultation is undertaken with Waka Kotahi if these facilities are to be located in the State Highway road reserve.</p> <p>Waka Kotahi also notes that this rule is a duplication of TRAN-R9 and questions the reasoning for it featuring in both the Network Utilities and Transport chapters.</p>	<p>Waka Kotahi seeks an amendment to the rule as follows:</p> <p>Where the activity is RDIS, the matters over which discretion is restricted are:</p> <p>(a) Adverse effects on the safe, efficient and effective operation of the road transport network <u>including outcomes from consultation with Waka Kotahi New Zealand Transport Agency</u>; and</p> <p>(b) Effects on the values of any scheduled site or feature including outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga where relevant; and</p> <p>(c) The extent and effect of non-compliance on the streetscape, pedestrian safety and the amenity of the area.</p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<u>Note: Any electric vehicle charging device to be located within the State Highway road reserve requires approval from Waka Kotahi New Zealand Transport Agency.</u>
	NU-R13	Support in part	Waka Kotahi supports a restricted discretionary status for new structures on or adjacent to a railway corridor or an indicative road, however seeks amendments with respect to consultation with Waka Kotahi and clarity around 'the edge of an indicative road'.	Waka Kotahi seeks an amendment to the rule as follows: 2. The structure (excluding signs, temporary structures, and vehicle access points) is located within 20 m of the edge of an indicative road <u>or designation boundary</u> ; <i>Note: KiwiRail and/or Waka Kotahi New Zealand Transport Agency will be considered an affected person (in respect of activities adjacent to a railway corridor) in accordance with section 95B of the RMA where its written approval is not provided.</i> (g) The outcome of consultation with KiwiRail <u>and Waka Kotahi New Zealand Transport Agency</u> .
	NU-R27	Support	Waka Kotahi supports the permitted activity status of operation, maintenance, repair and road widening of state highways.	Retain as notified.
	NU-R28	Support	Waka Kotahi supports the restricted discretionary status for the construction of state highways outside of the designation, and discretionary status if works are within overlays. Waka Kotahi also supports the inclusion of the note which clarifies that any new road that intersects with the state highway requires approval from Waka Kotahi under the GRPA.	Retain as notified.
	NU-R28 (b), (d), (e), (h) and (i).		Waka Kotahi support the inclusion of these matters of discretion.	Retain as notified.
	NU-R32	Support in part	Waka Kotahi supports the matters of discretion and advice note stating that signs within the road reserve require approval from the relevant road controlling authority. Waka Kotahi considers that an additional matter of discretion could be added to ensure	Waka Kotahi seek to add an additional matter of discretion as below: (h) The outcome of consultation with Waka Kotahi New Zealand Transport Agency if signs are visible from the state highway network.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			Waka Kotahi has the opportunity to comment on if any signage will have an adverse effects on highway network users.	
	NU-R33	Support	Waka Kotahi supports earthworks being permitted within 5m of the edge of a water body where the works are for the operation and maintenance of state highway within the existing road reserve or designation boundary.	Retain as notified.
	NU-R37	Support	Waka Kotahi supports the permitted activity status for removal of indigenous vegetation for all roads and new roads approved as part of a resource consent. Waka Kotahi also supports provision for removal of indigenous vegetation within 5m of a water body where this is required for the operation and maintenance of existing state highways (NU-R37(vi)).	Retain as notified.
	NU-R40	Support	Waka Kotahi supports the permitted activity status for operation and maintenance of state highways with 25m of a water body.	Retain as notified.
	NU-R46	Support in part	The reference in NU-R46.1 is incorrect as it references a rule relating to telecommunication poles not noise. Waka Kotahi supports all new and altered roads being in compliance with NZS 6806:2010 Acoustics-Road traffic noise-new and altered roads.	Waka Kotahi seek correction of the references to other rules in NU-R46.1.
20. Transport - TRAN				
Transport Overview	Overview	Support	Waka Kotahi support the intent of this section but note that reference to One Network Road Classification (ONRC) should be replaced with One Network Framework.	Waka Kotahi seek amendment to replace 'One Network Road Classification (ONRC)' with 'One Network Framework'.
	TRAN-O1	Support	Enhancing the role of the transport systems through creating land use and urban form that provides connections between people, product and places is one of the step changes identified in Arataki – Waka Kotahi's 10-year view of what is needed to deliver on the government's current priorities and long-term outcomes for the land transport system. Multi modal opportunities including walking and cycling are aligned with the Transport Outcomes Framework and Strategic Priorities of the GPS on Land Transport.	Retain as notified.

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			This objective will also support a modal shift that will assist in achieving transport targets 1 & 3 of the NZ Emissions Reduction Plan.	
	TRAN-O2	Support	Waka Kotahi supports this objective as it is consistent with Strategic Priorities and Transport Outcomes Framework of the GPS on Land Transport.	Retain as notified.
Transport Objectives	TRAN-03	Support	Waka Kotahi supports requiring traffic generating activities to be compatible with the function of the transport corridor they obtain access from.	Retain as notified.
	TRAN-04	Support	Waka Kotahi supports development having to avoid, remedy or mitigate any adverse effects on the transport network as a result of new connections, activities or intensification.	Retain as notified.
Transport Policies	TRAN-P2.1	Support in part	Waka Kotahi supports the intent of this policy, however request that it is broadened to incorporate all forms of active modes.	Waka Kotahi requests the following amendments to TRAN-P2.1: 1. <u>Avoiding conflict between vehicles, pedestrians, cyclists and other active modes.</u>
	TRAN-P2.4	Support	Waka Kotahi supports the minimisation and consolidation of vehicle access points onto the state highway.	Retain as notified.
	TRAN-P2.7	Support	Waka Kotahi supports minimising the potential for reverse sensitivity effects where activities adjoin the transport system.	Retain as notified.
	TRAN-P4	Support	Waka Kotahi supports an ITA being required for high trip generating activities which demonstrates how adverse effects on the transport network will be avoided, remedied or mitigated.	Retain as notified.
	TRAN-P5	Support	Waka Kotahi agree with the support of an ITA or a travel plan, it can be appropriate to reduce on-site parking requirements in favour of alternative means of travel.	Retain as notified.
	TRAN-P6	Support	Waka Kotahi supports the managements of effects generated by construction traffic.	Retain as notified.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
	TRAN-P7	Support	Waka Kotahi supports the management of development to ensure integration with existing and future transport corridors.	Retain as notified.
	TRAN-P8	Support	Waka Kotahi agrees that any transport infrastructure associated with development or subdivision should be planned, funded or provided for in an integrated and comprehensive manner.	Retain as notified.
	TRAN-P9	Support	Waka Kotahi supports connectivity of the transport network, including links from existing networks to cycleways, walkways, public transport routes and open space networks.	Retain as notified.
	TRAN-P10	Support in part	Waka Kotahi supports the intent of this policy, however request that it is broadened to incorporate all forms of active modes.	Waka Kotahi requests the following amendments to TRAN-P10.2: 2. Minimise conflict between vehicles, pedestrians, cyclists <u>and other active modes.</u>
Transport Rules	TRAN-R3	Support in part	Waka Kotahi supports new electric vehicle charging facilities, however would like to ensure appropriate consultation is undertaken with Waka Kotahi if these facilities are to be located in the State Highway road reserve. Waka Kotahi also notes that this rule is a duplication of NU-R8 and questions the reasoning for it featuring in both the Network Utilities and Transport chapters.	Waka Kotahi seeks an amendment to the rule as follows: Matter over which discretion is restricted: (a) Adverse effects on the safe, efficient and effective operation of the road transport system <u>network including outcomes from consultation with Waka Kotahi New Zealand Transport Agency;</u> and (b) Effects on the values of any scheduled site or feature including outcomes from consultation with mana whenua and Heritage New Zealand Pouhere Taonga where relevant; and (c) The extent and effect of non-compliance on the streetscape, pedestrian safety and the amenity of the area. <u>Note: Any electric vehicle charging device to be located within the State Highway road reserve requires approval from Waka Kotahi New Zealand Transport Agency.</u>
	TRAN-R6	Support	Waka Kotahi support the intent of this rule, however,note our submission point on TRAN-Table 3 which seeks an ITA threshold for equivalent car movements onto the State Hihway. Provided this change is supported by Council, Waka Kotahi believe this rule	Retain as notified.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			<p>will be effective in ensuring the effects of high trip generating activities on the transport network are appropriately managed.</p> <p>Furthermore, Waka Kotahi support the matters of discretion including the results of consultation with Waka Kotahi New Zealand Transport Agency.</p>	
	TRAN-R8	Support	Waka Kotahi supports this policy as it requires applicants to consult with Waka Kotahi New Zealand Transport Agency which will ensure the safe and efficient operation of the highway network.	Retain as notified.
	TRAN-R9	Support in part	<p>Waka Kotahi supports a restricted discretionary status for new structures on or adjacent to a railway corridor or an indicative road, however seeks amendments with respect to consultation with Waka Kotahi and clarity around 'the edge of an indicative road'.</p> <p>Waka Kotahi also notes that this rule is a duplication of NU-R13 and questions the reasoning for it featuring in both the Network Utilities and Transport chapters.</p>	<p>Waka Kotahi seeks an amendment to the rule as follows:</p> <p>2. The structure (excluding signs, temporary structures, and vehicle access points) is located within 20 m of the edge of an indicative road <u>or designation boundary</u>;</p> <p><i>Note: KiwiRail and/or Waka Kotahi New Zealand Transport Agency will be considered an affected person (in respect of activities adjacent to a railway corridor) in accordance with section 95B of the RMA where its written approval is not provided</i></p> <p>(g) The outcome of consultation with KiwiRail <u>and Waka Kotahi New Zealand Transport Agency</u>.</p>
	TRAN-R19	Support	Waka Kotahi supports this rule as it requires access to be from the lower classification road which reduces the number of accesses onto the State Highway network.	Retain as notified.
	TRAN – Table 3	Support in part	Waka Kotahi considers that the permitted activity trip generation thresholds set out in TRAN-Table 3 are too high for activities located on a state highway. Waka Kotahi generally require an Integrated Transport Assessment (ITA) for activities that generate over 100 equivalent car movements per day as they tend to require site specific access design or intersection treatment in accordance with AustRoads Guides. Waka Kotahi then determine whether the access design or intersection treatment is appropriate to ensure the proposed activity does not result in any	<p>Amend provision by incorporating threshold for equivalent car movements onto the State Highway:</p> <p><u>Activities adjacent to the state highway network</u></p> <p><u>Any development, land use or subdivision located adjacent the state highway network.</u></p> <p><u>ITA Threshold</u></p>

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			<p>adverse effects upon the safety and efficiency of the state highway network. Waka Kotahi therefore seek that any activity located adjacent to the state highway network shall require an ITA where the trip generation is more than 100 equivalent car movements per day.</p> <p>Waka Kotahi also notes that reference is made in Table 3 to 'vehicle movements'. Waka Kotahi seek that all references to 'vehicle movements' are amended to equivalent car movements as is considered that there is a significant difference between the effects created by small vehicles (cars) and those created by larger vehicles (trucks, and multi-unit heavy commercial vehicles (HCVs)).</p>	<u>Any activity exceeding 100 equivalent car movements per day requires an ITA.</u>

NATURAL ENVIRONMENT VALUES

26. Ecosystems and Indigenous Biodiversity - ECO

Ecosystems and Indigenous Biodiversity Rules	ECO-P3.4	Support	Waka Kotahi support the provision of removal of indigenous vegetation as a permitted activity to allow for the maintenance of existing roads.	Retain as notified.
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SUBDIVISION

29. Subdivision - SUB

Subdivision Objectives	SUB-01	Support	Waka Kotahi supports this objective as it will ensure that subdivision is designed so that it is connected and integrated into the existing transport network whilst maintaining public safety.	Retain as notified.
	SUB-03	Support	Waka Kotahi supports this objective, specifically that subdivision is serviced by infrastructure with sufficient capacity. Subdivision can adversely affect the safe functioning and operation of the transport network if there is not enough capacity to cater for additional allotments.	Retain as notified.

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Subdivision Policies	SUB-P1	Support	Waka Kotahi supports this policy. Specifically, that subdivision provides connections to public transport.	Retain as notified.
	SUB-P3	Support	Waka Kotahi supports this policy as it discourages subdivision that would compromise the function, safety or efficiency of the transport network.	Retain as notified.
	SUB-P7	Support in part	Waka Kotahi supports the intent of this policy. However, Waka Kotahi considers that this policy requires amending to ensure that subdivision is serviced and integrated with existing and planned infrastructure with sufficient capacity. This will also provide consistency with the objective framework where infrastructure capacity is addressed (SUB-O3).	Amend SUB-P7 as follows: Subdivision must be appropriately serviced by: <ul style="list-style-type: none"> 1. Ensuring integration with existing and planned infrastructure <u>with sufficient capacity</u> is provided for and sequenced at the design stage of any subdivision; and 2. ...
	SUB-R1.1- SUB-R1.20	Support in part	Waka Kotahi supports the matters over which discretion is restricted to for SUB-R1.1 to SUB-R1.20. However, Waka Kotahi consider that the matters of discretion do not address the effects upon the safety and efficiency of the transport network. Waka Kotahi consider that subdivision in all zones can effect the safety and efficiency of the transport network. Therefore, it is considered appropriate to include it within the matters of discretion.	Amend SUB-R1.1 to SUB-R1.20 as follows: For SUB-R1.1 to R1.20, the matters over which discretion is restricted: ... <u>(n) Effects on the safety and efficiency of the transport network.</u>

GENERAL DISTRICT-WIDE MATTERS

32. Coastal Environment - CE

Coastal environment - Policies	CE-P1.8	Support	Waka Kotahi supports this policy which provides for works within the coastal environment for seawall maintenance and repair, and enabling seawalls where they protect public infrastructure such as the state highway network.	Retain as notified.
	CE-P19.4	Support in part	As there is Waka Kotahi infrastructure within the Coastal Environment in the Waitomo District, Waka Kotahi wants to ensure there is the ability to install new hard protection structures or extension/alteration of our existing hard protection structures if it has been determined that doing so is the best practicable option to protect our infrastructure. CE-P19 requires works that	Waka Kotahi seeks clarification on if Council consider that protection of Regionally Significant Infrastructure (i.e. the State Highway) would be considered a public benefit at a regional scale.

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			protect public infrastructure from coastal hazards to have a public benefit at a regional or national scale, or at a district scale the works necessary to protect public infrastructure from coastal hazards must outweigh costs. Waka Kotahi would like to understand if the intention of this wording is for protection of state highway infrastructure to be considered to have a public benefit at a regional scale given the definition of Regionally Significant Infrastructure proposed in this plan.	
Coastal environment – Rules	CEH-R6	Support	Waka Kotahi supports this policy which provides for seawalls to protect public infrastructure as a restricted discretionary activity where the public infrastructure is of regional and/or national significance and as a discretionary activity where the public infrastructure is of local and/or district significance.	Retain as notified.
33. Earthworks - EW				
Earthworks Rules	EW-R6(c)	Support	Waka Kotahi supports the wording of this matter of discretion as it ensures consideration is given to effects of earthworks on Waka Kotahi stormwater systems if earthworks are being undertaken adjacent to the State Highway network.	Retain as notified.
Earthworks Rules	EW-R6(e)	Support	Waka Kotahi supports the proposed matters of discretion as it provides for the safe and efficient operation of the transport network.	Retain as notified.
34. Financial Contributions - FC				
Financial Contributions Objectives	FC-O1 FC-O2 FC-O3	Support	Waka Kotahi supports the use of Financial Contributions. Providing for the necessary transport network improvements and transport capacity upgrades will require the Council to utilise a range of funding sources. It will be important to enable wider funding options to support modal shift including active modes	Retain as notified.

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			that contribute to a reduction of Vehicles Kilometres Travelled (VKT).	
Financial Contributions Policies	FC-P2	Support	Waka Kotahi support the ability to take financial contributions in advance of works being undertaken as this will enable more certain and efficient project management for the infrastructure delivery.	Retain as notified.
	FC-P7	Support	A heavy commercial vehicle impact fee will assist in ensuring that the cost of any necessary upgrade will be incurred by the developer and will not fall on the wider rate and tax paying population.	Retain as notified.
Financial Contributions Rules	FR-R4.1(c)	Support	Waka Kotahi support this policy as it provides for financial contributions to be made to mitigate effects of development on the state highway network.	Retain as notified.
	FC-R5.1(d)	Support	Waka Kotahi support this policy as it provides for financial contributions to be made to mitigate effects of heavy commercial vehicles on the state highway network.	Retain as notified.
35. Hapori whānui - Provisions for community wellbeing, safety and amenity - HW				
Hapori whānui Rules	HW-R10	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network by controlling the effects of glare.	Retain as notified.
	HW-R11	Support in part	Waka Kotahi seeks an additional matter of discretion to ensure the safety of transport network users when the proposed structure is located within the highway road reserve or of a scale which is visible by road users.	<u>(e) The outcome of consultation with Waka Kotahi New Zealand Transport Agency if the structure is within the state highway road reserve or visible from the state highway network.</u>
36. Light - LIGHT				
Light Policies	LIGHT-P1	Support	Waka Kotahi supports the location, design and operation of artificial lighting so that the safe operation of the transport network is not adversely affected.	Retain as notified.

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Light Rules	LIGHT-R2.1	Support	Waka Kotahi supports this rule as it ensures artificial lightning is oriented so that light is emitted away from any road or oncoming traffic as to avoid effects on transport network users.	Retain as notified.
	LIGHT-R2.6	Support	Waka Kotahi supports requiring an assessment for outdoor lighting against 'AS/NZ 4282.2019 Control of the Obtrusive Effects of Outdoor Lighting'.	Retain as notified.
	LIGHT-R2(f)	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.
37. Noise - NOISE				
Noise Objectives	NOISE-O3	Support	Waka Kotahi support new noise sensitive activities being designed and located to minimise conflict, reverse sensitivity effects and ultimately reduce any effects on human health.	Retain as notified.
Noise Policies	NOISE-P2	Support	Waka Kotahi support the imposition of land use controls which ensure land use is designed and located appropriately in respect to the state highway network to mitigate any effects on human health.	Retain as notified.
Noise Rules	New Rule	-	As outlined in General Comment 5, Waka Kotahi seek a new rule in the Noise chapter in place of the noise sensitive activity rules currently within the zone chapters.	Insert new rule as detailed in Appendix B.
39. Signs - SIGN				
Signs Objectives	SIGN-O2	Support	Waka Kotahi supports the provision to provide for signage that does not compromise the safe and efficient operation of the transport network.	Retain as notified.
Signs Policies	SIGN-P3	Support	Waka Kotahi supports the policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.
	SIGN-P5	Support	Waka Kotahi supports the policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.
	SIGN-P9	Support in part	Waka Kotahi supports controlling signage that are potentially incompatible with the role, function and predominant character of	Amend SIGN-P9 as follows:

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			the zone in which they are located. However, Waka Kotahi seeks consistency with the proposed definitions.	... 4. Digital or illuminated signs which are audible, flash, <u>move, scroll, contain animations or full motion video.</u> or have a high frequency of image changes
Signs Rules	SIGN-R1	Support	Waka Kotahi supports the permitted status of Official Signs as it provides for the safe and efficient operation of the transport network.	Retain as notified.
	SIGN-R2	Support in part	Waka Kotahi supports this rule for ensuring signage in an open space zone does not affect the safe and efficient operation of the transport network, but request that an amendment is made to more broadly reference the transport network as opposed to 'road user'. See General Comment 2 for further justification.	Amend SIGN-R2 as follows: (d) Potential positive or adverse effects on road user <u>the transport network</u> and pedestrian safety; and
	SIGN-R10	Support in part	<p>Waka Kotahi supports managing the effects of Digital Signage in order to maintain transport safety.</p> <p>Digital signs have the potential to compromise transport network safety (for example by causing driver distraction or a traffic hazard) or cause confusion with official road signs. Therefore, it is necessary to control their size, design, location and management. However, it is recommended that additional matters are included for digital signs that are visible from the state highway network.</p> <p>Waka Kotahi consider a 7 second dwell time is very short. Drivers should not see an image change, with a maximum of 5% of drivers only seeing one image change. Multiple image changes can cause a distraction and increase driver's risk. In the event that a dwell time cannot be determined, the dwell time should be no less than 30 seconds.</p> <p>SIGN-R10 does not include any criteria on image content. Words and other elements on digital billboards need to be restricted to ensure driver distraction is minimised. Therefore, Waka Kotahi consider that SIGN-R10 needs to be amended to include criteria for image content.</p>	<p>Amend SIGN-R10 as follows:</p> <p>...</p> <p>3. The sign must only display still images, and where multiple still images are displayed each image must be displayed for a minimum of 7 seconds ; and</p> <p><u>Additional matters for digital signs visible from the State Highway:</u></p> <p>6. There shall be a maximum of one digital sign per site;</p> <p>7. There shall be a transition time of no more than 1 second and no less than 0.5 seconds between each image or display. Images should 'dissolve' rather than be an abrupt change.</p> <p>8. The dwell time must not exceed the greater of 30 seconds or the dwell time required to ensure that no more than 5% of road users view a change in the image or display while using the portion of the state highway network from which the digital billboard is visible;</p> <p>9. In low speed environments (70 km/h and less) at all times the digital billboard should include no more than ten individual elements; of which words may only make up eight elements. Additionally, each line of text shall contain a maximum of 40 characters.</p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			<p>SIGN-R10 does not include any criteria on transition time. An instant transition should be avoided in all cases. Therefore, Waka Kotahi seeks that the clause be amended to include a minimum transition time of 0.5 seconds and a maximum transition time of 1 second.</p> <p>In addition, to ensure that signage does not compromise the safety of the state highway network, Waka Kotahi consider that an additional matter of discretion is required to ensure consultation is undertaken with Waka Kotahi for signage that is visible from the state highway network.</p>	<p><u>10. In higher speed environments (more than 70 km/h) these content controls halve. At all times the digital billboard should include no more than five individual elements; of which words may only make up four elements. Additionally, each line of text shall contain a maximum of 20 characters.</u></p> <p><u>11. The digital sign shall be operated with a fail-safe feature where in the event of a malfunction, the images or messages will be replaced by a solid black colour until the malfunction is resolved;</u></p> <p><u>Matters over which discretion is restricted:</u></p> <p><u>(h) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p>
	SIGN-R12	Support in part	<p>Waka Kotahi supports Council maintaining discretion over the erection of off-site signs in Commercial Zones, and the use of a Non-Complying activity status in all other zones.</p> <p>Off-site signs have the potential to compromise transport network safety (for example by causing driver distraction or a traffic hazard) or cause confusion with official road signs. To ensure that off-site signage does not compromise the safety of the state highway network, Waka Kotahi consider that an additional matter of discretion is required to ensure consultation is undertaken with Waka Kotahi for signage that is visible from the state highway network.</p>	<p>Amend SIGN-R12 as follows:</p> <p><u>(h) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p>
	SIGN-Table 2: SIGN-R15 –	Support in part	<p>Waka Kotahi supports this provision relating to standards for all signage, and the matters over which discretion is restricted. This will ensure adverse effects on the safe and efficient operation of the transport network are reduced as a result of all signage.</p> <p>However, Waka Kotahi seeks to include additional performance standards to ensure that signage visible from the state highway network is consistent with the relevant Waka Kotahi signage guidance (Traffic Controls Device Manual and Planning Policy</p>	<p>Amend SIGN-R15 – Table 2 as follows:</p> <p>...</p> <p>6. Signs must not have flashing, or revolving lights, or lasers or <u>intermittently illuminated lights</u> and must not be shaped or use images or colours that could be mistaken for a traffic control device in colour, shape or appearance;</p> <p>Additional matters for signage visible from the state highway network:</p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			<p>Manual: Third Party Signs on and visible from the state highway corridor). This will ensure that the safety of the state highway network is not compromised as a result of signage.</p> <p>In addition, to ensure that signage does not compromise the safety of the state highway network, Waka Kotahi consider that an additional matter of discretion is required to ensure consultation is undertaken with Waka Kotahi for signage that is visible from the state highway network.</p>	<p>7. <u>Signs should have a minimum lettering height of 120mm where the speed limit is lower than 70km/h, or 160mm where the speed limit is 70km/h or higher;</u></p> <p>8. <u>Signs should have a maximum of 6 words and/ or symbols, with a maximum of 40 characters;</u></p> <p>9. <u>Signs must not obstruct the movement of any pedestrian, motorist, or cyclist;</u></p> <p>10. <u>Signs must not be made of materials likely to reflect headlights from an approaching vehicle.</u></p> <p>Matters over which discretion is restricted:</p> <p>...</p> <p><u>(d) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u></p>
	SIGN Table 2: SIGN-R22	Support in part	<p>Waka Kotahi supports this provision as it manages artificial illumination which can adversely affect the transport network.</p> <p>However, it is recommended that an additional matter is required to ensure that all signage includes lighting control to adjust brightness in line with ambient light levels. This will ensure that the brightness of the sign is consistent with the surrounding environment.</p>	<p>Amend SIGN-R22 as follows;</p> <p><u>Addiitonal matters for signs visible from the State Highway:</u></p> <p><u>5. The screen shall incorporate lighting control to adjust brightness in line with ambient light levels;</u></p>
	SIGN-R22-Matters Of Discretion	Support in part	<p>Waka Kotahi supports this provision which provides Council with discretion to consider adverse effects from signs on transport safety.</p> <p>However, a minor amendment to the wording is sought so that potential adverse effects on transport safety can be considered more broadly.</p>	<p>Amend SIGN-R22 Matters of Discretion as follows;</p> <p>...</p> <p><u>(c) The extent to which the sign may adversely affect the safe, efficient and effective operation of the transport network, as well asAny impact on driver, cyclist and or pedestrian safety; and</u></p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			In addition, to ensure that signage does not compromise the safety of the state highway network, Waka Kotahi consider that an additional matter of discretion is required to ensure consultation is undertaken with Waka Kotahi for signage that is visible from the state highway network.	... <u>(f) Outcome of consultation with Waka Kotahi New Zealand Transport Agency for signs visible from the state highway network.</u>
40. Temporary Activities – TEMP				
Temporary Activities Policies	TEMP-P6.3	Support	Waka Kotahi support this policy as we consider it appropriate to consider the capacity and safety of the state highway network when considering the effects of temporary events.	Retain as notified.
Temporary Activities Rules	TEMP-R1.5	Support in part	Waka Kotahi support the requirement for a Traffic Management Plan but would like to see consistency throughout the plan with reference to 'equivalent car movements' as opposed to vehicle movements or vehicles generally.	Waka Kotahi request that reference is made to 'equivalent car movements' rather than vehicles.
	TEMP-R1.6	Support	Waka Kotahi support compliance with setbacks from the road boundary for temporary activities.	Retain as notified.
	TEMP-R1(c)(d) and (e)	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.
	TEMP-R2(c)(d) and (e)	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.
	TEMP-R3(c)(d) and (e)	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.
	TEMP-R4(c)(d)(e) and (h)	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
	TEMP-R5 (e)	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.

Part 3 – Area Specific Matters

ZONES PRECINCTS

Residential

41. Residential Zone - RESZ

Residential Zone Objectives	RESZ-O3	Support	Waka Kotahi supports this objective as it is consistent with Objective 1 of the National Policy Statement on Urban Development (NPS-UD).	Retain as notified.
	RESZ-O11	Support in part	Waka Kotahi supports this policy. However, Waka Kotahi considers that it should be amended to provide for the safety of the transport network. Currently, the objectives do not ensure that the safety of the transport network will not be compromised by new development within the residential zone.	Amend RESZ-O11 as follows: Ensure new development does not <u>compromise the safety of the transport network</u> or exceed available capacities for servicing and infrastructure.
Residential Zone Policies	RESZ-P1	Support	Waka Kotahi supports this policy as it provides for compact, well connected, higher density residential developments which is consistent with the NPS-UD.	Retain as notified.
	RESZ-P16	Support	Waka Kotahi supports this policy. Specifically, ensuring that noise sensitive activities located adjacent to state highway are acoustically treated and do not compromise the safe operation of the transport network.	Retain as notified.
	RESZ-P20	Support	Waka Kotahi supports the wording of this policy as it provides for the safe and efficient operation of the transport network.	Retain as notified.
Residential Zone Rules	RESZ-R11	Support	Waka Kotahi supports the matters of discretion as it provides for the safe and efficient operation of the transport network.	Retain as notified.
	RESZ-R20	Support	Waka Kotahi supports this rule, specifically the matters of discretion.	Retain as notified.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
	RESZ-R25	Oppose	Waka Kotahi support the intent of this rule. However, as noted elsewhere within this submission, Waka Kotahi seek that all noise provisions be moved to the Noise Chapter (Chapter 37) and for this provision to be replaced with the rule drafted in Appendix B. Please see General Comments submission point 5.	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.
	RESZ-R26	Support in part	Waka Kotahi supports this rule, specifically the matters of discretion.	Retain as notified.

Rural

42. General Rural Zone – GRUZ

General Rural Zone Policies	GRUZ-P3	Support	Waka Kotahi supports this policy. Specifically, ensuring that noise sensitive activities located adjacent to the state highway are acoustically treated and do not compromise the safe operation of the transport network.	Retain as notified.
	GRUZ-P5 GRUZ-P6 GRUZ-P7 GRUZ-P12	Support in part	Waka Kotahi supports these policies. However, Waka Kotahi consider that the term 'roading hierarchy' is replaced with 'transport network'. The term 'transport network' is more broad than the 'road hierarchy'. Replacement of this term will ensure that activities are consistent with the capacity, design and function of the transport network as a whole.	Replace the term 'road hierarchy' with 'transport network' within GRUZ-P5, GRUZ-P6, GRUZ-P7 and GRUZ-P12.
	GRUZ-P12	Support	Waka Kotahi supports the requirement that development is serviced by on-site stormwater methods.	Retain as notified.
General Rural Zone Rules	GRUZ-R18 GRUZ-R19	Support in part	Waka Kotahi supports these rules but seeks that 'vehicle movements' be replaced with 'equivalent car movements' for reasons outlined elsewhere within this submission.	Replace the term 'vehicle movements' with 'equivalent car movements'.
	GRUZ-R23 GRUZ-R24	Support in part	Waka Kotahi supports this rule, specifically the matters of discretion.	Retain as notified.
	GRUZ-R44	Oppose	Waka Kotahi support the intent of this rule. However, as noted elsewhere within this submission, Waka Kotahi seek that all noise provisions be moved to the Noise Chapter (Chapter 37) and for	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			this provision to be replaced with the rule drafted in Appendix B. Please see General Comments submission point 5.	
43. Rural Production Zone – RURZ				
Objectives	RPROZ-O6	Support in part	Waka Kotahi supports this objective. However, Waka Kotahi considers that it should be amended to provide for the safety of the transport network. Currently, the objectives do not ensure that the safety of the transport network will not be compromised by new development within the rural production zone.	Amend RPROZ-O6 as follows: Ensure new development <u>does not compromise the safety of the transport network or exceed available capacities for servicing and infrastructure.</u>
Policies	RPROZ-P5	Support in part	Waka Kotahi supports this policy. However, Waka Kotahi considers that the policy should be directed at maintaining the safe and efficient functioning of the transport network rather than adjoining roads. The term 'transport network' is more broad than the term 'road'.	Amend RPROZ-P5 as follows: To maintain the safe and efficient functioning of <u>the transport network adjoining roads</u> , activities must: 1. Ensure the scale and location of any expansion is consistent with the capacity, design and function of the roading hierarchy or is able to offset adverse effects on the <u>roading transport network</u> ; and 2. Ensure traffic generated by the activity does not compromise road <u>the safety or efficiency of the transport network</u> ; and
44. Rural Lifestyle Zone – RLZ				
Rural Lifestyle Policies	RLZ-P15	Support in part	Waka Kotahi support this policy. However, Waka Kotahi seek that the the term 'road' be replaced with 'transport network' for reasons outlined elsewhere within this submission.	Amend RLZ-P15 as follows: Ensure traffic generated by new development does not compromise road <u>the safety or efficiency of the transport network.</u>
	RLZ-P16	Support	Waka Kotahi supports this policy as it requires new noise sensitive activities located in close proximity to State Highways to install acoustic treatment.	Retain as notified.
Rural Lifestyle Zone Rules	RLZ-R18 and RLZ-R21	Support in part	Waka Kotahi supports these rules but seeks that where reference is provided to parking, manoeuvring and access within the matter of discretions, this is amended to ensure that the safety and efficiency of the transport network is provided for. Currently, reference is made to parking, manoeuvring and access only.	Amend RLZ-R18 and RLZ-R21 as follows: Where the activity is RDIS, the matters over which discretion is restricted are:

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			Reference to the 'transport network' will ensure that other parts of the network, such as pedestrians and cyclists, will be considered.	Parking, manoeuvring and access; Safety and efficiency <u>of the transport network</u> , including the provision of sufficient off-street parking and the effects of traffic generation; and
	RLZ-R25	Oppose	Waka Kotahi support the intent of this rule. However, as noted elsewhere within this submission, Waka Kotahi seek that all noise provisions be moved to the Noise Chapter (Chapter 37) and for this provision to be replaced with the rule drafted in Appendix B. Please see General Comments submission point 5.	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.
45. Settlement Zone – SETZ				
Settlement Zone Objectives	SETZ-O5	Support in part	Waka Kotahi supports this objective. However, Waka Kotahi considers that it should be amended to provide for the safety of the transport network. Currently, the objectives do not ensure that the safety of the transport network will not be compromised by new development within the rural production zone.	Amend SETZ-O5 as follows: Ensure new development does <u>not compromise the safety of the transport network or exceed</u> available capacities for servicing and infrastructure.
	SETZ-P8	Support	Waka Kotahi supports this policy as it requires new noise sensitive activities located in close proximity to State Highways to install acoustic treatment.	Retain as notified.
	SETZ-P14	Support in part	Waka Kotahi supports this policy. However, for reasons outlined elsewhere within this submission, Waka Kotahi seek that the term 'road' be replaced with 'transport network'.	Amend SETZ-P14 as follows: Ensure traffic generated by new development does not compromise road <u>the safety or efficiency of the transport network.</u>
Settlement Zone Rules	SETZ-R19	Support in part	Waka Kotahi supports this rule. However Waka Kotahi seek that the term 'road' be removed within clause (e) of the matters of discretion.	Amend SETZ-R19 as follows: Matters over which discretion is restricted: (e) Adverse effects on the safe, efficient and effective operation of the road transport network, giving particular consideration to pedestrian and cyclist safety; and
	SETZ-R29	Support	Waka Kotahi supports the matters to which discretion is restricted to. Specifically, potential reverse sensitivity effects on any adjoining site.	Retain as notified.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
	SETZ-R38	Oppose	Waka Kotahi support the intent of this rule. However, as noted elsewhere within this submission, Waka Kotahi seek that all noise provisions be moved to the Noise Chapter (Chapter 37) and for this provision to be replaced with the rule drafted in Appendix B. Please see General Comments submission point 5.	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.
Commerce				
46. Commercial Zone – COMZ				
Commercial Zone Policies	COMZ-P5	Support	Waka Kotahi supports this policy. Specifically, requiring noise sensitive activities located close to state highways and/or railways to provide sufficient acoustic treatment.	Retain as notified.
	COMZ-P9	Support in part	Waka Kotahi supports this policy. However, Waka Kotahi considers that it should be amended to provide for the safety of the transport network. Currently, the policies do not ensure that the safety of the transport network will not be compromised by new development within the commercial zone.	Amend COMZ-P9 as follows: Ensure new development does not <u>compromise the safety of the transport network or</u> exceed available capacities for servicing and infrastructure.
Commercial Zone Rules	COMZ-R20	Support	Waka Kotahi supports this rules. Specifically the matters over which Council's discretion is restricted to.	Retain as notified.
	COMZ-R30	Oppose	Waka Kotahi support the intent of this rule. However, as noted elsewhere within this submission, Waka Kotahi seek that all noise provisions be moved to the Noise Chapter (Chapter 37) and for this provision to be replaced with the rule drafted in Appendix B. Please see General Comments submission point 5.	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.
Advice notes	Landscaping	Support	Waka Kotahi supports the advice note in relation to consultation with Waka Kotahi on appropriate tree species adjacent the state highway.	Retain as notified.
Industrial				
47. Industrial Zone – INZ				

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/ Reasons	Relief Sought
Industrial Zone Objectives	INZ-05	Support	Waka Kotahi supports this objective as it ensures new development and redevelopment does not exceed available capacities for servicing and infrastructure.	Retain as notified.
Industrial Zone Policies	<u>INZ-P10</u>	New Policy	Waka Kotahi consider that a new policy is required to ensure that development or re-development does not compromise the safe and efficient operation of the transport network. Industrial activities can significantly effect the safety and efficiency of the transport network. Therefore, it is considered that the policy framework should address such effects.	Add a new policy as follows: <u>INZ-P10 The development or re-development of any site must not compromise the safety and efficiency of the transport network.</u>
Open Space and Recreation				
49. Open Space Zone – OSZ				
Objectives and Policies	OSZ-03	Support in part	Waka Kotahi supports this objective as it ensures that adverse effects on the transport network will be avoided, remedied or mitigated.	Retain OSZ-03 as notified.
OSZ Rules	OSZ-14(g)	Support in part	Waka Kotahi supports the wording of this policy as the matters of discretion provide for the safe and efficient operation of the transport network. However, Waka Kotahi considers that the rule be amended to ensure any lighting adjacent the state highway network does not exceed the limits identified within Table 3.2 of AS/NZ 4282.2019.	Amend OSZ-14 as follows: 1. Hours of operation must not be outside 7.00am to 9.00pm. 6. <u>Where flood lighting is visible from a state highway, limits are to be identified per Table 3.2 of AS/NZ 4282.2019 Control of the Obtrusive Effects of Outdoor Lighting.</u>
SPZ – Special Purpose				
50. Future Urban Zone - FUZ				
Future Urban Zone Objectives	FUZ-03	Support	Waka Kotahi supports integrated structure planning for any future urban zoned land to ensure compact urban form and coordinated infrastructure provision, including transport networks.	Retain as notified.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
Future Urban Zone Policies	FUZ-P1.3	Support	Waka Kotahi supports this policy as it ensures future land uses maintain the ability to appropriately connect with transport networks.	Retain as notified.
	FUZ-P3	Support	Waka Kotahi supporting the drafting vision as the fragmentation of land into small lot sizes in advance of the intended future urban use will add to the cost and complexity of providing efficient infrastructure networks including integrated transport facilities. Failure to secure an appropriate long term transport network could undermine the developability of the land and result in less efficient, effective and safe transport options.	Retain as notified
	FUZ-P4	Support in part	Rezoning should be aligned with identified land use needs and should be proportionate with growth demands. This is necessary to ensure that local needs are met efficiently and that travel demand is managed.	Amend as follows: Ensure land in the future urban zone responds to <u>is proportionate with</u> growth demands and is rezoned in accordance with its intended future use as identified below
	New Policy	-	Provision should be made for a mechanism/trigger point for determining when the Future Urban Zone could be brought forward for the intended future use. This will provide more certainty and ensure a structured and orderly approach to land release that can be integrated with any necessary infrastructure requirements.	Impose a new provision which provides for a mechanism/trigger point for determining when the Future Urban Zone could be brought forward for the intended future use.
51. Māori Purpose Zone – MPZ				
Māori Purpose Zone Rules	MPZ-R13.1(f)	Support in part	Waka Kotahi supports the intent of this rule which is to provide for a safe and efficient transport network, but seeks minor changes to provide clarity for plan users.	Amend MPZ-R13.1(f) as follows: (f) Parking, manoeuvring, and access; safety and efficiency <u>of the transport network</u> , including the provision of sufficient off-street parking and the effects of traffic generation;and
	MPZ -R21.3	Support	Waka Kotahi supports a 30m setback from road boundaries to any designated highway in the rural zone.	Retain as notified.
	MPZ-R24	Oppose	Waka Kotahi support the intent of this rule. However, as noted elsewhere within this submission, Waka Kotahi seek that all noise provisions be moved to the Noise Chapter (Chapter 37) and for	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			this provision to be replaced with the rule drafted in Appendix B. Please see General Comments submission point 5.	
52. Tourism Zone - TOUZ				
Tourism Zone Objectives	TOUZ-04	Support	Waka Kotahi supports ensuring development or redevelopment does not exceed the existing capacity of infrastructure, including the state highway network.	Retain as notified
Tourism Zone Policies	TOUZ-P11	Support	Waka Kotahi supports this policy as it discourages high trip generating activities which encourage trips be made for non tourism purposes and which could compromise road safety and efficiency.	Retain as notified
	TOUZ-P2	Support	Waka Kotahi supports this policy which provides for traffic generated by new development only where this does not compromise safety or efficiency of the transport network.	Retain as notified (not submission point X re consistently using 'transport network'.
Tourism Zone Rules	TOUZ-R35	Oppose	Waka Kotahi support the intent of this rule. However, as noted elsewhere within this submission, Waka Kotahi seek that all noise provisions be moved to the Noise Chapter (Chapter 37) and for this provision to be replaced with the rule drafted in Appendix B. Please see General Comments submission point 5.	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.
Multi-zone Precincts				
53. Amenity Precinct – PREC6				
Amenity Precinct Policies	PREC6-P1	Support	Waka Kotahi support this policy as it seeks to avoid visual clutter from signs along the State Highway network.	Retain as notified.
55. DESIGNATIONS				
New Zealand Transport Agency				
Waka Kotahi New Zealand	Designation Schedule - General	Support in Part	Waka Kotahi supports the inclusion of all the New Zealand Transport Agency state highway designations in the designation schedule, subject to the correction of minor errors (Refer to	Amend wording in designation schedule as outlined below.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
Transport Agency			specific detail in submission below. Note, wording to be deleted is struck through and wording to be added is <u>underlined</u>).	
	Designation Schedule – Title name	Support in Part	Waka Kotahi notes that the legal name for Waka Kotahi as a Requiring Authority is the New Zealand Transport Agency. When the designations are confirmed, the Requiring Authority name recorded in the Proposed District Plan should be the 'New Zealand Transport Agency'.	Amend title name from 'NZ Transport Agency Designations' to ' <u>New Zealand Transport Agency Designations</u> '.
	Designation unique identifier NZTA01 – NZTA04	Support in Part	To ensure designations are numbered consistently around the country, Waka Kotahi requests that the designation unique identifier is amended, as per the relief sought.	Amend designation unique identifier from NZTA01, NZTA02, NZTA03 and NZTA04 to <u>NZTA-1, NZTA-2, NZTA-3 and NZTA-4</u> .
	Designation purpose NZTA01 – NZTA04	Support in Part	To ensure its designation purposes are consistently worded, accurate and reflective of its requiring authority status, Waka Kotahi requests that the designation purpose is modified, as per the relief sought.	Amend designation purpose text to read: To undertake construction, maintenance, operation, use and improvement of the state highway network and associated infrastructure. <u>To construct, operate, maintain, and improve a state highway and associated infrastructure.</u>
	Designation hierarchy NZTA03	Support in Part	To ensure clarity and accuracy, Waka Kotahi recommends amending the designation hierarchy from 'primary' to 'varies' as there are sections of the state highway designation that overlap with KiwiRail's designation.	Amend designation hierarchy to read: 'Primary' <u>'Varies'</u>
	Conditions NZTA01	Oppose in part	Waka Kotahi advises that construction of the Awakino Tunnel Bypass on SH3 has been completed, with some further remedial works remaining to finalise the project. This is anticipated to be completed by around April 2023. In this regard, conditions 9.6, 10.1.2, 13.1, 13.2, 13.3, 13.4, 13.5, 14.1, 14.2, 15.1, 16.1, and 17.1 have been complied with and are no longer required to be rolled over into the Proposed District Plan. (Waka Kotahi notes that conditions 10.1.1 and 10.1.2 have been incorrectly numbered in the notified Proposed District Plan as 10.2 and 10.3). In addition, Advice notes 1 – 4 are not	Remove the following conditions from NZTA01: ULDMP Implementation, Inspection and Remediation 9.6. The ULDMP, along with any changes agreed with Council as part of the Outline Plan, shall be implemented: 9.6.1. As soon as areas become available for planting due to the progress of the works; and/or 9.6.2. Within 6 months of the road construction being issued a Certificate of Practical Completion in accordance with NZS 3910:1998 Conditions of Contract

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			<p>required to be rolled over as they do not require any ongoing compliance. Retaining these conditions consequently creates an unnecessary administrative task for Council.</p> <p>Waka Kotahi also notes that condition 18.1 referring to a designation lapse date is ultra vires, as lapse dates cannot apply to designation alterations (refer s181(2) of the RMA) so shall be removed.</p> <p>Waka Kotahi advises that the following conditions are required to be rolled over: 9.7, 9.8, 9.9, 10.1, 11.1, 12.1, 13.1, 13.6 and 13.7.</p>	<p>for Building and Civil Engineering Construction, unless the seasonal timing of works makes some planting impracticable, in which case such planting shall be completed no later than 12 months after the issue of the Certificate.</p> <p>10.1.2 Access to the Tunnel shall be grated off in a manner that enables visitors to walk up to and view the tunnel, but does not permit access inside the Tunnel.</p> <p>13. Tangata Whenua</p> <p>13.1. The Ngati Maniapoto Mokau ki Runga Regional Management Committee (MKRRMC) shall be provided with the opportunity to have monthly hui and/or other site visits during the Project's construction period. The MKRRMC shall notify the contractor at least one (1) working day in advance of the proposed date for the hui and/or site visit that one is required.</p> <p>13.2. The purposes of the hui and/or visits are:</p> <p>13.2.1. To oversee the project works; and</p> <p>13.2.2. To provide input and cultural advice on a (formal) monthly basis.</p> <p>13.3. The Transport Agency will provide organisational and administrative support to facilitate the visits and monthly hui.</p> <p>13.4. The Transport Agency and MKRRMC shall continue discussions regarding the possibility of developing a research package with respect to the overall historical environment of the Awakino Gorge.</p> <p>13.5. In the event that the Crown settles any claim under the provisions of the Treaty of Waitangi Act 1975 that may impact on the operation of the Designation, the Transport Agency may, within 12 months of such settlement, commence a review of the conditions of Designation. This is for the purposes of assessing if any such settlement requires amendment to be made to the conditions of this Designation.</p> <p>Advice Note:</p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<p>It is noted that Wai 898 (Te Rohe Potae Inquiry) is currently before the Waitangi Tribunal and is awaiting completion of the Tribunal report.</p> <p>14. Community Liaison</p> <p>14.1. A liaison person (or their replacement when necessary), shall be appointed by the Transport Agency following the inclusion of the Designation in the Waitomo District Plan and until the completion of the Project. This liaison person shall be the main and readily accessible point of contact for all persons affected by the Designation.</p> <p>14.2. The liaison person's name and contact details shall be notified to the owners and occupiers of all properties within 200 metres of the Designation boundaries, and shall be publicly notified by the Transport Agency within one (1) month of all parts of the Designation being treated as operative in the Waitomo District Plan. The agencies outlined in Condition 3.2.1 above shall also be advised of the liaison person's name and contact details.</p> <p>15 Access</p> <p>15.1 The Transport Agency shall provide the following properties with access to/from SH3 in the Project area, at least equal to their existing access: Lots 2, 3, 8 and 9 DP 17787, SA39B/295; and Lot 1 SOP 41152, SA68C/601.</p> <p>16 Complaints</p> <p>16.1 The Transport Agency shall notify the Council of complaints regarding the activities authorised by this notice, as soon as practicable and no later than one (1) working day after the complaint has been received. When complaints are received, the Transport Agency shall record the following details in a Complaints Log:</p> <ul style="list-style-type: none"> 16.1.1 Time and type of complaint, including details of the incident, e.g. duration, any effects noted; 16.1.2 Name, address and contact phone number of the complainant (if provided); 16.1.3 Location from which the complaint arose;

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<p>17-Disputes</p> <p>17.1 In the event of any dispute, disagreement or inaction arising in respect of the approval of any Management Plan(s) the matter shall be referred in the first instance to the Highway Manager and the Council's Chief Executive Officer (or nominee) to determine a process for resolution. These parties will engage in good faith negotiations for up to 20 working days in an attempt resolve the dispute or disagreement.</p> <p>17.1.1 If after good faith negotiations a resolution cannot be agreed, the matter may be referred to an independent appropriately qualified expert, agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.</p> <p>17.1.2 The independent expert shall be appointed within ten (10) working days of the Transport Agency or the Council giving notice of their intention to seek independent review. The appointed expert shall, as soon as possible, issue their recommendation on the matter. In making the recommendation, they shall be entitled to seek further information and hear from the parties as they see fit. The Council's Chief Executive Officer (or nominee) must notify its decision to the Requiring Authority within ten (10) working days of receipt of the recommendation from the expert that the management plan is certified, declined, or request that the Requiring Authority incorporate changes suggested by the Council.</p> <p>18-Lapse of Designation</p> <p>18.1 In accordance with Section 184(1)(c) of the Resource Management Act 1991, unless given effect to, the Designation shall lapse 10 years after the date on which it was included in the Waitomo District Plan.</p> <p>Advisory Notes</p> <p>1. All necessary consents must be obtained from the Waikato Regional Council prior to the construction of the Project.</p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<p>2. Extraction of material for construction of the Project from sites not currently authorised as extractive sites may require the Transport Agency to obtain additional consents from Waitomo District Council.</p> <p>3. Final detailed designs have not been incorporated into the Designation. Such plans may therefore be required to be submitted to Waitomo District Council prior to implementing and/or carrying out work under this Designation.</p> <p>4. Pursuant to Section 36 of the Resource Management Act 1991, the actual and reasonable costs incurred by Waitomo District Council in monitoring the conditions of this Designation shall be paid by the Transport Agency.</p>
	Conditions NZTA03	Oppose in part	<p>Waka Kotahi advises that construction of the Kopaki Overbridge Replacement on SH30 is anticipated to be completed around April 2023.</p> <p>In this regard, conditions 2.1, 3.1, 4.1, 5.2 have been complied with and are no longer required to be rolled over into the Proposed District Plan. In addition, condition 8.1 and advice notes 1 – 4 are not required to be rolled over as they do not require any ongoing compliance. Retaining these conditions consequently creates an unnecessary administrative task for Council.</p> <p>Waka Kotahi also notes that condition 7.1 referring to a designation lapse date is ultra vires, as lapse dates cannot apply to designation alterations (refer s181(2) of the RMA) so shall be removed.</p> <p>Once construction has been completed, it is expected that only conditions 6.1 and 6.2 will be required. In the meantime, Waka Kotahi recommends that the following conditions are required to be rolled over: 1.1, 1.2, 2.2, 5.1, 6.1 and 6.2.</p>	<p>Remove the following conditions from NZTA03:</p> <p>2. Construction Management Plan</p> <p>2.1 At least ten (10) working days prior to the commencement of construction works required to give effect to this alteration to designation, the Requiring Authority shall provide the Council's General Manager Strategy and Environment with a Construction Management Plan (CMP) prepared by an appropriately qualified person that details Waka Kotahi's intended approach to the following:</p> <ul style="list-style-type: none"> • General description of construction activities. • Proposed programme of work. • Working hours. • Dust mitigation. • Fuel storage and refilling protocols. • Community Liaison. • Noise and Vibration. • Complaints procedure and register, including points of contact and maintenance of a complaints register. <p>3. Erosion and Sediment Control Plan</p> <p>3.1 Prior to the construction commencing, Waka Kotahi shall submit to the Council's General Manager Strategy and Environment, a finalised Erosion and Sediment Control Plan that has been certified by the Waikato Regional Council acting in a technical capacity.</p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<p>4. Design and Construction Plan—Local Road (Kopaki Road)</p> <p>4.1 Prior to the commencement of construction, the detailed engineering design and implementation of the realignment of Kopaki Road shall be undertaken in consultation with Waitomo District Council, in particular the detailed engineering design shall be submitted to the Council’s General Manager Infrastructure Services for certification twenty (20) working days prior to works commencing on-site.</p> <p>5. Accidental Discovery of Archaeological or Culturally Significant Finds</p> <p>5.2 Waka Kotahi must invite Te Nehenhenui Maori Committee to provide monitoring services for any archaeological surveys, geotechnical drilling to depths where archaeological finds may occur and any other excavation work where archaeological finds may occur. The person will be appointed by Te Nehenhenui Maori Committee.</p> <p>7. Lapse of Designation</p> <p>7.1 In accordance with Section 184(1)(c) of the Resource Management Act 1991, unless given effect to, the Designation shall lapse 10 years after the date on which it was included in the Operative Waitomo District Plan.</p> <p>8. Outline Plan</p> <p>8.1 The requiring authority is not required to submit an Outline Plan in order to give effect to this Notice of Requirement.</p> <p>Advice Notes:</p> <ol style="list-style-type: none"> 1. All necessary consents must be obtained from the Waikato Regional Council prior to the construction of the Project. 2. Extraction of material for construction of the Project from sites not currently authorised as extractive sites may require Waka Kotahi to obtain additional consents from Waitomo District Council.

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<p>3. Some final detailed designs have not been incorporated into the Designation. Such plans may therefore be required to be submitted to Waitomo District Council prior to implementing and/or carrying out work under this Designation.</p> <p>4. Pursuant to Section 36 of the Resource Management Act 1991, the actual and reasonable costs incurred by Waitomo District Council in monitoring the conditions of this Designation shall be paid by Waka Kotahi.</p>
	Additional Information NZTA01	Support in part	Waka Kotahi requests that the limited access road information be updated to remove the reference to RS/RP points and to include the NZ Gazette Notice reference instead.	<p>Amend wording to read:</p> <p><u>Rollover designation</u></p> <p>1) The following sections of State Highway 3 are Limited Access Road, as declared under Section 88 of the Government Roding Powers Act 1989:</p> <ul style="list-style-type: none"> • From the Mangapu River Bridge No 2 in the north (RS/RP 003-0063/1.26) to the Te Kūiti Borough boundary (ie. near the intersection with Te Kumi Loop Road) in the south (RS/RP-003-0065/9.645*); • From the southern boundary of Te Kūiti in the north (RS/RP-003-0076/1.525*) to the intersection with State Highway 4 in the south (RS/RP-003-0076/11.666); • From the intersection with State Highway 4 in the north (RS/RP-003-0076/11.666), to the northern abutment of the Kuratahi Stream Bridge in the south (RS/RP-003-0088/10.754*); • From the intersection with Gribbin Street, Awakino in the north (RS/RP-003-0140/9.075), to north of Oha Street (ie. the southern boundary of Lot 1 DP 4235) in the south (RS/RP-003-0140/13.693*); <p>* Approximate location as per Argonaut Roadrunner</p> <p><u>The following sections of State Highway 3 are Limited Access Road, as declared under Section 88 of the Government Roding Powers Act 1989:</u></p> <ul style="list-style-type: none"> • <u>From the Ōtorohanga District boundary in the north to the Mangapu Bridge No 2 in the south (Gaz 1971 p 964);</u> • <u>Mangapu River Bridge No 2 in the north to the Te Kuiti Borough boundary (ie. near the intersection with Te Kumi Loop Road) in the south (Gaz 1969 p 1338);</u>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<ul style="list-style-type: none"> • <u>From the southern boundary of Te Kuiti in the north to the intersection with State Highway 4 in the south (Gaz 1972 p 2425);</u> • <u>From the intersection with State Highway 4 in the north to the northern abutment of the Kuratahi Stream Bridge in the south (Gaz 2000 p 1021);</u> • <u>From the intersection with Gribbin Street, Awakino in the north to north of Oha Street (ie. the southern boundary of Lot 1 DP 4235) in the south (Gaz 1972 p 1404).</u>
	Additional Information NZTA02	Support in part	Waka Kotahi requests that the limited access road information be updated to remove the reference to RS/RP points and to include the NZ Gazette Notice reference instead.	<p>Amend wording to read:</p> <p><u>Rollover designation</u></p> <p>Note:</p> <p>1) The following sections of State Highway 4 are Limited Access Road, as declared under Section 88 of the Government Roading Powers Act 1989:</p> <ul style="list-style-type: none"> • From the intersection with State Highway 3 in the north (RS/RP 003/0076-11.666), to the northern abutment of the Mapara Stream bridge in the south (RS/RP 004-0000/12.22*); • From the 3B/6 District boundary in the north (RS/RP 0040015/17.71*); to the Ruapehu District Council boundary in the south (RS/RP 004-0035/9.496*); <p>* Approximate location as per Argonaut Roadrunner</p> <p><u>The following sections of State Highway 4 are Limited Access Road, as declared under Section 88 of the Government Roading Powers Act 1989:</u></p> <ul style="list-style-type: none"> • <u>From the intersection with State Highway 3 in the north to the northern abutment of the Mapara Stream bridge in the south (Gaz 2000 p 1021);</u> • <u>From the 3B/6 District boundary in the north to the Ruapehu District boundary in the south (Gaz 1978 p 1324).</u>
	Additional Information NZTA04	Support in part	Waka Kotahi requests that the limited access road information be amended to provide greater clarity and accuracy and to also include the NZ Gazette Notice reference.	<p>Amend wording to read:</p> <p><u>Rollover designation</u></p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
				<p>The entire section of State Highway 37 within Waitomo District is Limited Access Road, as declared under Section 88 of the Government Roading Powers Act 1989.</p> <p>The following section of State Highway 37 is Limited Access Road, as declared under Section 88 of the Government Roading Powers Act 1989:</p> <ul style="list-style-type: none"> From the intersection with State Highway 3 in the east to the intersection with Waitomo Valley Road in the west (Gaz 2000 p 4056).
	Proposed District Planning Maps	Support in Part	<p>Waka Kotahi supports the inclusion of the state highway designations on the planning maps, however notes that there are sections of the notified state highway designations that are not accurately represented on the planning maps. The designation boundaries need to be modified in discrete locations to incorporate the existing formed and operational road corridor. These modifications include:</p> <ul style="list-style-type: none"> ensuring any missing legal road parcels are designated aligning the state highway designation with the current territorial authority boundaries (eg. at the northern end of SH3 at the boundary with Ōtorohanga District) snapping the state highway designation to the most current legal road parcel boundaries widening the state highway corridor to either 10m from the road centreline, or to the adjoining fenceline widening the state highway corridor at local road intersections to 10m back from the limit line to align with Schedule F (Typical Maintenance Responsibility Diagram) in the Memorandum of Understanding between Waka Kotahi and Council, dated November 2019 removing superfluous road parcels (or sections of road parcels), eg. where they are vested in Waitomo District Council. <p>These modifications will provide for the on-going operation, maintenance and mitigation of effects of the state highway, and</p>	<p>Waka Kotahi requests that the state highway designation geospatial shapefiles be modified to better reflect the existing formed and operational state highway corridor.</p> <p>Waka Kotahi is currently mapping the updated designation boundaries geospatially to accurately reflect the operational state highway corridors and will provide these to Council in due course.</p>

Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
			<p>will more accurately reflect the current use of the land as state highway corridor.</p> <p>The modifications will also identify where the road may be required to be legalised to correct any discrepancies with the existing road parcel boundaries. In most cases, these discrepancies are historical in nature and modifying the designation boundary through the district plan process allows an opportunity to rectify those. While this land is not currently legal road, it does form part of the constructed and fully operational state highway network. The proposed modifications are designating existing state highway infrastructure that is already formed and operational and is not in private use.</p> <p>Refer Attachment A for examples of where the state highway designation boundaries will be modified.</p> <p>Waka Kotahi is currently mapping the updated designation boundaries geospatially to accurately reflect the operational state highway corridors and will provide these to Council in due course.</p>	

Part 4 – Appendices and Maps

SCHEDULES

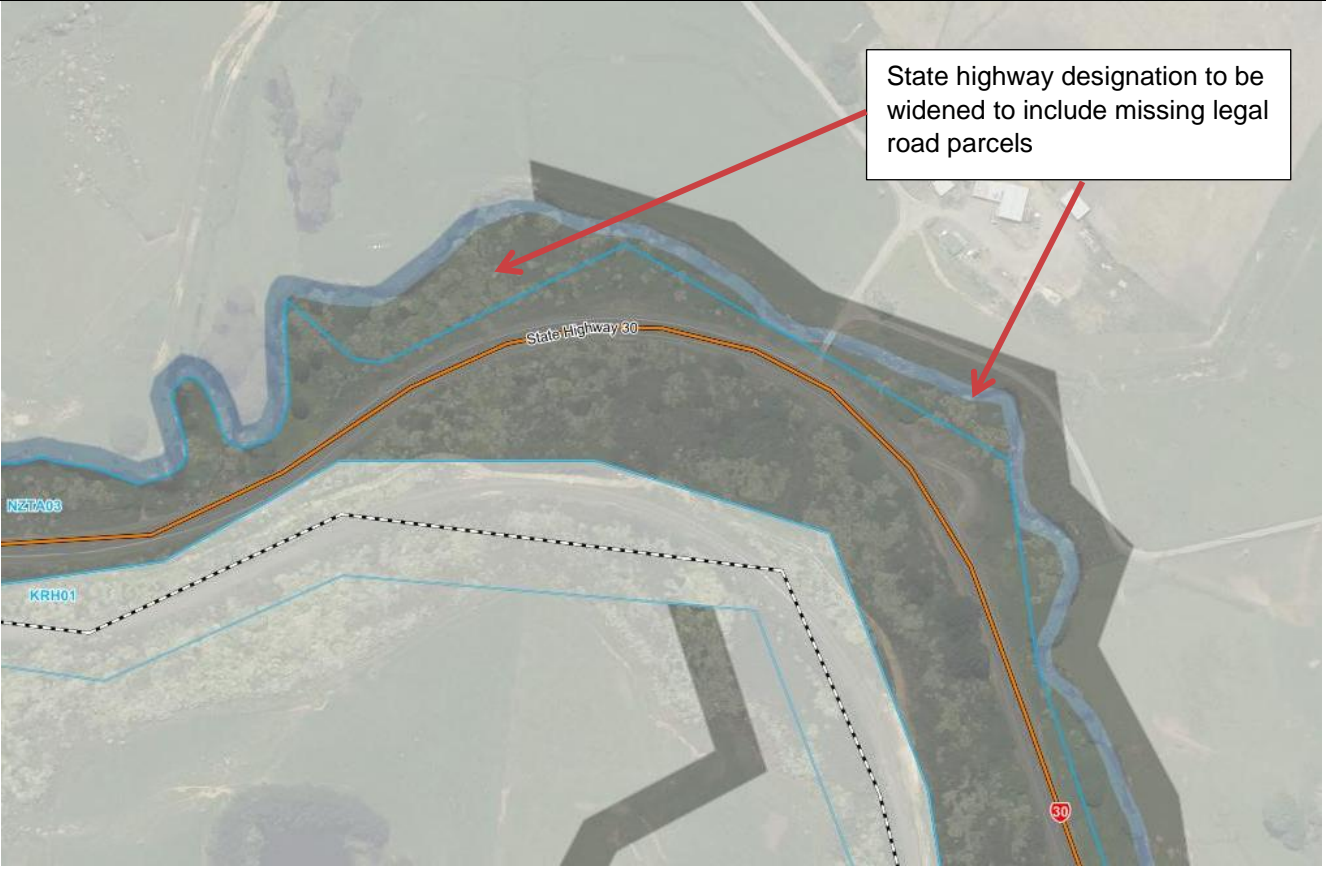
SCHED1 – Heritage buildings and structures

SCHED1	Awakino Tunnel (HH18)	Support	The Mokau Mine is within the road reserve of the highway but is appropriately setback from the carriageway which allows for any highway maintenance to be undertaken without affecting the structure.	Retain the inclusion of the Awakino Tunnel (HH18) as a heritage structure
SCHED1	Mokau Mine (HH22)	Support	The Awakino tunnel is now offline (following the new alignment of SH3) and can be accessed by pedestrians only. It is noted that mesh screens prevent entry to the tunnel so there is no access by the public.	Retain the inclusion of the Mokau Mine (HH22) as a heritage structure.

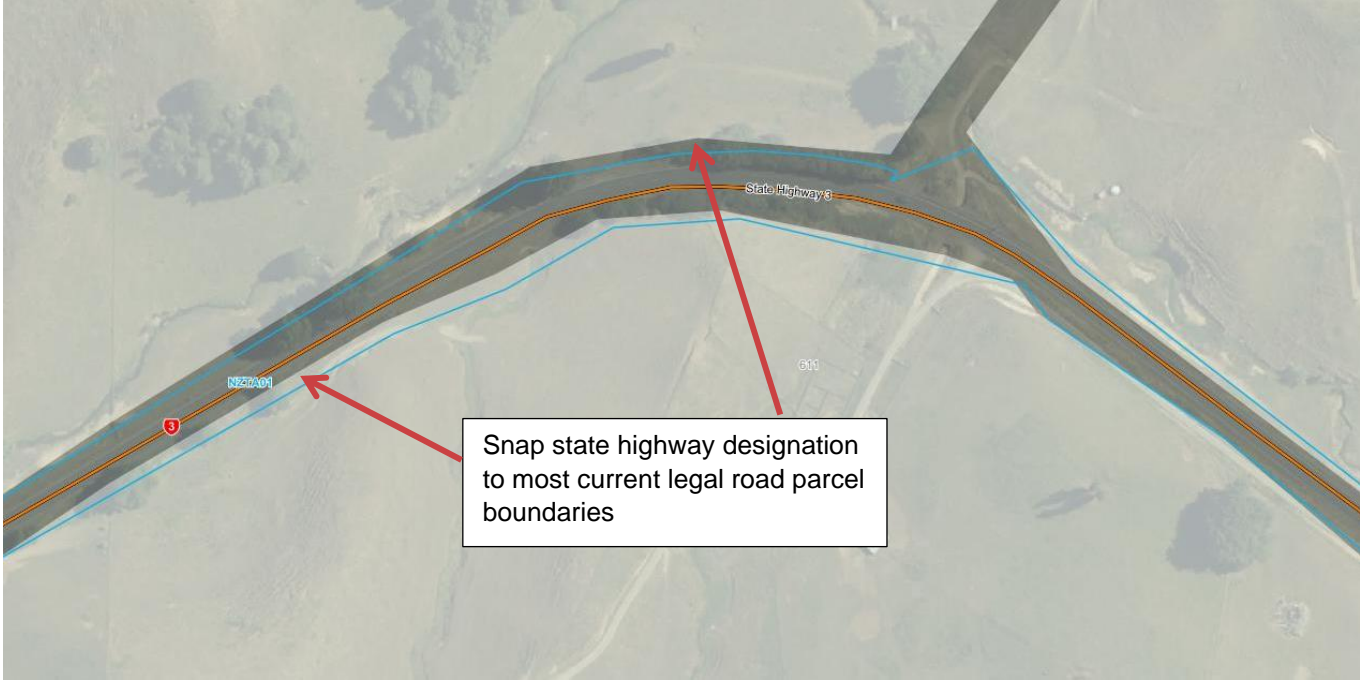
APPENDICES

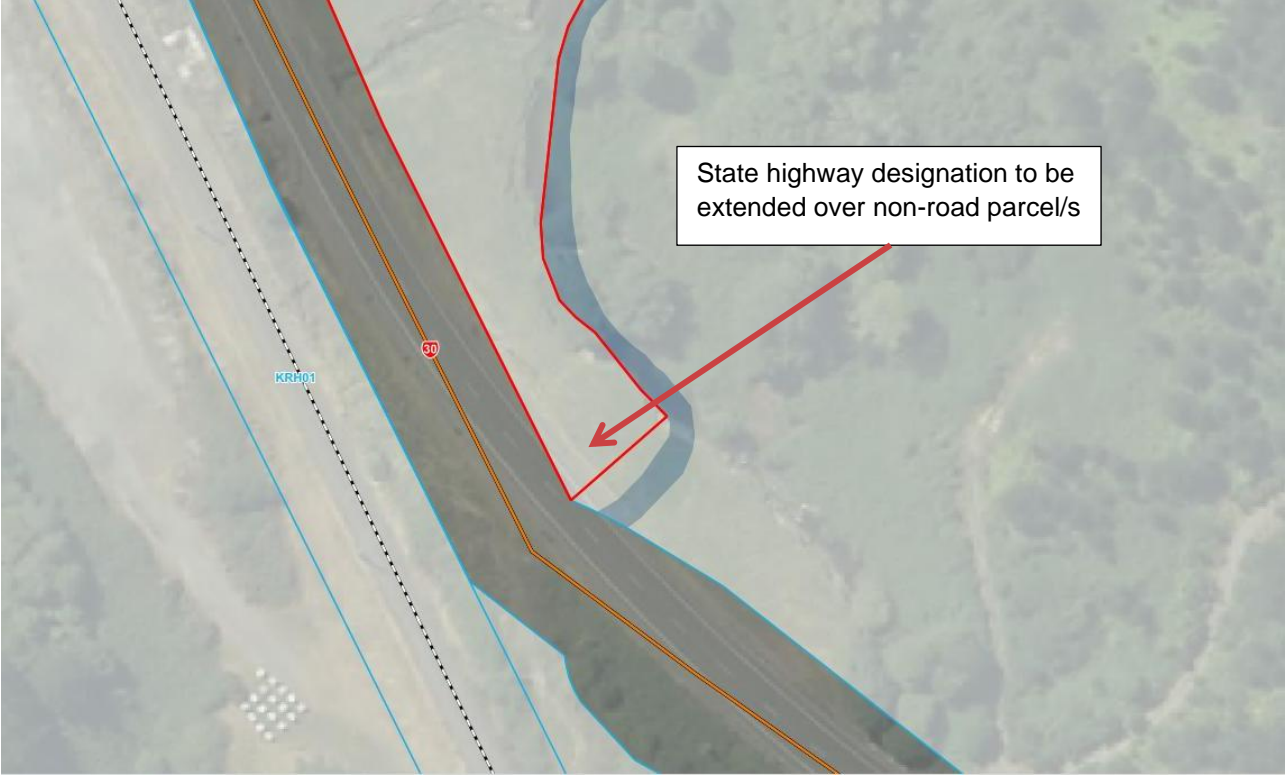
Proposed Plan Amendment Section	Item	Support / Support in Part/ Oppose/ Oppose in Part	Comments/Reasons	Relief Sought
Appendix 5: Structure Plan Requirements				
General Comment	APP-5.1	Support in part	It is noted that you have required that any structure plan provide for an integrated transport assessment. Waka Kotahi would like there to be more specific reference to the requirement for an ITA to be provided and for consultation to be undertaken with Waka Kotahi at the Structure Plan stage, if the proposed area to be rezoned is in proximity of the highway network.	Amend APP-5.1 to include specific provision for an ITA to be provided at structure plan stage and amendment as follows: 8. The provision of an integrated transport network (including pedestrian and cycle links) <u>and the outcome of consultation with Waka Kotahi New Zealand Transport Agency;</u> and

Attachment A – Examples of where the state highway designation boundary is to be modified

Issue	Parcel ID / Legal Description	Example
<p>State highway designation to be widened to include missing legal road parcels</p>	<p>Parcel ID: 4627259, 4628911, 4631102 etc</p>	 <p>The map shows an aerial view of a road corridor. A blue line represents the current state highway designation boundary. An orange line represents the road centerline. A dashed black line indicates a different boundary. A white box with red arrows points to areas where the blue boundary is to be widened to include missing legal road parcels.</p>

Issue	Parcel ID / Legal Description	Example
State highway designation to align with the current territorial authority boundaries	At the northern end of SH3 at the boundary with Ōtorohanga District	 <p data-bbox="613 528 898 555">Waitomo District Council</p> <p data-bbox="1200 272 1518 300">Ōtorohanga District Council</p> <p data-bbox="1308 491 1648 518">Territorial authority boundary</p> <div data-bbox="1256 676 1675 794" style="border: 1px solid black; padding: 5px;"> <p>State highway designation to be extended to align with current territorial authority boundary</p> </div>

Issue	Parcel ID / Legal Description	Example
Snap the state highway designation (blue line) to the most current legal road parcel boundaries	Adjacent Parcel ID: 8359112	 <p data-bbox="1055 619 1473 746">Snap state highway designation to most current legal road parcel boundaries</p>

Issue	Parcel ID / Legal Description	Example
<p>State highway designation to be extended over non-road parcels to either 10m from the road centreline, or to the adjoining fenceline to cover existing operational road</p>	<p>Parcel ID: 4624710, 4656868 and 4689135</p>	

Issue	Parcel ID / Legal Description	Example
Widen the state highway corridor at local road intersections to 10m back from the limit line	Adjacent to Parcel ID: 4377157	 <p data-bbox="1395 300 1816 464">State highway designation to be widened at local road intersections to 10m back from the limit line</p>

Issue	Parcel ID / Legal Description	Example
Remove superfluous road parcels (or sections of road parcels)	Adjacent to Parcel ID 7204351	 <p data-bbox="1178 619 1547 722">Surplus state highway designation to be removed</p>

Attachment B – New Reverse Sensitivity Noise Rules to be imposed in the Noise Chapter

1. Permitted Activity Rule Indoor Noise

- a. At any point within 100 metres from the edge of a state highway carriageway, where:
- (i) a new building that contains a noise sensitive activity; or
 - (ii) an alteration to an existing building resulting in an increase in floor area of a noise sensitive activity; or
 - (iii) a new noise sensitive activity is located in an existing building;

is proposed, it is to be:

- (iv) Designed, constructed and maintained to achieve indoor design noise levels not exceeding the maximum values in Table 1; and
- (v) If windows must be closed to achieve the design noise levels in (1)(a)(i), the building is designed, constructed and maintained with a mechanical ventilation system that:
 - a. For habitable rooms for a residential activity, achieves the following requirements:
 - i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
 - ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - iii. provides relief for equivalent volumes of spill air; and
 - iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 180C and 250C; and
 - v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
 - b. For other spaces, is as determined by a suitably qualified and experienced person.
 - c. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1)(a)(i) and (ii) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise.

Table 1

Occupancy/activity	Maximum road noise level ^{Note 1} L _{Aeq} (24h)
<i>Building type: Residential</i>	
Sleeping spaces	40 dB
All other habitable rooms	40 dB
<i>Building type: Education</i>	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB
Libraries	45 dB
<i>Building type: Health</i>	
Overnight medical care, wards	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
<i>Building type: Cultural</i>	
Places of worship, marae	35 B

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

2. Permitted Activity Rule Outdoor Living Area

- a. Where an outdoor living or outdoor activity space required by another rule in the Plan is within the Noise Corridor Boundary Overlay and the outdoor space is required for a noise sensitive activity, the required outdoor living space is to be designed and maintained to achieve noise levels not exceeding the maximum values in Table 2; and
- b. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (2)(a) above prior to the construction or alteration of the any building to which the outdoor living space relates.

Table 2

Activity	Maximum road noise level ^{Note 1} L _{Aeq} (24h)
Required Outdoor Living Space	57 dB

Note 1: The design road noise is to be based on measured or predicted external noise levels plus 3 dB.

3. Restricted Discretionary Activity Rule

Any new or altered noise sensitive activity which does not comply with Permitted Activity (1) or (2).

Restricted Discretionary Activity – Matters of Discretion

Discretion is restricted to:

- (a) Location of the building and outdoor living space;
- (b) The effects of the non-compliance on the health and amenity of occupants; and
- (c) The outcome of any consultation with Waka Kotahi NZ Transport Agency.

Restricted Discretionary Activity – Assessment Criteria Discretion is restricted to:

- (a) Whether the location of the building minimises effects;
- (b) Alternative mitigation which manages the effects of the non-compliance on the health and amenity of occupants; and
- (c) The outcome of any consultation with Waka Kotahi NZ Transport Agency.