

BEFORE INDEPENDENT HEARINGS COMMISSIONERS APPOINTED BY WAITOMO DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission by NZ Transport Agency
Waka Kotahi on the Proposed Waitomo
District Plan

EVIDENCE OF TAYLA COWPER
ON BEHALF OF NZ TRANSPORT AGENCY WAKA KOTAHI

4 November 2024

1.0 Introduction and Qualifications

- 1.1 My full name is Tayla Grace Cowper of Waikato, and I am employed by the NZ Transport Agency Waka Kotahi (NZTA) as an Intermediate Planner, and I have been employed here since January 2022.
- 1.2 I hold a Bachelor of Science in Applied Conservation and Environmental Sciences from the Auckland University of Technology. I have over two and a half years planning experience with NZTA as a full-time employee.
- 1.3 I have been requested by NZTA to assist them in the provision of planning evidence regarding their submission on the Proposed Waitomo District Plan (WDP) Review Hearing for Tranche Two.

2.0 Expert Witness Practice Note

- 1.1 While not a Court hearing I note I have read, and agree to comply with, the Code of Conduct for Expert Witnesses as required by the Environment Court's Practice Note 2023. In providing my evidence all of the opinions provided are within my expertise and I have not omitted to consider any material facts known to me which might alter or qualify the opinions I express.
- 1.2 NZTA is a Crown entity whose purpose is to deliver transport solutions for New Zealand.

This includes investing:

- (a) In public transport, local roads, pedestrian and cycle networks;
 - (b) In the construction and operation of the state highway network on behalf of the government;¹ and
 - (c) In integration of the network including with the rail network.
- 2.3 The functions and operating principles relevant to NZTA are set out in the Land Transport Management Act 2003 (LTMA) and the Government Rounding Powers Act 1989 (GRPA).

3.0 Scope of Evidence

- 3.1. This evidence addresses the submission of NZTA that relates to Hearing Tranche 2 on the following topics:
- a. Network Utilities;
 - b. Transport;
 - c. Noise; and
 - d. Designations.
- 3.2. In preparing my evidence I have considered the Section 42A Hearings Reports (s42A) on each of the topics identified in paragraph 3.1 above.
- 3.3. My evidence is limited to those matters within my planning expertise. My evidence on noise should be read in conjunction with that of NZTA's technical noise expert, Dr Stephen Chiles.

4.0 Summary of Evidence

- 4.1. I have reviewed the s42A reports for Hearing **Tranche 2**. I have included a table of NZTA's submissions which outlines where the s42A report has accepted or where I agree with the recommendation of the s42A report, in **Table 1 of Appendix B of my evidence**.
- 4.2. My evidence focuses on matters which I consider require further amendments to improve clarity of the proposed WDP and those matters where I wish to reiterate my support for the s42A recommendations due to their significance to the operations of NZTA to ensure the safe and efficient operation of the state highway network.

5.0 Network Utilities Chapter

- 5.1. NZTA made a submission of support, seeking amendments to NU-R8 and NU-R13 to require adequate consultation with NZTA as part of the rule framework. The s42A report has recommended that both NU-R8 and NU-R13 rules be deleted due to duplication of these rules in the Transport chapter.
- 5.2. I have reviewed the s42A report and agree that NU-R8 is duplicated in TRAN-R3 and NU-R13 is duplicated in TRAN-R9. I agree with the deletion of these rules within the Network Utilities Chapter and consider that the Transport Chapter is an appropriate chapter to address these activities, and this is discussed below in further detail in Section 6 of my evidence.
- 5.3. NZTA made a submission point seeking amendments to NU-R32 which covers matters in relation to signs and associated performance standards. NZTA sought amendments to the rule to require consultation with NZTA if signs are visible from the state highway network as a matter of discretion.

- 5.4. The Council's s42A report has recommended that the submission points NU-R32 be accepted in part. Amendments were made to NU-R32 to achieve a consistent approach to signage in the plan which I have reviewed. I consider that these amendments are reasonable and have addressed the NZTA submission point. It is considered that the rule is now sufficient to ensure that potential effects from signs on the state highway will be appropriately managed.

6.0 Transport Chapter

- 6.1. NZTA made a submission on TRAN-R3 to include the outcomes of consultation with NZTA as an additional matter of discretion for electric vehicle charging stations. In paragraph 98 of the s42A report the reporting officer has stated that if the amendments sought by NZTA were included, there could be a risk that a plan user, or processing officer, would have to consider consultation with NZTA necessary for all electric vehicle charging devices, even those not within the state highway. For clarity it was suggested that the relief be narrowed to ensure it only requires consultation with NZTA when the site accesses the state highway or where relevant. I agree with the recommendation with the s42A report as the inclusion of an advice note appropriately recognises the need for consultation from NZTA for electric vehicle charging devices within the state highway road reserve.
- 6.2. NZTA made a submission on TRAN-R8 which addresses vehicle access onto state highways as a restricted discretionary activity. NZTA sought to retain the rule as notified. The s42A report has recommended that this relief sought be accepted, with some additional amendments in paragraph 105.
- 6.3. Fire and Emergency New Zealand (FENZ) considered that vehicle access onto state highways shall be a permitted activity in TRAN-R8, subject to the various standards as listed in the notified rule. FENZ further considered that non-compliance with these standards should then trigger a restricted discretionary activity. I agree with the reasonings outlined in the s42A report that this submission point be rejected as it is contrary to the safe and efficient function of the wider transport network.
- 6.4. Waikato Regional Council (WRC) considered that TRAN-R8 needed to be reorganised for clarity due to the conjunctive 'ands' and 'ors'. The s42A report has recommended that this relief be accepted, with the associated amendments in paragraph 105.
- 6.5. Overall, I have reviewed the recommended amendments to TRAN-R8 as per paragraph 105 of the s42A report. I agree with these amendments on this rule and consider this rule is necessary to ensure that effects on the safe and efficient operation of the state highway are appropriately managed.
- 6.6. NZTA made a submission on TRAN-R9 to amend Clause 3 for structures adjacent to a railway corridor or adjacent to a road corridor. The amendment sought to amend Clause 3 to apply to a

designation boundary. The s42A report has outlined a lack of clarity regarding the use of 'Designation Boundary' in the amendment.

- 6.7. The use of 'Designation Boundary' in this proposed amendment refers to the state highway designation boundary. The s42A report has recommended that this relief be rejected on the basis that the reporting officer does not support setbacks from state highways for the purpose of mitigating against noise effects.
- 6.8. I agree that the setbacks originally proposed are not necessary to manage noise effects on the state highway on the basis that the inclusion of the State Highway Noise Overlay Corridor has been recommended for inclusion into the District Planning Maps as discussed in the s42A report. As discussed in Section 8 below, I consider that the inclusion of this State Highway Noise Overlay Corridor and the appropriate noise provisions will sufficiently manage these effects.
- 6.9. Federated Farmer's of New Zealand (FF) submitted to add a new policy to the transport chapter to require adverse effects from transportation activities on adjacent environments to be avoided, remedied or mitigated. NZTA made a further submission in opposition of this relief sought.
- 6.10. The Council s42A report has recommended that this rule be accepted and included within the Network Utility Chapter. I consider that the inclusion of this rule is not necessary, for the reasons outlined below.
- 6.11. Network Utility Operator is defined in s166 of the RMA and Chapter 9 Definitions of the Plan and includes a person who constructs, operates, or proposed to construct or operate, a road or railway line. I consider that Network Utility Operator includes the transport system. I consider that the existing policies in the Network Utility Chapter such as policy NU-P9 gives direction on the management of adverse effects of network utilities. NU-P9.1 controls the height, bulk, location of network utilities to minimise any adverse effects on the anticipated outcomes for the receiving environments. NU-P10 also intends to ensure the location, scale and operation of network utilities and their ancillary activities avoid, remedy, or mitigate adverse effects on nearby sensitive activities. I consider that the existing policies seek to mitigate adverse effects of network utilities on adjacent and receiving environments and I do not consider the new policy sought by FF necessary.
- 6.12. Despite the reasons above why I consider the proposed policy to be unnecessary, if the policy was to be included it is unlikely to have an impact on state highway as these are managed by a designation and are not subject to these provisions. Additionally, NZTA has a responsibility to ensure that effects on neighbouring properties are appropriately managed for any new designation or upgrades to infrastructure within an existing designation and would fundamentally give effect to this policy sought by FF.

7.0 Transport – Noise

- 7.1 NZTA made a submission which sought those provisions related to noise sensitive activities be moved to the Noise Chapter. The s42A reporting officer has agreed that the provisions be shifted to the Noise Chapter as the National Planning Standards are clear that the Noise chapter is where sound insulation requirements for sensitive activities and limits to the location of those activities relative to noise generating activities are to be located. The reporting officer has described in paragraphs 144 and 145 which rules associated to noise insulation from various chapters will be deleted and how these will be replaced in the Noise Chapter, which I elaborate on further below. I agree with the reporting officer's recommendation as this is consistent with the National Planning Standards and that this addresses the submission raised by NZTA.
- 7.2 NZTA sought that the State Highway Corridor Noise Control Boundary be included in the District Plan as addressed in the initial submission and sought in the further submission. The s42A report has supported the inclusion of the State Highway Corridor Noise Control Boundary and have recommended that this be referred to in the new Noise Chapter provisions to address noise effects from noise sensitive activities and shown on the District Plan maps. I support the recommendations in the s42A report to include the noise overlay within the proposed WDP as this is the preferred and agreed national approach from NZTA to address noise effects adjacent to the state highway.
- 7.3 The use of the State Highway Corridor Noise Control Boundary on sensitive noise activities is a key method in the proposed WDP aimed at achieving the avoidance and/or mitigation of reverse sensitivity effects on the state highway and the health effects of people and communities as sought by the objectives and policies of the noise chapter. The State Highway Corridor Noise Control Boundary only addresses the most significant adverse effects up to a maximum of 100m from either side of the state highway, or less where it has been modelled to show noise mitigation is not required to achieve appropriate indoor noise levels for noise sensitive activities (as listed in NOISE Table 1). However, it is also important to recognise that the extent of the overlay is capped to 100m from the edge of the sealed state highway carriageway even though there is the potential at times the effects of state highway noise may be beyond this extent.
- 7.4 Dr Chiles has provided expert evidence which demonstrates the effects from noise on noise sensitive activities and why he supports the use of the State Highway Corridor Noise Overlay Control Boundary along with appropriate controls to manage such effects, which I rely on to support my position on this matter.
- 7.5 The s42A report has recommended the inclusion of new provisions to address noise effects on noise sensitive activities from road and rail with reference made to the State Highway Corridor Noise Overlay Control Boundary. The s42A report has recommended that the new provisions to address noise effects in the proposed WDP align with the equivalent noise provisions in the recently part operative Waikato District Plan.

- 7.6 In paragraph 154 of the Section 42A report, the reporting officer has copied and slightly reconfigured the part operative Waikato District Plan provisions as two rules both with the placeholder “NOISE-RX”, with associated NOISE Tables 1, 2 and 3. In paragraphs 5.3 and 5.5 of Dr Chiles evidence, he has outlined some potential issues with these recommended provisions proposed WDP, of which include some errors on critical elements that were missed which are needed to appropriately manage noise effects.
- 7.7 Based on the issues raised by Dr Chiles, I have recommended further amendments to these proposed provisions which I consider to adequately address these issues and that will provide clarity to the noise provisions. These amendments can be found in Appendix A. These provisions are also supported by Ms Heppelthwaite who has prepared planning evidence on behalf of KiwiRail.
- 7.8 I consider that these amendments are appropriate to mitigate the drafting errors in the s42A report and outlined in paragraphs 5.3 and 5.5 of Dr Chiles’ evidence.
- 7.9 Overall, I consider the use of the State Highway Corridor Noise Control Boundary, and the underlying provisions is an efficient and effective method to manage the potential health effects of noise for new buildings containing sensitive noise activities in close proximity to the state highway.

8.0 Designations

- 8.1 NZTA made a submission of support with amendments seeking that the state highway designations be included in the planning maps. NZTA sought the inclusion of these state highways designation geospatial shapefiles with amendments to better reflect the existing formed and operational state highway corridor.
- 8.2 I consider that the inclusion of the state highway designation geospatial files in the proposed WDP maps ensures the ongoing operation, maintenance, and management of the state highway and will more accurately reflect the current use of the land as state highway corridor.
- 8.3 NZTA also sought that the state highway designation shapefiles be modified to better reflect the existing formed and operational state highway corridor. The s42A report has recommended that the amendment of the designation boundaries can be done on an ‘as need’ basis until the completed designation boundaries for the length of the state highway was available. I am supportive of the inclusion of the state highway designation geospatial files and mapped in the proposed WDP maps as originally proposed.

9.0 Conclusion

- 9.1 Except where discussed throughout my evidence, I generally support the recommended amendments made to the proposed Waitomo District Plan as per the Section 42A reports for

Hearing Tranche 2. They provide clarification and ensure that the adverse effects on the transport system will be appropriately addressed.

- 9.2 I encourage the Hearings Panel to take into account the matters raised in my evidence and the evidence of Dr Chiles regarding the State Highway Corridor Noise Control Boundary and the two rules both with the placeholder “NOISE-RX”, with associated NOISE Tables 1, 2 and 3. I consider that the amendments sought in Appendix A will provide clarity to the noise provisions and appropriately address effects on human health associated with noise.
- 9.3 With respect to Designations, I consider that with the recommendations of the Section 42A report, and the additional amendments sought as discussed in my evidence, will address the concerns of NZTA on the Proposed Waitomo District Plan.
- 9.4 I thank the Hearings Panel for considering my evidence on behalf of NZTA and welcome any questions you may have in relation to the matters raised.

Tayla Cowper

4 November 2024

Attachment A: Amendments Sought

Base text (black) Section 42A Appendix 1 Recommendation

Recommended amendments; red underline / ~~strikethrough~~

TRAN-R9

Erection of structures on or adjacent to a railway designation boundary ~~corridor~~ or an indicative road

TRAN-R14

Setbacks and sightlines for ~~near~~ level rail crossing

NOISE-RX

Construction of a new building containing a sensitive land use within a State Highway or Rail Corridor Noise Control Boundary

1. Activity status: PER

Activity-specific standards:

- a. New buildings are designed, constructed and maintained to ensure that any part of the building located within the State Highway or Rail Corridor Noise Control Boundary and containing an activity listed in NOISE Table 1:
 - i. complies with the maximum future indoor design noise levels in NOISE Table 1 and meets the ventilation requirements in NOISE Table 2; or
 - ii. is located so the nearest exterior façade of that part of the building is at least 50m from the formed carriageway of the State Highway and 50m from the formed railway track and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to that activity to:
 1. All parts of the formed carriageway of the State Highway.
 2. All points 3.8m directly above the formed railway track; or
 - iii. is located so it can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustic consultant that noise at all exterior façades of that part of the building will be no more than 15 dB above the relevant maximum indoor design noise levels in NOISE Table 1; or
 - iv. accords with the construction schedule in NOISE Table 3 and meets the ventilation requirements in NOISE Table 2.
- b. Prior to the construction of any building to which this standard applies, a design report shall be submitted to the Council demonstrating compliance with the maximum indoor design noise levels specified in NOISE Table 1, applying the assumptions in NOISE-RX.2. Alternatively, the design report may be substituted with confirmation that the construction ~~or alteration of, or change of use within,~~ the building will meet the construction schedule requirements in NOISE Table 3.
- c. A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with all of the mechanical ventilation system report requirements in Noise Table 2.

2. Assumptions:

- a. For State Highways, the design road noise is to be based on measured or predicted external noise levels plus 3 dB.
 - b. For the Rail Corridor:
 - v. The source level for railway noise is 70 LAeq(1h) at a distance of 12 metres from the nearest track; and
 - vi. The attenuation over distance is:
 - 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres; or
 - As modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for freight trains with diesel locomotives, having regard to factors such as barrier attenuation, the location of the dwelling relative to the orientation of the track, topographical features and any intervening structures.
- 3. Activity status where compliance not achieved: RDIS
Council's discretion is restricted to the following matters:
 - a. Adverse effects on health and amenity of people indoors within the Noise Control Boundary overlay.
 - b. Alternative options for building design or location that would achieve compliance with the standards in NOISE Table 1.
 - c. Adverse effects on the continuing operation of the State Highway network, or railway corridor as a result of non-compliance with the standards.
 - d. Any natural or built features of the site or surrounding area that will mitigate noise effects.
 - e. The outcome of any consultation undertaken with NZTA or KiwiRail.
 - e.

NOISE-RX

Alterations, additions or change in use of an existing building to add or increase a sensitive land use within a State Highway or Rail Corridor Noise Control Boundary

- 1. Activity status: PER
Activity-specific standards:
 - a. The alteration, addition or change of use of an existing building does not increase the gross floor area of an activity listed within NOISE Table 1 within the State Highway or Rail Corridor Noise Control Boundary; or
 - b. An internal alteration to an existing residential unit does not increase the total gross floor area of activities listed in NOISE Table 1 by more than 5m² within each 10 year period from [operative date] within the State Highway ~~Noise Effects Area~~ or the Rail Noise ~~Effects Area~~ Control Boundary; or
 - c. Other than internal alterations 5m² or less within each 10 year period from [operative date] provided for in (b) above, the alteration, addition or change of use of an existing building increases the gross floor area of an activity listed within Table 1 within the State Highway or Rail Corridor Noise Control Boundary, but the part of the building containing that activity:
 - i. Is designed, constructed and maintained to comply with the indoor design noise levels specified in NOISE Table 1 and meets the ventilation requirements in NOISE Table 2; or

- ii. *Is in a location where the nearest exterior façade of that part of the building is at least 50m from the formed carriageway of the State Highway and 50m from the formed railway track and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to that activity to:*
 - 1. *All parts of the formed carriageway of the State Highway.*
 - 2. *All points 3.8m directly above the formed railway track; or*
- iii. *Is in a location where it can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustic consultant that the noise at all exterior façades of that part of the building is no more than 15 dB above the relevant noise levels in NOISE Table 1; or*
- iv. *Is designed, constructed and maintained in accordance with the construction schedule in NOISE Table 3 and meets the ventilation requirements in NOISE Table 2.*
- d. *Prior to the alteration, addition or change of use of an existing building to which this standard applies, a design report shall be submitted to the Council demonstrating compliance with the maximum indoor design noise levels specified in NOISE Table 1, applying the assumptions in NOISE-RX.2. Alternatively, the design report may be substituted with confirmation that the alteration, addition or change of use within the building will meet the construction schedule requirements in NOISE Table 3.*
- e. *A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with all of the mechanical ventilation system report requirements in Noise Table 2.*

2. *Assumptions:*

- a. *For State Highways, the design road noise is to be based on measured or predicted external noise levels plus 3 dB.*
- b. *For the Rail Corridor:*
- vii. *The source level for railway noise is 70 LAeq(1h) at a distance of 12 metres from the nearest track; and*
- viii. *The attenuation over distance is:*
 - *3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres; or*
 - *As modelled by a Suitably Qualified and Experienced Acoustic Consultant using a recognised computer modelling method for freight trains with diesel locomotives, having regard to factors such as barrier attenuation, the location of the dwelling relative to the orientation of the track, topographical features and any intervening structures.*

3. *Activity status where compliance not achieved: RDIS*

Council's discretion is restricted to the following matters:

- a. *Adverse effects on health and amenity of people indoors within the Noise Control Boundary overlay.*
- b. *Alternative options for building design or location that would achieve compliance with the standards in NOISE Table 1.*
- c. *Adverse effects on the continuing operation of the State Highway network, or railway corridor as a result of non-compliance with the standards.*

- d. Any natural or built features of the site or surrounding area that will mitigate noise effects
- e. The outcome of any consultation undertaken with NZTA or KiwiRail.
- e.

NOISE Table 1 – Maximum indoor design noise levels for State Highway and rail corridor noise

<i>Type of Noise Control Boundary</i>	<i>Activity</i>	<i>Rail Corridor maximum indoor design noise level</i>	<i>State Highway maximum indoor design noise level</i>
<i>State Highway and Rail Corridor</i>	<i>Bedrooms</i>	<i>35dB LAeq</i>	<i>40dB LAeq</i>
	<i>Lecture rooms / theatres, music studios, assembly halls</i>	<i>35dB LAeq</i>	<i>35dB LAeq</i>
	<i>Conference rooms, drama studios, libraries and designated sleeping rooms for children aged 6 years or younger in schools, early childhood centres or tertiary institutions</i>	<i>40dB LAeq</i>	<i>40dB LAeq</i>
	<i>Sensitive activities in hospitals including overnight medical care, wards, clinics, consulting rooms, theatres, nurses' stations</i>	<i>40dB LAeq</i>	<i>40dB LAeq</i>
	<i>Places of assembly including churches, places of worship and marae</i>	<i>35dB LAeq</i>	<i>35dB LAeq</i>
	<i>Other habitable rooms</i>	<i>40dB LAeq</i>	<i>40dB LAeq</i>

NOISE Table 2: Mechanical ventilation system

<i>Activity</i>	<i>Ventilation requirements <u>where windows must be closed to achieve indoor noise levels set out in Noise Table 1</u></i>
<i>Habitable rooms for a residential activity</i>	<i>a. Provides mechanical ventilation to satisfy</i>

	<p><i>clause G4 of the New Zealand Building Code; and</i></p> <p><i>b. 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</i></p> <p><i>c. provides relief for equivalent volumes of spill air; and</i></p> <p><i>d. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</i></p> <p><i>e. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</i></p>
<i>Other spaces</i>	<i>To be determined by a suitably qualified and experienced person.</i>

Alert Layer

Overview The generation of noise is often an inherent part of the operation and function of the diverse range of activities located within the district.

[...]

Please note that the noise rules for wind turbines are located in the energy chapter. The noise rules for temporary diesel generators are contained in the energy chapter (where their use is associated with an energy activity) and in the network utilities chapter (where their use is associated with a network utility). Noise rules for new roads and altered roads that are within the scope of NZS 6806:2010, substations, energy storage batteries and compressors associated with gas transmission pipelines are also contained in the network utilities chapter. In all other circumstances, the provisions of this chapter apply.

A Rail Vibration Alert Overlay has been applied which identifies the vibration-sensitive area within 60 metres each side of the railway designation boundary as properties within this area may experience rail vibration effects. No specific district plan provisions apply in relation to vibration controls as a result of this Rail Vibration Alert Area. The Rail Vibration Alert Overlay is to advise property owners of the potential vibration effects but leaves with the site owner to determine an appropriate response.

APPENDIX B: TABLE ONE
Summary of my position in regard to the Reporting Officer's recommendations on additional matters

<i>Submission Point</i>	<i>NZTA Submission</i>	<i>Officer's Recommendation</i>	<i>My Response</i>
17.01	<p><i>Whole Plan</i></p> <p>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').</p>	<p>Accept.</p> <p>This amendment will be made to all chapters. Except for designations, where council is required to use the Requiring Authority reference as advised by the submitter</p>	<p><i>I agree with the Reporting Officer's recommendation</i></p>
17.02	<p><i>Whole Plan</i></p> <p>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'.</p>	<p>Accept</p>	<p><i>I agree with the Reporting Officer's recommendation</i></p>

17.08	Definitions – Functional Need Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.09	Definitions - Maintenance (in relation to network utilities) Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.11	Operational Need Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.15	SD-O7 Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.16	SD-O8 Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.17	SD-O14 Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.18	SD-O16 Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.19	SD-O19 Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.20	SD-O20 Retain as notified	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>

17.21	SD-O21 Retain as notified.	Reject The Ministry of Education requests the term 'additional infrastructure' is applied as the RMA definition of 'infrastructure' does not include education facilities - but the National Policy Statement on Urban Development (NPS-UD) definition of 'additional infrastructure' does. The Ministry also request the addition of the NPS-UD definition in the plan. It is agreed that these are sensible additions to SD-O21 and to the definitions section. The increased policy breadth will ensure that subdivision and development include provision for the expansion of existing or new educational, community and health facilities and public open space to accommodate the demand of the development.	<i>I agree with the Reporting Officer's recommendation. I consider that the amendments made in response to the other submissions will not adversely impact the state highway.</i>
17.22	SD-O22 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.23	SD-O23 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.24	SD-O27 Amend objective as follows: Encourage urban development that supports contributes to reductions in greenhouse gas emissions, minimises waste production, transport and energy demand, and is resilient to the current and future effects of climate change.	Reject SD-O27 seeks to encourage urban development that supports reductions in greenhouse gas emissions, minimises waste production, transport and energy demand, and is resilient to the current and future effects of climate change. Waka Kotahi requests the word 'supports' is amended to 'contributes to'. It is considered that both terms have the same	<i>I agree with the Reporting Officer's recommendation. I consider that the objective as notified does not change the intent of the NZTA submission and will not adversely impact the state highway</i>

		meaning in the context of the objective and no change is recommended	
17.25	SD-O29 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.27	SD-O31 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
FS27.10	Network Utilities – General Comment Waka Kotahi considers more information is required. Waka Kotahi seeks to be involved with the development of the policies due to the implications it may have to carry out their statutory obligations.	Accept in part I consider that the Strategic Directions and the Natural Hazards Chapters are the most appropriate location for objectives and policies relating to climate change adaptation and mitigation. These chapters apply districtwide and are not just constrained to network utilities, when this is a much broader issue. I therefore recommend rejecting the submission points from WRC [10.19]	<i>I agree with the Reporting Officer's recommendation.</i>
17.28	NU-O2 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.29	NU-O4 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 anticipated land use and development.	Accept in part Agree with Submitter	<i>I agree with the Reporting Officer's recommendation</i>

17.30	NU-P1 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.31	NU-P5 Retain as notified.	Reject Four submissions from WRC [10.23a, 10.20, 10.23b, 10.23c] sought that these policies be relocated to another chapter of the plan. The signs policies in the Network Utilities Chapter have a corresponding identical policy in Chapter 39 Signs. I recommend accepting in part the submission points from WRC and deleting NU-P5 from Chapter 19 Network Utilities.	<i>I agree with the Reporting Officer's recommendation.</i>
17.32	NU-P6 Retain as notified.	Reject Four submissions from WRC [10.23a, 10.20, 10.23b, 10.23c] sought that these policies be relocated to another chapter of the plan. The signs policies in the Network Utilities Chapter have a corresponding identical policy in Chapter 39 Signs. I recommend accepting in part the submission points from WRC and deleting NU-P5 from Chapter 19 Network Utilities.	<i>I agree with the Reporting Officer's recommendation.</i>
17.33	NU-P13 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.34	NU-P16 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>

17.35	NU-P19 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.39	NU-R28 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.40	NU-R28 (b), (d), (e), (h) and (i) Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.43	NU-R37 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
17.44	NU-R40 Retain as notified	Accept in part I recommend accepting the submission point from Chorus, Connexa, Spark and Vodafone [09.21] and making the following amendment to NU-R40.2 as follows: 2. Be a minor utility structure, a pole, tower, line, antennas attached to poles or streetlight; or	<i>I agree with the Reporting Officer's recommendation and consider this will not adversely impact the state highway.</i>
17.45	NU-R46 Support in part. Waka Kotahi seek correction of the references to other rules in NU-R46.1.	Accept Agree with Submitter	<i>I agree with the Reporting Officer's recommendation.</i>
FS27.02	NU rules Oppose	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>

	Waka Kotahi seeks the submission point be disallowed		
FS27.12	<p>TRAN-P1</p> <p>Oppose in part.</p> <p>Waka Kotahi seeks that further clarification is provided by the submitter on how this policy approach would be applied in practice by roading authorities.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
FS27.13	<p>TRAN-P4</p> <p>Support in part.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
FS27.08	<p>TRAN-R8</p> <p>Oppose.</p> <p>Waka Kotahi seeks the submission point be disallowed</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.10	<p>Definitions – Noise Sensitive Activities</p> <p>Replace the definition of “noise sensitive activity” with the following: 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: (a) Camping grounds</p>	<p>Accept in part</p>	<p><i>I agree with the Reporting Officers recommendation and consider this will not adversely impact the state highway.</i></p>

17.13	Definitions – Transport System Amend definition: Transport network system: 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 network system, as wel	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.46	Overview Waka Kotahi seek amendment to replace 'One Network Road Classification (ONRC)' with 'One Network Framework'.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.48	TRAN-O2 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.49	TRAN-O3 Retain as notified.	Accept in part	<i>I agree with the Reporting Officers recommendation.</i>
17.50	TRAN-O4 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>

17.51	<p>TRAN-P2.1</p> <p>Support in part.</p> <p>Waka Kotahi requests the following amendments to TRAN-P2.1: Avoiding conflict between vehicles, pedestrians, cyclists and other active modes.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.52	<p>TRAN-P2.4</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.53	<p>TRAN-P2.7</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.54	<p>TRAN-P4</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.55	<p>TRAN-P5</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.56	<p>TRAN-P6</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.57	<p>TRAN-P7</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>

17.58	<p>TRAN-P8</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.60	<p>TRAN-P10</p> <p>Support in part.</p> <p>Waka Kotahi requests the following amendments to TRAN-P10.2: Minimise conflict between vehicles, pedestrians, cyclists and other active modes.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.61	<p>TRAN-R3</p> <p>Support in part.</p> <p>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 network including outcomes from consultation with Waka Kotahi New Zealand Transport Agency; 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. Note: Any electric vehicle charging device to be located within the State Highway road reserve requires approval from Waka Kotahi New Zealand Transport Agency.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>

17.62	TRAN-R6 Retain as notified.	Accept Agree with Submitter	I agree with the Reporting Officers recommendation.
17.65	TRAN-R19 Retain as notified.	Accept Agree with Submitter	I agree with the Reporting Officers recommendation.
17.170	Awakino Tunnel (HH18) Support. Retain the inclusion of the Awakino Tunnel (HH18) as a heritage structure	Accept Agree with Submitter	I agree with the Reporting Officers recommendation.
17.171	Mokau Mine (HH22) Support. Retain the inclusion of the Mokau Mine (HH22) as a heritage structure.	Accept Agree with Submitter	I agree with the Reporting Officers recommendation.
FS27.07	NEW Policy EXO-Px Oppose in part. Waka Kotahi seeks further consultation regarding the extent of the new areas	Accept Agree with Submitter	I agree with the Reporting Officers recommendation.
FS27.06	Light Sensitive Area Oppose in part. Waka Kotahi seeks further consultation regarding the extent of the new areas	Accept Agree with Submitter	I agree with the Reporting Officers recommendation.
FS27.05	Bat Protection Area	Accept	I agree with the Reporting Officers recommendation.

	<p>Oppose in part.</p> <p>Waka Kotahi seeks further consultation regarding the extent of the new areas.</p>	<p>Agree with Submitter</p>	
17.112	<p>RESZ-O3</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.113	<p>RESZ-O11</p> <p>Support in part.</p> <p>Amend as follows: Ensure new development does not compromise the safety of the transport network or exceed available capacities for servicing and infrastructure</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.114	<p>RESZ-P1</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.115	<p>RESZ-P16</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.116	<p>RESZ-P20</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.117	<p>RESZ-R11</p> <p>Retain as notified.</p>	<p>Accept</p> <p>Agree with Submitter</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>
17.118	<p>RESZ-R20</p>	<p>Accept</p>	<p><i>I agree with the Reporting Officers recommendation.</i></p>

	Retain as notified.	Agree with Submitter	
17.119	RESZ-R26 Retain as notified.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.161	Designation Schedule – Title Name Amend title name from ‘NZ Transport Agency Designations’ to ‘New Zealand Transport Agency Designations’.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.163	Designation purpose NZTA01 – NZTA04 Amend designation purpose text to read: To undertake construction, maintenance, operation, use and improvement of the state highway network and associated infrastructure. To construct, operate, maintain, and improve a state highway and associated infrastructure.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.164	Designation hierarchy NZTA03 Amend designation hierarchy to read: ‘Primary’ ‘Varies’	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.165	Conditions NZTA01 Oppose in part. Remove the conditions as addressed in submission point 17.165 from NZTA01.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.166	Conditions NZTA03 Oppose in part.	Accept Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>

	Remove the following conditions as addressed in submission point 17.166 from NZTA03.		
17.167	<i>Additional Information NZTA01</i> Support in part. Amend wording as per submission point 17.167: Rollover designation	<i>Accept</i> Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.168	<i>Additional Information NZTA02</i> Support in part. Amend wording as per submission point 17.168: Rollover designation.	<i>Accept</i> Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>
17.169	<i>Additional Information NZTA04</i> Support in part. Amend wording as per submission point 17.169: Rollover designation.	<i>Accept</i> Agree with Submitter	<i>I agree with the Reporting Officers recommendation.</i>