SECTION 42A REPORT

Report on submissions and further submissions

Topic: Transport

Report prepared by: Carolyn Wratt

Dated: 21 October 2024

TABLE OF CONTENTS

List of submitters and further submitters addressed in this report

Submission no	Submitter
10	Waikato Regional Council
16	Fire and Emergency New Zealand
17	Waka Kotahi New Zealand Transport Agency
22	Z Energy
24	Ministry of Education
46	Federated Farmers of New Zealand
47	Royal Forest and Bird Protection Society of New Zealand
51	KiwiRail Holdings Ltd
56	The Fuel Companies
FS03	Director General of Conservation
FS06	Fuel Companies
FS18	OMYA
FS19	PF Olsen
FS27	Waka Kotahi New Zealand Transport Agency

1. Introduction

1.1 Qualifications and Experience

1. My name is Carolyn Wratt. I am a Principal Policy Planner and Director of the consultancy firm Wratt Resource Management Planning Ltd. I am contracted by Waitomo District Council (**WDC**) to assist with the Proposed Waitomo District Plan

2. I hold the degrees of Bachelor of Science (Geography and Resource Management) (1997) and Masters of Science (Hons) in Coastal Geomorphology and Resource Management (1999), both from the University of Auckland. I am a full member of the New Zealand Planning Institute and an accredited Resource Management Commissioner under the Ministry for the Environment programme Making Good Decisions.

3. I have over 25 years experience in planning – both regulatory and policy, including working primarily for local and regional authorities around New Zealand. In my capacity as both a consultant and council planner, I have provided policy advice to a number of clients. Of most relevance I have assisted various councils with their district plan reviews including Hamilton City Council, Auckland Council, Kapiti Coast District Council, Selwyn District Council, Taupo District Council, Kaipara District Council and Christchurch City Council. Most recently I have been involved in all of the processes associated with the Proposed Waikato District Council, which has now progressed to the stage of working through appeals.

1.2 Code of Conduct

4. I confirm that I have read the Code of Conduct for Expert Witness in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

5. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearings commissioners.

1.3 Conflict of Interest

6. I confirm that I have no real or perceived conflict of interest.

1.4 Preparation of this report

7. I am the author of this report.

8. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2 Scope of Report

2.1 Matters addressed by this report

9. The scope of this report is to consider the submissions and further submissions made in respect of the provisions in the Transport (**TRAN**) chapter of the Waitomo Proposed District Plan (**PDP**) and make recommendations.

10. As notified, the Network Utility chapter contained a number of provisions that are duplicated in the Transport chapter. In response to the submission from Waikato Regional Council, I have recommended that four rules are deleted from the Network Utilities chapter in favour of addressing them once in the Transport chapter. To keep all the provisions and their submissions together, I have addressed the submissions associated with the duplicate provisions in this report rather than the Network Utilities s42A report.

11. This s42A report also addresses the definitions which are specific to transport.

12. As discussed later in this report, Waka Kotahi New Zealand Transport Agency and KiwiRail Holdings Ltd sought a different approach to managing sensitive land uses within close proximity to State Highways and the rail network. While the provisions sit in other chapters, I have addressed this issue in this s42A report.

13. This report is prepared in accordance with section 42A of the RMA. The purpose of a section 42A report such as this is to guide submitters and the independent hearings panel, but the contents are just the recommendations of the author. The decision ultimately lies with the independent hearings panel.

14. Provisions relating to management of the Transport chapter include operation of the land transport system and activities that may affect the effective operation of the system and both are addressed in this report. Other activities such as earthworks and subdivision may be addressed in other section 42A reports.

2.2 Overview of the topic / chapter

15. The Transport chapter as notified addresses all forms of transport undertaken by parties other than road controlling authorities. The term "transport network" accommodates a wide range of modes including vehicles, walking, public transport, freight and cycling. The economic and social wellbeing of the district is dependent on an efficient and effective transport system. How the transport system is managed and functions is closely linked with the use of land.

16. The chapter manages the interface between land use activities and the transport network such as parking, access and traffic generation but does not include activities associated with transport infrastructure itself such as the construction of new roads. Oddly, the Transport chapter contains the design standards for new roads however.

17. While I was not the author of the TRAN chapter, what I have deduced is that this chapter was intended to address third party interactions with the transport network; i.e. not a road controlling authority or any requiring

authority such as Waka Kotahi New Zealand Transport Agency or KiwiRail Holdings Limited. I have surmised that the Network Utility chapter is where a Plan user would go for the provisions which relate to any new roads, existing roads or supporting structures within the transport corridor. This approach is possibly due to the inclusion of roads in the definition of "network utilities", but the consequence is duplication between the two chapters and an unclear delineation of provisions. For example, the TRAN chapter contains all the physical characteristics of a new transport corridor such as width of footpaths, kerbing and lane width, yet the creation of a new road sits in the NU chapter. I discuss this below in the context of submissions which seek an alternative structure.

18. While the Network Utilities chapters is virtually self contained, the TRAN chapter has a different approach and engages all parts of the District-wide chapters of the PDP where relevant. For example, a vehicle charging device in an outstanding natural landscape would also need to comply with the rules in the NFL chapter. This is not the case for the network utilities chapter where the rules for a network utility structure in an outstanding natural landscape are located in the NU chapter, and only the objectives and policies in the NFL chapter are engaged when a resource consent is required.

2.3 Statutory Requirements

19. The PDP has been prepared in accordance with the Council's functions under the Resource Management Act (RMA), specifically section 31, Part 2 and the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32. The section 32 report which addresses this chapter sets out how the relevant national policy statements, national environmental standards, provisions of the Waikato Regional Policy Statement, the Manawatū Whanganui One Plan, the Maniapoto Environmental Management Plan, the Waikato Tainui Environment Management Plan 2018 and Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River have been assessed and considered.

20. The National Policy Statement on Urban Development 2020 (**NPSUD**) includes transport under the definition of nationally significant infrastructure which incorporates State Highways and the New Zealand rail network. Objective 1 seeks that New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. Objective 6 seeks decisions relating to urban environments to be integrated with infrastructure planning. Policy 1 seeks that planning documents contribute to well-functioning urban environments that have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.

21. There are provisions in the Waikato Regional Policy Statement (**RPS**) which are particularly relevant to TRAN. Transport comes under the definition of infrastructure, as well as State Highway and rail being classed as regionally significant infrastructure. UFD-O1 seeks:

> Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:
>
> …
>
> 3. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
>
> …
>
> 5. recognising and protecting the value and long-term benefits of regionally significant infrastructure;
>
> …
>
> 12. strategically planning for growth and development to create responsive and well-functioning urban environments, that:
>
> …
>
> (e) improves connectivity within urban areas, particularly by active transport and public transport

22. UFD-P2(d) seeks to coordinate growth and infrastructure so that the efficient and effective functioning of infrastructure, including transport

corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained. There are many more objectives and policies which refer to infrastructure or regionally significant infrastructure in the RPS which are relevant.

23. The Waikato Regional Land Transport Plan sets out how it is intended to develop the region's land transport system over the next 30 years. It also identifies proposed regional transport activities for investment (local and central government) over the next six years. It describes what the Waikato region is seeking to achieve for land transport and how this will contribute to an effective, efficient and safe land transport system in the public interest. The RLTP has objectives and policies that seek an efficient and resilient land transport system that advances regional economic wellbeing and facilitates the movement of people and freight on strategic corridors in the upper North Island and that urban form supports a range of integrated multi-modal transport options.

24. Manawatu Whanganui One Plan recognises that some infrastructure and other physical resources are regionally or nationally important and that the operation of such infrastructure is critical to the economic wellbeing of the Manawatu/Whanganui region and New Zealand. However, infrastructure can have adverse effects on the environment and other activities can have reverse sensitivity adverse effects on infrastructure. There can be logistical or technical constraints on where infrastructure must be located to serve communities and operate efficiently. Urban growth should be integrated with infrastructure provision.

25. Objective EIT-O1 seeks that councils have regard to the benefits of infrastructure and other physical resources of regional or national importance by recognising and providing for their establishment, operation, maintenance and upgrading. While Policy EIT-P1 directs that Territorial Authorities must recognise the road and rail networks as mapped in the Regional Land Transport Strategy as being physical resources of regional or national importance. EIT-P2 seeks that the adverse effects on infrastructure and other physical resources of regional

or national importance from other activities are avoided as far as reasonably practicable.

26. The core focus of the Horizons Regional Land Transport Plan 2021 – 2031 is to provide a connected and efficient land transport system that becomes more resilient and reduces the impact of transport on the environment, improving transport options and the safety of the network. It sets out the strategic direction for land transport and describes what the region seeks to achieve in order to contribute to an effective, efficient and safe land transport system. The plan looks at the strategic road network, the rail network, public transport and walking and cycling networks.

2.4 Procedural matters

27. No submitter, prehearing or Clause 8AA meetings have been undertaken.

28. There has been no further consultation undertaken since notification.

3 Consideration of submissions received

3.1 Overview of submissions

29. Ninety one primary submissions were received and there was a high degree of support for the provisions. Fourteen further submissions were received. The matters raised by submissions varied widely, with only a few common themes arising:

    a. inclusion of specific mention of climate change and reduced carbon emissions;

    b. support for multi-modal transport;

    c. inclusion of an assessment of vehicle kilometres travelled;

    d. sufficient access for emergency vehicles;

    e. management of sensitive land uses in close proximity to the State Highway and rail network;

f. thresholds for trip generation; and

g. additional matters to include in integrated transport assessments (**ITA**).

30. Where there is only support for a provision with no contrary view expressed by any other submitters, that provision is not discussed further in this report.

3.2 Structure of this report

31. Given the number, nature and extent of the submissions and further submissions received, I have structured the Section 42A report based largely on topics as follows:

Topic 1: Structure of the transport provisions

Topic 2: General comments and overview

Topic 3: Objectives

Topic 4: Policies

Topic 5: Rules

Topic 6: Noise generated by transport corridors

Topic 7: Definitions

32. Because of the wide range of submissions, it has often been necessary to address each individual provision for clarity.

33. See Appendix 2 for the corresponding section 32AA evaluation for any recommended amendments to provisions.

4 Topic 1: Structure of the Transport Provisions

4.1 Introduction

34. The TRAN chapter addresses third party interactions with the transport network and land use activities that generate vehicle movements. The Transport chapter contains rules for the following activities:

    a. Vehicle access on to roads other than State Highways;

    b. Car park landscaping and illumination;

    c. Electric vehicle charging stations;

    d. New walkways and cycleways;

    e. Stock underpass;

    f. High trip generating activities;

    g. Vehicle access on to State Highways;

    h. Erection of structures on or adjacent to a railway corridor or an indicative road; and

    i. Vehicle access obtained by crossing a railway line.

35. Table 2 contains the following standards:

    a. Number of vehicle access points;

    b. Minimum sight distances;

    c. Minimum distance between vehicle crossings and road intersections;

    d. Railway level crossings;

    e. Requirements for on-site vehicle parking spaces;

    f. Minimum number of on-site loading spaces;

g. Construction and formation standards;

h. Additional driveway formation and construction standards;

i. Vehicle access and road hierarchy;

j. Parking and loading requirements and Integrated Transport Assessment (ITA) Thresholds;

k. Accessible parking requirements;

l. Minimum car parking space and manoeuvring dimensions;

m. Minimum car parking space and manoeuvring dimensions (continued);

n. 90 percentile car tracking curve minimum radius; and

o. Access and road standards.

36. I have surmised that the Network Utility chapter is where a Plan user would go for the provisions which relate to any new roads, existing roads or supporting structures within the transport corridor. The road dimensions are in the TRAN chapter however. The Network Utility chapter contains the following provisions that are specific to transport:

a. NU-O4 (which largely replicates TRAN-O2)

b. NU-P2.2 (which largely matches the chapeau of TRAN-P1);

c. NU-P5 which relates to signs on roads and railways;

d. NU-P6 which relates to signs adversely affecting the safe functioning of roads;

e. NU-P17 which relates to structures adjacent on or adjacent to an indicative road;

f. NU-R8 New electric vehicle charging facilities (duplicated in TRAN-R3);

g. NU-R9 New public walkways and cycleways (duplicated in TRAN-R4);

h. NU-R10 New stock underpasses (duplicated in TRAN-R5);

i. NU-R13 New structures on or adjacent to a railway corridor or an indicative road (duplicated in TRAN-R9);

j. NU-R27 Operation, maintenance, repair and road widening of existing public roads, State Highways and service lanes (including but not limited to traffic lights, roundabouts, islands and guard rails);

k. NU-R28 The construction of new public roads, State Highways, service lanes and any road widening outside of the road reserve or designation; and

l. NU-R29 Streetlights within roads;

m. Standard NU-R47 Parking and access (duplicated with the TRAN chapter)

37. In addition, there are rules which relate to transport as well as network utilities which currently sit in the network utilities chapter, but are not replicated in the TRANS chapter:

a. NU-R31 Official signs;

b. NU-R32 Signs;

c. NU-R33 Earthworks (noting there is no limit on earthworks in formed roads and new roads approved as part of a resource consent or designation);

d. NU-R34 Creation of new entrances into caves, structures within caves or other modifications to cave features;

e. NU-R35 Any earthworks or clearance of vegetation (other than plant pest species or wilding pines) within a 20 m radius of an entry or opening into any cave or sinkhole;

f. NU-R37 Removal of indigenous vegetation;

g. NU-R40 Buildings and structures adjacent to a water body;

h. NU-R41 Subdivision;

i. Standard NU-R45 Earthworks in a hazard area or coastal hazard area;

j. Standard NU-R46 Noise;

k. Standard NU-R51 Signs; and

l. Standard NU-R52 Maximum level of light overspill.

4.2 Analysis and recommendation

38. WRC [10.16] sought to remove identical or near identical duplicates from different chapters. (e.g., Rule NU-R8 regarding electric vehicle charging, Rule NU-R9 regarding new public walkways and cycleways, and Rule NU-R10 regarding new stock underpasses). I agree with WRC that the Network Utility and Transport chapters should be streamlined to avoid duplication, and the potential for rules to be unnecessarily inconsistent. I recommend only modest changes, because I support retaining the integrity of the Network Utility chapter. I recommend deleting the following rules from the Network Utility chapter in favour of the corresponding rule remaining in the Transport chapter:

a. NU-R8 New electric vehicle charging facilities (duplicated in TRAN-R3);
b. NU-R9 New public walkways and cycleways (duplicated in TRAN-R4);
c. NU-R10 New stock underpasses (duplicated in TRAN-R5); and

d. NU-R13 New structures on or adjacent to a railway corridor or an indicative road (duplicated in TRAN-R9).

39. To ensure that the submissions on these provisions are not overlooked, I have addressed them in this s42A report.

40. WRC [10.17] sought amendments to Chapter 19 – Network Utilities by moving provisions relating specifically to transport to Chapter 20 – Transport (excluding provisions relating to the co-location of network utilities within the transport corridors). I have given considerable thought as to the purpose of the Transport and Network Utility chapters and the relationships between them. It seems to me there are three options available:

a. Retain the approach whereby third party activities are managed in the Transport chapter and activities undertaken by the road controlling authorities are managed in the Network Utility chapter;

b. Merge the Transport chapter into the Network Utility chapter; or

c. Extract out the provisions from the Network Utility chapter and relocate them into the Transport chapter.

41. Intuitively option (c) would be my preferred approach but there are several complicating factors to this approach:

i. The rules in the Network Utility chapter are intended to be self contained without the need to refer back to other chapters in Part 2 District-Wide Matters. The Transport chapter has a different approach whereby the rules in Part 2 District-Wide Matters apply. If the chapters are to be merged, there will be a complex whereby some matters are self-contained within the chapter, and others are not.

ii. Many of the objectives and policies in the Network Utilities chapter apply broadly to network utilities (of which the transport network is

one), which means that they would either need to be duplicated or cross referenced in the Transport chapter.

iii. There are a number of activities and standards sitting in the Network Utility chapter which would either need to be duplicated or cross referenced in the Transport chapter. This would have the effect of importing standards into the Transport chapter which arguably do not currently apply.

iv. The following statement appears in the Network Utility chapter:

> For the purposes of this chapter, irrespective of whether a scheduled site, feature or overlay is shown on the planning maps, the only column in the tables below that applies to roads is labelled "All roads and new roads approved as part of a resource consent".

This approach would create internal inconsistencies in a combined chapter whereby the rules that apply to overlays do apply via Part 2 District-Wide Matters.

42. On balance, option (a) is the least complex approach for users of the Plan and therefore the one I favour at this point in time.

5 Topic 2: General comments and overview

5.1 Introduction

43. This section addresses submissions that discuss general transport matters as well as the overview to the Transport chapter.

44. The Overview of the chapter sets the scene and describes the variety of transport modes and networks. Five submissions were received in respect to the overview, requesting amendments for clarity and recognition of climate change and carbon emissions. One response was more of a general comment seeking the inclusion of a roading hierarchy.

5.2 Analysis and recommendation

45. Waka Kotahi [17.02] noted 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. The submitter also noted that the definitions chapter includes a definition for 'transport system'. Waka Kotahi [17.13] sought 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'. I agree that there is a need for consistent terminology, and prefer the term "transport network". I therefore recommend that this term replaces "transport system" in the definitions also:

> Transport ~~system~~ network
> 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 ~~system~~ network, as well as (but not limited to) end-of-journey facilities and travel management plans.

46. Waka Kotahi [17.06] sought that the definition for "vehicle movement" be replaced with a definition for "equivalent car movements per day". It also sought inclusion of new definition for "equivalent car movements per day" [17.14]. Waka Kotahi 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 be assessed appropriately.

47. Generally the relationship of car and truck movements is:

- 1 car movement is equivalent to 1 car movement
- 1 truck movement is equivalent to 3 car movements
- 1 truck and trailer movement is equivalent to 5 car movements.

48. I considered which provisions would be affected by such a change. The adoption of this request would affect the traffic generation rates for the following activities:

a. Energy activities and network utility activities;

b. Rural industry, intensive indoor primary production including woolstores, packing sheds and greenhouses;

c. Primary production – quarrying activities;

d. Any activity not provided for, including vehicle movements associated with construction.

49. As notified, these activities have a permitted traffic generation threshold of 200 vehicle movements, before an integrated transport assessment is required. This could have the effect of reducing the allowed vehicle movements by up to 20% if all of the vehicle movement were truck and trailers (for example). The change in approach could effectively reduce the threshold to 40 truck and trailer movements per day, i.e. 20 inwards movements and 20 outwards. This seems unreasonably restrictive, particularly for primary production activities that are often located in the remote parts of the District. If the approach sought by Waka Kotahi was to be adopted, then the trip generation thresholds would need to change accordingly. There may be merit in the approach sought by Waka Kotahi but as I do not have evidence before me to consider alternative traffic generation numbers, therefore I recommend rejecting the submission.

50. Waikato Regional Council (**WRC**) [10.39] sought the inclusion of a road hierarchy in the PDP. It considers that policy TRAN-P1 and TRAN-R19 refer

to the transport corridor function and hierarchy but there is no hierarchy listed in the plan.

The submitter is correct in that there is reference to the road hierarchy and its function in several provisions:

> TRAN-O3
>
> Activities are enabled that generate a type or level of traffic that is compatible with the function of the transport corridor they obtain access to and from.
>
> TRAN-P1
>
> ..
>
> 1. Development, construction and maintenance of the transport system is consistent with the transport corridor function and hierarchy;
>
> Rule TRAN-R19 Vehicle access and road hierarchy.

Paragraph 4 of the Overview states the following:

> The One Network Road Classification (ONRC) is a classification system, which divides New Zealand's roads into six categories – national, arterial, regional, primary collector, secondary collector or access. Waitomo District Council roads are primary collector, secondary collector and access roads, but for the purpose of this plan they are referred to as 'district roads'.

I note that the Operative District Plan also did not contain a road classification, and this did not cause any issues. The reference to road function and hierarchy in the PDP provisions listed above are contextual and do not require each road to be categorised. The physical features of the road such as formed pedestrian paths and speed limits can be used to infer the road function. Rule TRAN-R19 requires that where a site has two road frontages, vehicle access must be from the district road rather than from the State Highway in order to be a permitted activity. Interpretation of this rule does not require a road hierarchy. I therefore recommend that the submission point from WRC [10.39] be rejected and no changes are made in response.

51. Waka Kotahi [17.46] sought an amendment to replace "One Network Road Classification (ONRC)" with "One Network Framework" in paragraph 4 of the Overview. The submission notes that this amendment will be consistent with other documents and with Waka Kotahi policy. I support consistency of terminology across documents and therefore recommend the following amendment:

> The One Network ~~Road Classification (ONRC)~~ Framework is a classification system…

52. WRC [10.40] request an amendment in the first paragraph of the Overview to use the defined terms "walkways and cycleways" instead of "cycleways and footpaths". Chapter 9 Definition does include "walkways and cycleways" as a defined term. As the Overview has no legal status, I do not consider it to be absolutely necessary to use defined terms. However for consistency within the PDP, I recommend that the terms be replaced as follows:

> The economic and social wellbeing of the district is dependent on an efficient and effective transport system which includes roads, rail, walkways and cycleways ~~and footpaths~~.

53. WRC [10.41] sought that the Overview contains a reference to the contribution of transport to climate change and carbon emissions. Royal Forest and Bird Protection Society of New Zealand Inc (**Forest and Bird**) [47.60] sought a similar outcome. Forest and Bird consider that the Waikato Region Greenhouse Gas Emissions Inventory (July 2018-2019)[1] shows that 16% of the total carbon emissions in the Waikato region is attributed to transport and that Waitomo District has the highest transport emissions per capita in the region (109.0 Per capita gross emission (excluding Forestry).[2] Both submitters consider that the effect of transport on climate change and carbon emissions should be acknowledged in the Overview. Section 7 (i) of the RMA requires particular regard be given to the effects of climate change. Transport is innately connected with climate change and I do not see any issues in recognising this in the Overview as

[1] https://www.waikatoregion.govt.nz/assets/WRC/WRC-2019/Climate-Roadmap.pdf
[2] https://www.waikatoregion.govt.nz/assets/WRC/WaikatoRegionGHGInventory1819.pdf

set below. Data quickly becomes dated and for this reason I do not support referencing Waikato Region Greenhouse Gas Emissions Inventory as suggested by Forest and Bird and instead recommend the following:

> Transport is a significant contributor to greenhouse gas emissions, which in turn contributes to climate change. The district plan can encourage a reduction in vehicle emissions by reducing the dependence on private vehicles, and instead support people to walk, cycle and use public transport.

6 Topic 3: Objectives

6.1 Introduction

54. The TRAN chapter has six objectives which seek to achieve the following outcomes:

    a. TRAN-O1: well-connected, integrated and accessible transport systems;

    b. TRAN-O2: a safe, efficient and effective transport system that supports a range of mobility options;

    c. TRAN-O3: traffic generation is compatible with the function of the relevant transport corridor;

    d. TRAN-O4: addresses adverse effects on the transport system;

    e. TRAN-O5: on-site facilities contribute to the safe and efficient functioning of the activity and the transport system; and

    f. TRAN-O6: addresses adverse effects from the transport system.

55. Twenty submissions and two further submissions were received in respect of objectives. Of these, three submissions and one further submission were of a general nature, seventeen submissions and one further submission were in respect of individual objectives.

56. Ten submissions supported objectives, and as there was no contrary view these are not addressed further.

6.2 Analysis and recommendation

New objective

57. WRC [10.42] and Forest and Bird [47.61] sought inclusion of a new objective reflecting a low carbon, energy efficient and environmentally sustainable transport system that supports emission reductions. Both submitters considered that reducing emissions is a national and regional priority and wished to see a more explicit objective to this effect. Waka Kotahi [FS27.11] supported in part but sought clarification on how this will be implemented. As noted in the discussion above, reducing carbon emissions is a national initiative and while I can agree with the submitters reasoning that Waitomo district should have measures in place that work towards that, I am not of the opinion that a specific objective is appropriate. I agree with Waka Kotahi in questioning how an objective such as this will be implemented, particularly in the context of a resource consent application for non-compliance with a standard in the TRAN chapter.

58. I am mindful of the objectives in the Strategic Direction chapter, such as:

    a. SD-O7 which directs urban development to appropriately zoned areas in and around the existing settlements and townships;

    b. SD-O21 which requires subdivision and development within townships and within the future urban zone to occur in a planned, integrated and co-ordinated manner which ensures that infrastructure has sufficient capacity;

    c. SD-O22 which encourages development and intensification to be located in the district's existing townships; and

    d. SD-O27 which encourages urban development that supports reductions in greenhouse gas emissions, minimises waste production, transport and energy demand.

59. I consider the Strategic Directions to be the most appropriate location for objectives such as that requested by the submitters as they apply District-

wide and are not constrained to just a transport aspect, when this is a much broader issue. I therefore recommend that the submission from WRC [10.42] and Forest and Bird [47.61] are rejected.

60. Fire and Emergency New Zealand (**FENZ**) [16.08] sought the objectives to be retained as notified. Given that I have recommended amendments in response to other submissions I accordingly recommend this submission point be accepted in part.

TRAN-O1

61. While three submitters sought retention of TRAN-O2 as notified, Forest and Bird [47.62] sought to amend clause 2 of the objective by including the word "planned" before land use. I agree that the integration of the transport network needs to be with "planned" and future land use and development, and this would more explicitly give effect to the RPS provisions such as UFD-O1, UFD-P1, UFD-P2 etc. However I am concerned that the inclusion of this word misses the requirement to link transport networks with *current* land uses.

62. I therefore recommend the following amendment which captures the current state as well as being more forward looking:

> TRAN-O1. The transport system is a well-connected, integrated and accessible system that:
>
> …
>
> 2. Maximises opportunities to link with both existing and planned land use and development; and

TRAN-O3

63. WRC [10.59] sought that the objective be reworded on the basis that the wording is more indicative of a policy and not an objective. Forest and Bird [47.64] sought that the objective be reworded by deleting the words "are enabled that" as they are not consistent with an objective, nor should this be the sole basis on which activities should be determined. Waka Kotahi [17.49] sought retain the objective as notified.

64. Looking at TRAN-O3 critically, I agree with WRC and Forest and Bird that the objective is not drafted as an outcome statement; the wording is more conducive to wording used for a policy. I consider that the wording put forward by WRC loses the focus on the generation of traffic, and therefore prefer the amendments proposed by Forest and Bird. I therefore recommend the following amendments:

> TRAN-O3
>
> Activities ~~are enabled that~~ generate a type or level of traffic that is compatible with the function of the transport corridor they ~~obtain~~ access ~~to and from~~.

TRAN-O6

65. Forest and Bird [47.65] was the only submitter on TRAN-O6 and sought to replace "managed" with "avoided, remedied or mitigated". The reasons provided is that it is unclear what is meant by managed and that s5 of the RMA sets direction for avoiding, remedying or mitigating any adverse effects on the environment. The submission considered that the objective should reflect this wording.

66. I agree with the submitter that the wording as notified does not clearly state the outcome to be achieved but merely states that the adverse effects will be managed. While the inclusion of "avoided, remedied or mitigated" repeats section 5(2)(c) of the RMA, I consider that that wording is more useful than "manage". Accordingly I recommend that the submission from Forest and Bird [47.65] is accepted and PF Olsen [FS19.56] is rejected.

> TRAN-O6
>
> Adverse effects from the development, construction and maintenance of the transport ~~system~~ network are ~~managed~~ avoided, remedied or mitigated.

7 Topic 4: Policies

7.1 Introduction

67. The TRAN chapter has thirteen policies which canvas a wide range of matters including:

    a. A safe, efficient, effective, integrated, resilient and sustainable transport system;

    b. Effect of activities;

    c. Trip generation, including ITA requirements and construction traffic;

    d. Integration of land use activities with transport, including funding;

    e. Additions and upgrade to the transport network; and

    f. Vehicle facilities onsite such as access, parking, loading and queuing.

68. Thirty two submissions and three further submissions were received in respect of policies. Of these, two submissions were of a general nature, thirty submissions addressed aspects of individual policies.

69. Eight submissions supported a policy with no contrary view, and thus these are not addressed further.

7.2 Analysis and recommendation

New policy

70. Federated Farmers of New Zealand (**Federated Farmers**) [46.25] sought to include a new policy to require adverse effects from transportation activities on adjacent environments to be avoided, remedied or mitigated. Waka Kotahi [FS27.03] opposed while FENZ [16.08] sought to retain the policies as notified.

71. The submitter was concerned that the policy framework is lacking and there is no specific policy focusing on avoiding, remedying or mitigating the adverse effects on the adjacent environment from transport activities. I agree that there is a gap in the policy framework, as the notified policies have a strong focus on effects *on* the transport network, not the effects *of* the transport network. While objective TRAN-O6 addresses adverse effects from the development, construction and maintenance of the transport system, there is no corresponding policy to achieve this.

72. Similarly Forest and Bird sought the inclusion of a new clause in TRAN-P1 [47.68] to avoid, remedy or mitigate adverse effects of new transport activities and seeking opportunities to remediate and reduce environmental effects existing transport systems where degradation has occurred.

73. The wording put forward by Federated Farmers and Forest and Bird risks repeating TRAN-O6 and not providing any further direction on how TRAN-O6 is to be achieved. I therefore recommend the inclusion of a new policy which sets out how the PDP manages the effects of the development, construction and maintenance of the transport system. I considered when such a policy would be engaged and how the PDP gives effect to such a policy. There are three main mechanisms:

    a. The construction of new roads and maintenance of existing roads are a permitted activity via NU-R28 and NU-R27 respectively, and Figure TRAN 7 sets out the dimensions and features of roads in various environments;

    b. The NOISE chapter is recommended to contain a transport noise corridor whereby sensitive land uses within a certain distance from a State Highway have increased acoustic insulation requirements. This is because the transport network cannot internalise noise generated from the use of it and therefore the noise effects must be mitigated by actions on adjoining land; and

c. Such a policy would be engaged if requiring authorities such as Waka Kotahi or KiwiRail were to seek a new designation or vary an existing designation.

74. Given that the construction of new roads and maintenance of existing roads is managed in the Network Utility chapter, I suggest that the Network Utility chapter is the most appropriate location for this. I suggest the following new policy as a starting point, but welcome feedback from submitters on the wording through evidence:

> NU-PX
>
> Manage the adverse effects of the development of new land transport infrastructure on the physical and natural environment by:
>
> 1. Considering the effects on the amenity values of the surrounding environment, public access, and the health and safety of people when locating, designing and operating new transport infrastructure.
> 2. Considering alternative sites, routes or methods.
> 3. Limiting the presence and effects of the development of new land transport infrastructure within Outstanding Natural Features and Landscapes, Outstanding Natural Character, areas of significant natural areas, sites of historic heritage and sites and areas of significance to Māori to those which:
>   a. have an operational or functional requirement for the location; and
>   b. integrate design measures and management methods to mitigate adverse effects.

TRAN-P1

75. TRAN-P1 contains ten clauses which are a mix of actions for the roading authority as well as adjoining land uses. Five submissions sought changes on various clauses, while the Ministry of Education supported the policy as notified.

76. Forest and Bird [47.66] requested to delete the word "seeking" in terms of improvements to pedestrian and cyclist safety in TRAN-P1.4 on the basis that it is uncertain. Forest and Bird considered that the wording needs to be made to encourage a mode shift. In critically looking at clause 4, I suggest that "seeking improvements" is deleted to make the policy more

directive to achieving pedestrian and cyclist safety, rather than just through improvements. I therefore recommend the following amendment:

> 4. ~~Seeking improvements to pedestrian and cyclist safety including~~ safe, appropriately designed pedestrian access ways, walkways and cycleways suitable for all users, including those with restricted mobility; and

77. WRC [10.45] and Forest and Bird [47.67] both sought to amend TRAN-P1.6 to "prioritise" alternative modes of transport rather than the notified "accommodating and encouraging". WRC considered that while the policy is consistent with the RLTP, it would prefer to see alternative modes being prioritised, rather than just accommodated and encouraged. Waka Kotahi, as a further submitter sought, clarification of how the policy approach suggested by WRC would be applied in practice by roading authorities.

78. In response to urban growth challenges, RLTP Policy P12 states – 'optimising, and where appropriate prioritising, road corridor space for public transport and active modes in response to the changing transport needs of communities and future generations.'[3] While the RLTP covers the wider Waikato region, the PDP policies need to be relevant for the Waitomo environment. Because of the high proportion of rural land in the District which can be a considerable distance from an urban area, I consider "accommodating and encouraging" alternative modes of transport to be appropriate language for the Waitomo setting. I recommend that TRAN-P1.4 remain unchanged and the submission points from WRC [10.45] and Forest and Bird [47.67] are rejected.

79. Both WRC [1045] and Forest and Bird [47.68] sought the addition of carbon emissions and embodied carbon to clause 10 and to delete the consideration of environmental effects. Given my recommendation above to include a new policy which addresses environmental effects of the transport network, I am comfortable with deleting environmental effects from TRAN-P1.10. The purpose of the clause is the construction,

[3] https://www.waikatoregion.govt.nz/assets/WRC/RLTP20242025.pdf pg 50

maintenance and operation of (presumably) the transport network. Specifically, I recommend the following amendment:

> 10. Minimising energy consumption~~, environmental effects~~ and whole of life costs in construction, maintenance and operation.

80. I am not sure of the relevance of carbon emissions in the context of these actions. I understand embodied carbon is the carbon footprint of a building or infrastructure project before it becomes operational which seems relevant for large scale infrastructure projects such as new State Highways, but less so for the scale of projects undertaken by Council. I therefore recommend rejecting the submissions, but welcome further discussion through evidence on the relevance for Waitomo District.

TRAN-P2

81. Waka Kotahi [17.51] sought an amendment to clause 1 to broaden the application to all forms of active modes of transport. The policy as notified only mentions vehicles, pedestrians and cyclists. I agree with the submitter that the policy should be more inclusive and recommend that the submission point from Waka Kotahi [17.51] is accepted:

> TRAN-P2
>
> Ensure that activities do not adversely affect the safe and efficient operation of the transport system by:
>
> 1. Avoiding conflict between vehicles, pedestrians and cyclists and other active modes; and

82. Forest and Bird [47.69] sought amendments to clause 3 to include impacts on indigenous biodiversity. TRAN-P2.3 addresses appropriately designed and/or located vehicle access points. Forest and Bird considered that as part of appropriate design and location of access points that these should also avoid adverse effects on indigenous biodiversity. I do not believe this to be a necessary inclusion as the ECO Ecosystems and Indigenous Biodiversity chapter will apply. The policy is about the safe and efficient operation of the transport system and part of safe access will be ensuring clear vision and sight lines and such an addition introduces a

new unrelated element. I therefore recommend that Forest and Bird [47.69] insofar as it sought amendments to clause 3 is rejected.

83. The Fuel Companies [56.03 and 56.05] sought an amendment to wording within clause 5 to refer to electric vehicle charging "devices" rather than "stations". I have no issue with the change in terminology, so long as it is consistent through the PDP. I note that the relevant rule TRAN-R3 uses the word "station" in the heading, and "device" in the standards and recommend this is made consistent. I recommend the following amendment:

> Appropriately locate, maintain and operate electric vehicle charging ~~stations~~ devices; and

TRAN-P4

84. TRAN-P4 sets the parameters in an ITA to be considered by high trip generating activities. A "high trip generating activity" is one that exceeds trip generation thresholds in TRAN – Table 3. WRC [10.47] sought inclusion of vehicle kilometres travelled by light vehicles and a demonstration of mitigation of the associated carbon emissions generated. Waka Kotahi [FS27.13] while supporting the primary submission in part, sought clarification on how this will be implemented. WRC are concerned that there is no consideration of the adverse effects on the wider environment included which is a contributor to climate change and for this reason it sought inclusion of the new clause. There is no indication from WRC as to how it considers this information would be gathered, how accurate it would be or what types of mitigation it would be expecting to see. While I appreciate that WRC is concerned about carbon emissions, I consider there are far too many variables to accurately estimate the vehicle kilometres travelled or how this would lead to adverse effects on the transport system being avoided, remedied or mitigated in accordance with the chapeau of the policy. This being the case, I recommend that WRC [10.47] is rejected and that Waka Kotahi [FS27.13] is accepted.

TRAN-P9

85. TRAN-P9 sets out methods for achieving a connected and accessible transport network. WRC [10.48] sought amendments to clause 4 to delete the reference to features such as dropped kerbs and tactile paving. WRC considered that people who are transport disadvantaged are those who face transport barriers due to limited affordability, and/or a lack of available transport options that they are able to use. WRC considered that the policy as notified is not taking a broad enough approach and is using the terminology in the incorrect context by focusing on the mobility impaired which is only one section of those people who are transport disadvantaged.[4] I agree with the inclusion of the examples in the policy is not sufficiently broad to recognise ways for ensure accessibility for all users. For this reason I agree with the submitter and recommend amending TRAN-P9.4 as follows

> TRAN-P9.
> Additions and upgrades to the transport system shall achieve connectivity by:
> …
> 4. Ensuring accessibility for all users including transport ~~disadvantages~~ disadvantaged and mobility impaired ~~through the provision of features such as dropped kerbs and tactile paving~~; and
> …
> 7. Supporting low impact urban design principles, including the integration of natural features~~.; and~~

TRAN-P10

86. TRAN-P10 addresses on-site vehicle facilities such as parking, loading and queuing. Waka Kotahi [17.60] sought to amend clause 2 to include "and other active modes". I agree with the submitter that the policy should be more inclusive and recommend that the submission point from Waka Kotahi be accepted.

87. WRC [10.49] also sought amendments to clause 2 to "avoid" conflict between vehicles, pedestrians and cyclists, rather than the notified word "minimise". WRC considered that the aim should be not to have little or less conflict but to have no conflict at all. While I agree with the submitter

[4] https://www.waikatoregion.govt.nz/assets/WRC/WRC-2019/TR201818.pdf https://www.knowledgehub.transport.govt.nz/assets/TKH-Uploads/TKC-2019/Reducing-transport-disadvantages_Potter.pdf
https://www.knowledgehub.transport.govt.nz/assets/TKH-Uploads/TKC-2019/Reducing-transport-disadvantages_Potter.pdf

that the ultimate aim would be to "avoid" conflict, that may not in all cases be practical to achieve depending on each individual site layout and access. The provision of vehicle facilities on-site will be a permitted activity where the activity complies with all the standards. The standards include the number of carparks, accessible carpark spaces and dimensions of carparking spaces. There is no requirements for layouts which avoid conflict between different modes of transport, and given that people need to access their cars there is always potential for conflict, particularly between cars and pedestrians. I consider that "minimise" is a more realistic policy position than wording that does not provide any flexibility.

88. In response to the submission point from Waka Kotahi [17.60], I recommend the following amendment:

> TRAN-P10. Ensure vehicle access points, on-site parking, loading, queuing and manoeuvring spaces are appropriately designed, located, constructed and formed to:
>
> …
>
> 2. Minimise conflict between vehicles, pedestrians and cyclists and other active modes; and

TRAN-P11.

89. TRAN-P11 seeks to provide a continuous road frontage within the Te Kūiti CBD through an absence of vehicle crossings. WRC [10.59b] sought redrafting of the policy to make it more clear. I agree and recommend the following amendment:

> TRAN-P11.
>
> ~~Within Te Kūiti CBD precinct (PREC5),~~ Avoid interrupting a road frontage with a new vehicle access point in the Te Kūiti CBD precinct (PREC5) to ~~should be avoided due to adverse potential effects on~~ ensure pedestrian safety.

8 Topic 5: Rules

8.1 Introduction

90. Thirty four primary submissions and three further submissions were received in respect of rules. Of these, two submissions were of a general nature with thirty submissions addressing an individual rule. Table 1 sets out activities, while Table 2 contains performance standards.

8.2 Analysis and recommendation

General

91. Forest and Bird [47.71] sought to include a reference in the chapter that all permitted activities must comply with the rules in the ECO chapter along with relevant overlays in respect to vegetation clearance and earthworks. Forest and Bird [47.72] seek sought to include "effects on indigenous biodiversity" as a matter of discretion for all RDIS activities in the chapter. The preface to the rule tables clarifies that every activity must comply with all the rules listed in:

- TRAN - Table 1 - Activities Rules; and
- TRAN- Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

92. The ECO Ecosystems and Indigenous Biodiversity chapter is located in Part 2 District-Wide Matters. Thus the request from Forest and Bird to apply the ECO provisions is already a requirement. As the provisions in the ECO chapter apply to all activities in the TRAN chapter, I do not see the need to add a matter of discretion on indigenous biodiversity. I therefore recommend rejecting the two submission points from Forest and Bird [47.71 and 47.72].

TRAN-R1

93. WRC [10.50] considered that the use of the conjunctive 'ands' and 'ors' is confusing when reading the rule. My review of the rule is that reorganisation of the clauses would make the rule more clear.

94. FENZ [16.09] sought a very minor grammatical amendment which is to insert to the word 'reach' into clause 5 to make the last part of the sentence grammatically correct. I agree and recommend the following amendments:

> TRAN-R1. Vehicle access on to roads other than State Highways
>
> All zones, all precincts (except Te Kūiti CBD precinct PREC5)
>
> Activity Status: PER
>
> Where:
>
> ~~1. All of the performance standards in TRAN - Table 2 are complied with; and~~
>
> ~~2.~~ 1. The activity requires a new vehicle access point to any road other than a State Highway; or
>
> ~~3.~~ 2. There is an existing vehicle access point and the on-site activity changes in nature or intensity but remains compliant with the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3;
>
> AND
>
> 3. All of the performance standards in TRAN - Table 2 are complied with; and
>
> 4. The vehicle access point complies with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); and
>
> 5. The vehicle access point complies with the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach the source of a firefighting water supply from a public road

TRAN-R3

95. The Fuel Companies [56.04 and 56.05] sought consistency with how vehicle charging devices are referred to. While neither term is defined in the PDP, I support consistent use of terms. As signalled earlier in this

report, I note that TRAN-R3 uses the word "station" in the heading, and "device" in the standards and recommend this is made consistent.

96. The Fuel Companies also sought an increase in height from 1.8m to 3m and an increase in area from 1.5m^2 to 3m^2. The reasons provided is that some common charging devices exceeding the dimensions as notified, with heights such as 2.5m and requirements to be situated on concrete pads of approximately 3.00m^2. Some devices are also designed with poles or cables that extend above the main structure (like a typical petrol fuel hose extension) and the amendments would ensure these devices are a permitted activity. The Fuel Companies also sought inclusion of a note clarifying that the rule does not apply to the poles, cables and cable support systems of the device.

97. In order to enable the use of electric vehicles, the charging infrastructure to support them is critical. Restricting the height and area resulting in the need for resource consent has the effect of increasing the cost of these initiatives for encouraging electric vehicles and does not assist in reducing carbon emissions. I agree with the submitter's requests and recommend the amendments set out below.

98. Waka Kotahi [17.61 and 17.36] sought an addition to the matters of discretion to include outcomes from consultation with Waka Kotahi. I agree with the amendment, however there is the risk that an applicant / processing officer considers consultation with Waka Kotahi is necessary for all electric vehicle charging devices that require consent as a restricted discretionary activity. There is clearly not a need in all situations, and I recommend that this be narrowed to clarify that this only applies to either sites that access State Highways or where relevant.

99. Waka Kotahi sought inclusion of a note that draws attention to approval being obtained from Waka Kotahi where an electric charging device is to be located within a State Highway. I agree that it is appropriate.

100. Having considered all the submissions received on TRAN-R3, I recommend the following amendments:

TRAN-R3. Electric vehicle charging ~~stations~~ device
Activity Status: PER
Where:
2. The electric vehicle charging device does not exceed a height of ~~1.8~~ 3 m as measured from ground level, and an area of ~~1.5~~ 3 m².

Note: This rule does not apply to poles, cables and cable support systems associated with the electric vehicle charging device.

Note: Any electric vehicle charging device to be located within the State Highway road reserve requires approval from Waka Kotahi New Zealand Transport Agency.

Activity status where compliance is not achieved: RDIS

Matters over which discretion is restricted:

(a) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network including outcomes from consultation with Waka Kotahi New Zealand Transport Agency where relevant; and

TRAN-R4

101. TRAN-R4 enables the creation of walkways and cycleways as a permitted activity. HNZPT [03.38] and Forest and Bird [47.59] submitted on the equivalent rule in the Network Utility chapter, but given that I am recommending its deletion from the Network Utility chapter, I have addressed their submissions here. HNZPT sought that this be a discretionary activity where it is located in heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites. Similarly Forest and Bird [47.59] considered that walkways and cycleways within a significant natural area should not be a permitted activity. I do not consider that changes are needed to address either submission as the Part 2 District-wide provisions will apply. TRAN-R4 contains the following note to this effect:

> Note: Where the site is on/in a scheduled feature, there may be additional rules relating to earthworks and vegetation clearance.

TRAN-R6

102. TRAN-R6 relates to high trip generating activities, which is essentially an activity which exceeds the trip generating threshold in TRAN-Table 3. WRC [10.53] sought an additional matter of discretion that requires an assessment of vehicle kilometres travelled by light vehicles and demonstration of measures to reduce carbon emissions generated. The further submission from Waka Kotahi [FS27.14] sought clarification on how this will be implemented.

103. Having looked carefully at the matters of discretion proposed in TRAN-R6, I cannot see the value of adding in the assessments requested by WRC as the matters are already covered. Matter of discretion (e) requires consideration of different modes and transport choices and (f) requires travel planning to be considered. Transport choices and different modes goes to the heart of the matter that vehicle kilometres travelled and carbon emissions are addressing and I consider that this matter is already captured by the existing matters of discretion. In a District such as Waitomo with an extremely high proportion of rural land and very few public transport options, I am not clear how the additional assessments will meaningfully assist in processing a resource consent and applying conditions. I therefore recommend rejecting the submission point from WRC.

TRAN-R8

104. TRAN-R8 addresses vehicle access onto State Highways which is a restricted discretionary activity status. FENZ [16.10] considered that it should be a permitted activity, subject to the various standards as listed. FENZ considered that non-compliance with the standards should then cascade to restricted discretionary. Waka Kotahi [FS27.08] further submitted in opposition to the submission. As the rule controls vehicle access on to State Highways which are the primary vehicle network throughout the country, I consider that a resource consent process is appropriate. Accessways to the State Highway can create safety issues, depending on the form, frequency and volume of and be detrimental to the functioning of the wider transport network. For the reasons above I

consider that the activity status is appropriate and recommend that the submission point from FENZ [16.10] is rejected.

105. On a similar matter to TRAN-R1, WRC [10.54] considered that the use of the conjunctive 'ands' and 'ors' is confusing when reading the rule. My review of the rule is that reorganisation of the clauses would make the rule more clear and recommend the following amendments:

> TRAN-R8. Vehicle access on to State Highways
>
> All zones, all precincts
>
> Activity Status: RDIS
>
> Where:
>
> ~~1. All of the performance standards in TRAN - Table 2 are complied with; and~~
>
> ~~2.~~ 1. The activity requires a new vehicle access point on to any State Highway; or
>
> ~~3.~~ 2. There is an existing vehicle access point and the on-site activity changes in nature or intensity, but does not exceed the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3;
>
> AND
>
> 3. All of the performance standards in TRAN - Table 2 are complied with; and
>
> 4. The activity complies with the access way standards and guidelines set out by Waka Kotahi New Zealand Transport Agency; and
>
> 5. The vehicle access point complies with the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach the source of a firefighting water supply from a public road.

TRAN-R9

106. TRAN-R9 controls the erection of structures within 5m of the railway corridor or within 20m of an indicative road, and makes these a restricted discretionary activity. KiwiRail Holdings Limited (**KiwiRail**) [51.32 and 51.23] supported the rule insofar as it manages activities adjacent to the railway corridor, but was concerned that the rule would restrict KiwiRail

undertaking its own operations for the 5m *within* the railway corridor. This is not the intent of the rule, it is meant to address structures outside the rail corridor but KiwiRail is correct that it could be interpreted to restrict KiwiRail's own operations due to the wording. KiwiRail sought deletion of the reference to "on or" adjacent to a railway corridor in the title of the rule, but I consider this only goes partway to rectifying the issue and the wording of the standard needs to be amended too.

107. The rule as drafted does not actually work as it makes a structure more than 5m from the railway corridor a discretionary activity, which surely cannot be the intention. I recommend that the rule be reframed to start with a permitted activity status, and non-compliance with the standards cascades to restricted discretionary. While the intention of my suggested drafting below is to only apply outside the rail designation, but to ensure there is no misinterpretation in the future I have included a standard to make it clear that it does not apply to KiwiRail.

108. KiwiRail [51.49] sought inclusion of a rule in various zones which required buildings to be setback 5m from the rail corridor. The reasoning provided by KiwiRail is to ensure sufficient room to access and maintain structures without requiring access to rail land. This is essentially a health and safety matter. I have put together the standard setbacks for each of the zones below to determine which zones are at risk of buildings being close to the rail corridor:

Zone	Setback from internal boundaries
RESZ Residential zone	1.5m
GRUZ General Rural zone	5 m on sites 2,500 m^2 or less; or 10 m on sites 2,501 m^2 or greater; OR (iii) 10 m for buildings less than or equal to 150 m^2; or

	(iv) 25 m for buildings greater than 150 m^2;
RPROZ Rural Production zone	for buildings greater than 10 m high must be 60 m for all other buildings must be 15 m
RLZ Rural Lifestyle zone	3 m on sites 1,500 m^2 or less; or 5 m on sites 1,501 m^2 or greater; and 10 m where a site boundary adjoins another zone;
SETZ Settlement Zone	2.5m
COMZ Commercial Zone	1.5m
MPZ Māori Purpose Zone	3 m on sites 1,500 m^2 or less; or 5 m on sites 1,501 m^2 or greater
INZ Industrial Zone	5m
NOSZ Natural Open Space Zone	10m
OSZ Open Space Zone	10m

109. This matter has been the subject of considerable evidence from KiwiRail and others in the context of recent Intensification Planning Instrument processes. As can be seen above, a number of zones have a standard setback greater than 5m. I note that TRAN-R9 achieves the 5m setback requested by KiwiRail anyway (albeit the rule is not located in each zone chapter), and therefore do not consider any further changes are necessary. Assuming a 5m setback, Council's GIS calculate that 107 properties are affected by this rule.

110. Having considered the submissions, I recommend the following amendments:

TRAN-R9. Erection of structures ~~on or~~ adjacent to a railway corridor or an indicative road

All zones, all precincts

Activity Status: ~~RDIS~~ PER

Where:

1. All of the performance standards in TRAN - Table 2 are complied with; and

2. The structure is ~~located within~~ setback a minimum of 5 m ~~of the edge of a~~ from the designation boundary of the railway corridor; or

3. The structure ~~(excluding signs, temporary structures, and vehicle access points)~~ is ~~located within~~ setback a minimum of 20 m ~~of~~ from the edge of an indicative transport corridor.

4. For clarity, TRAN-R9.2 does not apply to KiwiRail Holdings Limited.

5. This rule does not apply to signs, temporary structures, fences, network utility structures and vehicle access points.

Activity status where compliance is not achieved: RDIS
~~Where the activity is RDIS,~~ The matters over which discretion is restricted are:

(a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and

(b) The size, nature and location of the structure on the site; and

(c) The extent to which the safety and efficiency of current and future rail operations will be adversely affected; and

(d) Whether the indicative road location is taken into account in the siting of structures; and

(e) Whether the structure would compromise the design, construction or functioning of the future transport system; and

(f) Whether any land use activities enabled or established by the structure would be incompatible with rail operations or the transport system or create reverse sensitivity issues; and

(g) The outcome of consultation with KiwiRail.

~~Activity status where compliance is not achieved: DIS~~

Note: KiwiRail will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided.

111. Waka Kotahi [17.64 and 17.37] sought to amend clause 3 to apply to a designation boundary. It is not clear which "designation boundary" is being referred to, but presumably it is State Highway designations. As I outline later in this section 42A report, I do not support setbacks from State Highways. As evidenced by the recent consent order to the Waikato PDP, there is a much more effective and efficient approach that manages sensitive land uses through noise attenuation where these are in close proximity to State Highways. This corridor approach more effectively mitigates noise generated from use of the State Highway, rather than setbacks which sterilise the road frontage and do little to mitigate against noise. I therefore recommend rejecting the submission point from Waka Kotahi.

112. Federated Farmers [46.26] sought amendments to the rule to ensure that the maintenance and replacement of existing structures is permitted, and enable structures supporting primary production such as fences are permitted. I do not see the need to include maintenance or replacement of existing structures as they are afforded existing use rights under section 10 of the RMA. However I do support the recognition that fences are appropriate structures within close proximity an indicative transport corridor and have recommended amendments to clause 3 above to exclude fences.

113. In response to the question from Waka Kotahi as to what is an indicative road, this is a line on the PDP maps which delineates a future road location. Similarly Federated Farmers considered the rule is unclear as to what is captured as 'indicative road' is not defined it does not have a clear understanding of what an indicative road / corridor is and/or where they are located. Indicative roads are basically where a transport corridor is likely to be located in the future to achieve connections and only applies

to growth areas. They are shown on the PDP maps. Figure 1 below shows the indicative roads which apply to Awakino as an example.

Figure 1: Indicative roads shown on the PDP map for Awakino

114. In response to the concerns expressed by the two submitters, I recommend the following definition be included.

> Indicative roads
>
> Indicative roads are shown on the planning maps and identify the approximate location of a future transport corridor.

115. The telecommunication companies submitted on the equivalent rule in the Network Utilities chapter and sought amendments to ensure that the following activities are not restricted:

a. Network utility structures within rail corridors;

b. Lines within roads from any indicative road or rail corridor setbacks; and

c. Customer connections from indictive road setbacks.

116. I can appreciate the concerns raised and have reorganised the exclusions for this rule to avoid restrictions for network utility structures.

TRAN-R10

117. TRAN-R10 makes any new level rail crossings a restricted discretionary activity. KiwiRail [51.33] sought to amend the rule to make it clear that there can be different forms of transport corridor – both railway and road. KiwiRail sought to achieve this by referring to a "road" transport corridor to avoid unintentionally capturing KiwiRail's own rail activities. I looked at the definition for "transport corridor" in the PDP:

> means the whole corridor that provides for carriageway, berms and any adjoining pedestrian footpaths, walkways and cycleways, landscaping and lighting, and includes roads and access segregation strips.

118. While the definition of "transport corridor" is much wider than just roads, given that the rule is about vehicle access I do not see the harm in narrowing the application of the term to "roads". I therefore recommend the following amendment:

> 1. The new vehicle access point from a site to a road transport corridor is obtained by crossing a railway line; or

TRAN-R11

119. TRAN-R11 is the first of the performance standards in Table 2 and enables a maximum of one vehicle access point per site. Any more than that becomes a restricted discretionary activity. FENZ [16.12] sought amendments to provide for up to two vehicle access points per site for emergency service facilities as a permitted activity. It considers that it is common for new fire stations to be designed to have two access points to effectively and efficiently manoeuvre fire appliances. One access point is used solely for fire appliances exiting the appliance bay and then backing in (if the appliance bay is not a drive through), and the second access point to be utilised for cars / staff and visitors coming and going from the site in order to ensure the appliance bay remains unobstructed. It is acknowledged that the access points would still be subject to the access related performances standards in order to manage any actual and potential effects, such as sightlines.

120. The information provided by the submitter in regards to site layout for new fire stations and their view on the need for the two access points especially in regards to safety and efficiency both on site and on the road network was most helpful. Given that accesses onto a State Highway will require resource consent by TRAN-R8 as a restricted discretionary activity, I support enabling two vehicle accesses for emergency service facilities and amending the standard as follows:

> TRAN-R11. Number of vehicle access points
>
> 1. One vehicle access point per site is permitted onto a district road; ~~and~~
> 2. One vehicle access point per site is permitted on to a State Highway; and
> 3. Two vehicle access points per site are permitted for emergency service facilities.

TRAN-R14

121. TRAN-R14 contains the standards for the minimum distance from a vehicle access to a railway level crossing, and the sightlines for railway level crossings to ensure visibility for safe crossings. KiwiRail [51.34] sought to rename the standard to assist with the clear interpretation and implementation to be "Rail vehicle crossing setbacks and sightlines". This does not quite describe what the standard does, and I suggest this be reworded to "Setbacks and sightlines near level railway crossings". The change is a clearer description of what the standard does.

122. KiwiRail also considered that where a level crossing is controlled by a 'Stop' sign, the restrictions in TRAN-R14 (2) need not apply to the 'approach' sightline as vehicles must come to a complete stop and check before proceeding. In the 'Give Way' scenario, vehicles are more likely to be continuously moving but slowing down, rather than coming to a complete halt and in this instance require wider views of the railway. KiwiRail considered that the reference to stop signs in Clause 2 be deleted can be removed and I see no reason to disagree. I therefore recommend the following amendments:

> TRAN-R14 Setbacks and sightlines near level rail crossing ~~Rail level crossings~~
> 1. New vehicle access points must be located a minimum of 30 m^9 from a railway level crossing, as measured from the closest rail track to the edge of the seal on the vehicle

access point; and

2. For railway level crossings controlled by ~~stop signs or~~ give way signs, any structures, vegetation or other visual obstructions must not be located within the approach sightlines or restart sightline areas as shown in the shaded areas of Figure - TRAN 3 and Figure - TRAN 4.

TRAN-R15

123. TRAN-R15 is the standard which requires on-site parking to be provided, and references TRAN-Table 3 which sets out the number of carparks. WRC [10.55] sought to reduce or delete the minimum car parking requirements particularly in town centres and amend clause 9 of the rule so that in all zones, vehicles must access a road in a forward facing position. WRC acknowledged that Waitomo District is not a tier 1, 2 or 3 territorial authority and therefore does not need to comply with Policy 11 in the NPSUD in relation to removing car parking standards from the District Plan. WRC considered that in the interests of promoting a mode shift and in line with central government direction car parking requirements could be deleted. While I understand the sentiment of WRC, the reality is that most of the District is not supported by public transport and viable alternative transport options are limited. This has resulted in a high dependence on private vehicles. Even in the main centre of Te Kūiti, urban development is not generally intensifying and there is not the same premium on land as a valuable resource that there is in places like Hamiton CBD. I note that there is already a reduced parking requirement for Te Kūiti in TRAN-Table 3 which is based on the number of employees rather than the gross floor area. I therefore consider that, for this District, retaining carparking requirements is appropriate.

124. WRC sought amendments to clause 9 to require vehicles in all zones to access the adjoining road in a forward facing position. The notified version only applied this requirement to industrial and rural production zones. I considered the setbacks for various zones and whether this was a realistic request. The General residential zone has a 5m setback from the road, while the Commercial zone has no setback at all from the road boundary. Enabling sufficient manoeuvring on-site so that cars exited all sites forward facing would lead to a dominance of driveways, concrete and an

inefficient use of the site. If this requirement was applied to all zones, non-compliance would be a discretionary activity. I consider application of the standard to be overly onerous and recommend rejecting the submission point from WRC. While I understand the submitters concern around safety, I do not consider that the amendment as sought is appropriate for Waitomo District.

TRAN-R17

125. TRAN-R17 is a standard which establishes construction of access points and on-site carparks, the details of which are set out at the end of the chapter. Federated Farmers [46.27] sought exclusion of the rural zone from clauses 4 and 10 on the basis that these standards could not be easily met or are unnecessary in rural zones. Clause 4 requires that all parking, loading, service lands, manoeuvring and site queueing spaces are formed to provide a dust free environment and control surface stormwater coming from these areas so that it does not enter the transport corridor or water bodies. I appreciate that on a rural site, parking and loading areas often are gravel and particularly in dry summer conditions can create dust. However these areas should not be creating dust nuisances across the site boundary to other sites. I suggest a new standard so that dust nuisance is not generated for other sites for General rural zoned sites. I consider the second part of clause 4 to be just as relevant to rural zoned sites as any other, in that stormwater should be managed to not result in ponding, scouring or granular material or stormwater run-off entering the transport corridor or water bodies. I do not recommend any amendments in this respect.

> 4. In zones other than the commercial, residential General rural zone and tourism zones, vehicle parking spaces, onsite loading spaces, service lanes, private ways, manoeuvring areas and site queueing spaces must be designed, formed and constructed to ensure that the surface provides a dust free environment and ensures the safe and efficient disposal of surface stormwater in a way that does not result in ponding, scouring or granular material or stormwater run-off entering the transport corridor or water bodies; and

4a. In the General rural zone, vehicle parking spaces, onsite loading spaces, service lanes, private ways, manoeuvring areas and site queueing spaces must be designed, formed and constructed to ensure that the surface does not create a dust nuisance for other sites and disposes of surface stormwater in a way that does not result in ponding, scouring or granular material or stormwater run-off entering the transport corridor or water bodies; and

126. Clause 10 requires vehicle, machinery or container washdown areas to be sealed, bunded and connected to wastewater treatment systems where connection is available. I agree with the submitter that these requirements in regards to a farming activity would be onerous and not necessary as many of these areas where the activities take place on a farm would be well away from the transport network and therefore not likely to runoff onto the road. I support excluding farming activities from this standard.

> 10. In all zones except General rural zone, commercial vehicle, machinery or container washdown areas must be sealed, bunded and connected to the wastewater treatment system where connection is available. In the General rural zone, washdown areas must not result in run-off entering the transport corridor or water bodies.

TRAN-R18

127. TRAN-R18 sets out additional driveway construction standards such as gradient, length, vertical clearance for buildings etc. FENZ [16.14] sought an increase in the vertical height clearance from buildings or structures from 3.8m to 4m. Section 4.2 Access requirements of the Designers' guide to firefighting operations Emergency vehicle access F5-02 GD, notes that for efficient operation and access for vehicles in event of an emergency, access routes should have an unobstructed clearance height of at least 4.0 m so that vehicles can pass through openings. This includes clearance from building construction, archways, gateways/doorways and overhanging structures (e.g. ducts, pipes, sprinklers, walkways, signs,

structural beams, trees, hanging cables, etc.).[5] I note that other district plans also have a minimum height clearance of 4m and to ensure people's health and safety and to provide FENZ with the assurance that they will be able to access properties if required in emergency situations. I therefore recommend that clause 3 minimum vertical clearance from buildings or structures is amended to 4.0m and that the submission point from FENZ [16.14] be accepted.

> (3) The minimum vertical clearance from buildings or structures is ~~3.8 m~~ 4.0 m; and

TRAN - Table 3

128. TRAN – Table 3 contains the onsite parking and loading requirements, as well as the threshold for needing an ITA. The table is organised by activities, with any other activity not listed and construction vehicles requiring an ITA where the activity exceeds 200 vehicles per day. WRC [10.57] sought an amendment that bicycle parking requirements are included for those developments that require an ITA on the basis that cycling plays an important role in a multi-modal transport system. WRC reason that enabling infrastructure, including cycle parking, to support this mode of transport is an important factor in addressing transport emissions.

129. An ITA assesses the transport effects of a proposed development or activity. Rule TRAN-R6 classifies activities that exceed the ITA threshold to be "high trip generating activities" and makes them a restricted discretionary activity. Matter of discretion TRAN-R6(e) is the extent to which the proposal has considered the integration of different modes and transport choices. Furthermore, alternative transport modes in ITA's are reflected in TRAN-P4(3) which seeks to provide for inclusive access, transport choice and integration of different modes. In my opinion, the combination of the matter of discretion and the policy means that there is

[5] https://www.fireandemergency.nz/assets/Documents/Business-and-Landlords/Building-and-designing-for-fire-safety/F5-02-GD-FFO-emergency-vehicle-access.pdf, section 4.2

no need for bicycle parks to be required where an ITA is needed. Infrastructure to support cycling is most appropriately left to the ITA to address. I therefore recommend rejecting the submission point from WRC.

130. TRAN - Table 3 requires emergency service facilities to provide 1 carpark per 50m^2, but FENZ [16.15] sought this be deleted due to Policy 11 in NPSUD. Waitomo District is not a Tier 1, 2 or 3 Council and therefore can retain carparking requirements in its district plan. I am aware that emergency service facilities often have large gross floor areas as a result of housing fire trucks and ambulances. Many of the fire stations within the District are volunteer stations and there is a risk that considerably more carparks are provided than actually required. I am aware that FENZ has its own requirements for onsite parking, and do not consider it to be a matter that needs additional controls through the PDP. I therefore recommend the following amendment:

General activities	Parking requirement	ITA Threshold	On-site loading requirement
Emergency service facilities	~~1 space per 50m² of gross floor area~~ No minimum requirement	ITA not required	None

131. Waka Kotahi [17.66] sought to amend Table 3 by incorporating a new threshold for equivalent car movements onto the State Highway. The Fuel Companies' further submitted in opposition to the primary submission from Waka Kotahi and expressed concern that the wording may result in the unnecessary provision of ITAs for minor proposals (e.g., a minor expansion to a lawful existing activity adjacent to the State Highway network which might result in overall vehicle movements just exceeding the specified ITA threshold).

132. I would have thought that the key issue for Waka Kotahi is not activities and their associated carparking that are *adjacent* to the State Highway,

but more so the number of vehicles accessing the State Highway from the activity. The wording sought by Waka Kotahi may inadvertently capture activities which are alongside the State Highway, but access onto a district road rather than the State Highway. As noted by The Fuel Companies, TRAN-R8 controls vehicle access onto State Highways as a restricted discretionary activity. Rather than adding a carparking standard for activities adjacent to the State Highway as requested by Waka Kotahi, I suggest (as an alternative) that the matters of discretion in TRAN-R8 are amended to reflect not only the access point but the trip generation associated with the activity. This would have the effect of broadening the matters of discretion to encompass the number and type of vehicles using the access, not just the design and location of the access point. I suggest the following approach and would welcome feedback through evidence from the relevant submitters:

> TRAN-R8. Vehicle access on to State Highways
>
> Where the activity is RDIS, the matters over which discretion is restricted are:
>
> (a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and
>
> (b) Adverse effects on the safe, efficient and effective operation of the transport system; and
>
> (c) Whether there is alternative access from another transport corridor; and
>
> (d) The outcome of consultation with Waka Kotahi New Zealand Transport Agency; ~~and~~
>
> (e) The ability to provide an adequate and reliable firefighting water supply; and.
>
> (f) The extent to which the number, type and/or timing of vehicle movements is likely to adversely affect the safety and effective functioning of the State Highway.

133. The parking requirements for service stations in TRAN -Table 3 is:

a. 2 spaces per 3 employees

b. 1 space per 40m² gross floor area of the retail element of the activity

c. 4 spaces per workshop bay

d. 3 vehicle queuing spaces for a carwash

e. 1 space per air hose or vacuum

134. All proposals require an ITA. Z Energy [22.01] sought this be amended to only apply to "new" service stations. Z Energy considered that this approach is acceptable for new service stations but not necessarily for existing service stations, including changes to existing service stations. While I appreciate the point, I do not entirely agree. I have seen a number of service stations be redeveloped which substantially increase the gross floor area and the services available, all of which would increase the traffic generation and potential effects on the transport network. I consider that an ITA should be required where there is a new service station proposed or where there is an increase in the gross floor area to an existing service station. I therefore recommend the following amendment:

General activities	Parking requirement	ITA Threshold	On-site loading requirement
Service stations	2 spaces per 3 employees 1 space per 40m² gross floor area of the retail element of the activity 4 spaces per workshop bay 3 vehicle queuing spaces for a carwash 1 space per air hose or vacuum	~~All proposals require an ITA~~ New service stations An increase in gross floor area of an existing service station	As determined by the ITA

135. TRAN-Table 3 contains a number of different requirements for various types of education facilities, including:

a. Childcare services - child daycare centres and kindergartens

b. Childcare services –playgroups, playcentres and before/after-school programs that are not held on school premises

c. Primary and intermediate schools

d. Secondary and area schools

e. Tertiary education services

136. The submission from Ministry of Education [24.20] noted that Table 3 requires all primary and secondary schools to provide an ITA which it considers appropriate. However it requested that all onsite loading requirements as shown in Table 3 be removed as the ITA should determine how many bus bays or loading areas are appropriate for each school. The requirements will vary depending on the individual schools or whether they are rural or urban or whether public transport is available. I acknowledge that various educational activities will have different needs and therefore agree that the on-site loading requirement is best left for the ITA to determine. I recommend the following amendment:

Education activities	Parking requirement	ITA Threshold	On-site loading requirement
Childcare services - child daycare centres and kindergartens	1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate	An ITA is required for proposals exceeding 30 children.	None
Childcare services – playgroups, playcentres and before/after-school programs that are not held on school premises	1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate	ITA not required	None

Primary and intermediate schools	1 space per full-time staff equivalents plus 1 drop off space per 10 students	All proposals require an ITA	~~1 heavy commercial vehicle bay per site~~ ~~1 bus bay per 50 students~~ As determined by the ITA
Secondary and area schools	1 space per full-time staff equivalents plus 1 drop off space per 20 students plus 1 space per 10 students accommodated in Years 12 to 13	All proposals require an ITA	~~1 heavy commercial vehicle bay per site~~ ~~1 bus bay per 50 students~~ As determined by the ITA
Tertiary education services	1 space per full-time staff equivalents plus 1 space per three students	An ITA is required where the education service provides for 100 or more students	~~1 heavy commercial vehicle bay per site~~ As determined by the ITA

Figure - TRAN 7

137. Figure – TRAN 7 contains standards for construction of access and roads. It includes dimensions such as land width, minimum road reserve width, the width of footpaths etc. WRC sought [10.58] provision for off road cycleways on district roads where appropriate and to align with best practice. While I agree with WRC that cyclists are always much safer on an off-road cycleway, the context of the District must be taken into consideration. In a District with such a high proportion of rural environments, it is not feasible or affordable for all district roads to accommodate off road cycleways. I consider that Figure – TRAN 7 establishes appropriate minimum dimensions which does not prevent

additional cycleways being constructed where appropriate. I therefore recommend the submission from WRC be rejected.

138. On a similar matter to that addressed earlier in this report, FENZ [16.16] sought TRAN 7 Access and road standards be amended to increase the minimum vertical clearance to 4.0m. For the reasons outlined earlier, I agree and recommend the following amendment:

> Figure – TRAN 7 –Access and road standards
>
> Minimum vertical clearance from buildings or structures is ~~3.8m~~ 4.0m.

9 Topic 6: Noise generated by transport corridors

9.1 Introduction

139. The District is bisected by State Highways 3, 4, 30 and 37 which are designated. The North Island Trunk Rail also runs roughly parallel to State Highway 30 and is also designated. These two critical pieces of infrastructure pass through a variety of environments, including both urban and rural zones.

140. The RPS categorises both of these transport networks as regionally significant infrastructure. Relevant RPS provisions include:

> UFD-O1
> Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes including by:
> …
> 3. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
> …
>
> 5. recognising and protecting the value and long-term benefits of regionally significant infrastructure;
> …

7. minimising land use conflicts, including minimising potential for reverse sensitivity

UFD-P2 – Co-ordinating growth and infrastructure
Management of the built environment ensures:
1. the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to:

a. optimise the efficient and affordable provision of both the development and the infrastructure;

b. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;

c. protect investment in existing infrastructure; and

…

3. the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and

EIT-P1 – Significant infrastructure and energy resources
Management of the built environment ensures particular regard is given to:
1. that the effectiveness and efficiency of existing and planned regionally significant infrastructure is protected;
…

EIT-M1 – Plan provisions
Regional and district plans shall include provisions that give effect to EIT-P1, and in particular, that management of the built environment:
1. avoids, as far as practicable, adverse effects on the function of significant transport corridors as defined in Maps 25 and 26, and otherwise remedies or mitigates any adverse effects that cannot be practicably be avoided;

EIT-M5 – Measures to avoid adverse effects
Local authorities should ensure that appropriate measures are implemented to avoid adverse effects of development of the built environment on the safe, efficient and effective operation of regionally significant infrastructure.

UFD-M2 – Reverse sensitivity
Local authorities should have particular regard to the potential for reverse sensitivity when assessing resource consent applications, preparing, reviewing or changing district or regional plans and development planning mechanisms such as structure plans and growth strategies. In particular, consideration should be given to discouraging new sensitive activities, locating near existing and planned land

uses or activities that could be subject to effects including the discharge of substances, odour, smoke, noise, light spill, or dust which could affect the health of people and / or lower the amenity values of the surrounding area.

141. The PDP manages this through increased setbacks

Zone	Setback from the State Highway
General rural zone	30m (standard setback from a road is 10m)
Rural production zone	30m (standard setback from the road is either 15m or 60m depending on the height of the building)
Rural lifestyle zone	15m (standard setback from a road is 10m)
Māori purpose zone	30m (standard setback from a road is 5m or 10m depending on the zone)
Hangatiki tourism zone	30m (standard setback from a road is 5m)

142. In addition, the zone chapters contain the following noise insulation requirements for noise sensitive activities:

> All new buildings accommodating noise sensitive activities must be insulated to achieve a noise level of 40dB LAeq inside habitable rooms where it is proposed to be located within:
>
> (i) 40 m of State Highway 3 (as measured from the edge of the carriageway) where the posted speed limit is equal to or less than 70km/hour; or
>
> (ii) 20 m of State Highway 4, 30 or 37 (as measured from the edge of the carriageway) where the posted speed limit is equal to or less than 70km/hour; or

(iii) 80 m of State Highway 3 (as measured from the edge of the carriageway) where the posted speed limit is greater than 70km/hour; or

(iv) 40 m of State Highway 4, 30 or 37 (as measured from the edge of the carriageway) where the posted speed limit is greater than 70km/hour; or

(v) 40 m of a railway track.

AND

2. A report from an experienced acoustic practitioner must be submitted at the time of application to demonstrate compliance with this rule; and

3. This rule does not apply to any item of historic heritage listed in SCHED1 – Heritage Buildings and Structures

143. Non-compliance with these standards is a restricted discretionary activity.

9.2 Analysis and recommendations

144. Waka Kotahi sought a substantially redrafted rule which would be located in the NOISE chapter rather than each zone. While I prefer it being located in each zone to lessen the chance of it being overlooked, the National Planning Standards is 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. For this reason, I recommend the deletion of the following rules:

a. RESZ-R25;

b. RLZ-R25;

c. SETZ-R38;

d. COMZ-R30;

e. GRUZ-R44;

f. MPZ-R24;

g. TOUZ-R35;

145. and replacement with a single rule in the Noise chapter. The notified rule is very simplistic in that it requires acoustic insulation to achieve an internal noise level of 40dB LA_{eq}. The number of properties to which this rule applies differs depending on the distance from each State Highway and the posted speed, with the "acoustic buffer" applying:

    a. 40 m of State Highway 3 where the posted speed limit is equal to or less than 70km/hour;
    b. 80 m of State Highway 3 where the posted speed limit is greater than 70km/hour
    c. 20 m of State Highway 4, 30 or 37 where the posted speed limit is equal to or less than 70km/hour; and
    d. 40 m of State Highway 4, 30 or 37 where the posted speed limit is greater than 70km/hour.

146. The notified rule does not recognise that different activities may be more or less sensitive to external noise than others. As outlined above, the notified provisions not only apply an internal acoustic standard but a larger setback from the State Highway as well. The rule only applies to new buildings accommodating noise sensitive activities, and habitable rooms within those. Arguably it does not apply to extensions or alterations.

147. The new rule as proposed by Waka Kotahi would have the effect of applying to all land within 100m of a State Highway irrespective of speed. Rather than requiring a blanket internal noise level of 40dB LA_{eq}, the proposed rule is more nuanced with different acoustic requirements for different sensitive uses. It ranges from 35dB LA_{eq} for lecture rooms / theatres, music studios, assembly halls, places of worship including churches and marae to 45dB LA_{eq} for clinics, consulting rooms and nurses stations.

148. Having been involved in the negotiations for an appeal by Waka Kotahi to the Waikato PDP on this very matter, I have four main concerns about the drafting of the rule as sought by Waka Kotahi.

a. Firstly it requires outdoor areas to achieve the same levels of noise as specified for internal spaces. I do not consider this to be realistic or practicable, and this element was not adopted in the consent order for the Waikato PDP.

b. Secondly the rule would require any increase in floor area to meet the internal noise level. I consider this to be unrealistic, particularly where the addition is not a location where quietness is valued such as the kitchen or bathroom. It could have the perverse outcome whereby a new ensuite is required to meet the internal noise standards, but the existing bedroom to which it adjoins is not. The consent order for the Waikato PDP settled on a $5m^2$ increase in floor area each 10 year period being permitted before the noise insulation requirements kicked in and I consider this to be reasonable. This would prevent incremental floor area increases in order to circumvent the rule, while still enabling a level of flexibility for extensions to the existing building.

c. Thirdly the consent order for Waikato PDP also recognised that structures such as fences, other buildings and topography can effectively block sound, but this is not reflected in the requested amendments from Waka Kotahi.

d. Lastly the reliance on a measured distance from the edge of the State Highway and location of the rule in the Noise chapter increases the chances that the requirements will be overlooked. I prefer that the buffer is mapped spatially on the planning maps as sought in the further submission from Waka Kotahi [FS27.16]. The mapping is helpfully provided on the Waka Kotahi GIS viewer, although it is difficult to discern the width of the corridor as it varies depending on the State Highway volumes, posted speed limit and topography.

149. Turning to KiwiRail [51.45], it sought inclusion of a new rule managing vibration in any new buildings or alterations to existing buildings containing activities sensitive to noise within 60m of a rail network. This

matter was also the subject of the same consent order to the Waikato PDP. Through the negotiations and technical evidence produced, it became apparent that there are very few meaningful or successful ways to reduce vibration generated from trains through construction techniques. In addition, given the low frequency of train movements there was an argument that the additional construction costs were not warranted. Instead, the focus was on achieving acceptable internal noise levels. For this reason, I recommend rejecting [51.45].

150. KiwiRail also sought inclusion of rules managing internal noise in close proximity to the rail line. Through the negotiations on the appeal to the Waikato PDP, the requirement to achieve internal noise levels within 40m of the edge of the rail was incorporated in the same rule which applied to the State Highway. The spatial extent was decreased to 40m to recognise the lower frequency of train movement when compared with vehicles on a State Highway.

151. Having considered all versions, I prefer the wording of the Waikato PDP consent order as I consider this strikes a balance between effectively reducing the internal noise of buildings where sensitive activities occur, while not adding significant cost to landowners. Council's GIS have estimated that

    a. 1408 Properties are affected by a 100m buffer around the State Highway centrelines; and
    b. 183 Properties are affected by a 40m buffer around the Railway centrelines.

152. I realise that this is not an absolutely accurate reflection of the number of properties affected as the corridor will be measured from the edge of the designation rather than the centreline. In addition, the State Highway corridor as mapped by Waka Kotahi varies depending on characteristics of the network and topography. In any case it is a useful indicator of how many properties may be affected.

153. The submission from Waka Kotahi is silent on the additional setbacks from the State Highway for buildings that is in the notified version of the PDP,

but I recommend those be deleted. I consider the amended rules will more effectively manage any reverse sensitivity and there should be no further constraints on development of land in close proximity to a State Highway.

154. I therefore recommend the inclusion of the following new rules in the Noise chapter

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:
         - All parts of the formed carriageway of the State Highway.
         - 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.

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:
        i. The source level for railway noise is 70 LA_{eq}(1h) at a distance of 12 metres from the nearest track; and
        ii. 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.

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 5m^2 within each 10 year period from [operative date] within the State Highway Noise Effects Area or the Rail Noise Effects Area; or

c. Other than internal alterations 5m^2 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.

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:

i. The source level for railway noise is 70 LA_{eq}(1h) at a distance of 12 metres from the nearest track; and

ii. 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 indoors of people within the Noise Control Boundary overlays

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.

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

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

	Places of assembly including churches, places of worship and marae	35dB LA_{eq}	35dB LA_{eq}
	Other habitable rooms	40dB LA_{eq}	40dB LA_{eq}

NOISE Table 2: Mechanical ventilation system

Activity	Ventilation requirements
Habitable rooms for a residential activity	a. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and 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 c. provides relief for equivalent volumes of spill air; and d. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and e. does not generate more than 35 dB LA_{eq}(30s) when measured 1 metre away from any grille or diffuser.
Other spaces	To be determined by a suitably qualified and experienced person.

NOISE Table 3: Construction schedule

Elements	Minimum construction schedule for controlling noise in State Highway and Railway Noise Effects Areas in addition to the requirements of the New Zealand Building Code
Exterior walls	Wall cavity infill of fibrous insulation, batts or similar (minimum density of 9kg/m^3)

	Cladding and internal wall lining complying with either Options A, B or C below:	
	Option A - Light cladding: timber weatherboard or sheet materials with surface mass between 8kg/m^2 and 30 kg/m^2 of wall cladding	Internal lining of minimum 17 kg/m^2 plasterboard, such as two layers of 10 mm thick high-density plasterboard, on resilient/isolating mountings
	Option B - Medium cladding: surface mass between 30 kg/m^2 and 80 kg/m2 of wall cladding	Internal lining of minimum 17 kg/m^2 plasterboard, such as two layers of 10 mm thick high-density plasterboard
	Option C - Heavy cladding: surface mass between 80 kg/m^2 and 220 kg/m^2 of wall cladding	No requirements additional to New Zealand Building Code
Roof / ceiling	Ceiling cavity infill of fibrous insulation, batts or similar (minimum density of 7 kg/m3)	
	Ceiling penetrations, such as for recessed lighting or ventilation, shall not allow additional noise break-in	
	Roof type and internal ceiling lining complying with either Options A, B or C below:	
	Option A - Skillion roof with light cladding: surface mass up to 20 kg/m^2 of roof cladding	Internal lining of minimum 25 kg/m^2 plasterboard, such as two layers of 13 mm thick high-density plasterboard
	Option B - Pitched roof with light cladding: surface mass up to 20 kg/m^2 of roof cladding.	Internal lining of minimum 17 kg/m^2 plasterboard, such as two layers of 10 mm thick high-density plasterboard
	Option C - Roof with heavy cladding: surface mass between 20 kg/m^2 and 60 kg/m^2 of roof cladding	No requirements additional to New Zealand Building Code

Glazed areas	Aluminium frames with full compression seals on opening panes	
	Glazed areas shall be less than 35% of each room's gross floor area	
	Either: double-glazing with: • a laminated pane of glass at least 6 mm thick; • a cavity between the two panes of glass at least 12 mm deep; and • a second pane of glass at least 4 mm thick Or • any other glazing with a minimum performance of Rw 33 dB	
Exterior doors	Exterior door: • within the State Highway noise effects area with a line-of-sight to any part of the State Highway road surface; or • within the railway corridor noise effects area with a line-of-sight to any point 3.8m directly above the formed railway track.	Solid core exterior door, minimum surface mass 24 kg/m^2, with edge and threshold compression seals; or other doorset with minimum performance of Rw 30 dB

155. I also recommend that the PDP maps be amended to show a noise overlay corridor placed either side of the State Highway to match the mapping on Waka Kotahi's GIS viewer and 40m either side of the rail corridor. This will clearly show the spatial extent of land to which the rule applies, and will go some way to avoiding the rule being overlooked by Plan users.

10 Topic 7: Definitions

10.1 Introduction

156. For completeness, the submissions which addressed definitions of a transport nature are addressed here.

10.2 Analysis and recommendations

Noise sensitive activity

157. The definition for this term attracted a large number of submissions. There was a high degree of alignment between the submissions from NZ Pork [14.04], Waka Kotahi [17.10], New Zealand Defence Force [21.05], KiwiRail [51.04] and Ministry of Education [24.05] who sought the inclusion of community facilities, educational facilities and hospitals. Waka Kotahi sought a complete rewrite of the definition to capture all residential activities and other community activities that are sensitive to noise. The only activity residential-type excluded by the Waka Kotahi definition is camping grounds. Kāinga Ora [36.06] was the obvious outlier by seeking that the definition be deleted. I support redrafting the definition to clearly identify all activities of a residential nature or where the internal acoustic levels are important. Given the transient and seasonal nature of camping ground accommodation, I consider an exclusion for those is warranted. I therefore recommend that the definition be replaced as follows:

> noise sensitive activity
>
> ~~means residential units and minor residential units, boarding houses, co-housing developments, compact housing developments, retirement villages, visitor accommodation, papakāinga units and papakāinga housing developments, residential based visitor accommodation, managed care facilities and other buildings used for residential activities but excludes:~~
>
> ~~(a) Camping grounds.~~
>
> ~~(b) Tiny houses and tiny house developments.~~
>
> ~~(c) Marae complex.~~
>
> ~~(d) Community facilities.~~
>
> ~~(e) Educational facilities.~~

~~(f) Hospitals.~~

Means all or any of the following:

(a) An educational facility, including a childcare facility, waananga and koohanga reo,

(b) A residential activity, including papakaainga building, rest home, retirement village, visitor accommodation, home stay;

(c) Health facility or hospital;

(d) Place of assembly including marae.

The term excludes camping grounds.

Sensitive activity

158. this definition currently cross references to "noise sensitive activity" so that they share the same definition. While the Ministry of Education [24.07] supported retaining this cross reference, Horticulture NZ [27.13] sought the addition of a new definition for 'sensitive activities' that includes educational facilities and hospitals. Given my recommended amendments to the definition of "noise sensitive activity" above, I believe this will address the concerns raised by Horticulture NZ.

Restart view line

159. KiwiRail [51.08] sought replacement of the term "restart view line" with "restart sightline". This term is used in the context of level rail crossings. I have no issue with the replacement term and recommend the following:

Restart ~~view~~ sightline

Road approach visibility line

160. KiwiRail [51.07] sought that this term be replaced with "approach sightline". A recommend this be accepted.

~~Road approach visibility line~~ Approach sightline

Transport corridor

161. KiwiRail [21.12] sought to explicitly include rail in the definition. I agree as this improved clarity.

Transport corridor

means the whole corridor (including railway corridors) that provides for carriageway, berms and any adjoining pedestrian footpaths, walkways and cycleways, landscaping and lighting, and includes road, and access segregation strips.

11 Conclusion

162. For the reasons included in this report, I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.

163. Appendix 1 contains recommended amendments to the Transport chapter and Appendix 2 contains the s32AA evaluation where I have recommended an amendment to what was notified.

APPENDIX 1 RECOMMENDED AMENDMENTS

****tracked changes provisions****

APPENDIX 2 SECTION 32AA EVALUATION

1 Introduction

This section 32AA evaluation relates to the recommended amendments to the Energy part of the Energy chapter (Chapter 17) and supports the discussion, analysis and recommendation in the section 42A report.

A section 32AA evaluation is only required for changes recommended since notification; if there is no change to the notified version, a section 32AA evaluation is not required. The level of detail in this report needs to be at a level of detail that corresponds to the scale and significance of the changes recommended.

2 Transport– Objectives and Policies

Below are the objectives that are recommended to be added, amended or deleted. Having considered a range of options including retaining unchanged the notified objectives of the PDP, these objectives are the most appropriate way to achieve the purpose of the RMA, as demonstrated in the table below. The amendments to TRAN-O2-O5 relate to consistent terminology and grammar and are inconsequential and therefore not assessed below.

Objective or group of objectives	
TRAN-O1.	The transport network is a well-connected, integrated and accessible network that: 1. Meets and is responsive to current and future needs, and 2. Maximises opportunities to link with both existing and planned land use and development; and 3. Promotes the use of walking and cycling and reduces the dependency on private motor vehicles.
TRAN-O6.	Adverse effects from the development, construction and maintenance of the transport ~~system~~ network are ~~managed~~ avoided, remedied or mitigated.

Evaluation of objectives	
Part 2 RMA	**Comment**
Section 5 Purpose	Providing for an efficient and effective transport network will contribute to the economic and social wellbeing of the district. It is important to recognise both existing and future land use development while providing for the transport system as will be done with the amendments to TRAN-O4. The development and maintenance of the transport network can have significant adverse effects and consistent with the terminology of Section 5(2)(c) of the RMA, TRAN-O6 seeks for these effects to be avoided, remedied or mitigated.
Section 6 Matters of national importance	Matters of national importance can be better provided for with the revised wording to TRAN-O6 which seek to avoid, remedy or mitigate adverse effects from the development, construction and maintenance of the transport network.
Section 7 Other matters	The recommended amendment to TRAN-O1 specifically provides for linkages to existing and future planned land use developments. This aligns with 7(b) which relates to the efficient use and development of natural and physical resources.

Objectives TRAN-O2 through to O5 are also relevant to this topic (in addition to TRAN-O1 and TRAN-O6). The appropriateness of these objectives has been assessed previously and no changes are proposed through the s42A recommendations.

2.1 Identification of Options to Achieve the Objectives

The following reasonably practicable options have been identified for TRAN-P1, P2, P4, P9, P10 and P11:

Option 1 – Retain the policies as notified

Option 2 – Amend the policies as per Appendix 2.

Preferred Option

Option 2 is the preferred option as it will:

(a) Provide for a more directive policy framework to achieving pedestrian and cyclist safety;

(b) Remove duplication relating to the management of environmental effects within the policy framework;

(c) Provide for a wider range of transport users in relation to avoiding conflicts;

(d) Provide a more enabling framework for the establishment of EV charging devices within the District;

(e) Better reflect the accessibility requirements for all users of the transport network; and

(f) Provide a more practicable policy approach in managing conflicts between transport network users.

Overall, it is considered that Option 2 will best achieve the objective.

2.2 Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	**Benefits**
Environmental	No environmental costs are identified for this option.	Improved ability to avoid, remedy or mitigate adverse effects on the environment (rather than simply manage). Reduced vehicle emissions with the more accessible EV charging devices within the District in the future.
Economic	Potential for higher project costs	Reduced consenting costs associated with the establishment of an EV charging network
Social	No social costs are identified for this option.	Improved ability to manage conflicts between transport network users and ultimately providing for a safer transport environment for the community. Improved ability to provide for the accessibility requirements of all transport network users.
Cultural	No cultural costs are identified for this option.	No cultural benefits are identified for this option.
Economic growth	No change in economic growth opportunities as a result of this amendment.	

provided or reduced	
Employment opportunities	No change in employment opportunities as a result of this amendment.
Uncertain or insufficient info	There is sufficient information to support the proposed changes.
Risk of acting or not acting	There is sufficient information to act.

Effectiveness

The amendments to the policies will better achieve the objectives as it provides greater clarity for expected outcomes and addresses policy gaps relating to:

- Managing potential conflicts between transport network users;
- Enabling an EV charging network; and
  Accessibility requirements for all transport network users.

Efficiency

The amendments to the policies provide enhanced clarity and direction and will ultimately assist plan users, thereby providing for an efficient outcome overall. This is demonstrated by the above assessment which identifies that the benefits outweigh the cost of the preferred option.

Summary

The proposed provisions are considered to be the most effective means of achieving the objectives as together they will:

- Give effect to the NPSUD in relation to the providing for well-functioning urban environments.
- Give effect to the RPS by providing for a transport network that is integrated with land use planning outcomes.
- Provide for a safer and accessible transport infrastructure network overall.

3 Transport noise corridor

This section 32AA evaluation relates to the management of noise-sensitive activities in close proximity to the State Highway and rail network, and supports the discussion, analysis and recommendation in section 9.

3.1 Appropriateness of Objectives

Objective SD-O5 and NU-O2 are relevant to this topic. The appropriateness of these objectives has been assessed previously, and no changes are proposed through the s42A recommendations.

3.2 Identification of Options to Achieve the Objectives

The following reasonably practicable options have been identified for the management of sensitive activities in close proximity to the State Highway and rail network.

Option 1 – Notified provisions

This was a combination of increased setbacks from the State Highways and a blanket internal insulation requirement of 40dBA. The width of the corridor around the State Highway varied depending on the posted speed and the traffic volumes. There was an existing minimum 5m setback from the rail network in the Transport chapter, but no noise corridors around rail.

Option 2 – Introduce the provisions sought by Waka Kotahi in its submission, with retention of the increased setbacks

The new rule as proposed by Waka Kotahi would have the effect of applying to all land within 100m of a State Highway irrespective of speed. Rather than requiring a blanket internal noise level of 40dB LAeq, the proposed rule is more nuanced with different acoustic requirements for different sensitive uses. It ranges from 35dB LAeq for lecture rooms / theatres, music studios, assembly halls, places of worship including churches and marae to 45dB LAeq for clinics, consulting rooms and nurses stations.

Option 3 – Introduce the provisions sought by KiwiRail in its submission

KiwiRail sought rules requiring acoustic insulation within 100m of the rail lines and to achieve an internal noise level of 35dBA. KiwiRail also sought rules to address vibration.

Option 4 – Replace the provisions with the set that was agreed by all parties in the appeal to the Waikato PDP.

This option involves deleting the setbacks from the State Highway, but applying a roughly 100m corridor around the State Highway and a 40m buffer around the rail lines where additional acoustic insulation is required to achieve specified internal noise levels.

Option 5 – remove all controls near regionally significant transport infrastructure.

Preferred Option

Option 4 is the preferred option. This option strikes a balance between effectively reducing the internal noise of buildings where sensitive activities occur, while not adding significant cost to landowners.

3.3 Evaluation of Preferred Option Against Objective

This section contains an evaluation of the preferred option identified above.

Evaluation of Preferred Option Against Objective(s)		
	Costs	**Benefits**
Environmental	No environmental costs are identified for this option.	No environmental benefits are identified for this option.
Economic	Adds cost to new buildings and additions. The overlay may reduce the value of properties.	Protects the State Highway and rail from potential reverse sensitivity effects. Increased use of sites in close proximity to the State Highway through deletion of the additional setbacks.
Social	No social costs are identified for this option.	Results in a quieter home. Results in less internal noise for noise sensitive activities.
Cultural	No cultural costs are identified for this option.	Results in less internal noise for Marae and kura. Results in quieter papakāinga.
Economic growth provided or reduced	There may be modest increased demand for suppliers of acoustic insulation, and acoustic specialists.	
Employment opportunities	This option is unlikely to result in additional employment opportunities.	

Uncertain or insufficient info	There is sufficient information to support the proposed changes.
Risk of acting or not acting	There is sufficient information to act.

Effectiveness

Inclusion of the new acoustic provisions in the NOISE chapter and the noise control boundary mapping will support an efficient outcome as the provisions address health and amenity effects and minimise reverse sensitivity effects which, if not addressed, could lead to the inefficient operation of nationally significant infrastructure.

Efficiency

The activities captured by the new NOISE rule (being new buildings containing sensitive land uses) have four pathways to comply with the permitted activity rule. The activities captured by the new rule have the same pathways plus an additional two pathways to recognise that minor changes to existing buildings do not always increase the risk of adverse health and amenity effects for users of those buildings, and that the rules should be targeting alterations of buildings that do increase those risks.

Where compliance is not achieved via the permitted activity pathways, a restricted discretionary activity consent is required, with the matters of discretion appropriately focussing the resource consent application on the relevant effects and potential site-specific responses.

The provisions enable development as a permitted activity and therefore is an efficient approach.

Summary

Acoustic provisions with multiple permitted activity pathways, as proposed, are more efficient and effective than more limited pathways (the more restrictive alternative) or leaving the effects entirely unmanaged (the more permissive alternative). The recommended provisions will more effectively manage the potential for reverse sensitivity effects near regionally significant infrastructure, and thereby gives effect to the RPS.

APPENDIX 3: ACCEPT / REJECT RECOMMENDATIONS

Submission no	Submitter	Support / in part / oppose	Plan section	Plan provision	Relief sought	Accept/Accept in part/Reject
03.38	NZHPT	Oppose	19. Network utilities	NU-R9	That New public walkways and cycleways in the following is amended to a discretionary activity for the following locations; Heritage buildings and structures, sites and areas of significance to Māori and significant archaeological sites.	Reject
09.13	Chorus,Connexa, Spark, Vodafone	Oppose	19. Network utilities	Rule NU-R13	Amend Rule NU-R13 such that it does not restrict: • Network utility structures within rail corridors; • Lines within roads from any indicative road or rail corridor setbacks; • Customer connections from indictive road setbacks	accept
10.26b	WRC	Amend	19. Network utilities	NU-R4, NU-R8 to NU- R10, NU-R13.	NU-R8 Reassess the rules and delete if appropriate.	Accept
FS03.21b	Director-General of Conservation	Support			Allow	Accept
10.39	WRC	Amend	20. Transport	General	Add a road hierarchy in the PWDP.	Reject
FS18.02	Omya	Neutral			Omya would like to be engaged in the outcome/decision of this submission point and have the opportunity to review any road hierarchy.	Reject
10.40	WRC	Amend	20. Transport	Overview	Amend the second line of the first paragraph to use the defined terms "walkways and cycleways."	Accept
10.41	WRC	Oppose	20. Transport	Overview	Add a reference to the contribution of transport to climate change and carbon emissions.	Accept
10.42	WRC	Oppose	20. Transport	Objectives – general	Add a new objective: "A low carbon, energy efficient and environmentally sustainable transport system that supports emission reductions" or wording to similar effect.	Reject

FS27.11	Waka Kotahi	Support in part			Waka Kotahi seek clarification of how the submitter anticipates this will be implemented.	Reject
10.43	WRC	Support	20. Transport	TRAN-O1	Retain the specific inclusion of "2. Maximises opportunities to link with land use and development; and 3. Promotes the use of walking and cycling and reduces the dependency on private motor vehicles."	Accept in part
	WRC	Support	20. Transport	TRAN-O2	Retain objective TRAN-O2.	Accept
10.44	WRC	Support in part	20. Transport	TRAN-O5	Retain objective TRAN-O5.	Accept
10.45	WRC	Support with amendments	20. Transport	TRAN-P1	Amend TRAN-P1.6 to read: "~~Accommodating and~~ ~~encouraging~~ Prioritising alternative modes of transport" or words to similar effect. Further, amend TRAN-P1.10 to read: "Minimising energy consumption, environmental effects and carbon emissions, and whole of life costs including embodied carbon in construction, maintenance and operation.	Reject
FS27.12	Waka Kotahi	Oppose in part			Waka Kotahi seeks that further clarification is provided by the submitter on how this policy approach would be applied in practice by roading authorities.	Accept
10.46	WRC	Support	20. Transport	TRAN-P2	Retain policy TRAN-P2.	Accept
10.47	WRC	Supportwith amendments	20. Transport	TRAN-P4	Add new point in TRAN-P4 that requires an assessment of vehicle kilometres travelled (vkt) by light vehicles and demonstration of mitigation of the associated carbon emissions generated.	Reject
FS27.13	Waka Kotahi	Support in part			Waka Kotahi seek clarification of how the submitter anticipates this will be implemented.	Accept in part
10.48	WRC	Supportwith amendments	20. Transport	TRAN-P9	Amend TRAN-P9.4 to "Ensuring accessibility for all users including transport ~~disadvantages~~ disadvantaged and mobility impaired; and ~~through the provision of features such as dropped kerbs and tactile paving; and~~" Further, WRC recommends amending TRAN-P9.7 by deleting "and;" at the end of the sentence and replacing this with a full stop.	Accept
10.49	WRC	Supportwith amendments	20. Transport	TRAN-P10	Amend TRAN-P10.2 to read "~~Minimise~~ Avoid conflict between vehicles, pedestrians and cyclists…"	Reject

10.50	WRC	Supportwith amendments	20. Transport	TRAN-R1	Amend TRAN-R1 as follows: 1. All of the performance…; and 2. a) the activity requires a new vehicle access point…; or b) there is an existing vehicle access point…; and 3. The vehicle access point complies with the standards …; and the vehicle access point complies with the dimensions…	Accept
10.51	WRC	Support	20. Transport	TRAN-R3	Retain the permitted activity status for electric vehicle charging stations.	Accept
10.52	WRC	Support	20. Transport	TRAN-R4	Retain the permitted activity status for new walkways and cycleways.	Accept
10.53	WRC	Supportwith amendments	20. Transport	TRAN-R6	Add a new matter of discretion in TRAN-R6 that requires an assessment of vehicle kilometres travelled (vkt) by light vehicles and whether the applicant can demonstrate mitigation of the associated carbon emissions generated.	Reject
FS27.14	Waka Kotahi	Support in part			Waka Kotahi seek clarification of how the submitter anticipates this will be implemented.	Accept in part
10.54	WRC	Support with amendments	20. Transport	TRAN-R8	Amend as follows: 1. All of the performance standards…; and 2. a) the activity requires a new vehicle access point…; or b) there is an existing vehicle access point and the on-site activity…; and 3.the activity complies with the access way standards…; and 4. the vehicle access point complies with…	Accept
10.55	WRC	Supportwith amendments	20. Transport	TRAN-R15	Reduce or delete minimum car parking requirements particularly in town centres. Further, amend TRAN-R15.9 so that vehicles must access a road in a forward-facing position in all zones.	Reject
10.56	WRC	Support	20. Transport	TRAN-R16	Retain TRAN-R16.	Accept
10.57	WRC	Oppose	20. Transport	TRAN Table 3	Add a bicycle parking requirement for those developments that require an ITA.	Reject
10.58	WRC	Oppose	20. Transport	Figure TRAN 7	Amend Figure TRAN7 to include provision for off road cycleways on	Reject

					district roads where appropriate and to align with best practice.	
10.59	WRC	Oppose	20. Transport	General comment on transport provisions	WRC recommends rewriting TRAN-O3 to "Activities are compatible with the function of the transport corridor they obtain access to and from." Further WRC recommends rewriting TRAN-P11 to "Avoid interrupting a road frontage with a new vehicle access point in the Te Kuiti CBD precinct (PREC5) due to adverse potential effects on pedestrian safety."	Accept in part Accept
14.04	NZ Pork	Oppose in part	09. Definitions	Noise sensitive activity/sensitive activity	Amend definition as follows: Noise sensitive activity means residential units and minor residential units, boarding houses, co-housing developments, compact housing developments, retirement villages, visitor accommodation, papakāinga units and papakāinga housing developments, residential based visitor accommodation, managed care facilities and other buildings used for residential activities but excludes: ~~(a) Camping grounds.~~ ~~(b)~~ (a) Tiny houses and tiny house developments. (b) Marae complex. ~~(d) Community facilities.~~ ~~(e) Educational facilities.~~ ~~(f) Hospitals.~~	Accept in part
FS05.36	Federated Farmers	Support			Grant the relief sought	Accept in part
16.08	FENZ	Support	20. Transport	Objectives and policies	Retain as notified.	Accept in part
16.09	FENZ	Support in part	20. Transport	TRAN-R1. Vehicle access on to roads other than State Highways	Include the following amendments: The vehicle access point complies with the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach the source of a firefighting water supply from a public road.	Accept
16.10	FENZ	Support in part	20. Transport	TRAN-R8. Vehicle access on to State Highways	Amend rule to a permitted activity.	Reject
FS27.08	Waka Kotahi	Oppose			Waka Kotahi seeks the submission point be disallowed	Accept
16.11	FENZ	Support	20. Transport	TRAN-R10.	Retain as notified.	Accept in part

				Vehicle access obtained by crossing a railway line		
16.12	FENZ	Support in part	20. Transport	TRAN-R11. Number of vehicle access points	Provide for up to two vehicle access points per site for emergency service facilities as a permitted activity.	Accept
16.13	FENZ	Support	20. Transport	TRAN-R17. Construction and formation standards	Retain as notified.	Accept in part
16.14	FENZ	Support in part	20. Transport	TRAN-R18. Additional driveway formation and construction standards	Amend as follows: 3. The minimum vertical clearance for buildings and structures is 3.84m …	Accept
16.15	FENZ	Support in part	20. Transport	TRAN – Table 3 – Parking and loading requirements and Integrated Transport Assessment (ITA) Thresholds Emergency service facilities 1 space per 50m² of gross floor area	Remove minimum parking requirements.	Accept in part
16.16	FENZ	Support in part	20. Transport	Figure – TRAN 7 – Access and road standards	Amend as follows: Minimum vertical clearance from buildings or structures is ~~3.8~~4m.	Accept

17.02	Waka Kotahi		Whole plan		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'.	Accept
17.05	Waka Kotahi		Whole plan		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. 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.	Accept in part
FS27.16	Waka Kotahi	Support in part			That the submission is allowed in part subject to the adoption of the State Highway Noise Overlay Map and associated revised proposed rule and associated matters of discretion in Appendix One. (As attached to the Further Submission)	Accept in part
17.06	Waka Kotahi		N/A	Whole plan	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	Reject

					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 be assessed appropriately.	
17.10	Waka Kotahi	Oppose	9. Definitions	Noise sensitive activity	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	Accept in part
17.13	Waka Kotahi		09. Definitions		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 well as (but not limited to) end-of-journey facilities and travel management plans.	Accept
17.14	Waka Kotahi		09. Definitions		Delete the definition for "vehicle movements" and replace the definition of "vehicle movements" with the following: Equivalent car movements per day (ecm/d) Equivalent car movement per day (averaged over a year) is defined as follows: • 1 car to and from the property = 2 equivalent car movements • 1 truck to and from property = 6 equivalent car movements 1 truck and trailer to and from property = 10 equivalent car movements.	Reject
17.36	Waka Kotahi	Support in part	19. Network utilities	NU-R8	Waka Kotahi seeks an amendment to the rule as follows:	Accept in part

					Where the activity is RDIS, the matters over which discretion is restricted are: (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 (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>	
17.37	Waka Kotahi	Support in part	19. Network utilities	NU-R13	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> Note: KiwiRail and<u>/or Waka Kotahi New Zealand Transport Agency</u> 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. (g) The outcome of consultation with KiwiRail <u>and Waka Kotahi New Zealand Transport Agency.</u>	Accept in part
FS23.61	Te Nehenehenui	Oppose in part			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, the taiao and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Accept in part

17.46	Waka Kotahi	Support	20. Transport	Overview	Waka Kotahi seek amendment to replace 'One Network Road Classification (ONRC)' with 'One Network Framework'.	Accept
17.47	Waka Kotahi	Support	20. Transport	TRAN-O1	Retain as notified.	Accept in part
17.48	Waka Kotahi	Support	20. Transport	TRAN-O2	Retain as notified.	Accept
17.49	Waka Kotahi	Support	20. Transport	TRAN-03	Retain as notified.	Accept in part
17.50	Waka Kotahi	Support	20. Transport	TRAN-04	Retain as notified.	Accept
17.51	Waka Kotahi	Support in part	20. Transport	TRAN-P2.1	Waka Kotahi requests the following amendments to TRAN-P2.1: Avoiding conflict between vehicles, pedestrians, cyclists and other active modes.	Accept
17.52	Waka Kotahi	Support	20. Transport	TRAN-P2.4	Retain as notified.	Accept
17.53	Waka Kotahi	Support	20. Transport	TRAN-P2.7	Retain as notified.	Accept
17.54	Waka Kotahi	Support	20. Transport	TRAN-P4	Retain as notified.	Accept
17.55	Waka Kotahi	Support	20. Transport	TRAN-P5	Retain as notified.	Accept
17.56	Waka Kotahi	Support	20. Transport	TRAN-P6	Retain as notified.	Accept
17.57	Waka Kotahi	Support	20. Transport	TRAN-P7	Retain as notified.	Accept
17.58	Waka Kotahi	Support	20. Transport	TRAN-P8	Retain as notified.	Accept
17.59	Waka Kotahi	Support	20. Transport	TRAN-P9	Retain as notified.	Accept in part
17.60	Waka Kotahi	Support in part	20. Transport	TRAN-P10	Waka Kotahi requests the following amendments to TRAN-P10.2: Minimise conflict between vehicles, pedestrians, cyclists and other active modes.	Accept
17.61	Waka Kotahi	Support in part	20. Transport	TRAN-R3	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	Accept

					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.	
17.62	Waka Kotahi	Support	20. Transport	TRAN-R6	Retain as notified.	Accept
17.63	Waka Kotahi	Support	20. Transport	TRAN-R8	Retain as notified.	Accept in part
17.64	Waka Kotahi	Support in part	20. Transport	TRAN-R9	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 or designation boundary; *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* (g) The outcome of consultation with KiwiRail and Waka Kotahi New Zealand Transport Agency.	Reject
17.65	Waka Kotahi	Support	20. Transport	TRAN-R19	Retain as notified.	Accept
17.66	Waka Kotahi	Support in part	20. Transport	TRAN – Table 3	Amend provision by incorporating threshold for equivalent car movements onto the State Highway: **Activities adjacent to the state highway network** Any development, land use or subdivision located adjacent the state highway network. **ITA Threshold** Any activity exceeding 100 equivalent car movements per day requires an ITA.	Accept in part
FS06.01	Fuel Companies	Oppose			the Fuel Companies seek the following relief:	Accept in part

					(1) That submission 17.66 is disallowed. OR (2) If a general ITA requirement for proposals adjacent to the SHN is inserted into Table 3, that the specified ITA threshold only applies to: ▪ A new activity which exceeds the specified ITA threshold. ▪ An expansion to an existing activity where that expansion (excluding the existing activity) results in an exceedance of the specified ITA threshold. OR (3) If the relief sought by submission 17.66 is inserted into Table 3, that service stations are excluded from the specified ITA threshold. This is because service stations rely on existing traffic on the road network for their customers. Customers simply pause their journey for a short period of time at the service station before resuming their journey. Service stations are not destinations.	
FS19.153	PF Olsen	Oppose			Disallow submission point	Accept in part
17.92	Waka Kotahi	Oppose		New Rule	Insert new rule as detailed in Appendix B. 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:	Accept in part

					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 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] $L_{Aeq(24h)}$
Building type: Residential	
Sleeping spaces	40 dB
All other habitable rooms	40 dB
Building type: Education	
Lecture rooms/theatres, music studios, assembly halls	35 dB
Teaching areas, conference rooms, drama studios, sleeping areas	40 dB
Libraries	45 dB
Building type: Health	
Overnight medical care, wards	40 dB
Clinics, consulting rooms, theatres, nurses' stations	45 dB
Building type: Cultural	
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 The outcome of any consultation with Waka Kotahi NZ Transport Agency.	
FS09.10	Kainga Ora	Oppose			Disallow	Accept in part
17.125	Waka Kotahi			GRUZ-R44	Waka Kotahi seek that this rule is deleted and replaced in the Noise Chapter with the rule drafted in Appendix B.	Accept in part

21.05	NZDF	Support with amendment	9. Definitions	Noise sensitive activity and sensitive activity	Amend the definition of 'Noise sensitive activity' and 'sensitive activity' to include community facilities, educational facilities and hospitals.	Accept
22.01	Z Energy	Support with amendment	20. Transport	TRAN - Table 3 – High Trip Generating Activities	Amend TRAN – Table 3 as it relates to service stations: New Service Stations – All proposals require an ITA. And Any alternative or consequential relief as required to give effect to this submission.	Accept in part
FS27.09	Waka Kotahi	Support in part			Waka Kotahi seeks the submission point be allowed but clarification provided as to when an ITA will be triggered for an existing service station activity that increases vehicle movements.	Accept in part
24.05	MoE	Oppose with amendment	9. Definitions	Noise sensitive activity	Amend definition of 'Noise Sensitive' activity as follows: … visitor accommodation, educational facilities, papakāinga units … d) Community facilities. e) ~~Educational facilities~~ And Any consequential amendments required to give effect to the matters raised in this submission.	Accept
FS05.43	Federated Farmers	Support			Grant the relief sought	Accept
24.07	MoE	Support	9. Definitions	Sensitive activity	Retain as notified.	Accept
24.13	MoE	Support	19. Network utilities	NU-R9	Retain NU-R9 as notified.	Accept in part

24.14	MoE	Support	20. Transport	TRAN-O1	Retain TRAN-O1 as notified.	Accept in part
24.15	MoE	Support	20. Transport	TRAN-O2	Retain TRAN-O2 as notified.	Accept
24.16	MoE	Support	20. Transport	TRAN-P1	Retain TRAN-P1 as notified.	Accept in part
24.17	MoE	Support	20. Transport	TRAN-P4	Retain TRAN-P4 as notified.	Accept
24.18	MoE	Support	20. Transport	TRAN-P5	Retain TRAN-P5 as notified.	Accept
24.19	MoE	Support	20. Transport	TRAN-P6	Retain TRAN-P6 as notified.	Accept
24.20	MoE	Support with amendment	20. Transport	TRAN-Table 3	Delete all onsite loading requirements for educational facilities in TRAN - Table 3 And Any consequential amendments required to give effect to the matters raised in this submission.	Accept
24.21	MoE	Support	20. Transport	TRAN-R6	Retain TRAN-R6 as notified.	Accept
27.10	Hort NZ	Support	9. Definitions	Noise sensitive activity	Retain as notified.	Accept in part
FS05.45	Federated Farmers	Support			Grant the relief sought	Accept in part
27.13	Hort NZ	Support with amendment	9. Definitions	Sensitive activity	Add a new definition for 'sensitive activities' that includes educational facilities and hospitals.	Accept in part

36.06	Kāinga Ora	Oppose	9. Definitions	Noise sensitive activity	Delete the definition for 'Noise sensitivity activities'. And Any further, alternative or consequential relief as may be necessary to fully achieve the relief sought.	Reject
FS05.53	Federated Farmers	Oppose			Decline the relief sought.	Accept
FS11.02	KiwiRail	Oppose			Retain definition (with amendments as sought by KiwiRail) as notified	Accept in part
FS14.03	NZ Defence Force	Oppose			It is necessary to define noise sensitive activities to guide interpretation of objectives, policies and rules, particularly those that relate to reverse sensitivity effects. It is usual and expected for a district plan to include a definition of 'noise sensitive activities'.	Accept in part
FS27.01	Waka Kotahi	Oppose			Waka Kotahi seeks the submission point be disallowed.	Accept in part
46.24	FF	Support	20. Transport	TRAN-O4	Retain TRAN-O4 as notified.	Accept
46.25	FF	NEW	20. Transport	New policy	Add a new policy to the Transport chapter to require adverse effects from transportation activities on adjacent environments to be avoided, remedied or mitigated. And Any consequential amendments required as a result of the relief sought.	Accept
FS27.03	Waka Kotahi	Oppose			Waka Kotahi seeks the submission point be disallowed.	Reject
46.26	FF	Oppose with amendment	20. Transport	TRAN-R9	Amend TRAN-R9 to ensure that the maintenance and replacement of existing structures is permitted; And	Accept in part

					Amend TRAN-R9 so that structures supporting primary production activities (such as fences) are permitted; And Add a definition for 'indicative road'. And Add maps of all indicative roads.	
46.27	FF	Oppose with amendment	20. Transport	TRAN-R17	Amend TRAN-R17(4) to exclude the rural zone from the requirements of that standard. And Amend TRAN R17(10) to exclude the rural zone from the requirements of that standard. And Any consequential amendments required as a result of the relief sought.	Accept in part
FS19.163	PF Olsen	Support			Allow submission point	
46.102	Federated Farmers	Support		GRUZ-R44	Retain performance standards GRUZ-R44 as notified. And Any consequential amendments required as a result of the relief sought	Accept in part
47.60	Forest and Bird	Support with amendment	20. Transport	Overview	Amend the overview in the Transport chapter to add a paragraph recognising the contribution of transport to climate change and carbon emissions. And Any consequential changes or alternative relief to achieve the relief sought.	Accept

47.61	Forest and Bird	NEW	20. Transport	Objectives general	Add a new objective to the Transport chapter as follows, or similar: TRAN-OX The transport system is low-carbon and energy efficient and supports reductions in greenhouse gas emissions. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.62	Forest and Bird	Support with amendment	20. Transport	TRAN-O1	Amend TRAN-O1 as follows: … 2.Maximises opportunities to link with planned land use and development; and … And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.63	Forest and Bird	Support	20. Transport	TRAN-O2	Retain TRAN-O2.	Accept
47.64	Forest and Bird	Oppose with amendment	20. Transport	TRAN-O3	Amend TRAN-O3 as follows: Activities ~~are enabled that~~ generate a type or level of traffic that is compatible with the function of the transport corridor they obtain access to and from. And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.65	Forest and Bird	Oppose with amendment	20. Transport	TRAN-O6	Amend TRAN-O6 as follows: Adverse effects from the development, construction and maintenance of the transport system are ~~managed~~ avoided, remedied or mitigated. And	Accept

					Any consequential changes or alternative relief to achieve the relief sought.	
FS19.56	PF Olsen	Oppose			Disallow submission point	Reject
47.66	Forest and Bird	Support with amendment	20. Transport	TRAN-P1.4	Amend TRAN-P1.4 as follows: ~~Seeking~~ improvements to pedestrian and cyclist safety… And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.67	Forest and Bird	Support with amendment	20. Transport	TRAN-P1.6	Amend TRAN-P1.6 as follows: ~~Accommodating and encouraging~~ Prioritising alternative modes of transport; and … And Any consequential changes or alternative relief to achieve the relief sought.	Reject
47.68	Forest and Bird	Support with amendment	20. Transport	TRAN-P1.10	Amend TRAN-P1.10 as follows or similar: Minimising energy consumption, carbon emissions ~~environmental effects~~ and whole of life costs including embodied carbon in construction, maintenance and operation, and 11. Avoiding, remedying or mitigating adverse effects of new transport activities and for existing transport systems seeking opportunities to remediate and reduce environmental effects where degradation has occurred. And Any consequential changes or alternative relief to achieve the relief sought.	Reject

47.69	Forest and Bird	Support with amendment	20. Transport	TRAN-P2	Amend TRAN-P2 as follows: 3. Ensuring railway crossing design is in accordance with the requirements of the rail operator and to avoid impacts on indigenous biodiversity. And Retain TRAN-P2(1), (2) and (5) And Any consequential changes or alternative relief to achieve the relief sought.	Reject Accept in part
47.70	Forest and Bird	Support with amendment	20. Transport	RULES general	Retain in the overview to the Transport chapter the explanation that any activity must comply with "any relevant provision in Part 2 District-Wide Matters." And Any consequential changes or alternative relief to achieve the relief sought.	Accept
47.71	Forest and Bird	Support with amendment	20. Transport	RULES general	Add the following for all permitted activities in the Transport chapter. PER activities must: Comply with ECO chapter rules and any relevant overlay rules with respect to vegetation clearance and earthworks. And Any consequential changes or alternative relief to achieve the relief sought.	Reject
FS03.106	Director-General of Conservation	Support			Allow	Reject
FS19.57	PF Olsen	Oppose			Disallow submission point	Accept

47.72	Forest and Bird	Support with amendment	20. Transport	Rules general	Add the following matter of discretion for all RDIS activities in the Transport chapter: effects on indigenous biodiversity And Any consequential changes or alternative relief to achieve the relief sought.	Reject
51.04	KRH	Seek amendment	9. Definitions	Noise sensitive activity	Amend as follows: Noise sensitive activity; means residential units and minor residential units, boarding houses, co- housing developments, compact housing developments, retirement villages, visitor accommodation, papakāinga units and papakāinga housing developments, residential based visitor accommodation, managed care facilities and other buildings used for residential activities; and educational activities; health care activities; indoor community activities including libraries and congregation spaces within any place of worship; Hospitals; Marae complex	Accept in part
FS27.04	Waka Kotahi	Support			Waka Kotahi seeks the submission point be allowed.	
51.07	KRH	Seek amendment	9. Definitions	Road approach visibility line	Amend by altering definition title to 'approach sightline'	Accept
51.08	KRH	Seek amendment	9. Definitions	Restart view Line	Amend definition for Restart line as follows; Restart ~~view~~ sightline means the minimum distance, along the railway line(s) from the driver's eye position in a vehicle at the stop line position of the closest railway line, required to allow the driver to start from a stopped position and clear the railway line before a train arrives.	Accept
51.12	KRH	Seek amendment		Transport corridor	Amend as follows: means the whole corridor (including railway corridors) that provides for carriageway, berms and any adjoining pedestrian footpaths, walkways and	Accept

					cycleways, landscaping and lighting, and includes road, and access segregation strips.	
51.23	KRH	Seek amendment	19. Network utilities	NU-R13	Amend NU-R13 as follows: RDIS New structures ~~on or~~ adjacent to a railway corridor or an indicative road	Accept
51.25	KRH	Support	20. Transport	TRAN-02	Retain as proposed.	Accept
51.26	KRH	Support	20. Transport	TRAN-05	Retain as proposed.	Accept
51.27	KRH	Support	20. Transport	TRAN-04	Retain as proposed.	Accept
51.28	KRH	Support	20. Transport	TRAN-P2(7)	Retain as proposed.	Accept
51.29	KRH	Support	20. Transport	TRAN-P3	Retain as proposed.	Accept
51.30	KRH	Support	20. Transport	TRAN-P7	Retain as proposed.	Accept
51.31	KRH	Support	20. Transport	TRAN-P10	Retain as proposed.	Accept in part
51.32	KRH	Seek Amendment	20. Transport	TRAN-R9	Amend as follows: Activity Status: RDIS TRAN-R9. Erection of structures ~~on or~~ adjacent to a railway corridor or an indicative road	Accept
51.33	KRH	Seek amendment	20. Transport	TRAN-R10	Amend as follows: TRAN-R10. Vehicle access obtained by crossing a railway line All zones, all precincts. Activity Status: RDIS Where: The new vehicle access point from a site to a <u>road</u> transport corridor I obtained by crossing a railway line; or There is an existing vehicle access point and the on-site activity changes in nature or intensity but remains compliant with the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3;	Accept

51.34	KRH	Seek amendment	20. Transport	TRAN-R14	Amend as follows: TRAN-R14 ~~Rail level crossings~~ Rail vehicle crossing setbacks and sightlines New vehicle access points must be located a minimum of 30m from a railway level crossing, as measured from the closest rail track to the edge of the seal on the vehicle access point; and For railway level crossings controlled by ~~stop signs or~~ give way signs, any structures, vegetation or other visual obstructions must not be located within the approach sightlines or restart sightline areas as shown in the shaded areas of Figure - TRAN 3 and Figure - TRAN 4.	Accept
51.44	KRH	Seek amendments	Various zones including RESZ Residential zone GRUZ General Rural zone RPROZ Rural Production zone RLZ Rural Lifestyle zone SETZ Settlement Zone COMZ		Support the provisions in the zones listed, such as RLZ-25 Noise insulation for noise sensitive activities, which establish the principle for managing noise effects on noise sensitive receivers adjacent to land transport corridors in the Proposed Plan zone rules; and Amend by adding a new rule to the zones listed a standard applying within 100 metres of the legal boundary of any railway corridor boundary as follows; Within 100m of a railway corridor boundary 1. Any habitable room in a new building used for a noise sensitive activity, or an alteration to an existing building that changes its use to a noise sensitive activity: a. is designed, constructed and maintained to achieve indoor noise levels resulting from the railway not exceeding 35 dB LAeq(1h); or b. is a single-storey framed residential building with habitable rooms designed, constructed and maintained in accordance with the construction schedule in Table XX - Minimum construction requirements for external building elements of habitable rooms to achieve an advanced level of acoustic insulation (see attached Appendix A). 2. A report is submitted to the council demonstrating compliance with the above prior to the construction or alteration of any building containing an activity sensitive to noise. Note - Railway noise is assumed to be 70 dB LAeq(1 hour) at a distance of 12 metres from the track and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance	Accept in part

			Commercial Zone MPZ Māori Purpose Zone INZ Industrial Zone OSZ Open Space Zone		beyond 40 metres. Matters over which discretion is restricted: 1. the extent to which building(s) containing activities sensitive to noise have been located and designed with particular regard to proximity to the rail corridor; 2. the extent of non-compliance with the noise standard and the effects of any non-compliance; 3. the extent to which topographical features or location of other buildings or structures will mitigate noise effects; and Any noise management implications arising from technical advice from an acoustic rail noise expert and KiwiRail	
FS09.09	Kainga Ora	Oppose			Disallow	Accept in part
51.46	KRH	Seek Amendment	NOISE-S4 Various zones including RESZ Residential zone GRUZ General Rural zone RPROZ Rural Production zone RLZ Rural Lifestyle zone SETZ Settlement Zone COMZ Commercial Zone		Amend each zone listed by adding new standard as follows: 1. The requirements of ('XXX' being the railway noise acoustic insulation standard wherever it appears in the Plan) must be achieved at the same time as the ventilation requirements of the New Zealand Building Code. An alternative means of ventilation must be provided within any habitable room unless an acoustic design certificate signed by a suitably qualified acoustic engineer is provided that states the design of any habitable room as proposed will comply with the acoustic insulation standard with windows open. 2. Ventilation systems where installed must: a. provide cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; b. not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser; and provide an adjustable airflow rate of up to at least 6 air changes per hour.	

			MPZ Māori Purpose Zone INZ Industrial Zone OSZ Open Space Zone			
FS09.11	Kainga Ora	Oppose			Disallow	Accept in part
FS15.41	New Zealand Helicopter Association	Oppose			Reject the decision sought, and Allow the rule change sought by the Waitomo District Council (WDC) point 26.03	Accept in part
51.49	KRH	Seek amendment	All zones adjacent to rail corridor including: RESZ Residential zone GRUZ General Rural zone RPROZ Rural Production zone RLZ Rural Lifestyle zone SETZ Settlement Zone COMZ		Amend to add a new performance standard as follows: Minimum setback from railway corridor boundaries Where: No building or structure may be located within 5m of any site boundary with the rail corridor. Activity status when compliance not achieved: RDIS New rule: Buildings or structures not meeting Rule XXX-RX Activity Status Restricted Discretionary Where: The building or structure is setback less than 5m from the rail corridor boundary. Where the activity is RDIS, the matters over which discretion is restricted are: a. The size, nature and location of the structure on the site; and b. The extent to which the safety and efficiency of current and future rail operations will be adversely affected; and c. Whether the structure would compromise the design, construction or functioning of the future transport system; and d. Whether any land use activities enabled or established by the structure would be incompatible with rail operations or the transport system or create reverse sensitivity issues; and	Accept in part

			Commercial Zone MPZ Māori Purpose Zone INZ Industrial Zone NOSZ Natural Open Space Zone OSZ Open Space Zone		The outcome of consultation with KiwiRail.	
56.03	The Fuel Companies	Support in part	20. Transport	TRAN-P2	Amend clause (5) of Policy TRAN-P2 as follows: 5. Appropriately locate, maintain and operate electric vehicle charging ~~stations~~ devices;	Accept
56.04	The Fuel Companies	Support in part	20. Transport	TRAN-P3	Amend the title and performance standards of Rule TRAN-R3 as follows: TRAN-R3. Electric vehicle charging ~~stations~~ devices. 1. The electric vehicle charging device is installed in an existing, permitted or consented vehicle parking space, vehicle depot or garage structure or is installed on the road reserve; and 2. The electric vehicle charging device does not exceed a height of ~~1.8~~ 3.0 m as measured from ground level, and an area of ~~1.5~~ 3.0 m². This rule does not apply to poles, cables and cable support systems associated with the electric vehicle charging device.	Accept
56.05	The Fuel Companies	Support in part	19. Network utilities	NU-R8	Amend the title and performance standards of Rule NU-R8 as follows: NU-R8. New electric vehicle charging ~~facilities~~ devices 1. Be installed in an existing, permitted or consented vehicle parking space, vehicle depot or garage structure, or installed on the road reserve; and	Accept

					2. Not exceed a height of ~~1.8~~ 3.0 m and an area of ~~1.5~~ 3.0 m². This rule does not apply to poles, cables and cable support systems associated with the electric vehicle charging device. Use 'electric vehicle charging devices' in all other instances in the Plan which currently use other terms to refer to electric vehicle charging infrastructure. These terms include, but are not limited to, 'electric vehicle charging stations' or 'electric vehicle charging facilities'.	
FS23.263	Te Nehenehenui	Oppose			Te Nehenehenui seeks to enhance the protection and maintenance of its people and taonga within the taiao as guided by Ko Tā Maniapoto Mahere Taiao – Maniapoto's Environmental Management Plan. Where submission points do not align with this, or have the potential to negatively impact on iwi, hapu, whanau cultural values, sites, and all taonga within TNN area of interest, TNN opposes and requests that Waitomo District Council consider this when finalising the review.	Reject

Overview

The economic and social wellbeing of the district is dependent on an efficient and effective transport ~~system~~ network[1] which includes roads, rail, walkways and[2] cycleways and ~~footpaths~~. How the transport ~~system~~ network is managed and functions is closely linked with the use of the adjoining land. There can be conflicts between the demand for access to land and the demand to move goods and people safely and efficiently from one part of the country to another. An integrated approach is required to ensure that the operation of the transport ~~system~~ network is not unduly affected by land use and development, and that the adverse effects of the transport ~~system~~ network do not have a detrimental effect on adjacent activities.

Ensuring an integrated approach to land use, development and transport is consistent with the Waikato Regional Policy Statement which seeks to ensure that, at the earliest stages, land use planning and development provides for and integrates with a wide range of transport options that complement and support the existing transport ~~system~~ network. The provision of transport infrastructure needs to be considered in the context of existing and planned infrastructure requirements and the sequencing and funding arrangements for infrastructure that may be in place through Waitomo District Council's Long Term Plan and the National Land Transport Programme.

The Road to Zero places human wellbeing at the heart of the transport ~~system~~ network and sets out a vision for our nation where no one is killed or seriously injured in road crashes. Adopting this vision for road safety means we need to make concerted efforts towards building a transport ~~system~~ network that protects everyone from road trauma. It represents a commitment to embed road safety principles and harm reduction in transport design, regulation, planning, operation and funding.

Waitomo District Council is the road controlling authority for public roads in our district that are not State Highways. This extensive transport ~~system~~ network provides local access and connectivity within and between our communities. The One Network Framework[3] ~~Road Classification (ONRC)~~ is a classification system, which divides New Zealand's roads into six categories – national, arterial, regional, primary collector, secondary collector or access. Waitomo District Council roads are primary collector, secondary collector and access roads, but for the purpose of this plan they are referred to as 'district roads'.

State Highways form part of the national network of highways throughout the country. Waka Kotahi New Zealand Transport Agency is the road controlling authority for State Highways. For State Highways, the through-traffic function generally takes precedence over access and local traffic functions.

KiwiRail is responsible for rail operations in New Zealand. The North Island main trunk railway line runs through the district and Te Kūiti and plays a crucial role in freight and supply chain functions, connecting Auckland and Wellington.

[1] Waka Kotahi [17.02]
[2] Waikato Regional Council [14.40]
[3] Waka Kotahi [17.46]

The district is also home to an increasing number of cycle and walking paths including the nationally important Te Araroa Trail and the Timber Trail. There are also a number of navigable rivers in the district. Activities on water bodies are managed through the provisions of the activities on the surface of water chapter.

Transport is a significant contributor to greenhouse gas emissions, which in turn contributes to climate change. The district plan can encourage a reduction in vehicle emissions by reducing the dependence on private vehicles, and instead support people to walk, cycle and use public transport.[4]

Objectives

Refer also to the relevant objectives in Part 2 District - Wide Matters and Part 3 - Area Specific Matters

TRAN-O1. The transport ~~system~~ network is a well-connected, integrated and accessible ~~system~~ network that:

1. Meets and is responsive to current and future needs, and
2. Maximises opportunities to link with both existing and planned[5] land use and development; and
3. Promotes the use of walking and cycling and reduces the dependency on private motor vehicles.

TRAN-O2. The transport ~~system~~ network is safe, efficient and effective in moving people and goods within and beyond the district and enables a range of mobility options.

TRAN-O3. Activities ~~are enabled that~~ generate a type or level of traffic that is compatible with the function of the transport corridor they ~~obtain~~ access ~~to and from~~.[6]

TRAN-O4. Adverse effects that arise from transport connections, new activities or intensification of activities on the operation of the transport ~~system~~ network are avoided, remedied or mitigated.

TRAN-O5. Well located, formed and constructed vehicle access points, parking, loading and manoeuvring areas are provided that contribute to the safe and efficient functioning of the activity and the transport ~~system~~ network.

TRAN-O6. Adverse effects from the development, construction and maintenance of the transport ~~system~~ network are ~~managed~~ avoided, remedied or mitigated[7].

Policies

Refer also to the relevant policies in Part 2 District - Wide Matters and Part 3 - Area Specific Matters

TRAN-P1. Ensure that the operation of a safe, efficient, effective, integrated, resilient and sustainable transport ~~system~~ network is achieved through:

[4] Waikato Regional Council [10.41] and Forest and Bird [47.60]
[5] Forest and Bird [47.62]
[6] Forest and Bird [47.64] and WRC [10.59]
[7] Forest and Bird [47.65]

1. Development, construction and maintenance of the transport ~~system~~ network is consistent with the transport corridor function and hierarchy; and
2. The appropriate design, number, location and formation of vehicle access points; and
3. Design, upgrades and maintenance that seek to reduce deaths and serious injuries; and
4. ~~Seeking improvements to pedestrian and cyclist safety including s~~Safe, appropriately designed pedestrian access ways, walkways and cycleways suitable for all users, including those with restricted mobility; and
5. Minimising conflict within the transport ~~system~~ network by ensuring sight and separation distance requirements are adhered to; and
6. Accommodating and encouraging alternative modes of transport; and
7. Facilitating opportunities to enhance character and amenity; and
8. Promoting the achievement of outcomes specified in the key moves of the Town Concept Plans; and
9. Including where possible, the use of low impact stormwater design; and
10. Minimising energy consumption, ~~environmental effects~~[8] and whole of life costs in construction, maintenance and operation.

TRAN-P2. Ensure that activities do not adversely affect the safe and efficient operation of the transport ~~system~~ network by:

1. Avoiding conflict between vehicles, pedestrians and cyclists and other active modes[9]; and
2. Avoiding the adverse cumulative effects of activities; and
3. Provide appropriately designed and/or located vehicle access points, on-site parking, loading and queuing spaces, loading and manoeuvring spaces to reduce disruption to traffic flow, driver distraction and road congestion; and
4. Minimise the need for new vehicle access points onto a State Highway; and
5. Appropriately locate, maintain and operate electric vehicle charging devices ~~stations~~[10]; and
6. Encourage the development of stock underpasses; and
7. Minimise the potential for reverse sensitivity effects where activities adjoin the transport ~~system~~ network.

TRAN-P3. Ensure that activities do not adversely affect the safe and efficient operation of the rail transport ~~system~~ network by:

1. Avoiding the installation of new rail level crossings unless there is no possible alternative; and
2. Avoiding the location of new vehicle access points and the erection and location of structures and other visual obstructions within the sightline areas of rail level crossings; and
3. Ensuring railway crossing design is in accordance with the requirements of the rail operator.

TRAN-P4. Ensure that high trip generating activities are evaluated through an Integrated Transport Assessment (ITA) that demonstrates how adverse

[8] WRC [1045] and Forest and Bird [47.68]
[9] Waka Kotahi [17.51]
[10] The Fuel Companies [56.03]

effects on the transport ~~system~~ network will be avoided, remedied or mitigated, and:

1. Ensures that the capacity and the likely effect of the proposed use on the transport ~~system~~ network, its users and their safety is maintained or enhanced; and
2. Manages the effects on the amenity values and character of the transport ~~system~~ network; and
3. Provides for inclusive access, transport choice and integration of different modes; and
4. Fully considers whether opportunities for alternative access and/or routes exist; and
5. Provides appropriate traffic management and travel planning mechanisms; and
6. Provides for circumstances where it is appropriate to stage the activity and/or undertake improvements to the transport ~~system~~ network; and
7. Factors in the ongoing maintenance requirements of the transport ~~system~~ network and the need for maintenance agreements; and
8. Integrates development with funded improvements to the network and ensures that timing aligns with capacity; and
9. Considers and manages cumulative effects; and
10. Takes into account any positive transport effects; and
11. Accounts for any changes over the relevant assessment period to the predicted level of personal risk to individuals (safety) using the network and levels of service (efficiency) of the network.

TRAN-P5. In limited circumstances or where an Integrated Transport Assessment (ITA) demonstrates that it is appropriate, Waitomo District Council may:

1. Reduce the on-site car parking requirement where an activity can demonstrate through the provision of a travel plan, that staff or occupants of the activity can access the activity through alternative means of travel; and
2. Reduce the on-site car parking requirement where activities that operate at different times and/or have adjoining sites may be able to share the use of the same parking spaces; and
3. Dispense with the requirement for an on-site manoeuvring, loading or queuing spaces where any adverse effects on safety can be avoided, remedied or mitigated.

TRAN-P6. Ensure activities that generate vehicle trips associated with construction minimise any adverse effects having regard to:

1. The types of vehicles serving the site, their frequency, the time of vehicle movement and anticipated traffic generation; and
2. The duration of the traffic generation and the extent to which it creates adverse amenity effects and/or sleep disturbance for surrounding sensitive activities; and
3. The capacity of the site and adjoining transport ~~system~~ network to accommodate parking for workers associated with the construction work; and
4. The location of the site to nearby educational facilities and the need for heavy construction vehicles to avoid travelling past those during peak pick-up and drop off times (8.00 – 9.00am and 2.30-3.30pm) to ensure student pedestrian safety; and
5. Any potential adverse effects on the safety and efficiency of the transport ~~system~~ network; and/or

6. The outcomes or recommendations of a Construction Traffic Management Plan undertaken by a suitably qualified transport professional.

TRAN-P7. Manage the location, design and layout of activities to ensure they integrate with existing and future transport corridors.

TRAN-P8. The provision of transport infrastructure for any development or subdivision must be planned, funded and provided for in an integrated and comprehensive manner.

TRAN-P9. Additions and upgrades to the transport ~~system~~ network shall achieve connectivity by:

1. Linking to existing networks, including cycleways, walkways, public transport routes and open space networks; and
2. Contributing to shorter travel distances and providing choices for all users; and
3. Not precluding connectivity to future developable land or future transport ~~system~~ network connections; and
4. Ensuring accessibility for all users including transport disadvantaged~~s~~ and mobility impaired~~, through the provision of features such as dropped kerbs and tactile paving~~[11]; and
5. Allowing efficiency of movement within, to and from the activity for all users; and
6. Providing increased opportunity for social interaction, particularly in commercial areas and residential neighbourhoods; and
7. Supporting low impact urban design principles, including the integration of natural features.~~; and~~

TRAN-P10. Ensure vehicle access points, on-site parking, loading, queuing and manoeuvring spaces are appropriately designed, located, constructed and formed to:

1. Minimise congestion and allow traffic to enter transport corridors safely; and
2. Minimise conflict between vehicles, pedestrians and cyclists and other active modes[12]; and
3. Support the expected amenity levels in the zone including by maintaining setbacks and outdoor living space; and
4. Minimise the potential to generate dust and avoid granular material and stormwater run-off entering the transport corridor and/or water bodies.

TRAN-P11. ~~Within Te Kūiti CBD precinct (PREC5),~~ Avoid interrupting a road frontage with a new vehicle access point in the Te Kūiti CBD precinct (PREC5) to ensure ~~should be avoided due to adverse potential effects on~~ pedestrian safety.[13]

TRAN-P12. Ensure sites providing more than five carparks in the commercial zone and larger carparks in other zones are located, landscaped and illuminated to enhance local amenity and maximise pedestrian safety.

[11] Waikato Regional Council [10.48]
[12] Waka Kotahi [17.60]
[13] Waikato Regional Council [10.59b]

TRAN-P13. To achieve the re-use of historic heritage sites listed in SCHED1 - Heritage Buildings and Structures, enable reduced vehicle access points, on-site parking, loading and manoeuvring requirements where these cannot practicably be incorporated on-site due to the location of the heritage item and/or the size of the site.

Rules

The rules that apply to transport are contained in the tables listed below. To undertake any activity, it must comply with all the rules listed in:

- TRAN - Table 1 - Activities Rules; and
- TRAN- Table 2 - Performance Standards; and
- Any relevant provision in Part 2 District-Wide Matters; and
- Any relevant provision in Part 3 Area Specific Matters.

Where an activity breaches more than one rule, the most restrictive status shall apply to the activity.

Refer to Part 1 - How the Plan Works for an explanation of how to use this plan, including activity status abbreviations.

Note: TRAN-R15 to TRAN-R18 do not apply to Te Maika Precinct (PREC7)

TRAN - Table 1 - Activities Rules

Unless otherwise specified in a rule, the rules in this table apply to all roads including new roads approved by way of resource consent		
TRAN-R1.	**Vehicle access on to roads other than State Highways**	
All zones, all precincts (except Te Kūiti CBD precinct PREC5)	**Activity Status: PER** **Where:** ~~1. All of the performance standards in TRAN – Table 2 are complied with; and~~ 1. The activity requires a new vehicle access point to any road other than a State Highway; or 2. There is an existing vehicle access point and the on-site activity changes in nature or intensity but remains compliant with the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3; AND 3. All of the performance standards in TRAN – Table 2 are complied with; and[14]	**Activity status where compliance is not achieved: RDIS** **Matters over which discretion is restricted:** (a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and (b) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network; and (c) The ability to provide an adequate and reliable firefighting water supply; and (d) The effects on the environment of not complying with the standards set out in

[14] Waikato Regional Council [10.50]

	4. The vehicle access point complies with the standards set out in the Regional Infrastructure Technical Specifications (Waikato); and 5. The vehicle access point complies with the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach[15] the source of a firefighting water supply from a public road. *Note: Where an activity requires a new vehicle access point to a State Highway see rule TRAN-R8*	the Regional Infrastructure Technical Specifications (Waikato).
Te Kūiti CBD precinct PREC5	**Activity Status: DIS** **Where:** 6. All of the performance standards in TRAN - Table 2 are complied with; and 7. A new vehicle access point is created onto a road; and 8. The vehicle access point complies with the standards set out in the Regional Infrastructure Technical Specifications (Waikato).	**Activity status where compliance is not achieved: NC**
TRAN-R2.	**Car park landscaping and illumination**	
All zones, all precincts except the commercial zone	**Activity Status: PER** **Where:** 1. All of the performance standards in TRAN - Table 2 are complied with; and 2. More than 25 or more carparks are provided on a site, at least one tree is planted for every 5 car park spaces at a grade of no less than PB95 (equivalent to a tree that is at least 1.5 m tall at the time of planting); and	**Activity status where compliance is not achieved: RDIS** **Matters over which discretion is restricted:** (a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and (b) The proposed landscaping plan, planting design, species selection and the size of plants at time of planting; and

[15] FENZ [16.09]

	3. Car parks must be illuminated in accordance with AS/NZS 1158 requirements for Category P.	(c) The extent to which the following design and landscape elements are provided within the parking area of the site: (i) A clear and defined accessible pedestrian route to the buildings on site for which the car parking is being provided; and (ii) Adequate vehicle queuing space; and (iii) The ability for passive surveillance; and (iv) Lighting designed to provide a safe environment.
Commercial zone	**Activity status: RDIS** **Where:** 4. All of the performance standards in TRAN - Table 2 are complied with; and 5. Five or more carparks are provided on a site, at least one tree must be planted for every 5 car parking spaces at a grade of no less than PB95 (equivalent to a tree that is at least 1.5m tall at the time of planting); and 6. Lighting is designed and operated to provide a safe environment for pedestrians. **Where the activity is RDIS, the matters over which discretion is restricted are:** (a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and (b) The extent and effect of non-compliance on the streetscape, pedestrian safety and the amenity of the area; and (c) The ability to mitigate any effects on the streetscape by screening, planting and landscaping design; and (d) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network; and (d) The proposed landscaping plan, planting design, species selection and the size of plants at time of planting; and (e) The extent to which the key moves in the relevant Town Concept Plan, particularly those associated with gateway areas, have been considered and provided for; and (f) The extent to which the following design and landscape elements are provided within the parking area of the site: (i) A clear and defined accessible pedestrian route to the buildings on site for which the car parking is being provided; and (ii) Adequate vehicle queuing space; and (iii) The ability for passive surveillance; and (iv) Lighting designed to provide a safe environment. **Activity status where compliance is not achieved: DIS**	

	Note: AS/NZS 1158.3.1.2005 Part 3.1: Pedestrian Area (Category P) lighting - Performance and design requirements, Table 2.5 Lighting categories for outdoor carparks (lighting subcategory P11b) sets out requirements for lighting carparks. *Note: The New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) sets out requirements for accessible routes from the parking spaces to the associated activity or road.*	
TRAN-R3.	**Electric vehicle charging device ~~stations~~**[16]	
All zones, all precincts	**Activity Status: PER** **Where:** 1. The electric vehicle charging device is installed in an existing, permitted or consented vehicle parking space, vehicle depot or garage structure or is installed on the road reserve; and 2. The electric vehicle charging device does not exceed a height of ~~1.8~~3 m as measured from ground level, and an area of ~~1.5~~ 3 m². Note: This rule does not apply to poles, cables and cable support systems associated with the electric vehicle charging device.[17] Note: Any electric vehicle charging device to be located within the State Highway road reserve requires approval from Waka Kotahi New Zealand Transport Agency.	**Activity status where compliance is not achieved: RDIS** **Matters over which discretion is restricted:** (a) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network; and (b) The extent and effect of non-compliance on the streetscape, pedestrian safety and the amenity of the area.
TRAN-R4.	**New walkways and cycleways**	
All zones, all precincts	**Activity Status: PER** **Where:** 1. The walkway must have a minimum width of 1.5 m; or 2. The walkway is also a cycleway, it must have a minimum width of 3.0 m. *Note: Where the site is on/in a scheduled feature, there may be additional rules relating to earthworks and vegetation clearance.*	**Activity status where compliance is not achieved: RDIS** **Matters over which discretion is restricted:** (a) The design, location, construction and materials used; and (b) The extent and effect of non-compliance on the streetscape, pedestrian and cyclist safety and the amenity of the area; and (c) Connectivity with other off-road pedestrian and cycle facilities and the transport ~~system~~ network including outcomes from consultation with Waka Kotahi New

[16] The Fuel Companies [56.04 and 56.05]
[17] Waka Kotahi [17.61 and 17.36]

		Zealand Transport Agency where relevant[18]; and (d) The extent to which the key moves in the relevant Town Concept Plan have been considered and provided for.
TRAN-R5.	**Stock underpasses**	
General rural & rural lifestyle zones	**Activity Status: PER** **Where:** 1. The stock underpass must be located within: (i) Road reserve; and (ii) The general rural or rural lifestyle zones. *Note: Where the site is on/in a scheduled feature, there may be additional rules relating to earthworks and vegetation clearance.*	**Activity status where compliance is not achieved: RDIS** **Matters over which discretion is restricted:** (a) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network; and (b) The extent and effect of non-compliance with the standards set out in the Regional Infrastructure Technical Specifications (Waikato).
TRAN-R6.	**High trip generating activities**	
All zones, all precincts	**Activity Status: PER** **Where:** 1. The activity does not exceed the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3; and 2. All of the performance standards in TRAN - Table 2 are complied with; and 3. The provisions of this rule do not apply to activities that are the subject of approved resource consents, structure plans or plan changes at 20 October 2022. *Note: An Integrated Transport Assessment, prepared by a suitably qualified transport professional, must be submitted with any resource consent application under this rule.* *Note: The New Zealand Transport Agency guidelines "Research Report 422: Integrated Transport Assessment Guidelines, November 2010"*	**Activity status where compliance is not achieved: RDIS** **Matters over which discretion is restricted:** (a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and (b) The effects of the activity on the safety, efficiency and effectiveness of the transport ~~system~~ network, including consideration of cumulative effects with other existing and consented activities in the vicinity; and (c) The extent to which the number, pattern and/or timing of vehicle movements is likely to adversely affect the amenity values and character of the immediate and surrounding area; and (d) Whether the additional trip generation adversely impacts road condition and

[18] Waka Kotahi [17.61 and 17.36]

	should be used to inform any Integrated Transport Assessment.	increases maintenance and or renewal requirements; and (e) The extent to which the proposal has provided for connectivity and considered the integration of different modes and transport choices; and (f) Any alternative locations and methods, such as travel planning, that were considered to avoid, remedy and mitigate any adverse effects, while recognising practical constraints and any benefits generated by the activity; and (g) Consideration of outcomes and recommendations in the Integrated Transport Assessment provided with the application; and (h) The extent to which suitable vehicle access, vehicle queuing, parking and manoeuvring are provided on site; and (i) The extent to which the proposal relies on the provision of other infrastructure; and (j) For any development involving access onto a State Highway, the results of consultation with Waka Kotahi New Zealand Transport Agency.
TRAN-R7.	**Any activity not otherwise listed in this table**	
All zones, all precincts	**Activity Status: PER** **Where:** 1. All of the performance standards in TRAN - Table 2 are complied with.	**Activity status where compliance is not achieved: DIS**
TRAN-R8.	**Vehicle access on to State Highways[19]**	
All zones, all precincts	**Activity Status: RDIS** **Where:** ~~1.All of the performance standards in TRAN - Table 2 are complied with; and~~ 1. The activity requires a new vehicle access point on to any State Highway; or 2. There is an existing vehicle access point and the on-site activity changes in nature or intensity but does not exceed the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3; AND 3. All of the performance standards in TRAN - Table 2 are complied with; and	

[19] WRC [10.54]

	4. The activity complies with the access way standards and guidelines set out by Waka Kotahi New Zealand Transport Agency; and 5. The vehicle access point complies with the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach the source of a firefighting water supply from a public road. **Where the activity is RDIS, the matters over which discretion is restricted are:** (a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and (b) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network; and (c) Whether there is alternative access from another transport corridor; and (d) The outcome of consultation with Waka Kotahi New Zealand Transport Agency; ~~and~~ (e) The ability to provide an adequate and reliable firefighting water supply; and~~.~~ (f) The extent to which the number, type and/or timing of vehicle movements is likely to adversely affect the safety and effective functioning of the State Highway. [20] **Activity status where compliance is not achieved: DIS** *Note: All new vehicle access points that intersect a State Highway require the approval of Waka Kotahi New Zealand Transport Agency under the Government Roading Powers Act 1989. Waka Kotahi New Zealand Transport Agency may require a different vehicle access construction standard from TRAN-Table 2.*
TRAN-R9.	**Erection of structures ~~on or~~ [21] adjacent to a railway corridor or an indicative road**
All zones, all precincts	**Activity Status: ~~RDIS~~ PER [22]** **Where:** 1. All of the performance standards in TRAN - Table 2 are complied with; and 2. The structure is ~~located within~~ setback a minimum of 5 m from the designation boundary of the ~~edge of a~~ railway corridor; or 3. The structure ~~(excluding signs, temporary structures, and vehicle access points)~~ is ~~located within~~ setback a minimum of 20 m ~~of~~ from the edge of an indicative transport corridor. 4. For clarity, TRAN-R9.2 does not apply to KiwiRail Holdings Limited. 5. This rule does not apply to signs, temporary structures, fences, network utility structures and vehicle access points. **Activity status where compliance is not achieved: RDIS** **~~Where the activity is RDIS, t~~The matters over which discretion is restricted are:** (a) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2; and

[20] Waka Kotahi [17.66]
[21] KiwiRail Holdings Limited [51.32 and 51.23]
[22] S42A reporting officer recommendation

	(b) The size, nature and location of the structure on the site; and (c) The extent to which the safety and efficiency of current and future rail operations will be adversely affected; and (d) Whether the indicative road location is taken into account in the siting of structures; and (e) Whether the structure would compromise the design, construction or functioning of the future transport ~~system~~ network; and (f) Whether any land use activities enabled or established by the structure would be incompatible with rail operations or the transport ~~system~~ network or create reverse sensitivity issues; and (g) The outcome of consultation with KiwiRail. ~~**Activity status where compliance is not achieved: DIS**~~ *Note: KiwiRail will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided.*
TRAN-R10.	**Vehicle access obtained by crossing a railway line**
All zones, all precincts	**Activity Status: RDIS** **Where:** 1. The new vehicle access point from a site to a road[23] transport corridor is obtained by crossing a railway line; or 2. There is an existing vehicle access point and the on-site activity changes in nature or intensity but remains compliant with the Integrated Transport Assessment (ITA) thresholds in TRAN – Table 3; AND 3. The vehicle access point complies with the dimensions required for fire appliances for developments in SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice where a driveway length exceeds 75m or a fire appliance is not able to reach the source of a firefighting water supply from a public road; and 4. All of the performance standards in TRAN - Table 2 are complied with. **Matters over which discretion is restricted:** (a) Adverse effects on the safe, efficient and effective operation of the rail transport ~~system~~ network; and (b) Whether there is alternative access from another transport corridor; and (c) The outcome of consultation with KiwiRail; and (d) The ability to provide an adequate and reliable firefighting water supply; and (e) The matters of discretion associated with any performance standard which cannot be complied with in TRAN - Table 2. **Activity status where compliance is not achieved: DIS** *Note: KiwiRail will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided.*

[23] KiwiRail [51.33]

TRAN - Table 2 - Performance Standards

The rules in this table apply to all zones and precincts		
TRAN-R11.	**Number of vehicle access points**	
1. One vehicle access point per site is permitted onto a district road; ~~and~~ 2. One vehicle access point per site is permitted on to a State Highway; and~~.~~ 3. Two vehicle access points per site are permitted for emergency service facilities[24]. *Note: Where an activity requires a new vehicle access point to a State Highway see rule TRAN-R8.*		**Matters over which discretion is restricted:** (a) The design, location, construction and materials used; and (b) The extent and effect of non-compliance on the streetscape, vehicle, pedestrian and cyclist safety and the amenity of the area; and (c) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network ; and (d) The level of traffic generated by the activities to be served by the vehicle access point; and (e) Mitigation measures to address safety.
TRAN-R12.	**Minimum sight distances[25]**	
1. Where the speed environment is 100 km/h the minimum sight distance from a vehicle access point must be 280 m[26]; and 2. Where the speed environment is 80 km/h the minimum sight distance from a vehicle access point must be 210 m[27]; and 3. Where the speed environment is 70 km/h the minimum sight distance from a vehicle access point must be 115m[28]; and 4. Where the speed environment is 60 km/h the minimum sight distance from a vehicle access point must be 80 m[29]; and		**Matters over which discretion is restricted:** (a) The design, location, construction and materials used; and (b) The extent and effect of non-compliance on vehicle, pedestrian and cyclist safety; and (c) Adverse effects on the safe, efficient and effective operation of the transport ~~system~~ network ; and (d) The level of traffic generated by the activities to be served by the vehicle access point; and (e) Mitigation measures to address safety.

[24] FENZ [16.12]
[25] The sight distances are based on Austroads Guide to Road Design, Part 4A: Unsignalised and Signalised Intersections (Equation 1 and 2)
[26] The sight distance for a 100km/h speed environment are calculated based upon Safe Intersection Sight Distance (SISD) with 85th percentile speed of 110km/h and R_T 2.0 seconds.
[27] The sight distance for an 80km/h speed environment are calculated based upon SISD with 85th percentile speed of 90km/h and R_T 2.0 seconds.
[28] The sight distance for a 70km/h speed environment are calculated based upon Approach Sight Distance (ASD) with 85th percentile speed of 80km/h and R_T 2.0 seconds.
[29] The sight distance for a 60km/h speed environment are calculated based upon ASD with 85th percentile speed of 70km/h and R_T 1.5 seconds.

5. Where the speed environment is 50 km/h or less the minimum sight distance from a vehicle access point must be 55 m[30].	

TRAN-R13.	Minimum distance between vehicle crossings and road intersections
1. The minimum separation distances must comply with Figure - TRAN 1 and Figure - TRAN 2:	**Activity status where compliance is not achieved: DIS**

Figure - TRAN 1 - separation distances[31]

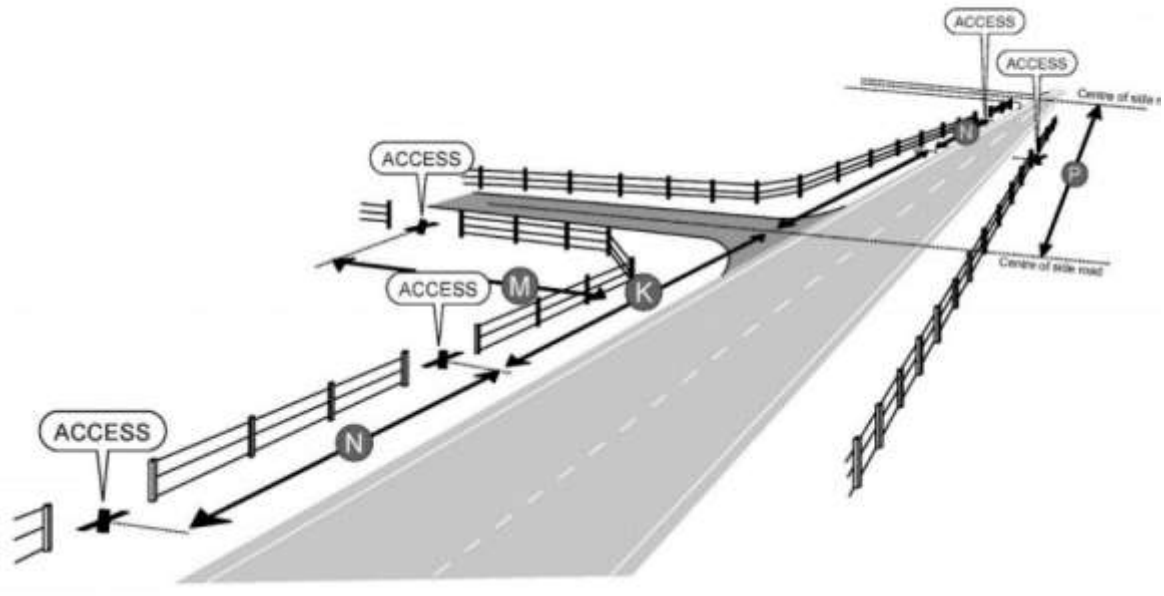
Separation distances[32]				
Speed environment	**P** Minimum distance between intersections	**K** Minimum distance between a vehicle access point and an intersection	**M** Minimum distance between a vehicle access point and an intersection	**N** Minimum distance between vehicle access points on the same or opposite frontages
100 km/h	800m	200m	60m	200m
80 km/h	550m	100m	45m	100m
70 km/h	400m	100m	45m	40m
60 km/h	200m	30m	20m	20m
50 km/h or less	125m	30m	20m	less than 4m or more than 15m

Figure - TRAN 2 - separation distances

[30] The sight distance for a 50km/h speed environment are calculated based upon ASD with 85th percentile speed of 50km/h and R_T 1.5 seconds.

[31] Separation distances are based on NZTA Planning Policy Manual, Appendix 5B – Accessway Standards and Guidelines, Table App5B/3 – Guidelines for minimum accessway spacings.

[32] Separation distances are based on NZTA Planning Policy Manual, Appendix 5B – Accessway Standards and Guidelines, Table App5B/3 – Guidelines for minimum accessway spacings.



TRAN-R14.	Setbacks and sightlines near level rail crossing ~~Rail level crossings~~[33]
1. New vehicle access points must be located a minimum of 30 m[34] from a railway level crossing, as measured from the closest rail track to the edge of the seal on the vehicle access point; and 2. For railway level crossings controlled by ~~stop signs or~~[35] give way signs, any structures, vegetation or other visual obstructions must not be located within the approach sightlines or restart sightline areas as shown in the shaded areas of Figure - TRAN 3 and Figure - TRAN 4. *Note: KiwiRail will be considered an affected person in accordance with section 95B of the RMA where its written approval is not provided.*	**Activity status where compliance is not achieved: DIS**

[33] KiwiRail [51.34]
[34] Based on NZTA Traffic Control Devices Manual – Part 9 Level Crossings
[35] KiwiRail [51.34]

Figure – TRAN 3 - approach sightlines

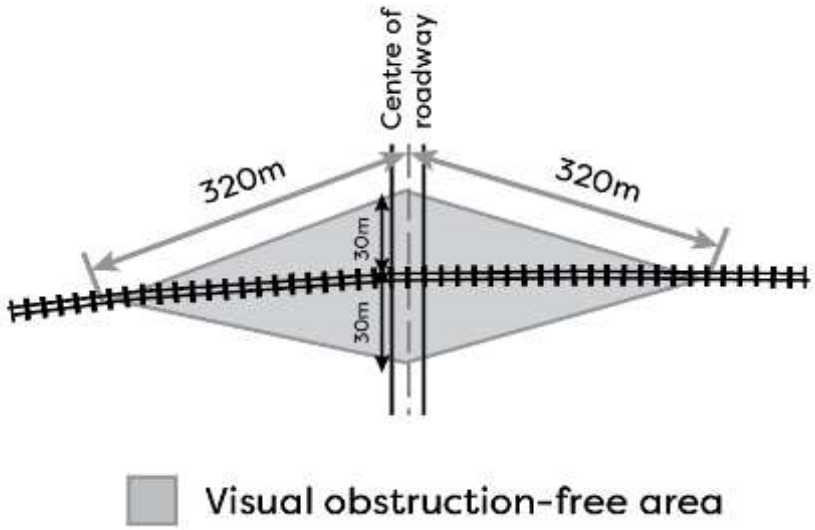
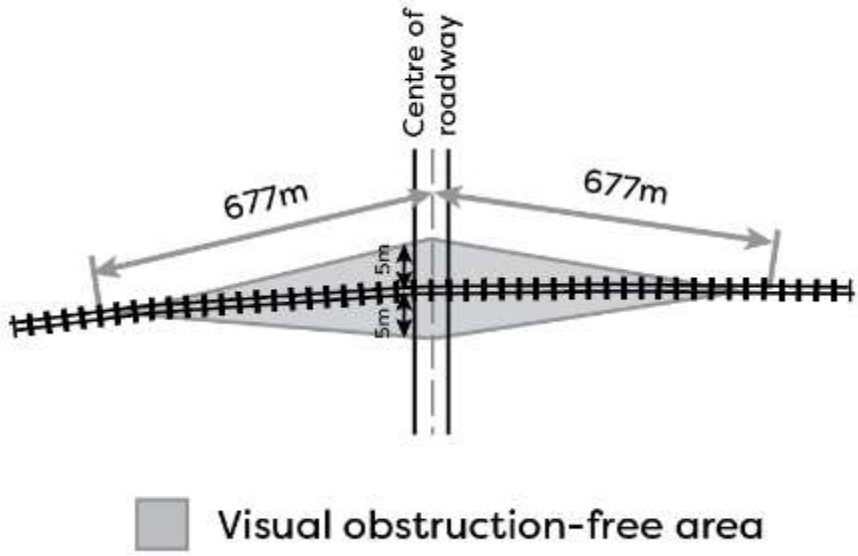


Figure - TRAN 4 - restart sightlines



TRAN-R15.	**Requirements for on-site vehicle parking spaces**	
1. All activities must comply with the requirements in TRAN – Table 3 and Figure – TRAN 5, and be located on the same site as the activity for which they are required; and 2. In calculating the number of parking spaces to be provided, fractional numbers must be rounded up to the next whole number; and 3. Where a minimum parking requirement applies and a site supports more than one activity, the parking requirement of each activity must be separately determined and then combined to		**Activity status where compliance is not achieved: DIS**

determine the overall minimum parking requirement for the site; and 4. A parking space includes those provided for in a garage or carport; and 5. Staff parking in the commercial and tourism zones may be stacked; and 6. In the residential, settlement and rural lifestyle zones, one of the car parks allocated to a single residential unit may be stacked; and 7. Space needed for manoeuvring, loading, unloading, queuing, or standing at a service booth must not be counted towards meeting the car park requirement; and 8. For vehicle manoeuvring areas and parking spaces, including those spaces located in a garage, the requirements in Figure – TRAN 6 must be complied with; and 9. In the industrial and rural production zones, all vehicles must have the ability to access the adjoining road in a forward direction after no more than a three point turning manoeuvre on the site. *Note: Where parking is provided, the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001) sets out requirements for accessible routes from the parking spaces to the associated activity or road.*	
TRAN-R16.	**Minimum number of on-site loading spaces**
1. All activities must comply with the minimum number of on-site loading spaces in TRAN – Table 3; and 2. Where an on-site loading space is required by TRAN – Table 3, the vehicle manoeuvring area and on-site loading spaces must be provided on site, to a 99 percentile truck standard, in order to ensure that all vehicles have the ability to access the adjoining road in a forward direction after no more than a three point turning manoeuvre on the site.	**Activity status where compliance is not achieved: DIS**
TRAN-R17.	**Construction and formation standards**
1. Every site must be provided with a vehicle access point to a formed road that is constructed to a permanent standard and complies with the	**Activity status where compliance is not achieved: DIS**

standards set out in the Regional Infrastructure Technical Specifications (Waikato); and 2. In all zones, all activities must comply with the requirements in Figure – TRAN 7; and 3. In the commercial, residential and tourism zones only, vehicle parking spaces, on-site loading spaces, service lanes, private ways, manoeuvring areas and site queueing spaces must be sealed; and 4. In zones other than the commercial, residential General rural zone and tourism zones, vehicle parking spaces, on-site loading spaces, service lanes, private ways, manoeuvring areas and site queueing spaces must be designed, formed and constructed to ensure that the surface provides a dust free environment and ensures the safe and efficient disposal of surface stormwater in a way that does not result in ponding, scouring or granular material or stormwater run-off entering the transport corridor or water bodies; and 4a. In the General rural zone, vehicle parking spaces, onsite loading spaces, service lanes, private ways, manoeuvring areas and site queueing spaces must be designed, formed and constructed to ensure that the surface does not create a dust nuisance for other sites and disposes of surface stormwater in a way that does not result in ponding, scouring or granular material or stormwater run-off entering the transport corridor or water bodies; and[36] 5. In all zones, vehicle parking spaces, on-site loading spaces, manoeuvring areas and site queueing spaces must not encroach on any required outdoor living space; and 6. For front and corner sites in the residential and settlement zones only, vehicle parking spaces and manoeuvring areas for residential activities may encroach into the road boundary setback, provided that a 1m wide setback is retained at the road boundary, excluding the vehicle access point(s); and 7. For rear sites in the residential and settlement zones only, vehicle parking spaces and	

[36] Federated Farmers [46.27]

manoeuvring areas for residential activities may encroach into any setback; and 8. In zones other than the residential and settlement zones AND for non-residential activities (excluding home businesses) in the residential and settlement zones, vehicle parking spaces, on-site loading spaces, manoeuvring areas and site queueing spaces must not encroach on any front boundary setback except at the vehicle access point(s); and 9. In the commercial and tourism zones only, sites with five or more vehicle parking spaces must be marked so that it is clear to users where the edge of each space is; and 10. In all zones except the General rural zone,[37] commercial vehicle, machinery or container washdown areas must be sealed, bunded and connected to the wastewater treatment ~~system~~ network where connection is available. In the General rural zone, washdown areas must not result in run-off entering the transport corridor or water bodies.	

TRAN-R18.	**Additional driveway formation and construction standards**
1. All driveways must have a minimum width of 3 m and must not exceed a maximum gradient of 1:5; and 2. Where the driveway length exceeds 50 m, one passing bay is required per 50 m interval; and 3. The minimum vertical clearance from buildings or structures is ~~3.8~~ 4 m[38]; and 4. The minimum inside turning radius for bends is 6.5 m; and 5. The driveway must comply with the standards set out in the Regional Infrastructure Technical Specifications (Waikato).	**Activity status where compliance is not achieved: DIS**

TRAN-R19.	**Vehicle access and road hierarchy**
1. Where a site has two road frontages, vehicle access must be from the district road rather than from the State Highway.	**Activity status where compliance is not achieved: DIS**

[37] Federated Farmers [46.27]
[38] FENZ [16.14]

TRAN - Table 3 - Parking and loading requirements and Integrated Transport Assessment (ITA) Thresholds

Residential Activities	**On-site vehicle parking requirement**	**ITA Threshold**	**On-site loading requirement**
Any residential development or subdivision	2 spaces per *residential unit* There is no requirement for *minor residential units* or for a single *tiny house*. 1 space per each residential unit in a *duplex dwelling*	An ITA is required where more than 20 *residential units* are proposed or more than 20 *allotments* are proposed	None
Any *retirement village, compact housing development, papakāinga housing development* or *co-housing development*	1 space per *residential unit* In addition, for *retirement villages* where there is supported residential care (including hospital care) 1 space for every two employees	An ITA is required where the development provides for more than 20 units accommodating a *residential activity*.	None
Any *tiny house development, boarding house, managed care facility* or *staff accommodation associated with a tourism facility*	1 space per every two residents designed to be accommodated.	An ITA is required where more than 20 *tiny houses* are proposed on a site or where a*, boarding house, managed care facility* or *staff accommodation associated with a tourism facility* provide accommodation for more than 20 residents	None
Te Kūiti CBD precinct (PREC5)	**Parking requirement**	**ITA Threshold**	**On-site loading requirement**
Retail activities, commercial services, tourism facilities, indoor fitness centres, theatres, cinemas, cafes, restaurants, clubrooms and licensed premises, libraries, museums, healthcare facilities and visitor accommodation within or with frontage within the Te Kūiti CBD Precinct	1 space for every two employees There is no parking requirement for pop up shops, coffee carts and food trucks.	ITA not required	None
Residential units above ground floor level or *shopkeeper's dwellings* at ground level within or with frontage within the Te Kūiti CBD Precinct	1 space per *residential unit* 1 space per *shopkeeper's dwelling*	ITA not required	None
General activities	**Parking requirement**	**ITA Threshold**	**On-site loading requirement**

Where the activity incorporates redevelopment of a historic heritage site identified in SCHED1 - Heritage Buildings and Structures	No reduction in the total number of car parks provided on the site prior to the redevelopment.	ITA not required	None
Cafes, restaurants, clubrooms, wineries, breweries, distilleries and licensed premises exclusive of accommodation	1 space per 10m² of gross floor area other than accommodation areas There is no parking requirement for pop up shops, coffee carts and food trucks.	An ITA is required for proposals exceeding 250m² gross floor area	1 *heavy commercial vehicle* bay per site
Camping grounds	1 space for each accommodation unit (motel or cabin) and 1 space for every two employees	An ITA is required for proposals exceeding 20 accommodation units, camping sites or berths.	None
Takeaway food outlets with a drive through facility	1 space per 10m² of gross floor area	All proposals require an ITA	As determined by the ITA
Emergency service facilities	~~1 space per 50m² of gross floor area~~ No minimum requirement[39]	ITA not required	None
Energy activities and *network utility* activities	Where a network utility/energy activity is permanently staffed, 1 space per full time equivalent	Any activity exceeding 200 *vehicle movements* per day requires an ITA	1 *heavy commercial vehicle* bay per site
Home businesses, boarding or breeding kennels or catteries	1 space per employee not residing on the site	ITA not required	None
Hospitals	1 space per 50m² of gross floor area	All proposals require an ITA	1 *heavy commercial vehicle* bay per 50 beds, provided there is a minimum of 1 *heavy commercial vehicle* bay per site and 1 space for dedicated ambulance parking
Industrial activities including *warehouses*, lock-up storage units, contractors and storage yards but excluding transport depots	1 space per 100m² of gross floor area	An ITA is required for proposals exceeding 5000m² gross floor area	1 *heavy commercial vehicle* bay per site
Motor vehicle repair garages, tyre shops, *trade suppliers*	1 space per 100m² of gross floor area, provided there is a minimum of 4 spaces	An ITA is required for proposals exceeding 500m² gross floor area	1 *heavy commercial vehicle* bay per site
Healthcare facilities and veterinary practices	3 spaces per medical doctor, practitioner or veterinarian plus 1 space for every 2 additional employees	An ITA is required for proposals exceeding 250m² gross floor area	For medical centres only, 1 space for dedicated ambulance parking

[39] FENZ [16.15]

Offices, *commercial services*, laboratories and research establishments	1 space per 35m² of gross floor area	An ITA is required for proposals exceeding 1,000m² gross floor area	None
Outdoor recreational and community areas including sports reserves, playing fields, courts, skate parks, swimming pools, bowling greens and tracks	3 spaces per court 15 spaces per hectare of field or pitch 15 spaces per 10 m² of swimming pool area 15 spaces per bowling green or track OR 2 spaces for every five persons the activity/outdoor facility is designed to accommodate – whichever is greater.	An ITA is required for proposals exceeding 6 courts/fields	None
Outdoor retail activities, stock saleyards	1 space per 150m² of display area (whether indoor or outdoor), provided there is a minimum of 4 spaces	An ITA is required for proposals exceeding 2000m² gross floor area	1 *heavy commercial vehicle* bay per site
Places of assembly, *Marae complexes* and *community facilities*	Whichever is the greater of 15 spaces per 100m² gross floor area or 3.5 spaces per 10 persons the building is designed to accommodate.	An ITA is required for proposals designed to accommodate more than 200 persons on the site at any one time.	None
Prisons	1 space per every 3 persons to be accommodated plus 1 space per full-time staff equivalents	All proposals require an ITA	1 *heavy commercial vehicle* bay per site
Retail activities including *large format retail* (see also *outdoor retail activities*) *indoor fitness centres, theatres, cinemas, libraries, museums and supermarkets*	1 space per 25m² of gross floor area	An ITA is required for proposals exceeding 250m² gross floor area	1 *heavy commercial vehicle* bay per site
Service stations	2 spaces per 3 employees 1 space per 40m² gross floor area of the retail element of the activity 4 spaces per workshop bay 3 vehicle queuing spaces for a carwash 1 space per air hose or vacuum	~~All proposals require an ITA~~ New service stations An increase in gross floor area of an existing service station[40]	As determined by the ITA
Show homes	1 space per full-time staff equivalents	ITA not required	None
Tourism facilities including agri-tourism, nature tourism and *outdoor education activities*	1 space per 5 people based on the maximum number of people that the site is designed to accommodate at any one time.	An ITA is required for proposals exceeding 250m² gross floor area	None
Transport depots	1 space per 100m² of gross floor area	All proposals require an ITA	As determined by the ITA

[40] Z Energy [22.01]

Visitor accommodation	1 per unit or where accommodation is not provided in the form of units, 0.3 per bedroom plus 1 space for every two employees	An ITA is required for proposals exceeding 20 units or 20 bedrooms.	None
Educational activities	**Parking requirement**	**ITA Threshold**	**On-site loading requirement**
Childcare services - child daycare centres and kindergartens	1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate	An ITA is required for proposals exceeding 30 children.	None
Childcare services –playgroups, playcentres and before/after-school programs that are not held on school premises	1 space per full-time staff equivalents plus 1 space per five children the facility is designed to accommodate	ITA not required	None
Primary and intermediate schools	1 space per full-time staff equivalents plus 1 drop off space per 10 students	All proposals require an ITA	~~*1 heavy commercial vehicle* bay per site~~ ~~1 bus bay per 50 students~~ As determined by the ITA[41]
Secondary and area schools	1 space per full-time staff equivalents plus 1 drop off space per 20 students plus 1 space per 10 students accommodated in Years 12 to 13	All proposals require an ITA	~~*1 heavy commercial vehicle* bay per site~~ ~~1 bus bay per 50 students~~
Tertiary education services	1 space per full-time staff equivalents plus 1 space per three students	An ITA is required where the education service provides for 100 or more students	~~*1 heavy commercial vehicle* bay per site~~
Rural activities	**Parking requirement**	**ITA Threshold**	**On-site loading requirement**
Primary production – *forestry activities*, *agriculture*, *pastoral and horticultural activities*	None	ITA not required	None
Primary production – *quarrying activities*	1 space per full-time staff equivalents	Any activity exceeding 200 *vehicle movements* per day requires an ITA	None

[41] Ministry of Education [24.20]

Rural industry, *intensive indoor primary production* including *woolstores*, *packing sheds* and greenhouses	1 space per full-time staff equivalents	Any activity exceeding 200 *vehicle movements* per day requires an ITA	None
Any activity not provided for in this table. This includes vehicle movements associated with construction.	-	Any activity exceeding 200 *vehicle movements* per day requires an ITA	-

TRAN - Table 3 (continued) – Accessible Parking Requirements

Total number of car park spaces provided	Minimum number of accessible car park spaces
1 – 20	1
21 - 50	2
For every additional 50 car parks above 50 car park spaces	1 additional

Figure – TRAN 5 – Minimum car parking space and manoeuvring dimensions

Type of parking		Stall width (A)	Stall depth		Manoeuvring room (D)	Total depth (E)	
Parking angle	Type		From wall (B)	From curb (C)		One row	Two rows
90°	Nose in	2.4 2.5 2.6 2.7	5.1	4.1	7.9 7.6 7.2 6.8	13.0 12.7 12.3 11.9	18.1 17.8 17.4 17.0
75°	Nose in	2.4 2.5 2.6 2.7	5.4	4.4	6.4 5.8 5.2 4.6	11.3 11.2 10.6 10.0	17.2 16.6 16.0 15.4
60°	Nose in	2.4 2.5 2.6 2.7	5.4	4.5	4.5 4.2 3.9 3.6	9.9 9.6 9.3 9.0	15.3 15.0 14.7 14.4
45°	Nose in	2.4 2.5 2.6 2.7	5.0	4.2	3.6 3.5 3.4 3.3	8.6 8.5 8.4 8.3	13.6 13.5 13.4 13.3
30°	Nose in	2.4 2.5 2.6 2.7	4.3	3.7	3.0	7.3	11.
0°	Parallel	2.5	Stall length 6.1 m		3.7	6.2	8.7

Note: Minimum aisle and access way widths shall be 3m for one way flow, and 5.5m for two way flow. Recommended aisle and access way widths are 3.5m for one way flow, and 6m for two way flow. Parking space dimensions will vary for accessible car park spaces.

Figure – TRAN 5 – Minimum car parking space and manoeuvring dimensions (continued)

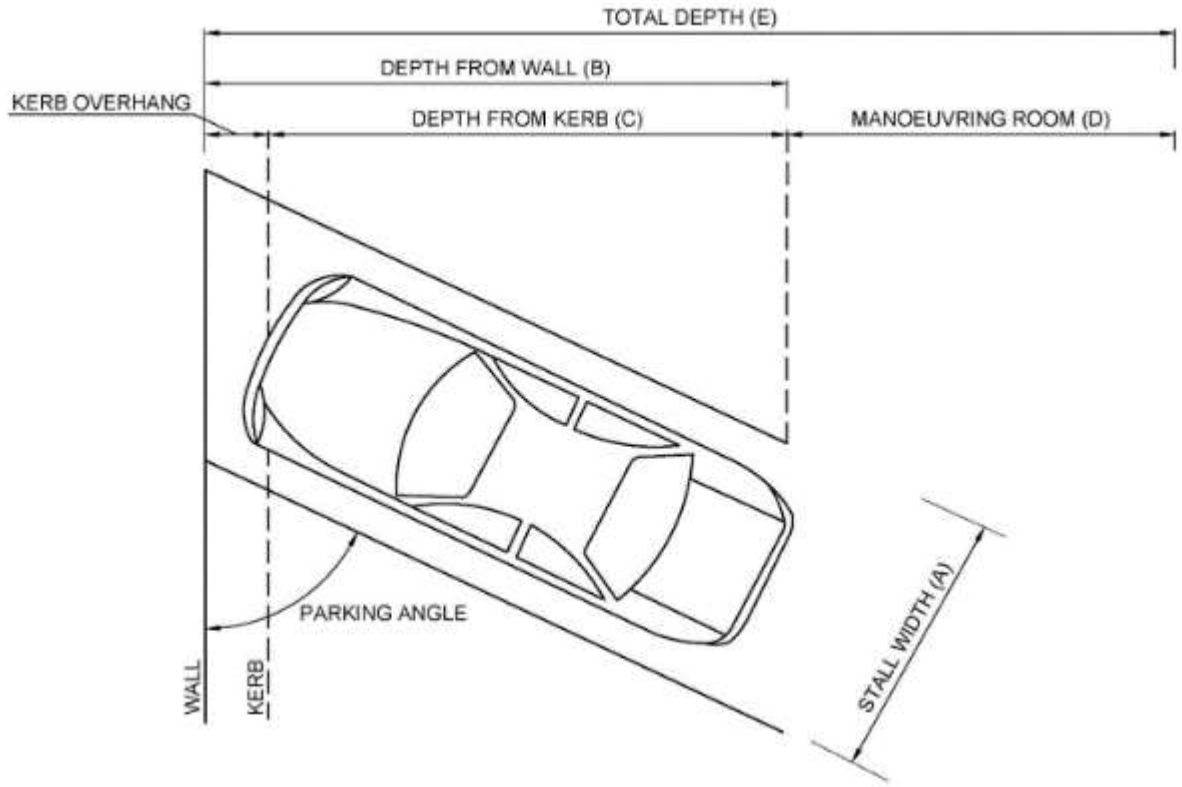
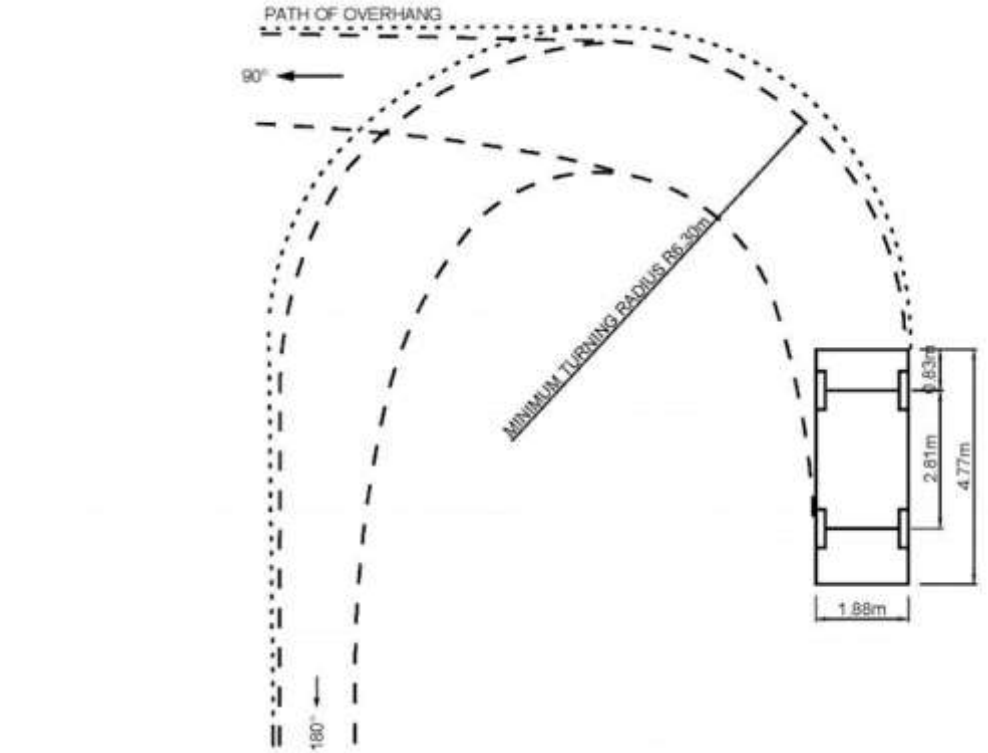


Figure – TRAN 6 – 90 percentile car tracking curve minimum radius



90 PERCENTILE CAR TRACKING CURVE MINIMUM RADIUS
SCALE : 1:50

Figure – TRAN 7 –Access and road standards

Minimum vertical clearance from buildings or structures is ~~3.84~~[42]m

Minimum inside turning radius for bends is 6.5m

[42] FENZ [16.16]

Figure – TRAN 7 –Access and road standards (continued)

Type and description	Minimum road reserve width (m)	Carriage way width (m)	Lane width (m)	Kerb/Edge Type	Street parking widths (m)	Passenger transport and minimum berm requirements (m)	Footpath requirements (m)	Cycleway requirements (m)	Minimum utilities corridor (m)
Residential zone									
Private Way serving 2-6 allotments /units	4m	3m	Single lane, not marked	Barrier, Mountable or Flush	Not permitted	Allow for passing every 50m	Shared zone	Not applicable	Not applicable
Private Way serving 7-20 allotments /units	9m	6m	2 lanes, not marked	Barrier, Mountable or Flush	Not permitted	1.5m both sides	Shared zone	Not applicable	1.5m both sides
District Road	20m	6m	2 lanes at 3m, not marked	Barrier	Recessed parallel parking bays (2m) on both sides	7m both sides	1.5m wide footpath, both sides	Cycling on road shared environment	2.1m both sides
Industrial zone									
District Road	23m	11m	2 lanes at 4.5m, marked, plus 2m flush median	Barrier	Recessed parallel parking bays (2.5m) on both sides	6m both sides All bus stops to be kerbside	1.5m wide footpath, both sides	Not applicable	2.1m both sides
Commercial zone, tourism zone									
Service Lane, Private Way	9m	5m	2 lanes, not marked	Barrier	Not permitted	Not applicable	Shared zone	Not applicable	1.5m both sides
District Road	23m	9m	2 lanes at 4.5m, marked	Barrier	Specific design. Parking and loading spaces recessed. Parking may	6m both sides All bus stops to be kerbside	3.5m wide footpath, both sides	Cycling on road shared environment	2.1m both sides

Type and description	Minimum road reserve width (m)	Carriage way width (m)	Lane width (m)	Kerb/Edge Type	Street parking widths (m)	Passenger transport and minimum berm requirements (m)	Footpath requirements (m)	Cycleway requirements (m)	Minimum utilities corridor (m)
					be parallel or angled on both sides				
Future urban zone									
District Road	Specific design[8] (no less than 21m)	7m	2 lanes at 3m, not marked plus a 1m sealed shoulder on both sides	Specific design	Specific design	7m both sides	1.5m wide footpath, both sides	Cycling on road shared environment	Both sides specific design
All other zones									
Private Way serving 2-3 allotments /units	6m	3m	Single lane, not marked	Not applicable	Not permitted	Allow for passing every 50m	Shared zone	Not applicable	Not applicable
Private Way serving 4-6 allotments /units	9m	5m	Single lane, not marked	Not applicable	Not permitted	Allow for passing every 50m	Shared zone	Not applicable	Not applicable
Private Way serving 7-20 allotments /units	20m	7m	2 lanes at 3m, not marked plus a 0.5m sealed shoulder on both sides	Not applicable	Not permitted	3.7m both sides	1.5m wide footpath, one side	Not applicable	0.8m both sides
District Road	21m	8m	2 lanes at 3.5m, not marked plus a	Not applicable	Not applicable	3.7m both sides	1.5m wide footpath, one side in the	Cycling on road shared environment	2.1m both sides in the rural lifestyle zone and

Type and description	Minimum road reserve width (m)	Carriage way width (m)	Lane width (m)	Kerb/Edge Type	Street parking widths (m)	Passenger transport and minimum berm requirements (m)	Footpath requirements (m)	Cycleway requirements (m)	Minimum utilities corridor (m)
			0.5m sealed shoulder on both sides				settlement zone. All other zones not applicable		settlement zone. 0.8m both sides in all other zones

Notes:

- *A private way is the same as a right-of-way.*
- *Berm requirements – are measured from the property boundary to the face of the kerb. Additional berm width may be required beyond that prescribed in this table to accommodate features such as lighting, landscaping, stormwater management solutions, footpaths, cycleways, recessed parking.*
- *Road reserve width requirements - additional legal road width may be required beyond that prescribed in this table to accommodate stormwater management solutions.*
- *Carriageway width - is measured from the face of the kerb to the face of the opposite kerb (excluding any recessed parking)*
- *Utilities corridor - the location of services will be dependent upon the location of the footpath.*
- *Service Lanes must connect at both ends to district roads only.*