

NZ Transport Agency Waka Kotahi Reference: Council-2025-0286

2 May 2025

Chief Executive, Hutt City Council  
C/- District Plan Policy Team  
30 Laings Road  
Lower Hutt, 5040  
Private Bag 31-912

Via email: [district.plan@huttcity.govt.nz](mailto:district.plan@huttcity.govt.nz)

Dear District Plan Policy Team,

**Submission on the Proposed Lower Hutt District Plan**

Attached is the NZ Transport Agency Waka Kotahi (NZTA) submission on the Proposed Lower Hutt District Plan.

We welcome the opportunity to discuss the contents of our submission with council officers as required.

If you have any questions, please contact me.

Yours sincerely



Maxwell Pocock  
Principal Planner– Poutiaki Taiao / Environmental Planning  
System Design, Transport Services

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**FORM 5, CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991**

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**Submission on the Proposed Lower Hutt District Plan**

**To:** Chief Executive, Hutt City Council  
C/- District Plan Policy Team  
30 Laings Road  
Lower Hutt, 5040  
Private Bag 31-912  
  
Via email: district.plan@huttcity.govt.nz

**From:** NZ Transport Agency Waka Kotahi  
44 Bowen Street  
Private Bag 6995  
Wellington 6141

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**1. This is a submission on the following:**

The Proposed Lower Hutt District Plan notified on 6 February 2025.

**2. NZ Transport Agency Waka Kotahi (NZTA) could not gain an advantage in trade competition through this submission.****3. Role of NZTA**

NZTA is a Crown entity with its functions, powers and responsibilities set out in the Land Transport Management Act 2003 (LTMA) and the Government Roadway Powers Act 1989. The primary objective of NZTA under Section 94 of the LTMA is to contribute to an effective, efficient, and safe land transport system in the public interest.

An integrated approach to transport planning, funding and delivery is taken by NZTA. This includes investment in public transport, walking and cycling, local roads and the construction and operation of state highways.

**4. State highway environment and context**

NZTA operates two State Highways (SH2 & SH58) within the jurisdiction of Hutt City Council, as well as having future plans to construct and operate two Road of National Significance (RONS) planned for the district (Petone to Grenada and Cross Valley Link). An integrated approach is thus required for development, land use planning, and delivering an integrated wider transport network.

The role of the state highways varies through the district, depending on the surrounding land use. The state highways intersect with urban, industrial and rural land uses and play a pivotal role in supporting the efficient movement of people throughout the district, as well as supporting the local economy. SH2 carries approximately

17,500 vehicles per day (of which approximately 4% are heavy vehicles), and SH58 carries approximately 9,500 vehicles per day (of which approximately 5% are heavy vehicles).

NZTA would like to see District Plans deliver an integrated approach to both land use and transport planning to ensure that positive outcomes are attained. This will then support the ability of the transport network to connect people with their communities, homes and places of employment. Areas of new development need to be planned carefully so that the capacity of the transport network is not compromised and cumulative effects on the operation of the transport network from land use intensification are not exacerbated.

## 5. The specific provisions of the proposal that this submission relates to are:

- a. Amendments to the definitions chapter to provide greater clarity to Plan users and supporting the use of the National Planning Standards definition where a defined term has been provided;
- b. Support the direction set out through the objectives of the strategic direction chapter;
- c. Amendments to the infrastructure and transport chapter to ensure the ongoing operation and functional needs of regionally and nationally significant infrastructure are not compromised by new and existing development;
- d. Support the general direction that has been established for natural hazards, including for managing risk, whereby new land use and development needs to carefully manage effects and risk on infrastructure. NZTA does however oppose one policy which prescribes the methodology for how the New Zealand Transport Agency is to manage natural hazard mitigation works;
- e. Support the provisions in the heritage chapter which provide for the modification or removal of heritage structures if there is a functional or operational need for their modification/removal;
- f. Propose amendments to the notable trees provisions to make it clear that notable trees may be required to be modified by NZTA should they be interfering with the safe and efficient operation of the state highway network;
- g. Amendments to provide for the continued operation and maintenance of the highway network and construction of new infrastructure in natural environmental areas where there is a functional or operational need for it;
- h. Oppose the inclusion of prescriptive offsetting and compensation standards as these are already prescribed in national direction (National Policy Statement for Indigenous Biodiversity) and their inclusion will not be adaptive to future changes in national direction in the future;
- i. Support with amendments, the subdivision chapter, to make sure integrated planning outcomes are achieved, and cumulative effects of access and on the state highway network are avoided;
- j. Support the provisions of the earthworks chapter, particularly as they relate to earthworks required for the operation and maintenance of the state highway network and network utilities;
- k. Oppose the general approach that has been established for financial contributions as currently drafted because it is unclear how these are to be levied on consents for infrastructure and network utilities;
- l. Propose amendments to the direction established in the light chapter to make sure that light spill onto the state highway network is not a permitted activity due to the safety risks it can pose;

- m. Amendments to the noise chapter of the plan, particularly as they relate to managing reverse sensitivity effects associated with the operation of the state highway network. Changes are also proposed to ensure that the health and wellbeing of users of activities sensitive to noise are not compromised through proposing internal noise levels that are required to be complied with;
- n. Proposed amendments to the signage requirements, particularly as they relate to signs which are, or may, be visible from the state highway network which can generate adverse safety effects; and
- o. Propose amendments to the state highway designation maps, including mapping corrections to accurately reflect assets that the New Zealand Transport agency operates and maintains.

**6. The changes requested by NZTA are made to:**

- (i) Ensure that NZTA can carry out its statutory obligations.
- (ii) Reduce interpretation and processing complications for decision makers.
- (iii) Provide clarity for all plan users.

**7. The submission of NZTA is:**

- (i) NZTA supports the proposed Hutt City District Plan to the extent outlined in this submission and **Table 1** attached.
- (ii) Any provisions that NZTA has not specifically submitted on in **Table 1**, can be taken as support for those provisions.

**8. NZTA seeks the following decision from the local authority:**

- (i) NZTA seeks that the proposed Hutt City District Plan be adopted with changes.

AND

- (ii) Any other relief that would provide for the adequate consideration of potential effects on the state highway and wider transport network and users, ensuring that integrated planning outcomes are achieved, and that infrastructure and development are compatible without undermining or adversely affecting the safety of, or the role and function of the state highway roads to the transport network.

**9. NZTA does wish to be heard in support of this submission.**

**10. If others make a similar submission, NZTA will consider presenting a joint case with them at the hearing.**

**11. NZTA is willing to work with the Hutt City Council in advance of a hearing.**

Signature:



Principal Planner – Poutiaki Taiao / Environmental Planning  
System Design, Transport Services  
Pursuant to an authority delegated by NZ Transport Agency Waka Kotahi

Date: 2 May 2025

Address for service:                      NZ Transport Agency Waka Kotahi  
   44 Bowen Street  
   Private Bag 6995  
   Wellington 6141

Contact Person:                      Maxwell Pocock  
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Table 1: Decisions sought on the proposed Hutt City District Plan.

Change No.	Chapter	Plan Provision	Support / Oppose	Reasons	Relief Sought
1	Definitions	Access	Add	There is currently no definition in the plan for access, despite it being a term used throughout the District Plan. Given the frequency of use in the Plan the term should be defined.	Add a definition for access as follows: <u>"Access: Means an area of land over which vehicle, pedestrian and/or cycling access is obtained to legal road. It includes:</u> <u>a. an access strip;</u> <u>b. an access allotment; and</u> <u>c. a right-of-way.</u>
2	Definitions	Accessway	Add	There is currently no definition in the Plan for accessway, despite it being a term used throughout the District Plan. Given the frequency of use in the Plan the term should be defined.	Add a definition for accessway as follows: <u>"Accessway: Means any area or part of private land where the primary purpose is to provide access, including vehicle access, between the body of any allotment(s) or site(s) and any public road, footpath, or cycling path. Accessway includes any rights of way, private way, access lot, access leg, or private road".</u>
3	Definitions	Activity sensitive noise	Support with amendments	NZTA support the definition of 'activity sensitive to noise' which has been included in the plan so as to manage reverse sensitivity effects. Based on the relief sought in other submission points (whereby NZTA are seeking internal noise levels are met for activities sensitive to noise within the Highway and Railway Noise Overlay), NZTA seeks a minor amendment to this definition to make it clear which portion of these buildings isn't required to comply with those noise standards. This approach is similar to the approach HCC have proposed in their definition for 'activity sensitive to privacy intrusion'.  Alternatively, NZTA would also support this definition being changed from 'Activity sensitivity to noise' to 'Noise Sensitive Activity'. This would ensure definition alignment with other district plans around the country	Amend the definition as follows: <u>" means a:</u> 1. residential activity, or 2. retirement village, or 3. supported residential care facility, or 4. marae, or 5. healthcare activity, or 6. education activity, or 7. community facility, or 8. custodial corrections facility, or 9. visitor accommodation activity, or 10. place of assembly. <u>but excludes:</u> <u>a. Those rooms used solely for the purposes of an entrance, passageway, toilet, bathroom, laundry, garage or storeroom.</u>
4	Definitions	Ancillary transport network infrastructure	Support with amendments	The definition provides a list which appears to be non-exhaustive. Due to the potential for activities that would be considered 'ancillary transport network infrastructure' not being included in the list, NZTA	Amend the definition as follows: <u>"means infrastructure located within the road reserve and rail corridor that supports the transport network and includes, but is not limited to:</u>



				seeks an amendment to the definition to make it clear that other activities that may not be included in the definition may also be considered 'ancillary transport network infrastructure'.	<p>a. traffic control signals and devices, or</p> <p>b. light poles, or</p> <p>c. post boxes, or</p> <p>d. landscaped gardens, artwork and sculptures, or</p> <p>e. bus stops and shelters, or</p> <p>f. telecommunication kiosks, or</p> <p>g. public toilets, or</p> <p>h. road or rail furniture, or</p> <p>i. micro-mobility lock-up facilities. "</p>
5	Definitions	Construction activity	Support with amendments	The definition for 'Construction Activity' is exclusive, and provides a list of building works which if undertaken then need to be assessed against NOISE-R2 and NOISE-S2. The definition currently does not provide for non building related construction activities which could also emit noise, such as the construction of roads and other similar infrastructure. NZTA proposes the definition is amended to clarify that construction activities are not exclusively linked to the construction of buildings.	<p>Amend the definition as follows:</p> <p><i>"means undertaking or carrying out any of the following <u>construction</u> <del>building</del> works:</i></p> <p>a. erection of new buildings and structures;</p> <p>b. alterations and additions to existing buildings or structures;</p> <p>c. demolition or removal of an existing building or structure, including total or partial demolition or removal; <del>and</del></p> <p>d. relocation of a building-; <u>or</u></p> <p>e. construction of infrastructure and network utilities.</p>
6	Definitions	Digital sign	Support with amendments	An amendment is need to the definition to include <u>and/or</u> between electronic graphics and text using electronic screens to make it clear that the clauses are not necessarily conjunctive.	<p>Amend the definition as follows:</p> <p><i>"means a sign which displays electronic graphics <u>and/or</u> text using electronic screens. Digital signs can include both moving and static signage."</i></p>
7	Definitions	Earthworks	Support with amendments	<p>An amendment is needed to the definition of earthworks to make it clear that activities, such as resealing of existing roads or footpaths, do not comprise 'earthworks'.</p> <p>NZTA and the road controlling authorities undertake sealing or resealing activities of roads and footpaths throughout the network on a semi-regular basis, so adding this to the definition will make it clear that this activity is not considered earthworks and aide plan users/consent officers with interpretation. This approach is also consistent with the definition used in the operative version of the Greater Wellington Regional Council Natural Resources Plan.</p>	<p>Amend the definition as follows:</p> <p><i>"Means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock), but excludes gardening, cultivation, <u>sealing or resealing of a road or footpath</u>, and disturbance of land for the installation of fence posts".</i></p>
8	Definitions	Habitable room	Support	Support the definition of habitable room for reverse sensitivity purposes.	Retain definition of habitable room as notified.

9	Definitions	High trip generating activity	Support	Support the definition of high trip generating activity for the purposes of managing effects from those activities which will generate a significant volume of vehicles to the transport network.	Retain definition of high trip generating activity as notified.
10	Definitions	Highway and Railway Noise Overlay	Support	Support the definition of 'Highway and Railway Noise Overlay' with an explicit link established to the overlay as contained in the planning maps which is subject to an NZTA further submission point.	Retain the definition as notified.
11	Definitions	Limited Access Road	Add	<p>The proposed District Plan provides no definition for limited access roads. A Limited Access Road relates to a portion of the state highway that is gazetted as a Limited Access Road for which there are specific requirements in law applying under the Government Roadway Powers Act. A definition would therefore assist with interpretation and administration of activities which interact with Limited Access Roads.</p> <p>Note: NZTA maintains publicly available mapping of these limited access roads within the district.</p>	<p>Include the following definition for Limited Access Road:</p> <p><u>"Any Road declared to be A Limited Access Road under section 88 GRPA, section 346A of the Local Government Act 1974, or the corresponding provisions of any former or later enactment."</u></p>
12	Definitions	Maintenance and repair	Add	<p>The proposed District Plan does not include a definition for 'maintenance and repair', which is used throughout the District Plan. Maintenance and repair activities are important for infrastructure providers, who are constantly maintaining and repairing existing assets for the good of the communities that they service. Adding a definition will assist with rules interpretation and provide clarity for those seeking to undertake maintenance and repair activities.</p>	<p>Add a definition for maintenance and repair as follows:</p> <p><u>"For the purposes of infrastructure, means any work or activity necessary to continue the operation or functioning of existing infrastructure. It does not include upgrading but does include replacement of an existing structure with a new structure of identical dimensions."</u></p>
13	Definitions	Natural hazard mitigation works	Support	Support the definition of 'natural hazard mitigation works' for the purposes of controlling rules and activities associated with the mitigation of natural hazards.	Retain the definition as notified.
14	Definitions	Official sign	Support with amendments	A minor amendment is needed to the proposed definition to ensure alignment is achieved with the definition as contained in the national planning standards.	<p>Amend the definition as follows:</p> <p><u>"means <del>all</del>any signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety".</u></p>
15	Definitions	Reasonable maximum use scenario	Support with amendments	NZTA supports the inclusion of a definition of 'reasonable maximum use scenario' as it establishes an agreed approach for determining noise as generated by the state highway network. However, NZTA seeks an amendment to clause (2) of the definition for highway noise to add plus 3 dB. Nationally, NZTA seeks a consistent approach whereby highway noise is based on current day measured or predicted measured noise levels plus 3 dB to allow for uncertainty in the noise measurement/prediction.	<p>Amend the definition as follows:</p> <p><u>"In relation to noise, means that level of noise incident on the exterior of the most exposed habitable room of the building in which an activity sensitive to noise occurs based on:</u></p> <ol style="list-style-type: none"> <li><u>1. Rail noise – The current day measured or predicted rail noise level LAeq (24 h) plus 2 dB</u></li> <li><u>2. Highway noise – The current day measured or predicted road traffic noise level LAeq (24 h) plus 3 dB"</u></li> </ol>



16	Definitions	Regionally Significant Infrastructure	Support with amendments	NZTA supports the overall drafting of the definition for regionally significant infrastructure, particularly the reference made to the Strategic Transport Network. However, NZTA consider that clause (i) could be amended to remove reference to a fixed plan, being the Wellington Regional Land Transport Plan 2021, which will be subject to change in the future and instead use an approach similar to that contained within the National Policy Statement for Freshwater Management which is to instead simply refer to infrastructure identified as such in a regional policy statement or plan.	Amend the definition as follows:  <i>"i. the Strategic Transport Network as identified in the <u>Regional Policy Statement, Regional Plan, or Wellington Regional Land Transport Plan 2024.</u>"</i>
17	Definitions	Reverse sensitivity	Support with amendments	NZTA supports the inclusion of a definition for reverse sensitivity, but considers that the definition as proposed is overly complex and will confuse Plan users. Instead, a simple definition should be included which makes it clear that reverse sensitivity provides for the continued operation of an existing lawfully established activity (i.e. the state highway network) without being compromised, constrained or curtailed by a more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by the existing activity.	Delete the proposed definition as drafted, and insert a revised definition as follows:  <i>"means the potential for the development, upgrading, operation and maintenance of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by an existing activity".</i>
18	Definitions	Road, road reserve, or legal road	Support	Support the definition of road, road reserve or legal road given it has adopted the definition provided in section 2 of the RMA.	Retain the definition as notified.
19	Definitions	Sensitive activities	Support	Support the definition of sensitive activities as notified as these have the potential to be affected by reverse sensitivity.	Retain the definition of sensitive activities as notified.
20	Definitions	Sign	Support	Support the definition of sign as it aligns with the proposed definition provided in the National Planning Standards.	Retain the definition of sign as notified.
21	Definitions	Transport network	Support	Support the definition of transport network as it includes public roads as well associated public infrastructure.	Retain the definition of transport network as notified.
22	Definitions	Upgrading	Support	Support the definition of upgrading as this term is used widely throughout the infrastructure and transport chapter so is required to be defined. The proposed definition is suitable for capturing a range of activities that an infrastructure provider may undertake when upgrading assets. The definition notes it excludes Maintenance and Repair which NZTA has requested is added as a definition per submission point 12.	Retain the definition of upgrading as notified.

23	Definitions	Vehicle	Support	Support the definition of vehicle as it adopts the definition for vehicle as set out in the Land Transport Act 1998.	Retain the definition of vehicle as notified.
24	Definitions	Vehicle crossing	Support	Support the definition of vehicle crossing as it provides a simple to interpret definition which will aid in interpretation of provisions in the District Plan, particularly as relevant to the transport and subdivision chapters.	Retain the definition of vehicle crossing as notified.
25	Strategic Direction	INFSD-O1, INFSD-O2, INFSD-O3, INFSD-O4, and INFSD-O5	Support	NZTA supports these strategic objectives as drafted. This is due to the objectives promoting land use and development that takes into consideration the provision of infrastructure now and in the future. Further, national and regionally significant infrastructure is supported and protected.	Retain as notified.
26	Infrastructure	INF-01, INF-02, INF-03, and INF-04	Support	NZTA supports these objectives. It is important that Plans acknowledge the benefits that infrastructure, which includes roads, delivers to communities whilst acknowledging that adverse effects may not be avoidable if there is a functional or operational need for the infrastructure.	Retain as notified.
27	Infrastructure	INF-P1, INF-P2, INF-P4, INF-P5, INF-P6, INF-P7, INF-P9, INF-P10, INF-P11, INF-P12, INF-P13, and INF-P14	Support	NZTA supports these policies as written as they: <ul style="list-style-type: none"> <li>• Provide for infrastructure in a variety of locations;</li> <li>• Acknowledge the benefits of infrastructure to communities;</li> <li>• Recognise that flexibility should be provided for technological advances;</li> <li>• Recognise that upgrades to infrastructure should be provided for; and</li> <li>• Provide for adverse effects to be appropriately managed.</li> </ul>	Retain as notified.
28	Infrastructure	INF-P3	Support with amendments	NZTA supports the general intent of this policy, acknowledging the benefits that can be realised through coordinated infrastructure planning. However, NZTA consider that clause (5) should be amended to recognise that whilst the use of roads as infrastructure corridors may be perceived as a good environmental outcome, it is not always possible to do so due to operational, functional, and safety reasons associated with the operation of the road. Clarification is proposed to the end of clause (5) so it is clear that co-location is only encouraged where is appropriate to do so.	Amend the policy as follows: <p><i>“5. Encouraging the co-location of infrastructure, including the utilisation of existing designations and the use of roads as infrastructure corridors <u>where appropriate to do so.</u>”</i></p>

29	Infrastructure	INF-R2	Support	The operation, maintenance, repair and decommissioning of infrastructure should remain a PA subject to compliance with the relevant standards.	Retain as notified.																	
30	Infrastructure	INF-R6	Support with amendments	NZTA agrees with the general intent of proposed rule INF-R6, and acknowledges that signs play a critical role in communicating important information to members of the public about the upgrade of infrastructure. However, signs placed in the road reserve of the state highway require approval from NZTA and cannot progress without it given the safety risk they can pose which means that there is a concern with the permitted activity status of this rule. NZTA agrees that the appropriate way to manage this is through standards, and has proposed an amendment to SIGN-S8 and INF-S13. However, if this relief is not granted then NZTA opposes the permitted activity status proposed for these signs in the road reserve.	Retain as notified if amendments to SIGN-S8 are accepted. If amendments to SIGN-S8 are not confirmed, then NZTA seeks that the relief sought to INF-S13 is confirmed.																	
31	Infrastructure	INF-R21	Support	NZTA supports the rule as notified which provides for signs associated with the operation of the transport network as a permitted activity. NZTA as an operator of the state highway network is required to install signage to support wayfinding and to provide for peoples health and safety.	Retain as notified.																	
32	Infrastructure	INF-R22	Support	NZTA supports the rule as notified which provides for a range of ancillary transport infrastructure to be constructed as a permitted activity subject to compliance with the standards. In particular, NZTA often needs to install traffic control signals/devices and light poles and this provides a clear district wide permitted activity framework to do so.	Retain as notified.																	
33	Infrastructure	INF-R23	Support	NZTA supports the rule as notified which provides for the upgrading of transport network infrastructure as a permitted activity subject to compliance with a suite of permitted activity standards. NZTA undertakes a range of maintenance activities, so this rule provides a clear district wide permitted activity framework to do so.	Retain as notified.																	
34	Infrastructure	INF-R24	Oppose	NZTA oppose the activity status (Restricted Discretionary) which has been attributed to the construction of new transport infrastructure in some zones, including cycleways and shared paths. This is because the standards referred to in INF-R24, are also used as the permitted activity standards for INF-R23, meaning that there is an acceptance already that if a project is designed to comply with these standards the effects are acceptable. If the new transport network infrastructure cannot comply with	Amend the rule as follows: <table><tr><td></td><td colspan="5">District-Wide</td></tr><tr><td></td><td>Where no other columns in this table apply</td><td>Active Frontage Overlay</td><td>Street</td><td>Heritage area or containing heritage building or</td><td>Category 1 SASM</td><td>High Hazard Area</td></tr></table>						District-Wide						Where no other columns in this table apply	Active Frontage Overlay	Street	Heritage area or containing heritage building or	Category 1 SASM	High Hazard Area
	District-Wide																					
	Where no other columns in this table apply	Active Frontage Overlay	Street	Heritage area or containing heritage building or	Category 1 SASM	High Hazard Area																

				these standards then a resource consent will be required and NZTA does not oppose the principle of this approach. NZTA proposes that the district wide activity status is changed to be permitted subject to compliance with the standards. For those district wide locations it is also unclear why a more restrictive activity status would and should be applied.				heritage structure		
					Standards complied with	<del>RDISPER</del>	<del>RDISPER</del>	<del>RDISPER</del>	<del>RDISPER</del>	<del>RDISPER</del>
35	Infrastructure	INF-S13 Signs	Support with amendments	NZTA seeks that clarification is added to INF-S13 that temporary signs associated with the upgrade of infrastructure are not oriented to be read from any state highway, including on and off ramps, as these pose a safety risk to users of the state highway network. These signs should not be a permitted activity and require a resource consent so that the safety effect may be managed. As drafted currently, other infrastructure providers could place temporary signs as a permitted activity which may compromise the safe and efficient operation of the state highway network.	Amend the standard as follows: All zones “5. The sign must not be oriented to be read from any state highway including on ramps and off ramps.” Then update numbering of INF-S13 accordingly.					
36	Infrastructure	INF-S15	Support with amendments	The standards set out for road design are suitable for the construction of new local roads and supporting infrastructure, however, these standards are not appropriate for the construction of a state highway. NZTA seeks that clarification is added to INF-S15 which notes that a new state highway will be unable to comply with a number of these road design standards. This will assist consent officers in interpreting and applying the standards as it comes to applications which relate to new local roads and new state highways.	Amend the standard as follows: Road design “Note: The construction and operation of a new state highway will not be required to comply with these standards.”					
37	Protection of infrastructure	PNF-01	Support	NZTA supports this objective, as it is critical that new development does not compromise the operation of existing infrastructure, and development of new infrastructure.	Retain as notified.					
38	Protection of infrastructure	PNF-P1	Support	NZTA supports this policy as written, particularly given it acknowledges that noise sensitive activities within a defined highway noise overlay need to be controlled so as to protect regionally significant infrastructure from incompatible new use and development.	Retain as notified.					
39	Transport	TR-01	Support	NZTA supports this objective as written as it requires land use development to occur in a manner which does not compromise the safety and efficiency of the transport network.	Retain as notified.					

40	Transport	TR-P1, TR-P2, TR-P3, and TR-P7	Support	NZTA supports these policies as written as they support the delivery of a safe and efficient transport network whilst managing effects from activities proposed on highly constrained roads.	Retain as notified.
41	Transport	TR-P6	Support with amendments	NZTA supports the intent of the policy, however, consider that the policy should be amended to address the relationship between development and Limited Access Roads.	<p>Amend the policy as follows:</p> <p><i><u>TR-P6 Highly constrained roads and Limited Access Roads</u></i></p> <p><i>Manage effects on the capacity and safe function on roads which are highly constrained <u>or Limited Access Roads</u> by:</i></p> <ol style="list-style-type: none"> <li><i>1. Identifying roads with constraints that limit existing safe operation and which have constraints to future upgrades,</i></li> <li><i>2. Identifying sites that are accessed by these roads through the Highly Constrained Roads Overlay <u>or Limited Access Road Mapping</u>, and</i></li> <li><i>3. Only allowing new land use and development within the Highly Constrained Roads Overlay <u>or Limited Access Road Mapping</u> where:</i> <ol style="list-style-type: none"> <li><i>a. There is no increase in motor vehicle trips on the highly constrained roads <u>or Limited Access Road</u>, or</i></li> <li><i>b. It can be demonstrated that additional motor vehicle trips will not worsen the safe operation of the road, or</i></li> <li><i>c. Improvements are made to the highly constrained road <u>or Limited Access Road</u> to ensure additional motor vehicle trips are accommodated safely and efficiently, and an equitable financial contribution is made for these improvements."</i></li> </ol> </li> </ol>
42	Transport	TR-R2(1)	Support with amendments	<p>NZTA supports the purpose of the rule which is to provide a permitted activity rule for new vehicle crossings. However, NZTA are seeking an amendment to the rule to note that new vehicle crossings to, or accessed from, Limited Access Roads are not a permitted activity, and would require a resource consent.</p> <p>Clarification is also sought to be added which confirms that if access is required from a Limited Access Road NZTA are required to be notified of the proposed activity.</p>	<p>Amend the rule as follows:</p> <p><i><u>"d. Not located within, or accessed from, a Limited Access Road</u></i></p> <p><i><u>Note: If a resource consent application is made under this rule for a vehicle crossing that is accessed from a Limited Access Road, NZTA will be considered an affected person in accordance with Section 95E of the RMA and notified of the application, where written approval is not provided".</u></i></p>
43	Transport	TR-R3(1)	Support	NZTA supports the rule in that a clear link is established to the trip generating activity thresholds. If activities exceed this threshold then a resource consent is required through non-compliance with TR-R3(1,a) .	Retain as notified
44	Transport	TR-R3(2)	Support with amendments	NZTA supports the general intent of this rule, requiring that all new activities within the District Plan are required to be assessed against motor vehicle trip generation thresholds. This encourages good outcomes with respect to the effect activities may	<p>Amend the rule as follows:</p> <p><i><u>"Matters of discretion are restricted to:</u></i></p> <p><i>...</i></p>



				<p>have on the surrounding road network through an increase in demand.</p> <p>However, NZTA consider that for TR-R3(2) a matter of restricted discretion should be added that requires the effect of the exceedance of the high trip generating activity thresholds to be assessed on the receiving state highway network.</p>	<p><u>9. If the activity is located within 100m from any on-ramps, off-ramps, or any intersection with the state highway then the effects of the activity on the safe and efficient operation of the state highway shall be considered".</u></p>						
45	Transport	TR-R4	Support with amendments	NZTA supports the rule in that it seeks to manage new activities proposed which are accessed from the Highly Constrained Roads Overlay. However, NZTA consider that this should be amended to also include reference to Limited Access Roads as per the relief sought in prior submission points. The addition of the reference to Limited Access Roads will assist with managing adverse effects.	<p>Amend the rule as follows:</p> <p><u>"TR-R4 Activities within the Highly Constrained Roads Overlay or access from a Limited Access Road".</u></p>						
46	Transport	TR-R4.2	Support with amendments	NZTA supports the non-complying activity status for activities which cannot comply with the permitted activity conditions. There is the potential for activities that cannot comply with the permitted activity standards to have substantial effects so this needs to be managed appropriately.	Retain as notified.						
47	Transport	Table 8: High trip generating activity thresholds	Oppose	<p>NZTA opposes the approach that has been employed for determining high trip generating activities. Some activities are identified as having 'no threshold' where clearly they would be a high trip generating activity i.e. grocery stores, supermarkets, integrated retail activity, and retail activity and so the effects of the generation of vehicle movements should be assessed on a case-by-case basis as part of any resource consent application. The current approach has the potential to provide for activities to be approved without due consideration of the effects of the activity on the transport network occurring.</p> <p>NZTA supports an approach whereby a vehicle trip generation standard is used which distinguishes light and heavy vehicles, and that activities must not exceed the maximum vehicle threshold provided as a number of vehicles. It is also important that heavy and light vehicle movements are distinguished as they can generate different levels of effects.</p> <p>NZTA would be happy to work with Council to determine an appropriate number of vehicle movements which equate to a high trip generating activity.</p>	<p>Delete table 8 and replace with the following table:</p> <p><u>"1. Activities must not exceed the following maximum vehicle movement thresholds:</u></p> <table><tr><td><u>Type of vehicle</u></td><td><u>Maximum number of vehicle movements</u></td></tr><tr><td><u>Light</u></td><td><u>100 per day</u></td></tr><tr><td><u>Heavy</u></td><td><u>8 per week</u></td></tr></table> <p><u>Note: vehicle movements are defined as (as noted in the New Zealand Transport Agency Planning Policy Manual: Appendix 1 – Glossary):</u></p> <ul style="list-style-type: none"><li>- <u>1 car to and from the property = 2 equivalent car movements</u></li><li>- <u>1 truck to and from the property = 6 equivalent car movements</u></li><li>- <u>1 truck and trailer to and from the property = 10 equivalent car movements"</u></li></ul>	<u>Type of vehicle</u>	<u>Maximum number of vehicle movements</u>	<u>Light</u>	<u>100 per day</u>	<u>Heavy</u>	<u>8 per week</u>
<u>Type of vehicle</u>	<u>Maximum number of vehicle movements</u>										
<u>Light</u>	<u>100 per day</u>										
<u>Heavy</u>	<u>8 per week</u>										



48	Natural hazards	NH-O1, NH-O2, NH-O3, NH-O4, and NH-O5	Support	NZTA supports these objectives as written given they utilise a risk based approach and encourage new land use and development to minimise risk from hazards on infrastructure.	Retain as notified.
49	Natural hazards	NH-P1, NH-P2, NH-P3 and NH-P4, NH-P8	Support	NZTA supports these policies as written given they utilise a risk based approach and encourage new land use and development to minimise risk from hazards on infrastructure.	Retain as notified.
50	Natural hazards	NH-P5	Oppose	Whilst NZTA does not oppose the use of green infrastructure generally, it does oppose the directive nature of this policy as written which is placing a burden on central and local government agencies and their contractors. There is an appropriate time and place for the use of green infrastructure, and given constraints experienced by the transport network, this may not always be possible or practicable.	Amend the policy as follows:  <i>"Encourage the use of green infrastructure or Mātauranga Māori approaches when undertaking natural hazard mitigation works by the Wellington Regional Council, Hutt City Council, New Zealand Transport Agency (Waka Kotahi), KiwiRail or their nominated contractors or agents within Natural Hazard Overlays where practicable to do so".</i>
51	Historical Heritage	HH-P11	Support	NZTA supports this policy as written given it promotes the protection of heritage buildings and structures , but provides for total demolition if it is demonstrated that it is necessary to provide for the functional or operational needs of infrastructure.	Retain as notified.
52	Notable Trees	TREE-R1(1)	Support with amendments	NZTA supports the premise of this rule, which provides for the trimming of notable trees to be undertaken by Hutt City Council where required to safeguard life or property, including for the maintenance of existing network utilities. NZTA consider that the permitted activity rule should be expanded to provide for network utility operators to undertake this trimming where required.  Section 55 of the Government Rounding Powers Act provides for the trimming or removal of trees that is overhanging or overshadowing a road to such an extent as to damage the road, or to endanger or obstruct the lawful use of the road to be detrimental to the maintenance of the road and any associated draining system. NZTA seeks that the permitted activity rule is amended to reflect this.	Amend the notified rule as follows:  <i>"Activity status: Permitted</i>  <i>Where:</i>  <i>The trimming is undertaken by Hutt City Council, or relevant network utility provider for the health of the tree or to safeguard life or property, including for the maintenance and operation of existing network utilities."</i>
53	Notable Trees	Tree-R2(1)	Support with amendments	NZTA supports the premise of the rule, but consider that the permitted activity rule should be expanded to provide for the removal of notable trees by network utility operators where they are required to safeguard life, property, or existing network utilities.  Section 55 of the Government Rounding Powers Act provides for the trimming or removal of trees that is overhanging or overshadowing a road to such an	Amend the notified rule as follows:  <i>"Activity status: Permitted</i>  <i>Where:</i>  <i>The removal is undertaken by Hutt City Council or relevant network utility provider to safeguard life, or property, or the operation of existing network utilities."</i>

				extent as to damage the road, or to endanger or obstruct the lawful use of the road to be detrimental to the maintenance of the road and any associated draining system. NZTA seeks that the permitted activity rule is amended to reflect this.	
54	Ecosystems and Indigenous Biodiversity	ECO-P3	Support with amendments	NZTA supports this policy in that it recognises that the removal of indigenous vegetation is required for the safe operation and maintenance of roads (6), and the maintenance, operation, repair and decommissioning of existing infrastructure (8). NZTA consider a new clause should be added to provide for indigenous vegetation removal to enable the construction of new infrastructure whereby there is a functional and operational need for it. This new clause is considered appropriate given ECO-P4 then sets out how adverse effects from the removal of indigenous vegetation are to be managed.	Amend the policy as follows: "9. <i>Mana whenua to exercise customary harvesting practices, and</i> 10. <i>The construction of new infrastructure that has a functional need or operational need to be in that location</i> ".
55	Ecosystems and Indigenous Biodiversity	ECO-R2	Support with amendments	For indigenous vegetation removal in all zones there should be reference to Section 55 of the Government Roadway Powers Act which provides for the trimming or removal of trees that are overhanging or overshadowing a road to such an extent as to damage the road, or to endanger or obstruct the lawful use of the road to be detrimental to the maintenance of the road and any associated draining system.  NZTA seeks that this provision is added to the permitted activity standards in the same way the Fire and Emergency New Zealand Act has been inserted within this rule.	Amend the notified rule as follows: "2. <i>Activity status: Permitted</i> <i>Where:..</i> <i>p. x. Required in accordance with Section 55 of the Government Roadway Powers Act 1989</i> " And "3. <i>Activity status: Permitted</i> <i>Where:..</i> <i>a. xi. Required in accordance with Section 55 of the Government Roadway Powers Act 1989</i> "
56	Ecosystems and Indigenous Biodiversity	Appendix ECO-App2 – Principles for biodiversity offsetting	Oppose	NZTA opposes the inclusion of the principles for biodiversity offsetting within the Hutt City District Plan. This is because these principles are already contained within the National Policy Statement for Indigenous Biodiversity, and should these change through amendments to the national policy statement in the future then the Hutt City District Plan will be contrary to the established national direction.	Delete Appendix ECO-App2 in its entirety.
57	Ecosystems and Indigenous Biodiversity	Appendix ECO-App3 – Principles for biodiversity compensation	Oppose	NZTA opposes the inclusion of the principles for biodiversity compensation within the Hutt City District Plan. This is because these principles are already contained within the National Policy Statement for Indigenous Biodiversity, and should these change through amendments to the national policy statement in the future then the Hutt City District Plan will be contrary to the established national direction.	Delete Appendix ECO-App3 in its entirety

58	Public Access	PA-P3	Support with amendments	NZTA supports the restriction of public access to, along, or adjacent to rivers, lakes and the coastal marine area where is provides for the safe and efficient operation of regionally significant infrastructure. NZTA consider that this should however be expanded to include nationally significant infrastructure which could be established within the territorial bounds of Hutt City in the future and for operational and safety reasons may need to restrict access to the public.	Amend the notified policy as follows:  "Only allow for the restriction of public access to, along, or adjacent to rivers, lakes and the coastal marine area where:  1. The restrictions are necessary to:....  g. Provide for the safe and efficient operation of regionally <u>and nationally</u> significant infrastructure, or"
59	Subdivision	SUB-O3	Support	NZTA supports this strategic objective as written given it requires subdivision to be adequately serviced by infrastructure and the transport network.	Retain as notified.
60	Subdivision	SUB-P6	Support with amendments	NZTA supports the intent of this policy, but considers that clause (1) could be amended to provide more clarification to make it clear that the existing capacity and safety of the network is not compromised by new subdivision.	Amend the notified policy as follows:  "Provide for subdivision where:  1. The safe and efficient functioning of the transport network is maintained, taking into account the <u>existing capacity and safety of the network.</u> "
61	Subdivision	SUB-P7	Support with amendments	NZTA supports the intent of this policy, but considers that clause (4) should be amended to provide further clarification that new roads and new vehicle access need to be designed in such a manner that they do not compromise the operation of the surrounding road network.	Amend the notified policy as follows:  "Require all allotments created by any subdivision to be adequately serviced as follows:  ...  4. b. Provide for pedestrian amenity, <del>and</del>  c. Safely accommodate the intended number of users: , <u>and</u>  d. Avoid effects being generated on the operation of the existing road network."
62	Subdivision	SUB-P24	Support with amendments	NZTA supports the intent of the policy placing restrictions on the subdivision of land accessed from roads identified in the Highly Constrained Roads Overlay, but considers that this should be expanded to include the subdivision of land accessed from Limited Access Roads. Further, where the subdivision of land is proposed to be accessed from a Limited Access Road NZTA should be considered an affected person and notified of the application.	Amend the notified policy as follows:  "SUB-P24 Subdivision of land with access from highly constrained roads <u>or a Limited Access Road</u>  Only allow subdivision of land in the Highly Constrained Road Overlay with access from a highly constrained road <u>or a Limited Access Road</u> where:  1. The additional transport demand created by the subdivision and enabled use and development can be safely and efficiently accommodated, and  2. Any necessary improvements or upgrades to the roads are implemented prior to any additional use or development.  <u>For any subdivision resource consent application made that is accessed from a Limited Access Road, NZTA will be considered an affected person in accordance with Section 95E of the RMA and notified of the application, where written approval is not provided.</u>
63	Subdivision	SUB-R23	Support with amendments	NZTA supports the intent of this rule, but considers it should be expanded on to include land accessed from Limited Access Roads	Amend the notified rule as follows:  "Subdivision of land in the Highly Constrained Roads Overlay <u>or accessed from a Limited Access Road</u>  1. Activity status: Discretionary".

64	Subdivision	SUB-S3	Support	NZTA supports this standards as written as it directs plan users back to the infrastructure chapter for the relevant rules and standards for development of a new road or intersection.	Retain as notified.
65	Earthworks	EW-P1, EW-P2, and EW-P3	Support	NZTA supports these policies as written as they establish a framework for assessing applications for consent that include earthworks as well as determining when earthworks are appropriate	Retain as notified.
66	Earthworks	EW-R3	Support	NZTA supports this rule as written as it provides a rule framework for the maintenance and construction of walking and cycling tracks. NZTA has a number of cycle tracks it maintains, so having a permitted activity standard for this is beneficial.	Retain as notified.
67	Financial Contributions	FC-R2	Oppose	<p>NZTA do not oppose the inclusion of a process for assessing and requiring financial contributions in the plan, but oppose the drafting of FC-R2 as it is unclear whether land use consents required for the purpose of constructing, operating, and maintaining network utilities would be required to pay financial contributions. This concern stems from the rule titled 'Any land use activity' which is significantly broad and could reasonably be interpreted to include <u>all</u> resource consents. Network utilities are typically paid for by council financial contributions, or by public entities such as NZTA which are funded by the tax payer, with the purpose of delivering public assets for the people and communities in which they are located. NZTA recommends that the rule has additional clarification provided to make it clear that land use consents for the purposes of constructing, operating, and maintaining network utilities would not be required to pay a financial contribution. Otherwise, as currently drafted activities which would require resource consent, such as new signs, cycleways and roads, would be required to pay development contributions.</p> <p>Alternatively, a different approach could be used for the development contribution rules whereby activities are considered on a case by case basis, which is determined by the level of impact the activity has on a specific service i.e. connections to the wastewater network and the effect associated with the additional connection (this approach has been successfully implemented by Waipa District Council in their district plan).</p>	<p>Amend the notified rule as follows:</p> <p><i>"No financial contribution is required for the following:..</i></p> <p><i>6. Where the land use activity is for the purpose of constructing, operating, or maintaining a network utility or a part of the transport network".</i></p>
68	Light	LIGHT-P1	Support	NZTA supports this strategic policy as written given it recognises the important role that lighting plays on	Retain as notified.

				the transport network as well as protecting the safety of the operation of the transport network.	
69	Light	LIGHT-S1,	Support	NZTA consider that the standards for light spill as drafted, as provision is made for the effects of transport network safety to be assessed as a matter of discretion when the standard is not met. The Standard also refers to clear Lux limits set out in LIGHT-TABLE1 which NZTA support.	Retain as notified.
70	Light	LIGHT-S2, LIGHT-S4, and LIGHT-S5	Support	NZTA supports these standards as drafted, as provision is made for the effects of transport network safety to be assessed as a matter of discretion when the standard is not met.	Retain as notified.
71	Mapping	Highway and Railway Noise Overlay - Moderate & Highway and Railway Noise Overlay - High	Oppose	<p>NZTA consider that the approach proposed, which is to use an overlay to confirm where particular management and mitigation is required for activities sensitive to noise, is sound. However, NZTA do not agree with splitting the areas into two overlays and it is unclear how these overlays have been developed (Note: the explanatory text at the front end of the Noise chapter does note some standards for high noise areas and moderate noise areas however it is unclear whether these apply to the Highway and Railway Noise Overlay High and Moderate overlays).</p> <p>NZTA seek the replacement of both the Highway and Railway Noise Overlay – Moderate and the Highway and Railway Noise Overlay – High with a single Highway and Railway Noise Overlay. This overlay should be based on a level of 57 dB<sub>LAew(24h)</sub> or more being experienced as modelled from the State Highway and the Railway corridor. In-lieu of modelling a 100m buffer should be applied. Activities sensitive to noise within this buffer should then be required to comply with the rules and standards contained in the submission points below so as to manage potential adverse effects on the health and wellbeing of people whilst also managing reverse sensitivity effects.</p> <p>NZTA holds information which can confirm whether the proposed location of a noise sensitive activity in relation to the state highway network will receive more or less than 57 dB<sub>LAew(24h)</sub>.</p>	<p>Replace the 'Highway and Railway Noise Overlay – Moderate' &amp; 'Highway and Railway Noise Overlay – High' with one overlay titled 'Highway and Railway Noise Overlay'. Accept amendments proposed in submission points 76 which are amendments related to managing effects associated with activities within this proposed overlay. NZTA can supply modelling from the state highway that indicates where road traffic noise needs to be managed to reduce adverse effects on human health and amenity, especially for activities sensitive to noise.</p> <p>In-lieu of modelling a 100m buffer should be applied.</p>
72	Noise	NOISE-O2	Support with amendments	NZTA supports this objective as it ensures that the function and operation of the transport network will not be compromised by reverse sensitivity effects. NZTA has sought a minor amendment to clarify that this captures expanded existing activities sensitive to noise.	<p>Amend the objective as follows:</p> <p><i>"Existing noise generating activities, and future or expanded noise generating activities in locations anticipated for such activities, are not unreasonably constrained in their operations by reverse sensitivity from inappropriately located or designed activities sensitive to noise".</i></p>



73	Noise	NOISE-P1	Support	NZTA supports that noise from activities does not compromise the health, safety and wellbeing of people and communities. This is in keeping of the noise provisions for activities near the state highway network.	Retain as notified.
74	Noise	NOISE-P3	Support with amendment	NZTA support the general intent of this policy, however seeks an amendment to make it clear that sound insulation is required to address adverse effects on health and amenity for activities sensitive to noise located within close proximity to these noise generating activities.	<del>Require sound insulation where practical</del> for activities sensitive to noise: 1. Near the rail network, 2. Near major highways, including State Highways, and 3. Within zones that anticipate higher levels of noise."
75	Noise	NOISE-P4	Add new policy	NZTA requests that a new policy is added to the District Plan that ensures that the state highway network is not adversely affected by noise sensitive activities located in close proximity to the state highway network.	Add a new policy as follows:  <u>"NOISE-P4: Noise related effects from State Highways and the Rail Network</u>  <u>Enable new and expanded activities sensitive to noise located adjacent to existing State Highways and the Rail Network that are designed, constructed and maintained to achieve indoor design noise levels and provide for other habitable rooms when they minimise any adverse effects on the health and wellbeing of people from noise and the potential for reverse sensitivity effects from noise, having regard to:</u> <u>1. The outdoor amenity for occupants of the activity sensitive to noise;</u> <u>2. The location of the noise-sensitive activity in relation to the State Highway or Rail Network;</u> <u>3. The ability to appropriately locate the activity within the site;</u> <u>4. The ability to meet the appropriate levels of acoustic insulation through screening, alternative technologies or materials;</u> <u>5. The ability to mitigate any effects on buildings from vibration generated by the State Highway or Rail Network;</u> <u>6. Any mitigation of noise provided by topographical or other existing features on the site or surrounding area;</u> <u>7. Any adverse effects on the State Highway or Rail Network; and</u> <u>8. The outcome of any consultation with the New Zealand Transport Agency Waka Kotahi or KiwiRail Holdings Limited".</u>
76	Noise	NOISE-R6, NOISE-R7, NOISE-S5 and NOISE-S6	Oppose	<p>NZTA proposes amended rules that have been proposed to ensure that adverse effects (including conflicts between activities and reverse sensitivity effects) are mitigated.</p> <p>The road network is operated 24 hours a day, 7 days a week with variability in the number and typology of traffic that uses it.</p> <p>Noise and vibration effects can interrupt amenity and enjoyment, as well as the ability to sleep which can have significant impacts on people's health and wellbeing. Appropriate mitigation is critical to ensuring that undue restrictions are not placed on the operation of these transport networks and the health and wellbeing of those residing or otherwise occupying nearby sites is protected.</p> <p>Part 2 of the Act supports the efficient use and development of the road network while also enabling people and communities to provide for their wellbeing and their health and safety. An appropriate balance needs to be achieved between ensuring the transport</p>	Impose new noise rules and standards to replace NOISE-R6, NOISE-R7, NOISE-S5 and NOISE-S6 as per Appendix 1 of this submission. Please refer to Appendix 1 for proposed wording for new rules and standards.



				<p>network is efficiently utilised and adjacent development can be utilised, without compromising the safety of people and communities.</p> <p>The proposed new rules provide for new or altered buildings within a Highway and Railway Noise Overlay, which can achieve the required internal noise standard, to be permitted activities. Where windows need to be closed to achieve the desired internal noise levels then ventilation performance is prescribed.</p> <p>Enhancements to buildings are best achieved at the time of construction. The further removed from the road corridor a building is, the less additional mitigation may be required. The noise level proposed is in accordance with the World Health Organisation standards.</p> <p>The mitigation for adverse effects on human health proposed through these provisions reflects that in some circumstances, e.g. smaller residential sites near the transport corridor, requiring a greater setback from the transport corridor boundary as a means of addressing noise and vibration effects may not always be practicable. The rules seek to ensure that building development options can still maximise the use of a site, whilst at the same time having standards for mitigating noise and vibration effects arising from the transport corridor.</p> <p>The approach proposed by NZTA also details assessment criteria to be considered by council when assessing an application for resource consent for a restricted discretionary activity. If it is more appropriate to do so, these assessment criteria could be provided as a policy to ensure consistency with the drafting of the plan.</p> <p>Lastly, NZTA note that the s32A report for noise indicated that council officers at time struggled to confirm whether internal noise standards were complied with by applications for activities sensitive to noise. To that end, NZTA have proposed an amended rule that requires a report to be submitted with the consent application by a suitably qualified and experienced person to demonstrate compliance will be achieved with the standards. This shifts the onus onto the applicant, not the consent officer.</p>	
77	Signs	Overview	Add	<p>NZTA generally support the overview provided with respect to signs within the District. However, NZTA seeks the inclusion of wording to note that affected</p>	<p>Insert the following into the overview for the Signs chapter:</p> <p><i>“Signs located on, or over, State Highways and State Highway road reserves require approval from the New Zealand Transport Agency, regardless of whether the sign complies with the provisions of the District Plan. Any</i></p>

				<p>party approval is required regarding some signs that are clearly visible, or front, the state highway will require approval from NZTA.</p> <p>This is because signs by their nature are design to capture the attention of the occupants of vehicles, and could distract drivers. If drivers are distracted a safety risk is created. Consequently, NZTA seeks appropriate sign controls and seeks to be included as an affected party where these interact with the state highway network.</p>	<p><u>sign fronting or clearly visible from a State Highway will require affected party approval from the New Zealand Transport Agency</u>".</p>
78	Signs	SIGN-O1	Support	<p>NZTA supports this objective as written. Signs have the potential to generate a number of adverse effects, including on the transport network, which is captured by this objective.</p>	<p>Retain as notified.</p>
79	Signs	SIGN-P1	Support	<p>NZTA supports the policy wording as notified. Signs have a number of effects to consider, which the policy adequately covers. This will support decision making.</p>	<p>Retain as notified.</p>
80	Signs	SIGN-P4	Support with amendments	<p>NZTA support the intent of the policy and the consideration of a wide range of effects associated with digital billboards. However, NZTA considers that the wording should be amended to consider effects that are particularly significant with the nature of digital billboards – being the cumulative effects of multiple digital billboards in proximity to each other and NZTA suggests they are not provided for in any high speed environments (reduced to 70km/h or higher instead of the proposed 80km/h or higher) as overseas research has found a statistically significant increase in injury crashes in high speed areas.</p>	<p>Amend the policy as follows:</p> <p><u>"6. The sign is not visible from a state highway or road with a speed limit of <del>70</del>80km/h or more, and</u></p> <p><u>7. Cumulative effects of digital billboards are managed"</u>.</p>
81	Signs	SIGN-P6	Support	<p>Signs have the potential to generate number of effects on the transport network. This policy as notified captures those effects and seeks to control how signs are designed so that adverse effects are managed.</p>	<p>Retain as notified.</p>
82	Signs	SIGN-R1(1)	Support with amendments	<p>NZTA support the premise of a permitted activity rule for signs which seeks to manage effects through compliance with standards. However, NZTA consider that all signs visible from the state highway should require a resource consent, given the potential safety effect signs can generate on the state highway network. It is therefore requested that amendments are made to the wording of the rule to make this clearer.</p>	<p>Amend the rule as follows:</p> <p><u>"c. The sign cannot be seen beyond the boundary of a site or from the state highway network, or"</u></p>
83	Signs	SIGN-R1(2)	Support with amendments	<p>NZTA supports the restricted discretionary activity status for signs which are unable to be delivered as a permitted activity due to non-compliances with the</p>	<p>Amend the rule as follows:</p> <p><u>"Notification:</u></p>

				standards. NZTA seeks further clarification that where resource consent is sought for a sign as a restricted discretionary activity NZTA is notified of applications under this rule.	<u>Limited notification to the New Zealand Transport Agency is required for applications under this rule due to a non-compliance with SIGN-R1.1(c), (d, viii and ix).</u>
84	Signs	SIGN-R3(1)	Support with amendments	<p>As requested in prior submission points, NZTA suggests digital signs are not provided for in any high speed environments (reduced to 70km/h or higher instead of the proposed 80km/h or higher) as overseas research has found a statistically significant increase in injury crashes in high speed areas.</p> <p>NZTA also consider that dwell time should be determined based on the principle that no more than 5% of drivers should view an image change. 35 seconds may be appropriate in some circumstances, but each should be assessed on a case by case basis to ensure the safety of road users is not compromised.</p> <p>Further, NZTA consider that the standard should be amended to restrict digital billboards within 100m of a state highway on ramp and/or off ramp. In addition, drivers should not be able to see more than one digital billboard at any one time to reduce the potential for distraction.</p>	<p>Amend the rule as follows:</p> <p><u>“iv. Is not visible, or oriented, to be read from a state highway or road with a speed limit of <del>80</del>70km/h or more,”</u></p> <p>And</p> <p><u>“vii. Displays images for an appropriate dwell time determined so that no more than 5 per cent of drivers are exposed to image changes <del>minimum of 35 seconds before transitioning to the next</del> when visible from a road with a speed limit of <del>80</del>70km/h or more”</u></p> <p>And</p> <p><u>“ix: Is not visible from, or within 100m of, a State Highway on ramp and/or off ramp.”</u></p> <p><u>“x: Is not located where there are any other digital billboards in a driver’s field of vision.”</u></p>
85	Signs	SIGN-R3(2)	Support with amendments	NZTA supports the non-complying activity status for digital signs which are unable to be delivered as a restricted discretionary activity. NZTA seeks further clarification that where resource consent is sought for a digital sign as a non-complying activity NZTA is notified of applications under this rule.	<p>Amend the rule as follows:</p> <p><u>“Notification:</u></p> <p><u>Limited notification to the New Zealand Transport Agency is required for applications under this rule due to a non-compliance with SIGN-R3.1(a)(iv, vii, ix, and x).</u></p>
86	Signs	SIGN-S1	Support with amendments	NZTA supports the general approach for controlling the area of signs based on the zone in which it is located. It is important that if the standard is exceeded then one of the matters of discretion is consideration of effects on the transport network. Signs not complying with these standards have the potential to distract drivers, thus potentially creating a safety effect for users of the transport network.	<p>Amend the matters of discretion for all zones covered by SIGN-S1:</p> <p><u>“6. Any adverse effects on the safety and efficiency of the transport network and its users.”</u></p>
87	Signs	SIGN-S2	Support with amendments	NZTA supports the general approach for controlling the cumulative area of signs based on the zone in which it is located. It is important that if the standard for the cumulative total area of signs is exceeded then one of the matters of discretion is consideration of effects on the transport network. Signs not complying with these standards have the potential to distract drivers, particularly through visual clutter, thus potentially creating a safety effect for users of the transport network.	<p>Amend the matters of discretion for all zones covered by SIGN-S2:</p> <p><u>“7. Any adverse effects on the safety and efficiency of the transport network and its users.”</u></p>

88	Signs	SIGN-S4	Support with amendments	NZTA supports the general approach for controlling the height of signs based on the zone in which it is located. It is important that if the standard is exceeded then one of the matters of discretion is consideration of effects on the transport network. Signs not complying with these standards have the potential to distract drivers, thus potentially creating a safety effect for users of the transport network.	Amend the matters of discretion for all zones covered by SIGN-S4:  <i>"5. Any adverse effects on the safety and efficiency of the transport network and its users."</i>
89	Signs	SIGN-S6	Oppose	NZTA does not support any temporary signage being installed that can be read from a state highway. All signage which is able to be read from the state highway requires the effects to be appropriately considered, and approval to be provided from NZTA. 3 months is also too long for a temporary sign that could be visible from the state highway to be in place without approval from NZTA. NZTA recommends that temporary signage is only in place one week prior to the event/activity occurring to which the sign relates, and that temporary signs should be removed no more than 48 hours after the event has occurred.	Amend the standard as follows:  <i>"1. A temporary sign must not be displayed more than 7 days 3 months prior to the event of activity the sign is advertising.</i> <i>2. A temporary sign must be removed within 48 hours 7 days of the completion or cancellation of the event or activity the sign is advertising.</i> <i>...</i> <i>5. The temporary sign must not be oriented to be read from any state highway including on ramps and off ramps".</i>
90	Signs	SIGN-S7	Support with amendments	NZTA does not support any temporary election signage being installed that can be read from a state highway. 9 weeks is also too long for a temporary election sign that could be visible from the state highway to be in place without approval from NZTA.	Amend the standard as follows:  <i>"4. The election sign must not be oriented to be read from any state highway including on ramps and off ramps".</i>
91	Signs	SIGN-S8	Support with amendments	NZTA recommends that no billboards are located in environments where the posted speed limit is 70km/h or higher, as evidence does find a statistically significant increase in crashes in the presence of digital billboards in higher speed environments.	Amend the standard as follows:  <i>"4. Signs visible from any state highway or road with a speed limit of 80 70km/h must not:</i> <i>a. Contain phone numbers, email addresses, web addresses, social media handles, physical addresses (other than the address of the site on which the sign is located), or any other form of contact details, or logos, or.."</i>
92	Signs	SIGN-S9	Oppose	NZTA considers that no illuminated signs should be permitted to generate light spill or illuminance on the adjoining roadway or state highway. Any light spill could generate adverse safety effects for road users so should be subject to a resource consent and associated safety assessment if required.	Amend the standard as follows:  <i>"2. Illumination of any sign must not result in the illuminance of any roadway by more than 4 lux in a Residential Zone, Rural Zone, Open Space Zone, or Natural Open Space Zone, or 20 lux in any other area."</i>
93	Temporary activities	TEMP-O2	Support with amendments	NZTA support the intent of this objective, which acknowledges that temporary activities may have adverse effects, however consider that a new clause is necessary to make it clear that temporary activities should not impact on the state highway network.	Amend the objective as follows:  <i>"6. Do not generate adverse effects on the safety and operation of the State Highway network."</i>
94	Temporary activities	TEMP-P4	Support	NZTA support the intent of this policy, particularly clause (3) which requires effects to be minimised including effects on the transport network.	Retain as notified.

95	Temporary activities	TEMP-P7	Support with amendments	NZTA support the general intent of this policy, however considers that the scope of adverse effects listed in the policy should be expanded on. Particularly, NZTA consider that reference needs to be made the efficient operation and safety of the State Highway network, as any temporary activity that could impact on the operation and safety of the State Highway network would be considered unacceptable.	Amend the policy as follows:  <i>"Mitigate the adverse effects of temporary activities on the operations, <u>safety</u> and capacity of the transport network that are:</i>  <i>4. Will generate unreasonable effects on the safety and/or operation of the state highway network"</i>
96	Temporary activities	TEMP-S4	Support with amendment	NZTA support the inclusion of a standard for temporary activities which addresses transport standards based on a zone-by-zone approach. However, NZTA consider that for each of the zones subject to this standard a clause should be added that requires temporary activities to not generate adverse effects on the safety and operation of the state highway network. These temporary activities have the potential to have significant impact on the safe and efficient operation of the transport network, particularly those of a larger scale, or directly accessed to/from the state highway network  NZTA thus consider it inappropriate that temporary activities could be a permitted activity and have impacts on the safety and operation of the state highway network as currently drafted.  NZTA also consider it appropriate to introduce a clause to the standard that requires temporary events to not exceed a vehicle trip generation number, particularly if accessed from the state highway network.	Amend the standards and matters of discretion for each zone included in TEMP-S4 as follows:  <i>"3. Temporary activities shall not generate more than 200 vehicle movements which are accessed from the state highway on any day.</i>  <i>Matters of discretion of the standard is breached:...</i>  <i>6. Temporary activities shall not generate adverse effects on the safety and operation of the state highway network including through queuing."</i>
97	Large Lot Residential Zone, Medium Density Residential Zone, High Density Residential zone, General Rural Zone, Rural Lifestyle Zone, City Centre Zone, Metropolitan Centre Zone, Local Centre Zone, Neighbourhood Centre Zone,	Mapping	Support	NZTA has reviewed the proposed mapping, and extent of zones proposed throughout the district, and supports the mapped extents. It is important that land use planning throughout the Hutt Valley is undertaken in a coherent manner which is influenced by the underlying zoning and associated rules.	<u>Retain the zones as mapped.</u>



	Mixed Use Cone, Light Industrial Zone, General Industrial Zone, Heavy Industrial Zone, Natural Open Space Zone, Open Space Zone, Sport and Active Recreation Zone, Hospital Zone, Marae Zone, Quarry Zone, Seaview Marina Zone, Tertiary Education Zone				
98	Large Lot Residential Zone, Medium Density Residential Zone, High Density Residential zone	LLRZ-P5, LLRZ-R5(2,4), LLRZ-S1(2 & 3), MRZ-O4, MRZ-P2(6), MRZ-R5(2,4), MRZ-R12(4), MRZ-S1(2), HRZ-O4, HRZ-P2(6), HRZ-R5(2, 4), HRZ-R13(4), HRZ-S1(2)	Support	NZTA support the inclusion of the matters of discretion that require the capacity of network infrastructure, including the transport network required to service development, and the effects on the safety and efficiency of the transport network to be considered if the development standards are breached and a resource consent is required.	Retain objectives, policies, rules and standards as notified.
99	Schedule of Designations	Part 3 – Area Specific Matters / DESIGNATION S / NZTA – New Zealand Transport Agency	Support	The inclusion of all the New Zealand Transport Agency state highway designations in the designation schedule is generally supported.	Retain as notified.
100	Mapping Designations	-NZTA-01, NZTA-02, NZTA-03, and NZTA-04	Support with amendments	The inclusion of the NZTA state highway designations on the planning maps is generally supported, subject to correction of some minor mapping errors (refer to Appendix 2 of this submission for specific details).  Whilst most of the NZTA designations are shown correctly on the notified planning maps and are supported in full, there are some mapping errors which require amendments. Generally, NZTA seeks	Amend the Hutt City Council Proposed District Plan Maps to correctly record the NZTA designations (refer specific modifications sought to state highway designation boundaries as detailed in Appendix 2).



				<p>to ensure that its designations only include land it owns and manages as well as includes assets which are required to support the safe and efficient functioning of the state highway network. Accordingly, most of the requested changes to the designations on the planning maps are minor corrections under Schedule 1, Clause 16(2) of the RMA and are not modifications.</p>	
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**Appendix 1 – Proposed Noise Rules**

Impose new noise rules in place of NOISE-R6, NOISE-R7, NOISE-S5 and NOISE-S6 as follows:

**NOISE-R6.1 – Permitted Activity Rule Indoor Noise – Construction of a new building containing a Noise Sensitive Activity within the Highway and Railway Noise Overlay.**

- a. New buildings are designed, constructed and maintained to ensure that any part of the building located within the Highway and Railway Noise Overlay and containing an activity listed in Table 1:
- i. complies with the maximum indoor design noise levels not exceeding the maximum values in Table 1 and meets the ventilation requirements in NOISE S-5(c)(i); 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 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; 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 facades of the part of the building will be no more than 15 dB above the relevant maximum indoor design noise levels in Table 1; or
  - iv. accords with the construction schedule in Table 2 and meets the ventilation requirements in NOISE S-5(c)(i).

**NOISE-R6.2 – Permitted Activity Rule Indoor Noise – Alterations, additions or change in use of an existing building to add or increase a Noise Sensitive Activity within the Highway and Railway Noise Overlay**

- a. The alteration, addition or change of use of an existing building does not increase the gross floor area of an activity listed within Table 1 within the Highway and Railway Noise Overlay; or
- b. An internal alteration to an existing residential dwelling does not increase the total gross floor area of activities listed in Table 1 by more than 5m<sup>2</sup> within each 10 year period from [operative date of the Plan] within the Highway and Railway Noise Overlay; or
- c. Other than internal alterations 5m<sup>2</sup> or less within each 10 year period from [operative date of the Plan] 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 in Table 1 within the Noise Corridor Boundary Overlay, 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 S-5(a) and Table 1 and meets the ventilation requirements in NOISE S-5(c)(i) ; 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 there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to the activity to:
    - 1) All parts of the formed carriageway of the state highway; 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 facades of that part of the building is no more than 15 dB above the relevant noise levels in Table 1; or

iv. Is designed, constructed and maintained in accordance with the construction schedule in Table 2 and meets the ventilation requirements in NOISE S-5(c)(i).

**NOISE-S5 – Permitted Activity Standards – Alterations, additions or change in use of an existing building to add or increase a Noise Sensitive Activity within the Highway and Railway Noise Overlay**

- a. Prior to the construction, addition, alteration of, or change of use within, 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 Table 1, applying the assumption in NOISE S-5(b) below. Alternatively, the design report may be substituted with confirmation that the construction, addition or alteration of, or change of use within the building will meet the construction schedule requirements in Table 2.

Table 1: Activities sensitive to noise maximum road noise levels

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

- b. For State Highways, the design road noise is to be based on measured or predicted external noise levels plus 3 dB.

Table 2: Construction Schedule

Elements	Minimum construction schedule for controlling noise in the Noise Corridor Boundary Overlay 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 <sup>3</sup> )	
	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 <sup>2</sup> and 30 kg/m <sup>2</sup> of wall cladding	Internal lining of minimum 17 kg/m <sup>2</sup> 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 <sup>2</sup> and 80 kg/m <sup>2</sup> of wall cladding	Internal lining of minimum 17 kg/m <sup>2</sup> plasterboard, such as two layers of 10 mm thick high-density plasterboard
	Option C - Heavy cladding: surface mass between 80 kg/m <sup>2</sup> and 220 kg/m <sup>2</sup> 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/m <sup>3</sup> )	
	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 <sup>2</sup> of roof cladding	Internal lining of minimum 25 kg/m <sup>2</sup> 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 <sup>2</sup> of roof cladding.	Internal lining of minimum 17 kg/m <sup>2</sup> plasterboard, such as two layers of 10 mm thick high-density plasterboard
	Option C - Roof with heavy cladding: surface mass between 20 kg/m <sup>2</sup> and 60 kg/m <sup>2</sup> 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: <ul style="list-style-type: none"> <li>double-glazing with:               <ul style="list-style-type: none"> <li>a laminated pane of glass at least 6 mm thick;</li> <li>a cavity between the two panes of glass at least 12 mm deep; and</li> <li>a second pane of glass at least 4 mm thick</li> </ul> </li> </ul> Or <ul style="list-style-type: none"> <li>any other glazing with a minimum performance of Rw 33 dB</li> </ul>	

<b>Exterior doors</b>	Exterior door: <ul style="list-style-type: none"> <li>• within the state highway noise effects area with a line-of-sight to any part of the state highway road surface; or</li> <li>• within the railway corridor noise effects area with a line-of-sight to any point 3.8m directly above the formed railway track.</li> </ul>	Solid core exterior door, minimum surface mass 24 kg/m <sup>2</sup> , with edge and threshold compression seals; or other doorset with minimum performance of Rw 30 dB
	Exterior door outside of the state highway noise effects area and railway corridor noise effects area, or with no line-of-sight to any part of the state highway road surface or to any point 3.8m directly above the formed railway track	Exterior door with edge and threshold compression seals

c. If opening windows must be closed to achieve the design noise levels in Table 1, or if a building is constructed in accordance with the construction schedule in Table 2, the building must be designed, constructed and maintained with a mechanical ventilation system that:

i. For habitable rooms located within the Highway and Railway Noise Overlay containing a residential activity, achieves the following requirements:

1) Provides mechanical ventilation that can operate continuously to satisfy clause G4 of the New Zealand Building Code and that provides at least 1 air change per hour, but no less than 7.5L/s per occupant; and

2) Provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18° and 25°C when assessed using a 2.5% design weather condition for the applicable location. An acceptable design weather set would include IRHACE Yearbook 2009 NIWA weather data; and

3) A HVAC system installed in compliance with clause NOISE S-5 (1) and (2). Above, must not generate more than 35 dB L<sub>Aeq(30s)</sub> when measured 1 metre away from any grille or diffuser. The noise level must be measured after the system has cooled the rooms to the temperatures in NOISE S-5 (2) above, or after a period of 30 minutes from the commencement of cooling (whichever is the lesser).

d. Alternatively, in lieu of NOISE S-5 (c)(i) above, a design verified by a suitably qualified and experienced HVAC expert stating the design proposed will provide ventilation and internal space temperature controls to meet or exceed the outcomes described in NOISE S-5 (c)(i).

e. A commissioning report must be submitted to the Council prior to occupation of the building demonstrating compliance with all of the mechanical ventilation system performance in NOISE S-5(c).

### **NOISE-R 6.3 – Restricted Discretionary Activity**

Any new or altered noise sensitive activity which does not comply with Permitted Activity Rule NOISE-R6.1 and/or NOISE-R6.2.

Matters of discretion are restricted to:

- a. The location of the building;
- b. The effects of the non-compliance on the health and amenity of occupants; and
- c. The outcome of any consultation with the NZ Transport Agency Waka Kotahi.


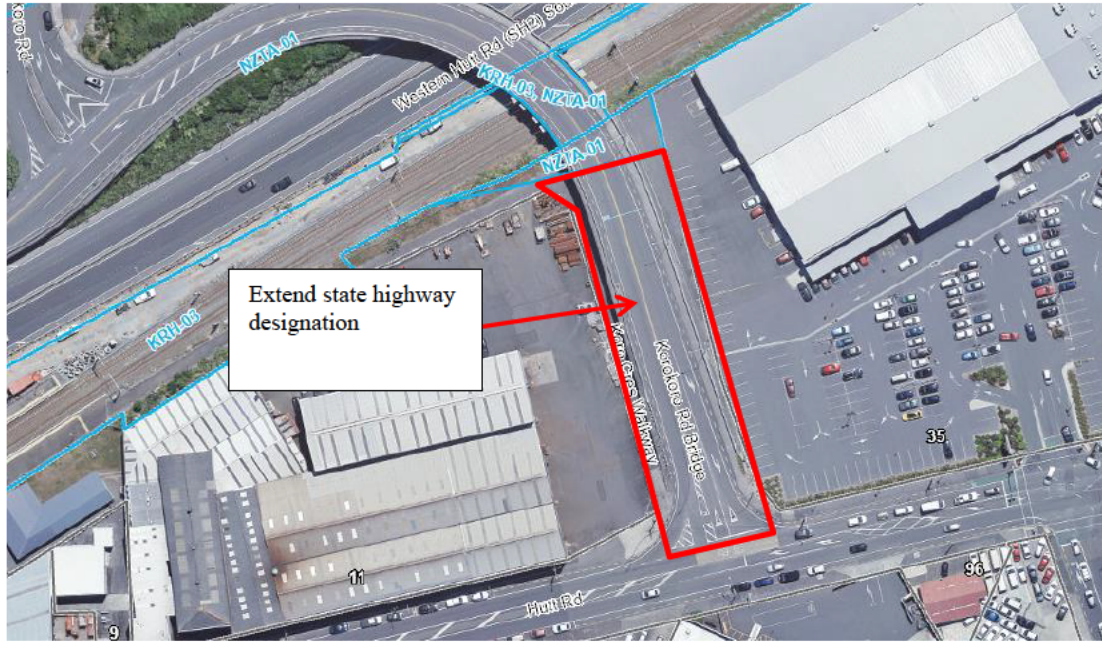
The Council will consider the relevant assessment criteria below for restricted discretionary activities:

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



## Appendix 2 – Proposed Designation Amendments

Table 2: Amendments sought to designation NZTA-01

Property address / Parcel ID	Nature of relief	Proposed NZ Transport Agency Waka Kotahi designations, as notified in the Proposed Lower Hutt District Plan (6 February 2025.)	Relief Requested
Parcel ID: 7257493	Extend the extent of designation NZTA-01 to capture Korokoro Road Bridge, which NZTA has an operational and maintenance interest in. This portion of road supports the operation of State Highway 2.		
Parcel ID: 6688288	A gap in designation NZTA-01 has been plotted at the Hutt/Dowse RAB. NZTA requests that the designation is extended so that there is no gap present. NZTA has an operational interest in the Hutt/Dowse RAB as it supports the safe and efficient operation of State Highway 2 through facilitating vehicle movements on and off the state highway.	