

FORM 5

**Submission on a notified proposal for Private Plan Change 67 – Hingaia 1 under Clause 6 of
Schedule 1
Resource Management Act 1991**

23 September 2021

Auckland Council
Plans and Places
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CC: Aaron@civilplan.co.nz

Name of submitter: The New Zealand Transport Agency

This is a submission on Private Plan Change 67 Hingaia 1 Precinct (**Plan Change**) to the Auckland Unitary Plan (Operative in Part).

The New Zealand Transport Agency (**Waka Kotahi**) could not gain an advantage in trade competition through this submission.

Waka Kotahi role and responsibilities

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (LTMA). Waka Kotahi's objective is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi's roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

The Plan Change relates to land which is close to and potentially affects State Highway 1. Waka Kotahi's interest in this proposed Plan Change stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand.
- A planner of the land transport network to integrate one effective and resilient network for customers.

- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices.
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

Government Policy Statement on Land Transport.

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (GPS). The GPS is required under the LTMA and outlines the Government’s strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. Likewise, changes in transport can affect land use.

Waka Kotahi gives effect to the GPS through a number of strategic plans including:

- Arataki – our ten-year view of the step changes and actions needed to deliver on the government’s current priorities and long-term outcomes for the land transport system;
- Toitu Te Taiao – Our sustainability action plan. This notes two big challenges around reducing greenhouse gases and improving public health;
- Keeping Cities Moving – our national mode shift plan based around shaping urban form, making shared and active modes more attractive and influencing travel demand and transport choices.

Decision sought

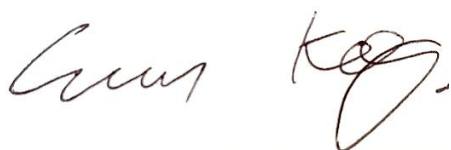
Waka Kotahi supports the zoning sought by the plan change in principle but seeks amendments and / or further information to provide greater certainty around the effects of the development and to ensure the health and wellbeing of future residents are protected.

Decisions that Waka Kotahi seeks on the Plan Change are set out in its submissions contained in **Table 1**. Waka Kotahi also seeks any consequential changes to the Plan Change required to give effect to the relief described in **Table 1**.

Hearings

Waka Kotahi wishes to be heard in support of its submission. If others make a similar submission, Waka Kotahi will consider presenting a joint case with them at a hearing.

Signature of person authorised to sign on behalf of Submitter:



Evan Keating

Principal Planner, Waka Kotahi

Address for Service of person making submission:

NZ Transport Agency

Contact Person: Evan Keating

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Table 1: NZ Transport Agency Submission on Auckland Unitary Plan (OIP) Plan Change 67 (Private) Hingaia 1 Precinct

Sub #	Provision Number	Reason for Submission	Relief Sought Base text is PC67 as notified New text <u>underline</u> Deleted text strikethrough
1	Whole of plan change	Waka Kotahi seeks to ensure that transport effects across the land transport system are appropriately managed and that sufficient infrastructure is provided to service the proposed development. At present, the Transportation Assessment Report does not provide information to assess the effects of the development on the strategic transport network, including the Papakura Interchange on State Highway 1 (SH1).	Provide a revised Transportation Assessment Report which clearly identifies the effects of the increased vehicle movements enabled by this plan change and suitable provisions (if required) to resolve any adverse effects.
2	Proposed neighbourhood centre zoning	Waka Kotahi supports the provision of local services for the developing residential population in this location,	Retain zoning as notified
2	Proposed deletion of objective 10	The sub-precinct was originally assessed under the notified version of the Proposed Auckland Unitary Plan (PAUP) and all relevant considerations of its local environment, including effects on and from the adjoining state highway. This remains a relevant consideration for future resource consents in the sub-precinct.	Decline proposed change. In the alternative, draft new objectives which protect the safe and efficient operation of the state highway network and minimise adverse effects from land transport noise on the residents of the sub-precinct.
3	Proposed deletion of policy 17.	The sub-precinct was originally assessed under the notified version of the Proposed Auckland Unitary Plan (PAUP) and zoned under all its provisions. This included a policy to ensure compliance with a 'High Land Transport Noise Overlay'. Although this overlay no longer exists, the issue the policy was seeking to address remains, and the applicant retains an obligation to achieve similar outcomes.	Support with amendment. Relief sought: Reword policy 17 to read: Require subdivision to be consistent with the Electricity Transmission and <u>to minimise the effects of High Land Transport Noise Overlay</u> land transport noise on residents of the sub-precinct.

4	444.5. 2. Notification	As per submission point (2) above, the precinct was zoned on the basis of an overlay to protect residents from noise effects and Waka Kotahi from reverse sensitivity effects. The notification rule ensures that Waka Kotahi has an opportunity to assess compliance with the relevant noise standards.	Decline proposed change.
5	New standard to give effect to objective 10 and policy 17	Insert technical standards to provide for human health protection adjacent to state highways for the reasons outlined in submission points (2) and (3).	Insert activity controls as per attachment 1 below or similar wording as may be proposed by or agreed with Waka Kotahi.

Attachment 1:

Permitted Activity Rule X

At any point within 100 metres from the edge of State Highway carriageway 1:

Outdoor road noise

1. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where:
 - a. External road noise levels are less than 57 $dB_{LAeq}(24h)$ at all points 1.5 metres above ground level within the proposed notional boundary; or
 - b. there is a noise barrier at least 3 metres high which blocks the line-of-sight to the road surface from all points 1.5 metres above ground level within the proposed notional boundary.

Indoor road noise

2. Any noise sensitive space in a new building, or alteration to an existing building, that contains an activity sensitive to noise where the building or alteration is:
 - a. Designed, constructed and maintained to achieve indoor design noise levels resulting from the road not exceeding the maximum values in Table 1; or
 - b. At least 50 metres from the carriageway of any state highway and is designed so that a noise barrier entirely blocks line-of-sight from all parts of doors and windows, to the road surface.

Table 1

Occupancy/activity	Maximum road noise level $L_{Aeq}(24h)$
<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 dB

Mechanical ventilation

3. If windows must be closed to achieve the design noise levels in clause 2(a), the building is designed, constructed and maintained with a mechanical ventilation system that:
 - a. For habitable rooms for a residential activity, achieves the following requirements:
 - i. Provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
 - ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - iii. provides relief for equivalent volumes of spill air; and
 - iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18CC and 25CC; and
 - v. does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
 - b. For other spaces, is as determined by a suitably qualified and experienced person.

Indoor road vibration

4. Any noise sensitive space with a noise sensitive room in a new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 40 metres to the carriageway of a state highway, is designed constructed and maintained to achieve road vibration levels not exceeding 0.3mm/s $V_{w.95}$.

Design report

5. A report is submitted by a suitably qualified and experienced person to the council demonstrating compliance with clauses (1) to (4) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:
 - a. Road noise is based on measured or predicted noise levels plus 3 dB.

Restricted Discretionary Activity – Matters of Discretion IX.8.2

Discretion is restricted to:

- (a) Location of the building;
- (b) The effects of the non-compliance on the health and amenity of occupants;
- (c) Topographical, ground conditions or building design features that will mitigate noise or vibration effects; and
- (d) The outcome of any consultation with the NZ Transport Agency.

Restricted Discretionary Activity – Assessment Criteria IX.8.2

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;
- (c) Any identified topographical, ground conditions or building design features that will mitigate noise and vibration effects or; and
- (d) The outcome of any consultation with the NZ Transport Agency.