

NZ TRANSPORT AGENCY SUBMISSION ON PLAN CHANGE 6 – MAKING THE DISTRICT PLAN MORE ENABLING

TO: Hamilton City Council

SUBMITTER: NZ Transport Agency
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Proposed Plan Change 6 – Making the District Plan More Enabling

This is a submission on Proposed Plan Change 6 - Making the District Plan more enabling, on behalf of the NZ Transport Agency.

Summary

Overall, the Transport Agency supports in part Proposed Plan Change 6 insofar as it relates to the changes proposed to Rule 25.8.3.10 *Noise-sensitive Activities*. In particular, the Agency supports the amendments to the rule which relate to the Rototuna North East Character Zone, subject to an amendment to achieve further clarity on the application of the rule.

The NZ Transport Agency's Role

The Transport Agency is a Crown entity with the sole powers of control for all purposes of all state highways. The Transport Agency's objectives, functions, powers and responsibilities are derived from the Land Transport Act 2003 (LTMA), and the Government Powers Act 989 (GRPA). The statutory objective of the Transport Agency is to undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest.

The Transport Agency is also an investor in the road network throughout Hamilton City. As an investor, it has a significant interest in seeing that land use planning for the City is integrated with the transport system. It also has an interest in present and future land use decision-making to ensure that the public receive value for money transport outcomes from its investment.

The Transport Agency's Submission

- 1.0 The specific parts of Plan Change 6 that the Transport Agency's submission relates to are those that may impact the efficient function of the State Highway network within Hamilton City.
- 2.0 The Transport Agency supports, in part, the Proposed Plan Change 6 amendments to Rule 25.8.3.10 *Noise-sensitive Activities* which relate to the Rototuna North East Character Zone. The Transport Agency considers it appropriate to simplify this provision to reflect the commencement of the construction of the Hamilton Section of the Waikato Expressway adjacent to the Rototuna North East Character Zone. The proposed changes to Rule 25.8.3.10

will ensure the necessary noise and vibration mitigation measures are implemented to protect the health and wellbeing of future owners and occupiers within the Rototuna North East Character Zone. The Transport Agency suggests that the following amendment is adopted for the purpose of clarity (shown **bold and underlined**):

*25.8.3.10 (a)(iv) - The Rototuna North East Character Zone, where the residential activity is within the 55dB LAeq(24hr) contour line from the Waikato Expressway, established via subdivision in accordance with 23.6.12c~~7~~, **ww**Where habitable rooms are located outside of the 55dB LAeq(24hr) contour, no acoustic treatment is required even if one or more boundaries of the lot is intersected by the noise contour.*

3.0 The Transport Agency also notes a numbering error within Rule 25.8.3.10 (b)(iii) and suggests that the following amendment be adopted (shown **bold and underlined**):

*25.8.3.10 (b)(iii) - Where the designation does not define the location of the carriageway for Rule 25.8.~~2~~**3**.10(b)(ii) then the 40m distance shall be measured from the designation boundary.*

The Transport Agency **does** wish to be heard in support of this submission.

The Transport Agency **does not wish** to present joint evidence.

Signed by Jenni Fitzgerald



Under delegated authority for

The NZ Transport Agency

Date: 2 September 2019