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03 November 2026

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Proposed Waitaki District Plan
Waitaki District Council
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By email: pdp.hearings@waitaki.govt.nz

Dear Commissioners,

Proposed District Plan, Hearing Stream 4 - Heritage; Future Urban Growth; Residential, Rural Lifestyle and Settlement Zones; Commercial, Industrial, Open Space and Recreation Zones.

NZ Transport Agency Waka Kotahi (NZTA) manages the state highway network. NZTA's interest in Hearing Stream 4 is the integration of land use and transport and the protection of the safe and efficient operation of state highways as regionally significant infrastructure.

With regard to the recommended changes to provisions under Council's s42A reports[1], NZTA make the following comments and request the panel consider amendments to provisions (where relevant). Requested added text is shown with red underline, and deleted text with ~~red strikethrough~~.

Future Urban Growth Areas – FUG-P1 and FUG-P2

NZTA supports the recommended amendment to FUG-P2, requiring that structure plans for the Awamoa/Beach Road and Weston Road Future Urban Growth Overlay areas, address effects on regionally significant infrastructure. While this partly addresses KiwiRail Holdings Limited (KiwiRail) submission point 233.83, it does not provide equivalent protection in FUG-P1 which was requested by KiwiRail.

Under FS152, NZTA supports KiwiRail's original submission including the relief sought for FUG-P1. Reliance on FUG-P2 alone may not adequately address subdivision, use and development occurring prior to rezoning and development in accordance with an approved structure plan. NZTA therefore seeks a corresponding amendment to FUG-P1 so that effects on regionally significant infrastructure are a consideration where development may occur within Future Urban Growth Overlay areas prior to Policy FUG-P2 applying. Policy FUG-P1 should require that such development – if under consideration for approval by Council - is also avoided where this is not able to demonstrate that effects on regionally significant infrastructure are not able to be managed.

Requested relief[2]:

FUG-P1 Subdivision, use and development within the Future Urban Growth Overlay

Avoid subdivision, use and development within the Future Urban Growth Overlay unless:
a. the activities will not constrain or limit the ability to comprehensively develop the area for urban activities; and
b. the activities are compatible with urban activities once that development occurs; ~~or~~ and
c. the activities are cost effective and practical to remove or relocate in the future; and
d. the activities do not compromise the safe and efficient function and operation of Regionally Significant Infrastructure.

[1] Council s42A Reports (Hearing Stream 4), all dated 19 October 2026, comprising *Historic Heritage* (Briar Belgrave), *Residential Provisions* (Emily McEwan), *Rural Lifestyle Zone* (Marcus Langman), *Settlement Zone* (Marcus Langman), *Commercial Zones (*Caitlin Parsons), *Industrial Zones* (Katrina Clark), *Open Space and Recreation Zones* (Katrina Clark).

[2] The requested text is the same as that requested by KiwiRail in their tabled evidence for Hearing Stream 4, dated 28 Oct 26.

Setbacks – GRZ-S6 and MRZ-S6

NZTA supports retaining the notified 4.5m setback from rail corridor boundaries in GRZ-S6 and MRZ-S6 in support of KiwiRail's submission 233.111 and 233.112. However, NZTA does not support the recommended deletion of the specific 4.5m setback from state highway boundaries in MRZ-S6.

With regard to MRZ-S6, the s42A report[3] discusses the deletion of the specific setback buildings or structures from state highway boundaries. By deleting the reference to state highways under MRZ-S6(1) there is no setback requirement for buildings/structures, and it is unclear how the exception for garages or carports facing the road under 2(a) provides a sufficient alternative[4]. In a situation where a structure or building is too close to the road boundary, there is potential that those structures would need to be constructed, maintained (etc) from the road, and not from within the property boundaries. This could result in safety issues on the state highway, with an example being for when scaffolding is needed, or other situations where the public need to be excluded from a footpath area. Further, the setback may compromise other district plan objectives and policies, for example RESZ-P2(4) where maintaining or enhancing streetscapes is anticipated, including that buildings do not dominate the streetscape.

NZTA seeks the relief that building and structure setbacks from state highways is a minimum of 2m in the MRZ, to ensure that maintenance to the front of buildings or structures can be undertaken from within the property, and not rely on the state highway road corridor.

It is also suggested (as per recommended amendments to GRZ-S6) that MRZ-S6 also state that fences provided for under MRZ-S8 are not subject to minimum setbacks, as fences would otherwise be captured as 'structures'.

Requested relief:

MRZ-S6 Minimum setbacks
1. The minimum setback of any part of a building or structure shall be:
a. from a road boundary ~~other than a road boundary onto a state highway~~: 2m;
b.
c. from a rail corridor boundary: 4.5m
d. from internal boundaries: 1m;
e. corner sites (with two or more road boundaries — excluding a road boundary onto a state highway): one setback of 2m along a road boundary and setbacks of 1m on all other boundaries.
2. Clause 1 does not apply to fences provided for under MRZ-S8.

Intensity of non-residential activities - GRZ-R10 and GRZ-R11

NZTA support the recommendation[5], that GRZ-R10 and GRZ-R11 do not provide the threshold for intensity of the use of the site, relating to educational facilities[6] and medical / health practitioners[7], with reliance on the impact of trip generation to determine the level of effect where triggered under TRAN-R4[8].

[3] Residential Provisions s42A report, section 7.16.3, paragraphs 394-398.
[4] Residential Provisions s42A report, section 7.16.3, paragraph 396.
[5] Residential Provisions s42A report, section 7.11.1, paragraph 230.
[6] E Schultz [305.219] and WPG 2 [306.219], as discussed in the Residential Provisions s42A report, paragraphs 247-249 and 255.
[7] E Schultz [305.220] and WPG 2 [306.220], as discussed in the Residential Provisions s42A report, paragraphs 264-266.
[8] Residential Provisions s42A report, section 7.11.2.4, paragraph 247.

Fencing on Road Frontages – GRZ-S8

The s42A report[9] shows the revisions to GRZ-S8 which exclude reference to fences adjacent to state highway frontages. The report provides reasons for excluding boundaries with public reserves, walkways and cycleways[10], but does not separately assess or explain why state highway frontages should also be excluded. This appears inconsistent with the report's recommendation to introduce a visibility requirement for fencing near vehicle crossings, which relies on NZTA's *Road Traffic Standards 06 Guidelines for Visibility at Driveways*. As drafted, that requirement would not apply to fencing adjacent to vehicle crossings onto state highways.

It is acknowledged that the recommended amendments allow for a 2m high fence adjacent to the state highway. However in removing this provision from GRZ-S8, the new provision under GRZ-S8(1)(d) requiring a visibility splay[11] would therefore not apply to fencing on sites fronting a state highway. It is noted that the s42A report relies on the NZTA *'Road Traffic Standards 06 Guidelines for Visibility at Driveways'* for the acceptable visibility splay, however as written, with state highways not captured in the rule, the provision would not apply to accesses onto state highways.

NZTA request that the fencing provision – as it relates to state highways – be reinstated into GRZ-S8 to ensure that the visibility requirement also applies to vehicle crossings onto state highways, which will enhance safety for pedestrians and motorists. The recommended new clause GRZ-S6(4) is supported, as it clarifies that 2m high fences are not subject to building/structure minimum setbacks.

Requested relief:

GRZ-S8 Frontage fencing
1. All fencing structures located within 4.5m of a road boundary ~~that is not with a state highway~~ shall: a. be no higher than 1.5m; and b. for fencing over 0.9m in height, be at least 45% visually permeable overall; ~~and~~ or c. on any state highway, a solid fence can be constructed to a maximum height of 2m; and. d. for fencing within 2.5m of any vehicle crossing, be visually permeable for the portion of the fence over 0.9m in height above ground level. 2. Except that on corner sites (with two or more road boundaries), the standard applies in relation to only one road boundary.

In the context of Hearing Stream 4, as NZTA supports the text of the proposed district plan as notified, and seeks changes to text that has been made as part of recommendations in the s42A reports, NZTA does not intend on attending the hearing. It is requested that this letter be tabled as evidence of NZTA's position regarding these matters. If required, I am available as a Planning Expert to respond to any questions on these matters prior to, or as part of the hearing.

Kind regards



Jo Pacey

Senior Planner, Poutiaki Taiao / Environmental Planning
Transport Services

[9] Residential Provisions s42A report, section 7.18.3.1.

[10] Residential Provisions s42A report section 7.18.3, paragraphs 452-258 footnote 69, cited as Rabbidge Group [85.2], E Schultz [305.221] & WPG [306.221].

[11] Residential Provisions s42A report, section 7.16.4, paragraph 441-442.