BEFORE INDEPENDENT HEARINGS COMMISSIONERS APPOINTED BY WAITAKI DISTRICT COUNCIL

UNDER	the Resource Management Act 1991 (the **RMA**)
AND	
IN THE MATTER OF	submissions by New Zealand Transport Agency (submitter 152) on Proposed Waitaki District - Hearing Stream 3: Noise and Temporary Activities

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PLANNING EVIDENCE OF JOANNE GLYNNE PACEY ON BEHALF OF THE NEW ZEALAND TRANSPORT AGENCY

Dated: 8 October 2026

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1. INTRODUCTION

1.1 My full name is Joanne Glynne Pacey. I have the qualification of a Bachelor of Resource Studies from Lincoln University.

1.2 I am employed by New Zealand Transport Agency (NZTA) as a Senior Planner. I have over 26 years of planning experience in district and regional councils, and as a planning consultant.

1.3 I am authorised to provide this evidence on behalf of the New Zealand Transport Agency (**NZTA**).

2. CODE OF CONDUCT

2.1 I confirm that I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and will continue to comply with it while giving oral evidence at the hearing. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence

3. TECHNICAL EVIDENCE

3.1 I have read and rely on the noise and vibration evidence of Dr Stephen Chiles. In particular, I rely on his technical opinions concerning the potential health and amenity effects of road and rail sound, including annoyance, sleep disturbance and ischaemic heart disease; the extent of the Transport Corridor Noise Control Overlay; the application of controls to new and altered buildings containing sensitive activities; internal design sound levels; uncertainty allowances; acoustic treatment; and mechanical ventilation.

3.2 Dr Chiles has prepared his evidence jointly for NZTA and KiwiRail. His evidence assesses the notified and recommended provisions against the common objective of protecting occupants from transport noise and vibration and managing reverse sensitivity effects on the state highway and rail networks. I have also considered the Marshall Day Acoustics technical memorandum, “Specialist Comments on Noise Submissions”[1].

[1] S42A Appendix 4, Memorandum prepared by Stuart Camp and Jon Farren, dated 18 September 2026.

4. SCOPE OF EVIDENCE

4.1 My evidence addresses NZTA submission points concerning transport noise definitions and the Noise Chapter. I assess whether the section 42A report prepared by Ms Belgrave[2], provides recommendations for effective and enforceable planning framework, informed by the technical evidence of Dr Chiles.

4.2 I address:

(a) the definition and extent of the Transport Corridor Noise Control Area;

(b) the Sensitive Activity definition;

(c) the objective and policy framework;

(d) NOISE-R2, NOISE-S2, NOISE-S3 and NOISE-APP1; and

(e) the relationship between NZTA's relief and that sought by KiwiRail.

4.3 In preparing my evidence, in addition to the evidence of Dr Chiles and the Marshall Day Acoustics technical memorandum, I have read the section 42A report on the Noise Chapter prepared by the reporting officer, Ms Belgrave. I

5. DEFINITIONS AND ABBREVIATIONS CHAPTER – TRANSPORT CORRIDOR DEFINITION

5.1 NZTA submissions 152.6 and 152.91 request that the definition of 'Transport Corridor' - which relates only to the Noise Chapter - be amended to 'Noise Corridor Boundary Overlay', with the associated definition to be deleted and replaced. This submission was made on the basis that this would align with other submission points from NZTA, including (in particular) NOISE-R2 and NOISE-S3.

5.2 The definition proposed by NZTA also sought a planning maps 'overlay' where the setback would be mapped as determined by NZTA noise modelling. This would allow locality-specific setbacks, to a maximum of 100m, with the modelled setback taking into account traffic volumes, speed, road surfacing, screening, and topography – recognising that a lesser setback is often appropriate due to site specific circumstances.

[2] Section 42A report, dated 21 September 2026

5.3 The mapped overlay as proposed in the original NZTA submission is still the preference of NZTA, as it would allow the controls to respond more precisely to modelled noise exposure. However, I consider that the fixed-distance approach recommended by Ms Belgrave[3] will also provide an administratively straightforward alternative, subject to the definition being amended to be an 'overlay', along with amendments to setbacks being incorporated into the definition as recommended by Dr Chiles in his evidence[4]. I rely on Dr Chiles for that technical assessment. In NZTA's original submission, and as reiterated by Dr Chiles, the 100 m distance from the state highway designation boundary, where the permanent speed limit is 70 km/h or above, covers the maximum extent of NZTA's modelled overlay.

5.4 Dr Chiles has also confirmed that the 35 m distance proposed in the Transport Corridor Noise Control Overlay definition would encompass most or all of the proposed overlay for lower-speed parts of State Highway 8 (SH8), State Highway 83 (SH83) and State Highway 85 (SH85). However, Dr Chiles identifies that 35 m would not cover significant portions of NZTA's proposed overlay on lower-speed sections of SH1 in Oamaru, Hampden and Palmerston[5].

5.5 Dr Chiles recommends either:

(a) increasing the lower-speed distance to 50 m for all state highways; or

(b) retaining 35 m for SH8, SH83 and SH85 and applying 50 m to State Highway 1 (SH1) where the permanent speed limit is below 70 km/h.

(c) The reference to the 'permanent speed limit' is required to avoid uncertainty at variable school speed-limit locations such as Duntroon School, where the displayed speed may move across the 70 km/h threshold.

5.6 With regard to Dr Chiles' recommendations, I prefer the second option, where either 35 m or 50 m setbacks are required in lower speed environments. This more closely reflects NZTA's modelled evidence while retaining a simple distance-based rule and would not require an 'overlay' which addresses the concern raised by Ms Belgrave. If the Panel prefers a

[3] S42A Report paragraph, paragraph 69.
[4] Evidence of Dr Chiles, paragraph 7.3.
[5] Evidence of Dr Chiles, paragraph 7.3

single lower-speed distance, the 50 m setback would also address the technical gap identified by Dr Chiles.

Relief sought

5.7 NZTA accepts the new term and generally accepts the revised definition of 'Transport Corridor Noise Control Area', but seeks the following relief:

(a) Amend the definition as follows[6]:

Transport Corridor Noise Control Overlay ~~Area~~ *Means in relation to the Noise chapter, the area located within:*

a) 100m of the boundary of any State Highway Designation where the permanent ~~posted~~ speed limit is 70 km/hr or above, or

b) 35m of the boundary of any State Highway Designation for State Highway 8, State Highway 83 and State Highway 85 where the permanent ~~posted~~ speed limit is less than 70km/hr, or

c) 50m of the boundary of the State Highway 1 designation, where the permanent speed limit is less than 70km/hr, or

~~c~~d) 100m of the boundary any Railway Corridor Designation

5.8 If accepting the Council recommendation for the 'Transport Corridor Noise Control Overlay', and as discussed further below, NZTA requests that this apply to any new sensitive activity under NOISE-R2 whether this be a newly constructed building, extension to an existing building, or a building changing in use to a sensitive activity. As discussed below, changes remain sought to NOISE-S2, NOISE-S3 and NOISE-R2 to ensure such developments are captured.

6. DEFINITIONS AND ABBREVIATIONS CHAPTER –SENSITIVE ACTIVITY DEFINITION

6.1 In submission 152.90, NZTA sought an alternative definition of 'Sensitive Activity', with Ms Belgrave recommending retention of the notified definition. NZTA had also sought that the term be revised to 'Noise Sensitive Activity'. NZTA accepts retention of the notified term, recognising that, under a district

[6] NZTA Submission 152.6 and 152.91

plan, a sensitive activity may require setbacks or protection from activities that may have adverse effects.

6.2 In reviewing the definition recommended to be retained by Ms Belgrave, the key differences from that proposed by NZTA are:

(a) the retained definition does not include healthcare facilities (or 'medical and health facilities' as defined and used in the recommended provisions) except potentially where captured as buildings/land for 'health purposes' (undefined) under the 'community facility' definition.

(b) the retained definition does not exclude non-sensitive ancillary rooms associated with a sensitive activity.

6.3 To align with NZTA's submission, we request that the 'Sensitive Activity' definition also include 'Medical and health facilities'. Although 'Community Facilities' are captured as 'sensitive activities' with facilities for 'health' purposes captured as part of that definition, this is not clearly defined or worded to the extent where it would provide sufficient protection of staff and patients, or other users of such facilities.

6.4 This is my planning assessment on the scope of the definition. While Dr Chiles does not specifically address this definitional amendment, it is consistent with the broader health-protection rationale in his evidence[7]

6.5 Although the proposed definition does not provide for exclusions as sought in NZTA's original submission, these are captured to a degree by being excluded from the definition of 'habitable room'. I acknowledge that the recommended definition will be more straightforward when determining compliance with permitted activity rules. NZTA accepts that the exclusions do not need to be incorporated into the definition.

6.6 Subject to the addition of 'Medical and health facilities' as a sensitive activity, NZTA otherwise accepts the definition.

Relief sought

6.7 Amend 'Sensitive activity' as follows[8]:

[7] Evidence of Dr Chiles, Section 4.
[8] NZTA submission 152.90.

Sensitive activity

means:

1. *residential activity, including papakāika;*
2. *marae;*
3. *educational facility;*
4. *retirement village;*
5. *visitor accommodation activity;*
6. *place of worship; ~~or~~*
7. *community facility~~;~~ or*
8. *medical and health facilities*

7. OBJECTIVE AND POLICY FRAMEWORK

7.1 Under submissions 152.63 to 152.68, NZTA sought new rules and standards to manage effects from the state highway. This included a new Objective 1, Policies 1 and 2, and rules and standards to standalone or replace NOISE-R2, NOISE-S2, NOISE-S3 and NOISE-APP1. The requested text was provided in Appendix C to the original submission.

7.2 With reference to Marshall Day's commentary appended to the section 42A report, the advice to the reporting planner was that the NZTA submission was not markedly different from the notified provisions, with NOISE-R2, NOISE-S2, NOISE-S3 and NOISE-APP1 broadly providing a similar framework and content. Those matters are addressed in later sections, with the notified and retained noise objectives and policies now discussed in relation to NZTA's requested Objective 1, Policy 1 and Policy 2.

Objectives and Policies

7.3 NOISE-O2 as notified requires that new sensitive activities are designed and located to minimise reverse sensitivity effects in relation to noise-generating activities. NZTA's requested Objective 1 also addressed effects on health and amenity, as well as reverse sensitivity effects associated with noise from state highways.

7.4 NOISE-P2 recognises reverse sensitivity and the need for sound insulation or location controls. NOISE-P4 directly addresses sensitive activities near state highway (and rail) corridors, acoustic insulation and consultation with NZTA.

7.5 In my opinion, the notified objective and policies NOISE-P2 and NOISE-P4 can support the relief sought, provided the rules and standards are amended as set out below. The health and amenity rationale is appropriately explained in the evidence provided by Dr Chiles, particularly his sections addressing noise and vibration effects and methods to manage adverse effects[9] , and implemented through measurable noise and ventilation standards. NZTA do not require the replacement objective and policies if the rules and standards otherwise achieve those outcomes.

7.6 The reference in NOISE-P4 to acoustic insulation through screening, alternative technologies or materials is broad enough at policy level. Detailed building performance requirements should remain in the standards, where compliance can be objectively assessed.

7.7 NZTA therefore no longer seeks to revise the objectives and policies as notified, however seek that changes to rules and standards are accepted to address NZTA's concerns.

Subdivision

7.8 NZTA does not pursue requested Policy 2 concerning subdivision, given Ms Belgrave's recommendation that the applicable zoning and bulk and location standards provide an adequate framework.

8. NOISE CHAPTER – NOISE-R2 – NEW BUILDINGS, CHANGE OF USE OF EXISTING BUILDINGS AND ADDITIONS TO EXISTING BUILDINGS, FOR USE BY A SENSITIVE ACTIVITY

8.1 NZTA submission 152.64 sought amendments to NOISE-R2 so that new sensitive activities within the Transport Corridor Noise Control Overlay are subject to the relevant acoustic and ventilation standards.

8.2 Ms Belgrave recommends linking NOISE-R2 to the Transport Corridor Noise Control Overlay and amending NOISE-R2-PER-1 and NOISE-R2-PER-2 so

[9] Evidence of Dr Chiles, Section 4

that NOISE-S2 and NOISE-S3 apply within that area[10]. Relying on Dr Chiles' evidence, I support those amendments.

8.3 However, the recommended drafting[11] removes the notified references to *'change of use of existing buildings and additions to existing buildings*'. This would leave a gap where a sensitive activity is established within an existing building, or where an addition or alteration creates a new space for a sensitive activity.

8.4 Marshall Day's assessment relied on NOISE-R2 retaining the text capturing 'change of use of existing buildings and additions to existing buildings' along with 'new buildings', but that text is deleted from the revised NOISE-R2. Marshall Day considered that NZTA's submission was addressed by the notified provisions, concluding that 'we are satisfied that the notified rule is sufficient'[12].

8.5 Dr Chiles confirms that NOISE-R2 should apply to new buildings containing a sensitive activity and to additions or alterations that create a new space for a sensitive activity[13], and I agree with this position. I do not pursue the submitted '5m² over ten years' internal-alteration trigger, as it would create unnecessary monitoring and administration difficulties.

Relief sought

8.6 I therefore support the overall approach recommended by Ms Belgrave, subject to NOISE-R2 expressly applying to new buildings containing a sensitive activity, changes of use to a sensitive activity, and additions or alterations that create a new space for a sensitive activity. Consequential amendments are also required to NOISE-S3 so that the applicable acoustic and ventilation standards apply to each of those circumstances. This would provide a clear and enforceable link to NOISE-S2 and NOISE-S3[14].

8.7 NZTA seeks the following relief with regard to NOISE-R2:

(a) Retain the rule title text so that the rule applies to *'New buildings, change of use of existing buildings and additions to existing buildings, for use by a sensitive activity'*. Aside from NZTA considering that

[10] Section 42A report, paragraph 215
[11] Section 42A report, Appendix 1
[12] Section 42A report, Appendix 4 - Marshall Day memorandum, comments on submissions 152.63 and 152.64
[13] Evidence of Dr Chiles, paragraph 7.7
[14] NZTA submission 152.64; consequential amendments associated with NZTA submissions 152.65 and 152.66

changes of use and building additions need to be captured, other provisions (e.g., NOISE-S3) still retain that full text[15].

(b) NOISE-R2 – both PER-1 and PER-2 relate to *'Any site….'*, however it is not the intention that 'sites' are caught by these setback provisions, rather it is the buildings used by sensitive activities. Therefore, NZTA requests that these rules commence with *'Buildings…'* rather than *'any building'* or '*any activity'. 'Buildings'* more clearly identifies with what the rule captures. This amendment is sought for drafting clarity and does not alter the substantive operation of the rule. This is a planning and drafting clarification and is not presented as a conclusion derived from Dr Chiles' acoustic evidence.

9. NOISE CHAPTER – NOISE-S2 MECHANICAL VENTILATION REQUIREMENTS

9.1 NZTA submission 152.65 seeks amendments to NOISE-S2 to ensure that effective mechanical ventilation is provided where windows must remain closed to achieve the internal design sound levels required by NOISE-S3. NZTA also sought additional airflow, heating and cooling requirements.

9.2 Ms Belgrave recommends retaining NOISE-S2 without amendment[16], on the basis that the existing ventilation rate is adequate and that the additional requirements are unnecessary or are addressed through the Building Code[17].

9.3 Relying on the acoustic evidence of Dr Chiles[18], I do not support that recommendation of Ms Belgrave. Dr Chiles advises that the Building Code does not adequately address the need for occupants to have an unfettered choice to keep windows closed. In this context, greater airflow and appropriate heating and cooling are required to reduce the need for occupants to open windows where those windows must remain closed to achieve the required internal design sound levels.

9.4 Dr Chiles also identifies a gap in the drafting of NOISE-S2[19]. Mechanical ventilation may not be required where the fixed sound-insulation or

[15] NZTA submission 152.64
[16] Section 42A report, paragraph 304
[17] Section 42A report, paragraphs 302–303
[18] Evidence of Dr Chiles, paragraphs 7.9
[19] Evidence of Dr Chiles, paragraphs 7.8-7.12

construction-schedule pathways in NOISE-S3.1.a or NOISE-S3.2.b are used, because those pathways do not specify an internal design sound level that would trigger NOISE-S2. I therefore consider that NOISE-S2 requires a comprehensive re-write to ensure that NOISE-S2 will apply when there is no internal design noise levels prescribed in NOISE-S3. As written, with reference to an 'internal standard', this will fail to achieve the intention of the standard in some circumstances.

9.5 NZTA therefore requests that the NOISE-S2 requirements recommended by Ms Belgrave be amended, subject to the addition of the airflow, heating and cooling requirements supported by Dr Chiles. The terminology used in NOISE-S2 and NOISE-S3 should also be consistent, including references to 'sound levels' and 'noise levels'.

9.6 These amendments would close the identified gap between the acoustic-treatment and ventilation provisions and ensure that buildings can achieve the required internal acoustic environment while providing appropriate ventilation and temperature control. In my opinion, this would provide a more effective and enforceable standard and would better achieve the health, amenity and reverse-sensitivity outcomes of the Noise Chapter.

Relief sought

9.7 NZTA requests that NOISE-S2 be amended as follows:

(a) Comprehensive amendment to ensure that NOISE-S2 will expressly apply where the pathways in NOISE-S3.1.a or NOISE-S3.2.b are used;

(b) Within the comprehensive amendment, generally retain the existing NOISE-S2 requirements and supplement them with the airflow, heating and cooling requirements sought by NZTA and supported by Dr Chiles; and

(c) use consistent terminology across NOISE-S2 and NOISE-S3 when referring to sound or noise levels.

9.8 NZTA have shown the introductory text as deleted in Attachment 1, to ensure that this is reconsidered.

10. NOISE CHAPTER – NOISE-S3 NEW SENSITIVE ACTIVITIES — INDOOR DESIGN NOISE LEVEL AND MECHANICAL VENTILATION REQUIREMENTS

10.1 NZTA submission 152.66 seeks amendments to the standards applying to new sensitive activities near the state highway network, to provide an appropriate internal acoustic environment, to manage potential reverse sensitivity effects on occupants.

10.2 Ms Belgrave recommends removing the limitation on NOISE-S3 so that it applies throughout the Transport Corridor Noise Control Overlay[20]. I do not support this recommendation as this should apply to 'all zones', with the transport noise requirements applying in the overlay.

10.3 However, relying on the acoustic evidence of Dr Chiles, I consider that the following further amendments are required[21].

10.4 First, the fixed sound-insulation pathway in NOISE-S3.1.a may provide inadequate treatment close to road and rail corridors, but excessive treatment for buildings farther from, screened from, or orientated away from those corridors. It should therefore not apply to road or rail noise. Compliance should instead be demonstrated through the internal design sound level pathway in NOISE-S3.1.b, which responds to the actual noise exposure and provides a more proportionate, effects-based approach.

10.5 Second, NOISE-S3.1.b.ii and iii should use the defined term "habitable room" rather than "habitable space". This would improve consistency and certainty without altering the intended outcome.

10.6 Third, the applicable internal sound criteria should preferably be stated directly in the text of the plan, rather than incorporated by reference to an external standard. The criteria were provided in Table 1 in Appendix C to NZTA's original submission. This would make the requirements more accessible and support consistent plan administration. If the external reference is retained, the applicable criteria should be explicit in the rule, so they are clear and capable of consistent application.

[20] Section 42A report, paragraph 309 and paragraph 312
[21] Evidence of Dr Chiles, paragraph 7.14.

10.7 Finally, with regard to Dr Chiles evidence, Note 2 currently provides a 2 dB allowance for future traffic growth. Dr Chiles advises that, while this may account for typical traffic growth, it does not adequately address measurement and prediction uncertainty or changes in road surface, lane position, traffic composition and speed. I agree with Dr Chiles that this allowance should be increased to 3 dB, and this will align with NZTA's original submission.

10.8 In addition to the above, we request that the NOISE-S3 heading be amended from *'New sensitive activities — indoor design noise level and mechanical ventilation requirements'* to be more general, with NZTA proposing '*Acoustic treatment for sensitive activities'* or wording to a similar effect. The heading as proposed states 'mechanical ventilation', however there is no reference to that in the standard, with NOISE-S2 correctly referring to mechanical ventilation. The reference to 'New' sensitive activities could imply the standard does not apply to additions to those activities, which are required to address this standard under NOISE-R2.

10.9 These targeted amendments would retain the overall structure recommended in Ms Belgrave's report while addressing the remaining technical deficiencies identified. In my opinion, this is more efficient than replacing NOISE-S3 in its entirety and would provide an effective, proportionate and enforceable response to road noise.

<u>Relief sought</u>

10.10 NZTA accepts the recommended change that NOISE S3 apply throughout the Transport Corridor Noise Control Overlay, however requests that NOISE-S3 be amended to:

(a) prevent NOISE-S3.1.a from being used for road or rail noise;

(b) require compliance for road (and rail) noise through the internal design sound level pathway in NOISE-S3.1.b;

(c) replace "habitable space" with the defined term "habitable room" in NOISE-S3.1.b.ii and iii;

(d) replace “sound” with “noise” for consistent terminology[22];

(e) include the applicable internal design sound criteria text directly in the plan; and

(f) increase the allowance in Note 2 from 2 dB to 3 dB.

11. NOISE CHAPTER – NOISE-APP1 - NOISE ATTENUATION CONSTRUCTION REQUIREMENTS FOR COMPLIANCE WITH NOISE-S3 NEW SENSITIVE ACTIVITIES – INDOOR DESIGN NOISE LEVEL AND MECHANICAL VENTILATION REQUIREMENTS

11.1 NZTA submission 152.67 seeks amendments to the mitigation provided by structures in NOISE-APP1. Ms Belgrave’s report[23], and recommends minor amendments but otherwise retains the notified construction schedule.

11.2 Relying on the acoustic evidence of Dr Chiles, I consider that the construction schedule as set out in Ms Belgrave’s report and Appendix 1 to that report can be retained for state highway noise, subject to the amendments below and the corresponding changes to the mechanical ventilation requirements in NOISE-S2. On that basis, NZTA does not need to pursue its complete alternative provisions in Appendix C, where the amended notified provisions achieve the same substantive outcome.

11.3 NOISE-APP1 states that, where the construction schedule does not apply, a design report from a suitably qualified acoustics specialist is required. Dr Chiles advises that this statement should be deleted[24] because NOISE-S3.2.a should apply in those circumstances. Retaining a separate specialist-report pathway could enable the requirements in NOISE-S3.1 to be bypassed. I therefore consider that the sentence in NOISE-APP1 should be deleted.

11.4 Subject to those amendments, the corresponding changes to NOISE-S2, and the inclusion of the window and external-door performance requirements sought by NZTA in the original submission, I consider that NOISE-APP1 would provide an appropriate compliance pathway for state highway noise,

[22] It is acknowledged that if reference to AS/NZS 2107 is retained, this document title refers to ‘sound levels’, so the decision of the panel may need to take this context (if relevant) into account.
[23] Section 42a report, paragraphs 102–106
[24] Evidence of Dr Chiles, paragraph 7.16

consistently with the Marshall Day memorandum's comments on NZTA submission 152.63 concerning alternative glazing and door performance[25].

11.5 Dr Chiles considers that the alternative compliance pathways sought by NZTA are not essential, and he has not expressed an opinion on the need for commissioning of mechanical ventilation systems[26]. I therefore do not pursue those matters as part of the planning relief.

11.6 I acknowledge that KiwiRail, in their evidence, request that other changes are made to ensure that NOISE-S3.2.b or NOISE-APP1 expressly state that the construction schedule cannot be used for rail noise. This does not conflict with any of NZTA's evidence.

Relief sought

(a) delete the statement: "In all other situations, a design report from a suitably qualified acoustics specialist is required"[27];

(b) clarify that NOISE-S3.2.a applies where the construction schedule is unavailable[28];

(c) retain the recommended window and external-door performance amendments[29]; and.

(d) operate together with the amended mechanical ventilation requirements in NOISE-S2[30].

12. OTHER CHANGES SOUGHT

12.1 References throughout the District Plan to '*Waka Kotahi NZ Transport Agency*', should be updated to '*New Zealand Transport Agency'* for consistency with the submitter's legal name.

12.2 Provision NOISE-P3[31](1) is recommended to be amended[32] by Ms Belgrave, as a Clause 16(2) amendment, with the word 'and' to be deleted. This was not carried through into the amendments in Appendix 1, however the deletion

[25] Section 42A report, Appendix 4, Marshall Day commentary
[26] Evidence of Dr Chiles, paragraph 7.19
[27] Evidence of Dr Chiles, paragraph 7.16 relating to NZTA submission 152.66
[28] Evidence of Dr Chiles, paragraph 7.16 relating to NZTA submission 152.67.
[29] NZTA submission 152.67; and Marshall Day memorandum comments on NZTA submission 152.63
[30] Evidence of Dr Chiles, paragraph 7.19
[31] Recognising existing lawfully established noise emitting activities
[32] Section 42A report, paragraph 70

of ‘and’ is considered to be necessary to ensure the ‘locations’ in that provision relate only to those within the Transport Noise Control Overlay.

13. RELATIONSHIP WITH KIWIRAIL

13.1 KiwiRail has expressed a preference for mapped noise and vibration overlays, which also remains NZTA’s preferred approach. However, if the Panel prefers the setback approach recommended by Ms Belgrave[33], NZTA accepts it as an adequate alternative for defining noise areas in relation to the state highway, subject to the proposed amendments to the word-based definition of the Transport Corridor Noise Control Overlay.

13.2 NZTA and KiwiRail used different drafting approaches, but seek the same broad planning outcome: protection of occupants of new and altered sensitive activities and management of reverse sensitivity effects on established transport corridors.

13.3 I support an integrated road and rail framework to align with KiwiRail’s position where those provisions are technically suitable, while retaining road- and rail-specific distinctions identified by Dr Chiles in his evidence. This includes the different control-area distances and the exclusion of the NOISE-APP1 construction schedule for rail noise.

13.4 NZTA supports KiwiRail's position on rail vibration and Dr Chiles' evidence.

14. CONCLUSIONS AND RELIEF

14.1 In summary, I recommend that the Panel:

(a) amend the Transport Corridor Noise Control Area definition to an ‘Overlay’, and to apply 35 m to lower-speed sections of SH8, SH83 and SH85, 50 m to lower-speed sections of SH1, and refer to the permanent speed limit;

(b) add ‘medical and health facilities’ to the Sensitive Activity definition;

(c) apply NOISE-R2 to new buildings containing a sensitive activity, changes of use to a sensitive activity, and additions or alterations creating a new space for a sensitive activity;

[33] Section 42A report, paragraph 69

(d) amend NOISE-S2 to close the mechanical-ventilation gaps and include appropriate airflow, heating and cooling requirements;

(e) amend NOISE-S3 to require the internal design sound level pathway for road and rail noise, use the defined term ‘habitable room’, preferably state the applicable criteria directly in the Proposed Plan, and increase the allowance in Note 2 to 3 dB;

(f) amend NOISE-APP1 to remove the specialist-report pathway, clarify that NOISE-S3.2.a applies where the construction schedule is unavailable, and prevent use of the construction schedule for rail noise; and

(g) the consequential terminology and naming corrections identified in this evidence.

14.2 I have included changes I consider necessary as **Attachment A**.

14.3 Subject to those amendments, I consider that the proposed Waitaki District Plan provisions would provide a clear, efficient and enforceable framework for managing new and altered sensitive activities near state highway, while protecting occupants and managing reverse sensitivity effects.

14.4 NZTA no longer pursues replacement objectives and policies, the subdivision policy, or the full Appendix C framework, except to the extent that the relief is expressly identified in this evidence.

Joanne Glynne Pacey
10 October 2026