



## **Upper Hutt City Council**

### **Submissions on Proposed Private Plan Change 52**

Proposed Private Plan Change 52: Rezoning of 20 Stroma Way, Mount Marua

to the Upper Hutt City Council District Plan



Form 5

Submission on Proposed Private Plan Change 52

20 Stroma Way – Upper Hutt City Council

To: Upper Hutt City Council

Submission on: Plan Change 52 – 20 Stroma Way

**Name of submitter: Fire and Emergency New Zealand (FENZ)**

Address: c/o Beca Ltd  
PO Box 3942  
Wellington 6140

Attention: Alice Falloon

Phone: 04 897 6032

Email: [alice.falloon@beca.com](mailto:alice.falloon@beca.com)

This is a submission made on behalf of Fire and Emergency New Zealand (FENZ) concerning proposed Private Plan Change 52 of the Upper Hutt City District Plan (hereafter “PPC52”).

The Fire and Emergency New Zealand Act 2017 (FENZ Act) established FENZ from 1 July 2017. FENZ was created from the previous New Zealand Fire Service Commission, the New Zealand Fire Service, the National Rural Fire Authority, and 38 other Rural Fire Authorities. The FENZ Act, among other matters, replaced the two previous governing Acts (the Fire Service Act 1975 and the Forest and Rural Fire Act 1977) to create a single, unified fire services organisation for New Zealand. The FENZ Act establishes the governance, management and operational arrangements for protecting life and property from fire and other emergencies in New Zealand.

FENZ recognises the importance of the proposed Plan Change 52 in managing future rural lifestyle developments within the Mount Marua area of the Upper Hutt District.

The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources, which includes enabling people and communities to provide for their social, economic and cultural wellbeing and for their health and safety. The risk of fire represents a potential adverse effect of low probability but high potential impact. FENZ has a responsibility under the FENZ Act to reduce the incidence of unwanted fire and the associated risk to life and property. As such, FENZ monitors changes in statutory planning documents occurring under the RMA to ensure that, where necessary, appropriate consideration is given to fire safety.

FENZ's role includes promoting fire safety and fire prevention, and extinguishing fires. Plan Change 52 provides an opportunity to better facilitate these activities, by including appropriate rules which will enable people and communities to provide for their health and safety with regard to fire safety, fire prevention, and fire extinction.

### **Adequate water supply and access for firefighting activities:**

The provision of adequate water supply and firefighting access is critical. It is important to FENZ that any new dwelling or land use that does not have access to a reticulated water supply has access to an adequate firefighting water supply of some kind. This essential emergency supply will provide for the health, safety and wellbeing of people and the wider community, and therefore achieves the purpose of the RMA.

The New Zealand Firefighting Code of Practice SNZ/PAS 4509:2008 (Code of Practice) is a non-mandatory New Zealand Standard that sets out the requirements for firefighting water and access. The Code of Practice enables a consistent approach throughout New Zealand and allows FENZ to operate effectively and efficiently in a fire emergency. FENZ considers that the best way to provide a consistent approach to mitigating the actual and potential effects of fire across the district (rather than just the notified applications for resource consents) is to include specific standards in district plans.

### **Proposed Plan Change 52 additions relevant to FENZ:**

PPC52 seeks to rezone the property known at 20 Stroma Way in Mount Marua from Rural Hill Zone to Rural Lifestyle Zone. PPC52 proposes new sections be added to Chapter 5 – Rural Zone and Chapter 19 – Rural Zone Rules, of the Upper Hutt District Plan to reference the proposed Mount Marua Structure Plan.

The supporting infrastructure report (Appendix C) notes that:

*“As part of our investigation, we have liaised with the relevant utility service providers to determine whether or not the existing infrastructure in the local area has any limitations, and whether or not it could be extended to service the proposed development. Our assessment of the infrastructure in this area has confirmed that there is sufficient capacity in the relevant networks, and/or that practical solutions are available, to service the proposal in accordance with the requirements of the Upper Hutt Code of Practice for Civil Engineering Works.”*

FENZ is satisfied that the network will be constructed to provide sufficient firefighting water supply for all allocated dwellings.

FENZ supports the intention to provide water supply, through the Code of Practice for Civil Engineering works guidelines, however this Code references the out of date Fire and Emergency New Zealand Code of Practice (1992) and not the current Fire and Emergency New Zealand Code of Practice SNZ PAS 4509:2008.

### **FENZ seeks the following decision from the consent authority:**

FENZ is neutral on PPC52. If the proposed plan change is approved, FENZ seeks that a standard be added to the proposed provision ‘19.11A New Buildings within the Mount Marua Structure Plan Area.

The addition to the proposed provision could read as follows (note that the proposed additions are underlined):

*19.11A New buildings within the Mount Marua Structure Plan Area*

#### ***Building height***

*The maximum height of any building shall not exceed 6m.*

#### ***Exemption:***

*Chimneys, flues and minor decorative features may exceed the maximum height by up to 1m.*

**Location**

*Any new buildings shall be located within the identified building platforms as defined by the Mount Marua Structure Plan.*

**External Appearance**

*All exterior building materials shall be finished in a recessive colour palette of greens, browns and greys with a reflectivity value of 40% or less.*

**Firefighting Water Supply**

*Prior to occupation, all new buildings shall be provided with firefighting water supply in accordance with the Fire and Emergency New Zealand Code of Practice SNZ PAS 4509:2008.*

**FENZ would not gain an advantage in trade competition through this submission.**

**FENZ wishes to be heard in support of its submission.**

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



.....  
(Signature of person authorised to sign on behalf of Fire and Emergency New Zealand)

28/07/20

.....  
Date

Title and address for service of person making submission:

Fire and Emergency New Zealand  
c/o Beca Ltd

Attention: Alice Falloon

Address: Beca Ltd  
PO Box 3942  
Wellington 6140



12 August 2020

Upper Hutt City Council  
Private Bag 907  
**UPPER HUTT 5140**

**By email to:** [corinna@urbanedgeplanning.co.nz](mailto:corinna@urbanedgeplanning.co.nz)

**FEEDBACK ON PUBLICLY NOTIFIED DRAFT PROPOSAL FOR PLAN CHANGE OR  
VARIATION (FORM 5)  
Upper Hutt City District Plan: Plan Change 52**

**NAME OF SUBMITTER:** KiwiRail Holdings Limited (KiwiRail)

**ADDRESS FOR SERVICE:** Level 1  
Wellington Railway Station  
Bunny Street  
PO Box 593  
**WELLINGTON 6140**

Attention: Sheena McGuire

Ph: 027 227 7780  
Email: [Sheena.McGuire@kiwirail.co.nz](mailto:Sheena.McGuire@kiwirail.co.nz)

**KiwiRail Submission on Plan Change 52 – Rezoning 20 Stroma Way, Mount Marua**

KiwiRail Holdings Limited (KiwiRail) is the State-Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail is also the Requiring Authority for the designated corridor of the Wairarapa Line within Upper Hutt City.

KiwiRail supports the general intent of the Plan Change, being to rezone 20 Stroma Way, Mount Marua from Rural Hill Zone to Rural Lifestyle Zone. The subject site at 20 Stroma Way adjoins the designated rail corridor.

KiwiRail has an interest in protecting its ability to continue to operate, maintain and enhance the rail network, as well as seeking to ensure the safety and amenity of those parties occupying land adjacent to the rail corridor.

KiwiRail's feedback on the Draft District Plan Change is set out in the attached table. Insertions we wish to make are marked in ***bold*** and ***underlined***. All requested changes include any consequential changes to the Plan to accommodate the requested change in the stated, or alternate, location.



KiwiRail does wish to speak to our submission at this time, and is prepared to present a joint case with like submitters if Council prefer.

Regards,



Sheena McGuire

**Access Provision Advisor**

**KiwiRail**



Submission Number	Proposed Amendment	Support/Oppose/ Seek Amendment	Feedback/Comments/Reasons	Relief Sought (as stated or similar to achieve the requested relief)																							
<b>Reverse sensitivity</b>																											
1.	Structure Plan	Seek assessment of reverse sensitivity effects and provide adequate mitigation measures in the Plan Change.	<p>The Plan Change does not address potential reverse sensitivity effects. The Plan Change should incorporate provisions that provide for adequate protection from adverse effects from established rail operations.</p> <p>A key part of ensuring the safe and efficient operation of the Upper Hutt City rail network is ensuring that reverse sensitivity effects are appropriately mitigated. These effects can arise from the impact of railway operations noise and vibration on nearby residents. It is also widely accepted nationally and internationally that sound and vibration from road and rail networks has the potential to cause adverse health and amenity effects on people living nearby. Railways are generally an accepted part of the urban environment, but many don't appreciate the actual effects of living with rail sound and vibration when they choose to live near existing railway designations. Rail operations occur 24/7 and include maintenance activities.</p> <p>Policy 55 of the Greater Wellington Regional Policy Statement (RPS) seeks to maintain a compact, well-designed and sustainable regional form. The policy explanation states:</p> <p><i>The content and detail of structure plans will vary depending on the scale of development. Notwithstanding this, structure plans, as a minimum, should address:</i></p> <p>..</p> <p><i>The integration of the development with adjoining land use activities including measures to avoid, remedy or mitigate reverse sensitivity effects.</i></p> <p>Rail noise effects will extend approximately 100m from the rail corridor designation. Proposed building platforms 1 and 14 are within 100m from the rail corridor.</p> <p>KiwiRail seeks the inclusion of a new suite of provisions to the Structure Plan relating specifically to noise sensitive activities within 100m of a rail network boundary. This will give effect to the RPS.</p>	<p>Amend the Structure Plan to include the following provisions:</p> <p><u>Noise Sensitive Activities within 100m of a Rail Network Boundary</u></p> <p><u>Indoor railway noise</u></p> <p>1. Any new building or alteration to an existing building that contains an activity sensitive to noise where <u>the building or alteration:</u></p> <p>(a) <u>Shall be designed, constructed and maintained to achieve indoor design noise levels resulting from the railway not exceeding the maximum values in the following table; or</u></p> <table border="1" data-bbox="1872 569 2475 1226"> <thead> <tr> <th><u>Building type</u></th> <th><u>Occupancy/activity</u></th> <th><u>Maximum railway noise level LAeq(1h)</u></th> </tr> </thead> <tbody> <tr> <td rowspan="2"><u>Residential</u></td> <td><u>Sleeping spaces</u></td> <td><u>35 dB</u></td> </tr> <tr> <td><u>All other habitable rooms</u></td> <td><u>40 dB</u></td> </tr> <tr> <td rowspan="3"><u>Education</u></td> <td><u>Lecture rooms/theatres, music studios, assembly halls</u></td> <td><u>35 dB</u></td> </tr> <tr> <td><u>Teaching areas, conference rooms, drama studios, sleeping areas</u></td> <td><u>40 dB</u></td> </tr> <tr> <td><u>Libraries</u></td> <td><u>45 dB</u></td> </tr> <tr> <td rowspan="2"><u>Health</u></td> <td><u>Overnight medical care, wards</u></td> <td><u>40 dB</u></td> </tr> <tr> <td><u>Clinics, consulting rooms, theatres, nurses' stations</u></td> <td><u>45 dB</u></td> </tr> <tr> <td><u>Cultural</u></td> <td><u>Places of worship, marae</u></td> <td><u>35 dB</u></td> </tr> </tbody> </table> <p>(b) <u>is at least 50 metres from any railway network, and is designed so that a noise barrier completely blocks line-of-sight from all parts of doors and windows, to all points 3.8 metres above railway tracks</u></p> <p><u>Mechanical ventilation</u></p> <p>2. <u>if windows must be closed to achieve the design noise levels in clause 1(a), the building is designed, constructed and maintained with a mechanical ventilation system that</u></p> <p>(a) <u>For habitable rooms for a residential activity, achieves the following requirements:</u></p> <p>i. <u>provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u></p> <p>ii. <u>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</u></p> <p>iii. <u>provides relief for equivalent volumes of spill air;</u></p> <p>iv. <u>provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</u></p> <p>v. <u>does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u></p> <p>(b) <u>For other spaces, is as determined by a suitably qualified and experienced person.</u></p> <p><u>Indoor railway vibration</u></p> <p>3. <u>Any new buildings or alterations to existing buildings containing an activity sensitive to noise, closer than 60 metres from the boundary of a railway network:</u></p>	<u>Building type</u>	<u>Occupancy/activity</u>	<u>Maximum railway noise level LAeq(1h)</u>	<u>Residential</u>	<u>Sleeping spaces</u>	<u>35 dB</u>	<u>All other habitable rooms</u>	<u>40 dB</u>	<u>Education</u>	<u>Lecture rooms/theatres, music studios, assembly halls</u>	<u>35 dB</u>	<u>Teaching areas, conference rooms, drama studios, sleeping areas</u>	<u>40 dB</u>	<u>Libraries</u>	<u>45 dB</u>	<u>Health</u>	<u>Overnight medical care, wards</u>	<u>40 dB</u>	<u>Clinics, consulting rooms, theatres, nurses' stations</u>	<u>45 dB</u>	<u>Cultural</u>	<u>Places of worship, marae</u>	<u>35 dB</u>
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Submission Number	Proposed Amendment	Support/Oppose/Seek Amendment	Feedback/Comments/Reasons	Relief Sought (as stated or similar to achieve the requested relief)
				<p><i>(a) is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/s vw.95 or</i></p> <p><i>(b) is a single-storey framed residential building with:</i></p> <p><i>i. a constant level floor slab on a full-surface vibration isolation bearing with natural frequency not exceeding 10 Hz, installed in accordance with the supplier's instructions and recommendations; and</i></p> <p><i>ii. vibration isolation separating the sides of the floor slab from the ground; and</i></p> <p><i>iii. no rigid connections between the building and the ground.</i></p> <p><i>4. A report is submitted to the council demonstrating compliance with clauses (1) to (3) above (as relevant) prior to the construction or alteration of any building containing an activity sensitive to noise. In the design:</i></p> <p><i>(a) railway noise is assumed to be 70 LAeq(1h) at a distance of 12 metres from the track, and must be deemed to reduce at a rate of 3 dB per doubling of distance up to 40 metres and 6 dB per doubling of distance beyond 40 metres.</i></p>
<b>Setbacks from the rail corridor</b>				
2.	Structure Plan Drawing 28716Z Revision C	Support.	<p>KiwiRail seek to provide for the safe and efficient operation of the rail network, in particular where neighbouring activities may come into conflict with adjacent land uses. Providing a physical setback between buildings and the railway corridor boundary is supported to manage the interface between operations within the railway corridor and activities near the railway corridor.</p> <p>KiwiRail support the Proposed Structure Plan and the minimum setbacks of approximately 57m between the rail corridor and proposed building platforms.</p>	Retain as proposed.
<b>Stormwater</b>				
3.	Structure Plan 1. Intentions and Anticipated Outcomes Intentions, bullet point 3 Outcomes, bullet point 6	Support.	<p>KiwiRail often experiences the adverse effects of uncontrolled stormwater discharges arising from development adjacent to the rail corridor. Uncontrolled stormwater can wash ballast from under sleepers causing dangerous track dips and create scour issues near embankments. KiwiRail is often left to 'clean up' the impact of uncontrolled stormwater discharge from third party land onto the rail corridor.</p> <p>KiwiRail support the Structure Plan in that the intentions and outcomes state that stormwater is to be appropriately managed on-site.</p>	Retain as proposed.
4.	Structure Plan 2.1 Earthworks and Sediment Control Principles Bullet point 3 and bullet points 9-11	Support.	<p>Refer to comments for Submission No. 3 above.</p> <p>KiwiRail support the Structure Plan in that stormwater during construction is to be appropriately channeled and diverted to manage erosion and silt run-off.</p>	Retain as proposed.
5.	Structure Plan 2.3 Stormwater and Natural Hazards Principles	Support.	<p>Refer to comments for Submission No. 3 and 4 above.</p> <p>KiwiRail support stormwater neutrality for individual allotments through on-site attenuation prior to discharge. KiwiRail support that any application for subdivision or development will be required to demonstrate that post-development stormwater discharge flow rates don't exceed pre-development flow rates.</p>	Retain as proposed.

RECEIVED UHCC

13 AUG 2020

## SUBMISSION FORM (FORM 5)

**PROPOSED PLAN CHANGE TO THE UPPER HUTT CITY COUNCIL  
DISTRICT PLAN: PROPOSED PRIVATE PLAN CHANGE 52 – REZONING  
OF 20 STROMA WAY, MOUNT MARUA**



To: Upper Hutt City Council

File Number: 350/13-010  
Submission Number:  
(for office use only)

Submission on Proposed Private Plan Change 52 to the Upper Hutt City Council District Plan

Submissions can be:

Delivered to: Level 1 Reception, Civic Administration Building, 838-842 Fergusson Drive, Upper Hutt  
Posted to: Proposed Private Plan Change 52, Upper Hutt City Council, Private Bag 907, Upper Hutt  
Faxed to: (04) 528 2652  
Emailed to: planning@uhcc.govt.nz

**The closing date for submissions is Friday 14 August 2020 at 5pm**

**PLEASE NOTE THAT THE INFORMATION PROVIDED IN YOUR SUBMISSION, INCLUDING YOUR  
CONTACT DETAILS, WILL BE AVAILABLE TO THE PUBLIC**

## DETAILS OF SUBMITTER

Name of submitter	ANDREW MARK	
Postal address of submitter	52 STROMA WAY, UPPER HUTT.	
Agent acting for submitter (if applicable)		
Address for service (if different from above)		
Contact phone / email	Telephone: 0274 808998 5268157.	Email:
I could gain an advantage in trade competition through this submission (Please tick one)	NO	<b>Only answer this question if you ticked YES:</b> I am <input type="checkbox"/> / am not <input type="checkbox"/> (select one) directly affected by an effect of the subject matter of the submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
	YES	

**DETAILS OF SUBMISSION**

The specific provisions of the proposed private Plan Change that my submission relates to are as follows:

The positives of adding to the housing supply and better utilization of land use in the Upper Valley

*(Please use additional sheets if necessary)*

My submission is that:

The Plan change site is a logical and natural extension of established lifestyle development in the locality of Mt. Marua

*(Please state in summary the nature of your submission. Clearly indicate whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. Please use additional sheets if necessary)*

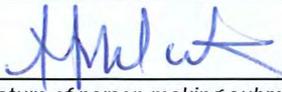
I seek the following decision from the local authority:

That they approve the application.

*(Please give precise details and use additional sheets if necessary)*

Please indicate whether you wish to be heard in support of your submission (Tick appropriate box)	I do wish to be heard in support of my submission	<input type="checkbox"/>
	I do not wish to be heard in support of my submission	<input checked="" type="checkbox"/>
Please indicate whether you wish to make a joint case at the hearing if others make a similar submission (Tick appropriate box)	I do wish to make a joint case	<input type="checkbox"/>
	I do not wish to make a joint case	<input type="checkbox"/>

**SIGNATURE AND DATE**



Signature of person making submission or person authorised to sign on behalf of person making submission

Date: 12/8/20.

*(Note: A signature is not required if you are making your submission by electronic means)*