



Upper Hutt City Council

Summary of Decisions Requested (Summary of Submissions)

Proposed Private Plan Change 52: Rezoning of 20 Stroma Way, Mount Marua
to the Upper Hutt City Council District Plan

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27 August 2020

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GUIDE TO THE SUMMARY

The following format is used for this summary:

Subm. Point	Provision	Decision Sought	Reasons
Submitter 1:			
S1.1			

These submissions are ordered by submitter number. Each decision requested by a submitter is individually listed (SX.X).

For example in submission 1 on Plan Change 52, made by Fire and Emergency New Zealand, the first decision requested is marked with the notation 'S1.1'.

The accompanying volume "Submissions on Proposed Private Plan Change 52" contains full copies of the submissions received on Private Plan Change 52.

New or amended text proposed through the Plan Change is shown either single underlined or ~~single strikethrough~~. Where the submitter proposes an amendment to the proposed new text or a new provision, the amendment proposed by the submitter is shown double underlined. Where the submitter proposes the deletion of proposed new text, this is shown ~~double strikethrough~~.

Making a Further Submission

Clause 8 of the First Schedule of the Resource Management Act outlines the persons that may make a further submission, being:

- (a) *any person representing a relevant aspect of the public interest; and,*
- (b) *any person that has an interest in the proposed plan greater than the interest that the general public has; and*
- (c) *the local authority itself.*

A further submission must be in support of or in opposition to the submissions that have already been made and which are summarised in this document.

Further submissions should be made in writing, in general accordance with Form 6 of the Resource Management Act (Forms, Fees, and Procedure) Regulations 2003. Copies of Form 6 are available from:

- Upper Hutt City Council Offices, Level 1 Reception, Civic Administration Building, 838-842 Fergusson Drive, Upper Hutt
- Upper Hutt Library, 844 Fergusson Drive, Upper Hutt
- Pinehaven Branch Library, corner of Pinehaven Road and Jocelyn Crescent, Pinehaven, Upper Hutt
- On Council's website at consultation.upperhuttcity.com

Further submissions may be lodged in the following ways:

Online	consultation.upperhuttcity.com	Email	planning@uhcc.govt.nz
In person	Upper Hutt City Council Level 1 Reception Civic Administration Building 838-842 Fergusson Drive Upper Hutt	Post	Proposed Plan Change 52 Upper Hutt City Council Private Bag 907 Upper Hutt 5140

The closing date for further submissions is **Thursday 24 September 2020 at 5pm.**

Service of further submission on original submitter:

Within 5 working days of making the further submission to Council, the further submitter must serve a copy of the further submission on the person who made the original submission to which the further submission relates. The address for service for each submitter is contained on the following page.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Schedule 1 of the Resource Management Act 1991.

LIST OF SUBMITTERS

Submitter No.	Submitter name	Address for service
1	Fire and Emergency New Zealand	c/o Beca Ltd PO Box 3942 Wellington 6140 alice.falloon@beca.com
2	KiwiRail Holdings Limited	Level 1 Wellington Railway Station Bunny Street PO Box 593 WELLINGTON 6140 Attention: Sheena McGuire Sheena.McGuire@kiwirail.co.nz
3	Andrew Mark	52 Stroma Way Upper Hutt

SUBMISSIONS ON PROPOSED PRIVATE PLAN CHANGE 52

Subm. Point	Provision	Decision Sought	Reasons
Submitter 1: Fire and Emergency New Zealand (FENZ)			
S1.1	19.11A New Buildings within the Mount Marua Structure Plan Area	<p>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.</p> <p>The addition to the proposed provision could read as follows (note that the proposed additions are underlined):</p> <p><u>19.11A New buildings within the Mount Marua Structure Plan Area</u></p> <p><u>Building height</u></p> <p><u>The maximum height of any building shall not exceed 6m.</u></p> <p><u>Exemption:</u></p> <p><u>Chimneys, flues and minor decorative features may exceed the maximum height by up to 1m.</u></p> <p><u>Location</u></p> <p><u>Any new buildings shall be located within the identified building platforms as defined by the Mount Marua Structure Plan.</u></p> <p><u>External Appearance</u></p> <p><u>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.</u></p> <p><u>Firefighting Water Supply</u></p> <p><u>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.</u></p>	<p>FENZ is satisfied that the network will be constructed to provide sufficient firefighting water supply for all allocated dwellings.</p> <p>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.</p>

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Submitter 2: KiwiRail Holdings Limited (KiwiRail)																										
S2.1	Structure Plan	<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. <u>Any new building or alteration to an existing building that contains an activity sensitive to noise where 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="775 619 1500 1104"> <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>	<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>	<p>The plan change does not address potential reverse sensitivity effects.</p> <p>The plan change should incorporate provisions that provide protection from adverse effects from established rail operations.</p> <p>Reverse sensitivity effects arising from noise and vibration on nearby residents need to be appropriately mitigated to ensure the safe and efficient operation of the rail network.</p> <p>Policy 55 of the Wellington RPS in its explanation states that structure plans as a minimum should address the integration of development with adjoining land use activities including measures to avoid, remedy or mitigate reverse sensitivity effects.</p> <p>Rail noise effects will extend app. 100m from the rail corridor and two proposed building platforms (1 and 14) are within 100m from the rail corridor.</p> <p>The proposed provisions relating to noise sensitive activities within 100m of a rail network boundary will give effect to the RPS.</p>
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		<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> <ul style="list-style-type: none"> i. <u>provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u> 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> iii. <u>provides relief for equivalent volumes of spill air;</u> 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> v. <u>does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u> <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> <p>(a) <u>is designed, constructed and maintained to achieve rail vibration levels not exceeding 0.3 mm/svw,95 or</u></p> <p>(b) <u>is a single-storey framed residential building with:</u></p> <ul style="list-style-type: none"> i. <u>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</u> ii. <u>vibration isolation separating the sides of the floor slab from the ground; and</u> iii. <u>no rigid connections between the building and the ground.</u> 	

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		<p>4. <u>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:</u></p> <p>(a) <u>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.</u></p>	
S2.2	Structure Plan Drawing 28716Z Revision C	Support - Retain as Proposed	KiwiRail support the proposed Structure Plan and the minimum setback of app 57m between the rail corridor and proposed building platforms. This will provide for the safe and efficient operation of the rail network and manage the interface between operations within the railway corridor and activities near the railway corridor.
S2.3	Structure Plan 1. Intentions and Anticipated Outcomes Intentions, bullet point 3 Outcomes, bullet point 6	Support - Retain as proposed	KiwiRail support the Structure Plan in that the intentions and outcomes state that stormwater is to be appropriately managed on-site. Uncontrolled stormwater can create dangerous track dips and create scour issues near embankments.
S2.4	Structure Plan 2.1 Earthworks and Sediment Control Principles Bullet point 3 and bullet points 9-11	Support - Retain as proposed	KiwiRail support the Structure Plan in that stormwater during construction is to be appropriately channelled and diverted to manage erosion and silt run-off.
S2.5	Structure Plan 2.3 Stormwater and Natural Hazards Principles	Support – Retain as proposed	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

Subm. Point	Provision	Decision Sought	Reasons
			flow rates don't exceed pre-development flow rates.
Submitter 3: Andrew Mark			
S3.1	Positives of adding to housing supply and better utilisation of land use in the Upper Valley	That the application be approved	The Plan change site is a logical and natural extension of established lifestyle development in the locality of Mt Marua.