

Form 6

Further submission in support of, or in opposition to, submission on notified proposed plan

Clause 8 of Schedule 1, Resource Management Act 1991

To: Central Hawke's Bay District Council
Submission on: Central Hawke's Bay Proposed District Plan
Name of Submitter: Fire and Emergency New Zealand

This is a further submission in opposition to a number of submissions to the Central Hawke's Bay District Council (CHBDC) on the Central Hawke's Bay Proposed District Plan (PDP).

Fire and Emergency is a party with an interest in the PDP that is greater than the interest the general public has. This is for the following reasons:

- The role of Fire and Emergency prescribed in legislation includes promoting fire safety and fire prevention, and extinguishing fires. The PDP provides an opportunity to better facilitate these activities, by including appropriate objectives, policies and rules to enable people and communities to provide for their social and economic wellbeing, and for their health and safety with regard to fire safety, fire prevention and fire extinction.
- It is essential that Fire and Emergency is able to meet its responsibility of providing an efficient and effective emergency service to all New Zealanders, so as to avoid, remedy or mitigate the adverse effects of fire and other emergencies (as required by the Fire and Emergency New Zealand Act 2017).

Fire and Emergency further submission is:

Fire and Emergency's opposition to a particular submission including the reasons for opposition are identified in the table included in **Appendix A** (attached).

Fire and Emergency wishes to be heard in support of its further submission. If others make a similar submission, Fire and Emergency will consider presenting a joint case with them at a hearing.



Signature of person authorised to sign on behalf of
Fire and Emergency

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Appendix A – Further Submission on behalf of Fire and Emergency New Zealand

The following table sets out the specific further submission points and relief sought by Fire and Emergency. These amendments are shown as red underline (for new text sought) and ~~word~~ (for deletion).

Submitter + Sub #	Submission point	Fire and Emergency position	Fire and Emergency reason/s	Relief sought
Chorus New Zealand Limited S117.058	<p>SUB-O3</p> <p><i>The objective is supported in that it requires services to allotments. This submission seeks that the term services be deleted from the definitions, as the term as notified solely relied on Council services, and not other infrastructure which is necessary to ensure the health and safety of people and communities, such as telecommunications. A consequential amendment is necessary to this objective.</i></p> <p>Amend SUB-O3 as follows: '<u>The provision of appropriate services network utilities to subdivided lots, in anticipation of the likely effects of land use activities on those lots, so as to ensure the health and safety of people and communities, and the maintenance or enhancement of amenity values.'</u></p>	Oppose	<p>Fire and Emergency has supported SUB-O3 as it promotes the provision of appropriate services to subdivided lots, so as to ensure the health and safety of people and communities are upheld. 'Service' as per the proposed definition includes a water supply system and any provisions of access to land in the subdivision (including roads and private access) which are services vital to the operational requirements of Fire and Emergency.</p> <p>These services are not solely provided for by a network utility operator therefore Fire and Emergency consider that reference to 'services' should be retained as the most appropriate definition and will better achieve the objectives intended purpose.</p>	<p>Fire and Emergency seek that reference to 'services' is retained, and suggest the following amendment to the PDP version in response to the submission point:</p> <p><i>The provision of <u>appropriate services and network utilities</u> to subdivided lots, in anticipation of the likely effects of land use activities on those lots, so as to ensure the health and safety of people and communities, and the maintenance or enhancement of amenity values.'</i></p>
Spark New Zealand Trading Limited S118.058	<p>SUB-O3</p> <p><i>The objective is supported in that it requires services to allotments. This submission seeks that the term services as deleted from</i></p>	Oppose	<p>Fire and Emergency has supported SUB-O3 as it promotes the provision of appropriate services to subdivided lots, so as to ensure the health and safety of people and communities is upheld. 'Service' as per the</p>	<p>Fire and Emergency seek that reference to 'services' is retained, and suggest the following amendment to</p>

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	<p><i>the definitions, as the term as notified solely relied on Council services, and not other infrastructure which is necessary to ensure the health and safety of people and communities, such as telecommunications. A consequential amendment is necessary to this objective.</i></p> <p>Amend SUB-O3 as follows: 'The provision of appropriate services network utilities to subdivided lots, in anticipation of the likely effects of land use activities on those lots, so as to ensure the health and safety of people and communities, and the maintenance or enhancement of amenity values.'</p>		<p>proposed definition includes a water supply system and any provisions of access to land in the subdivision (including roads and private access) which services vital to the operational requirements of Fire and Emergency.</p> <p>These services are not solely provided for by a network utility operator therefore Fire and Emergency consider that reference to 'services' should be retained as the most appropriate definition and will better achieve the objectives intended purpose.</p>	<p>the PDP version in response to the submission point: <i>The provision of appropriate services and network utilities to subdivided lots, in anticipation of the likely effects of land use activities on those lots, so as to ensure the health and safety of people and communities, and the maintenance or enhancement of amenity values.'</i></p>
<p>Kāinga Ora - Homes and Communities S129.069</p>	<p>SUB-O3</p> <p><i>Kāinga Ora generally supports the intent but currently does not read as an objective.</i></p> <p>Amend SUB-O3 as follows: 'The provision of appropriate services to subdivided lots are provided for, in anticipation of the likely effects of land use activities on those lots, so as to ensure the health and safety of people and communities, and the maintenance or enhancement of amenity values.'</p>	<p>Oppose</p>	<p>Fire and Emergency has supported SUB-O3 as it appropriately recognises the importance of protecting the health, safety and wellbeing of communities from the adverse effects of land use and development, consistent with section 5 of the RMA.</p>	<p>Fire and Emergency seek that SUB-O3 be amended as follows (taking into account the above further submission points): <i>The provision of appropriate services and network utilities to subdivided lots are provided for, in anticipation of the likely effects of land use activities on those lots, so as to ensure the</i></p>

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				<i>health and safety of people and communities, and the maintenance or enhancement of amenity values.'</i>
Kāinga Ora - Homes and Communities S129.078	<p><i>SUB-P7</i> <i>Kāinga Ora supports the intent of the policy, however requests amendments to reflect that alternative means of servicing should only be sought in cases where public infrastructure is not available and/or easily accessible.</i></p> <p><i>Amendments sought.</i></p> <p>Amend SUB-P7 as follows: 'To ensure that where siteslots are not connected unable to connect to the public water supply, wastewater disposal or stormwater disposal system, suitable provision can be made on each lot for an alternative water supply or method of wastewater disposal or stormwater disposal, which can that they are otherwise servicing those activities reasonably anticipated within the zone in a way which protects the health and safety of residents and avoids or mitigates adverse effects on the environment.'</p>	Oppose	<p>Fire and Emergency strongly supported SUB-P7 as it ensures that where sites are not connected to a public water supply, suitable provision can be made on each lot for an alternative water supply, which can protect the health and safety of residents and avoid or mitigate adverse effects on the environment. The provision for adequate water supply, especially in rural and/or isolated areas that do not have access to the reticulated network is critical.</p> <p>Fire and Emergency do not consider that the changes sought in S129.078 add value or improve clarity to SUB-P7 as notified.</p>	<p>Fire and Emergency seek that parts of the submission be accepted only, as follows:</p> <p><i>To ensure that where siteslots are not connected unable to connect to a the public water supply, wastewater disposal or stormwater disposal system, suitable provision can be made on each lot for an alternative water supply or method of wastewater disposal or stormwater disposal, which can protect the health and safety of residents and avoid or mitigate adverse effects on the environment.</i></p>
James Bridge S105.017	<p><i>SUB-AM5</i> <i>It is inappropriate to reference the NZ Fire Service Firefighting Water Supplies Code of</i></p>	Oppose	Fire and Emergency supports SUB-AM5(4) as it requires Council to consider the provisions of the NZ Fire Service Firefighting	Fire and Emergency seek that the whole of

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	<p><i>Practice as this document is not publicly available. If there are specific aspects of this code of practice that Council considers important and relevant to applications for subdivision consent, these should be included within the plan to provide clarity and certainty to potential applicants as to what will be expected by Council in regards to these criteria.</i></p> <p>Delete SUB-AM5(4).</p>		<p>Water Supplies Code of Practice SNZ PAS 4509:2008 when compliance cannot be achieved with SUB-S5.</p> <p>Fire and Emergency has therefore sought in its submission to retain SUB-AM5(4) as notified.</p> <p>The NZ Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 is publicly available at no cost and can be found on the Fire and Emergency website:</p> <p>https://www.fireandemergency.nz/business-and-landlords/firefighting-water/</p> <p>SUB-AM5(4) requires CHBDC and applicants to consider ‘<i>The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008</i>’.</p> <p>The flexible nature of SNZ PAS 4509:2008 acknowledges that there is more than one way to mitigate loss from fire, and that there is no one size fits all approach to that mitigation. The provision of 45,000L of water in Table 2 (for residential buildings) is the bare base requirement for non-sprinklered dwellings on a non-reticulated water supply but other measures, such as sprinkler systems or access to open water supplies (i.e. swimming pools or ponds), can be factored in to reduce the volume of water required in tanks.</p>	<p>this submission point be rejected.</p>

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			<p>The assessment process is set out in Appendix H and J of SNZ PAS 4509:2008. It follows that the discretion applied when assessing adequate firefighting water supplies is guided by underlying principles. It is not an arbitrary assessment.</p> <p>In addition, SNZ PAS 4509:2008 addresses more than just the volumetric supply of water. It also addresses the accessibility of that water in terms of fire appliances and connections.</p>	
James Bridge S105.018	<p><i>It is inappropriate to reference the NZ Fire Service Firefighting Water Supplies Code of Practice as this document is not publicly available. If there are specific aspects of this code of practice that Council considers important and relevant to applications for subdivision consent, these should be included within the plan to provide clarity and certainty to potential applicants as to what will be expected by Council in regards to these criteria.</i></p> <p><i>Delete SUB-AM6(7).</i></p>	Oppose	<p>Fire and Emergency supports SUB-AM6(7) as it requires Council to consider '<i>The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 with respect to the width of the legal road, right of way, vehicle access lot or vehicle access leg required for fire appliances to access the lot(s)</i>'.</p> <p>As above, the NZ Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 is publicly available at no cost and can be found on the Fire and Emergency website:</p> <p>https://www.fireandemergency.nz/business-and-landlords/firefighting-water/</p> <p>The requirements for firefighting access are set out in SNZ PAS 4509: 2008 and further detailed in Fire and Emergency's 'Emergency Vehicle Access Guidelines' (May 2015). These guidelines specifically detail the requirements for fire appliance access,</p>	Fire and Emergency seek that the whole of this submission point be rejected.

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			<p>including general access to sites or premises, and access around buildings or structures within a site (allotment).</p> <p>It is noted that Tables 2, 3 and 4 set out minimum legal access widths that are considered acceptable for fire appliances. Fire and Emergency has also sought through its submission that height clearances are also included as a standard within these tables.</p> <p>It is understood that the intent of SUB-AM6(7) is that it enables CHBDC discretion to 'consider' the provisions of SNZ PAS 4509:2008 where compliance is not achieved with SUB-S8. This will enable consideration of the specific Fire and Emergency requirements i.e. access widths and remaining matters such as gradient, kerbs and turning circles when considering resource consent applications.</p>	
<p>Kāinga Ora - Homes and Communities S129.113</p>	<p><i>SUB-AM6</i> <i>Consistent with its overall submission on the plan, Kāinga Ora opposes and seeks the deletion of references to any design guidelines, engineering codes of practice, or land development standards as de facto rules to be complied with. Specific standards to be complied with should be included within the plan as effects standards. Kāinga Ora considers that SUB-AM6(15) can be deleted in favour of a separate set of assessment matters which may be considered in cases where subdivision of land wholly or partially</i></p>	<p>Oppose</p>	<p>Fire and Emergency supports SUB-AM6(7) as it requires CHBDC to consider 'The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 with respect to the width of the legal road, right of way, vehicle access lot or vehicle access leg required for fire appliances to access the lot(s)'.</p> <p>Fire and Emergency agrees that specific standards to be complied with should be included within the plan as effects standards (as per Tables 2, 3 and 4). Tables 2, 3 and 4 set out minimum legal access widths that are</p>	<p>Fire and Emergency seek that the whole of this submission point be rejected.</p>

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	<p><i>containing heritage items, archaeological sites, and sites of significance to maori occurs. Amendments sought.</i></p> <p>7. The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008 with respect to the Whether the width of the legal road, right of way, vehicle access lot or vehicle access leg required is sufficient for fire appliances to access the lot(s).</p>		<p>considered acceptable for fire appliances. Fire and Emergency has also sought through its submission that height clearances are also included as a standard within these tables.</p> <p>The proposed assessment matter provides important reference to SNZ PAS 4509:2008 in SUB-AM6(7) and enables CHBDC discretion to 'consider' the provisions of SNZ PAS 4509:2008 where compliance is not achieved with the effects standards. This will enable consideration of the specific Fire and Emergency requirements i.e. access widths and remaining matters such as gradient, kerbs and turning circles when considering resource consent applications.</p>	