

Waikato District Council
Ngaruawahia office
15 Galileo Street
Ngaruawahia 3742

23 September 2020

Attention: Hearing Commissioners

Dear Commissioners

Fire and Emergency New Zealand – Letter to be tabled at Hearing 22: Infrastructure

Fire and Emergency New Zealand (Fire and Emergency) has lodged a submission on the Proposed Waikato District Plan (submitter 378) and further submissions (submitter FS1114). Fire and Emergency has opted not to attend Hearing 22 – Infrastructure scheduled to commence Tuesday 20th October 2020 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners' consideration.

The Officer's reports for Hearing 22 – Infrastructure of the Proposed Waikato District Plan (PWDP) have been received. Fire and Emergency's response to the Officer's report recommendations on these submission points are set out below.

D13 Chapter 6: Infrastructure and Energy Objectives and Policies

6.4.3 Policy – Infrastructure Location and Services

Fire and Emergency supports policy 6.4.3 as it ensures subdivision, use and development are provided with infrastructure and services to a level that is appropriate to its location and intended use, including adequate water supply within urban areas for firefighting purposes.

The s42A Reporting Officer has recommended to retain policy 6.4.3 subject to a minor amendment to replace the word "supply" with "management". This is supported by Fire and Emergency.

6.5.2 Policy – Construction and operation of the land transport network

Fire and Emergency supports policy 6.5.2 as it promotes the appropriate design and location of site accesses. This supports the provisions sought in subsequent amendments regarding access provisions in Chapter 14.12.

The s42A Reporting Officer has accepted in part Fire and Emergency's submission to the extent that the policy remains largely intact, as modified in response to submissions from the New Zealand Transport Agency and clarifications promoted by KiwiRail and Waikato District Council. The s42A Reporting Officer considers that the value of the policy is in its comprehensive treatment of the construction and operation of the land transport network, to achieve the land transport network objective.

Fire and Emergency accept the recommendation made by the s42A Reporting Officer to the extent that it provides further clarity around its intent, particularly as it relates to maximising accessibility.

D3 14.3 General infrastructure

Standard 14.3.1 P12 Service connections for subdivision

Fire and Emergency generally supports the standards for subdivision in 14.3, particularly 14.3.1.8 (P12) that requires all new lots created as part of a subdivision (other than a utility allotment, access allotment or reserve allotment), to be designed and located so that provision is made for access and service connections up to the boundary of the lot and this includes water supply and vehicle access.

However, through its submission, Fire and Emergency have sought amendments to this standard to require provision for water supply adequate for firefighting purposes in the Rural and Country Living Zones and that reference to the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice) is included as a means of compliance, as follows:

...

“14.3.1.8(3) Within all zones, except the Rural and Country Living Zones, the water supply required under Rule 14.3.1.8(1)(b) must be adequate for firefighting purposes- in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Compliance with this Code of Practice can typically be achieved through connection to a Council reticulated water supply.

14.3.1.8(4) Within the Rural and Country Living Zones, provision shall be made for an adequate supply of water and access to water supplies for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.”

The s42A Reporting Officer agrees with the suggested amendment, which describes how compliance with the activity specific condition can be achieved, and that firefighting water supply will be required for (some) rural subdivisions. However, the s42A Reporting Officer suggests that further amendment is needed, as some Village Zones may not have a reticulated water supply, and some rural subdivisions are not for additional houses or workplace buildings, being for example boundary adjustments or creation of grazing runoffs.

The s42A Reporting Officer states that these rural and large-lot firefighting water supplies, in association with dwellings or workplaces, will be a portion of the tank water held on those sites, and the water pressure required by the emergency services will need to be provided by their pumps. The s42A Reporting Officer notes that the section s42A reports for zones such as Country Living have not recommended a firefighting water supply, but for new development considers there should be sufficient water supply provided.

The s42A Reporting Officer has recommended accepting in part Fire and Emergency’s submission to the extent that the amendments be made but in modified form, as follows:

14.3.1.8

(1) All new lots created as part of a subdivision other than a utility allotment, access allotment or reserve allotment, must be designed and located so that provision is made for access and service connections up to the boundary of the lot for:

(a) Wastewater;

(b) Water supply;

(c) Stormwater (a management system that complies with Rule 14.11.1.1);

(d) Electricity supply;

(e) Telecommunications that is hard-wired or wireless; and

(f) Vehicle access that complies with Rule 14.12.1.1.

(2) Rule 14.3.1.8(1)(a) does not apply to any allotment that is served by a site-contained wastewater system in accordance with Rule 14.11.1.3.

(3) Within all zones, except the Rural, and Country Living and Village Zones where there is no reticulated water supply, the water supply required under Rule 14.3.1.8 (1)(b) must be adequate for fire-fighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Compliance with this Code of Practice can typically be achieved through connection to a Council reticulated water supply.

(4) Within the Rural, Country Living and non-reticulated Village Zones, where a subdivision is for the purposes of an additional house or workplace building, provision shall be made for an adequate supply of water and access to water supplies for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Services Code of Practice SNZ PAS 4509:2008.

(5) Rule 14.3.1.8(1)(b) and (c) do not apply to any Rural or Country Living Zone site.

Fire and Emergency support the recommendation made by the s42A Reporting Officer, with some minor wording amendments proposed for the sake of clarity.

While it is understood that various locations in the Waikato District are not serviced by reticulated water supply, particularly in the Rural, Country Living and Village Zones, this does not mean that new subdivisions cannot provide a water supply through alternative means such as water tank storage, bores or if required a sprinkler system to compensate for an inability to connect to some form of reticulated water supply. The Code of Practice applies in these non-reticulated areas with a range of possible solutions to ensure a firefighting water supply exists in such circumstances

As set out in the Code of Practice, Fire and Emergency may be required to respond to any structural fire emergency in any zone, therefore all buildings, not just 'an additional house or workplace building' as recommended in the s42A report should provide firefighting water supply as set out in the Code of Practice. For those rural subdivisions that are not for the purposes of a new building (for example boundary adjustments or creation of grazing runoffs), an amendment has been suggested below to provide clarity for plan users to address this.

For the reasons set out above, Fire and Emergency do not entirely accept the proposed wording as recommended in the section s42A report, and request that the amendments set out below be adopted in order to adequately address Fire and Emergency's operational requirements and the issues raised in the Officer's report.

In respect of clause (5) below, Fire and Emergency supported the Waikato District Council submission point (697.532) as it made the important point that for non-reticulated locations (Rural Zone, Country Living Zone and some Village Zone locations) that Rule 14.3.1.8(1) (b) and (c) should not apply as water and stormwater will be provided on site and therefore 'service connections up to the boundary of the lot' is not how these services will be made available to the future occupiers of those allotments. Accordingly, the addition of clause (5) below was supported and remains supported.

Minor amendments sought as follows: (red underlined as recommended in the Officer's report, **bold underlined** and **bold strike-out** further amendments sought by Fire and Emergency).

(3) Within all zones, except the Rural, ~~and~~ Country Living and Village Zones where there is no reticulated water supply, the water supply required under Rule 14.3.1.8 (1)(b) must be adequate for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Compliance with this Code of Practice can typically be achieved through connection to a Council reticulated water supply.

*(4) Within the Rural, Country Living and ~~non-reticulated~~ Village Zones, **where there is no reticulated water supply where a and the** subdivision is for the purposes of **accommodating any an additional house or workplace new**-building, provision shall be made for an adequate supply of water and access to water supplies for firefighting purposes in accordance with New Zealand Fire Service Firefighting Water Services Code of Practice SNZ PAS 4509:2008.*

(5) Rule 14.3.1.8(1)(b) and (c) do not apply to any Rural or Country Living Zone site.

D12 14.12 Transportation

14.12.1.1 Vehicle access for all activities

Subject to the relief sought in relation to Table 14.12.5.14 and Table 14.12.5.15, Fire and Emergency generally supports the access provisions in 14.12.1.1 (P1) as it recognises the need for suitable vehicle access for all activities within the District.

Fire and Emergency have sought that Table 14.12.5.14 and Table 14.12.5.15 are included as a condition of 14.12.1.1 to ensure all activities comply with the relevant vehicle access requirements to ensure sufficient access for firefighting purposes. Vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1 is a Restricted Discretionary activity. This is set out below:

14.12.1.1 Vehicle access for all activities

(1) All activities must comply with the following vehicle access conditions:

(a) The site has a vehicle access to a formed road that is maintained by a road controlling authority;

(b) The site has a vehicle access that is constructed to comply with the relevant requirements of Table 14.12.5.1, Figure 14.12.5.2, Table 14.12.5.3 and Figure 14.12.5.4 Table 14.12.5.14 and Table 14.12.5.15 except: ...

The s42A Reporting Officer agrees with Fire and Emergency's submission that Tables 14.12.5.14 and 14.12.5.15 should also apply to the Permitted Activity P1 to provide certainty that standards for design vehicles (8m rigid truck), minimum ROW widths and seal widths for access legs to allotments, ROWs and access allotments such as Jointly Owned Access Lots (JOAL) apply.

As such, the s42A Reporting Officer has recommended acceptance of Fire and Emergency's submission. This is supported by Fire and Emergency.

14.12.2 Restricted Discretionary Activities

Fire and Emergency generally supports the matters of discretion to the extent that it recognises that discretion is required for vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1.

However, while discretion includes matters in relation to mitigation to address safety, Fire and Emergency is concerned that access to a site for emergency purposes may be overlooked. Fire and Emergency have therefore sought clarity around the discretion Council have for access infringements, specifically in relation to access widths. This is set out below:

Discretion is restricted to:

(e) *Mitigation to address safety, including access clearance requirements for firefighting purposes.*

The 42A Reporting Officer has recommended accepting Fire and Emergency's submission and considers that clarification of safety mitigation to include access clearance requirements for firefighting purposes is appropriate. This is supported by Fire and Emergency.

Fire and Emergency further support the 42A Reporting Officers recommendation to include (f) The foreseeable needs for access by emergency services and their vehicles as requested by Counties Manukau Police (Submission 297.51).

Table 14.12.5.7 – Required parking spaces and loading bays

Fire and Emergency supports the parking requirements in Standard 14.12.5.7 that requires emergency service facilities to provide 1 car space per on-duty staff person, plus sufficient space for all the emergency vehicles that use the site. This is considered an effective and practical standard for emergency facilities.

The 42A Reporting Officer has recommended accepting Fire and Emergency's submission and the provision has been retained as notified. This is supported by Fire and Emergency.

Table 14.12.5.14 – Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones)

Fire and Emergency seeks to retain Table 14.12.5.14, as it requires an adequate minimum road/ROW width, on the premise that a note is added below Table 14.12.5.14 relating to minimum road/ROW reserve width column regarding minimum height clearance and maximum gradient. This is due to the absence of provisions to provide for height clearance and gradient requirements that would not be able to accommodate a fire appliance and may give rise to situations where access for emergency vehicles is compromised.

Fire and Emergency have sought to amend Standard 14.12.5.14 to add an additional note below the table, with an asterisk or similar in the Minimum Road/ROW Reserve Width column, as follows:

“Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8) except where the access terminates less than 135m from the nearest road that has reticulated water supply (including hydrants).”

The s42A Reporting Officer agrees with the concerns raised by Fire and Emergency and supports the inclusion of an additional note under Table 14.12.5.14 to provide clarity and certainty ensuring that

accesses are appropriately designed to facilitate access to sites by fire appliances. The s42A Reporting Officer considers that this amendment addresses potential adverse safety effects.

This is supported by Fire and Emergency.

Table 14.12.5.15 – Access and road conditions (Rural and Country Living Zones)

Fire and Emergency generally supports the design requirements for vehicle access as it generally recognises Minimum Road/ROW Reserve Width requirements to allow for access to properties for firefighting purposes. However, Fire and Emergency is concerned that the requirements in Table 14.12.5.15 fail to prescribe height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance and may give rise to situations where access for emergency vehicles is compromised in the Rural and Country Living Zones. Additionally, there is an absence of provisions to provide for height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance and may give rise to situations where access for emergency vehicles is compromised.

Fire and Emergency seeks to amend Standard 14.12.5.15 to add an additional note below the table, with an asterisk or similar in the Minimum Road/ROW Reserve Width column, as follows:

“Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8).”

The s42A Reporting Officer has recommended accepting Fire and Emergency's submission. This is supported by Fire and Emergency.

Fire and Emergency would be happy to work with Waikato District Council further to ensure the best outcome for the Waikato District and Fire and Emergency in reducing the incidence of unwanted fire and the associated risk to life and property, and preventing or limiting injury, damage to property land, and the environment.

Yours sincerely



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on behalf of

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