

Waikato District Council
Ngaruawahia office
15 Galileo Street
Ngaruawahia 3742

9 June 2021

Attention: Hearing Commissioners

Dear Commissioners

Fire and Emergency New Zealand – Letter to be tabled at Hearing 28: Other Matters

Fire and Emergency New Zealand (Fire and Emergency) has lodged a submission on the Proposed Waikato District Plan (submitter 378 and Stage 2 Submitter 2103) and further submissions (FS1114 and Stage 2 FS3025). Fire and Emergency has opted not to attend Hearing 28 – Other Matters, scheduled to commence Monday 12th July 2021 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners' consideration.

The section 42A Reporting Officer's reports for Hearing 28 of the Proposed Waikato District Plan (PWDP) have been received. Fire and Emergency's response to the Officer's reports and the associated recommendations on these submission points are set out below.

Other matters - Natural Hazards: Supplementary

Policy 15.2.1.1

Fire and Emergency supported Policy 15.2.1.1 as it requires that new subdivision, use and development in areas identified as being at significant risk from natural hazards is avoided where they will increase the risk to people's safety, well-being and property. As such, Fire and Emergency sought that this policy be retained as notified.

The Reporting Officer has recommended that Fire and Emergency's submission be accepted in part. The Reporting Officer has made recommendations to refine the wording of the policy that do not change the intent however efficiently and effectively implements Objective 15.2.1 Resilience to natural hazard risk.

This recommendation is accepted by Fire and Emergency.

Policy 15.2.1.2

Fire and Emergency supported Policy 15.2.1.2 as it manages the risk of changes to existing land use and development in areas at significant risk from natural hazards. This policy ensures that if changes to existing land use and development occur in areas identified as being at significant risk from natural hazards risk, then reduction options are assessed, and if risk is increased, this land use and development is avoided. Fire and Emergency therefore sought that Policy 15.2.1.2 be retained as notified.

The Reporting Officer has not made any recommended changes to this policy. This is supported by Fire and Emergency.

Policy 15.2.1.3

Fire and Emergency supported Policy 15.2.1.3 as it requires the avoidance of locating emergency service facilities and hospitals in areas at significant risk from natural hazards unless there is a functional and

operational requirement where it cannot be reasonably located elsewhere. Fire and Emergency therefore sought that Policy 15.2.1.3 be retained as notified.

The Reporting Officer of Hearing 28 has recommended changes to refine the wording without changing the intent. As such, the Reporting Officer has recommended that Fire and Emergency's submission be accepted in part.

Through its further submission, Fire and Emergency supported in part the amendment to Policy 15.2.1.3 to replace "hospitals" with "critical community infrastructure" and other wording changes. However, while Fire and Emergency supported this amendment to broaden the consideration of emergency services to reflect a wider range critical community infrastructure, Fire and Emergency noted that it will be important that 'critical community infrastructure' is clearly and separately defined in the plan to clarify what critical community infrastructure encapsulates and how this differs from emergency service facilities to avoid uncertainty.

The Reporting Officer has recommended that the submission points seeking that "hospitals" be replaced by critical community infrastructure be rejected, as the term "critical community infrastructure" is much broader, and would require a definition to provide certainty about what is meant for plan users. The policy intent is to manage the health and safety of people who may be unable to evacuate in a natural hazard event, and that would not apply to all types of 'community infrastructure'.

The recommended amendments to Policy 15.2.1.3 are supported by Fire and Emergency. The decision of where to locate such infrastructure is critical. By locating emergency service facilities and hospitals outside of hazardous areas, the district can reduce the risk to people and property. This is particularly important to ensure that the response capability of these services is not impaired during a disaster.

Policy 15.2.1.11

Fire and Emergency supported Policy 15.2.1.11 as it seeks to avoid development in areas that will create demand for new protection structures and works. Fire and Emergency therefore sought to retain Policy 15.2.1.11 as notified. The Reporting Officer has recommended that Fire and Emergency submission be accepted in part subject to minor amendments.

The recommended amendments are supported by Fire and Emergency.

Definition of 'Emergency Services'

The proposed plan as notified does not include a definition of 'emergency services' or 'emergency service facility'.

Fire and Emergency sought in its submission on the Proposed Waikato District Plan (Stage 1) that a new definition for 'emergency services' be included within Chapter 13 Definitions. The Officer's report for Hearing 5 Definitions recommended accepting in part Fire and Emergency's submission subject to a minor amendment as follows:

Emergency services: Means the New Zealand Police, Fire and Emergency New Zealand, and hospital and ~~health~~ emergency services.

This has been supported by Fire and Emergency in earlier hearings.

Fire and Emergency also supported in its submission on the Proposed Waikato District Plan (Stage 2) the introduction of a new definition within Rule 15.14 for 'Emergency service facility' as notified. This definition (as notified) is set out below:

"Means a fire station, ambulance station, police station or an emergency coordination facility."

Through its further submission, Fire and Emergency supported an original submission made by Kainga Ora Homes and Communities [2094.57] that sought to retain the definition of "Emergency Service facility" in Section 15.14 but to relocate the definition to Chapter 13.

The issue is discussed in the Officer's report for Hearing 27F prepared by Mr Taylor. Mr Taylor has recommended that the original submission made by Kainga Ora Homes and Communities [2094.57] be accepted in part, to the extent that the definition for "Emergency service facility" be relocated to Chapter 13 of the Proposed Waikato District Plan. Consistent with the "emergency services" definition, Mr Taylor notes that is desirable to reword the definition of "Emergency service facility" in Chapter 15 to incorporate the term "emergency services". The Officer's report for Hearing 27F therefore recommended the following change to the wording, to promote the internal consistency of defined terms, without changing the planning outcomes, as follow:

'Emergency service facility' means a ~~fire station, ambulance station, police station~~ facility used by emergency services, or an emergency coordination facility.'

The Reporting Officer for Hearing 28 has agreed that a definition for "emergency services" should refer to "emergency services facilities" and be included within Chapter 13 Definitions, as the term is used in the proposed plan, and a definition will assist users of the plan to understand the policies and rules that apply.

This approach is supported by Fire and Emergency.

Other Matters – Rural

5.3 Rural Character and Amenity

Through its submission, Fire and Emergency sought a new objective to Section 5.3 Rural Character and Amenity to support Policy 5.3.9 as follows:

Objective 5.3.x To recognise and provide for non-rural activities that contribute to the health, safety and wellbeing of the community while managing their potential adverse effects to ensure that the activities complement the amenity values of the District's rural areas.

Fire and Emergency also sought an amendment to Policy 5.3.9 to give effect to, and better achieve the purpose of the RMA by providing for the health and safety of people and communities. This issue was discussed at Hearing 18 of which it was recommended that the existing Policy 5.3.9 relating to non-rural activities be deleted and replaced with a policy that provided more explicit direction including enabling emergency service facilities, subject to their effects being in keeping with wider rural character and amenity outcomes (which in turn contemplate appropriate non-rural activities).

Fire and Emergency accepted the recommendation made by the Reporting Officer in a letter dated 3 September 2020, given the inclusion of a new policy to specifically recognise the importance of emergency services facilities has been recommended. This replacement Policy 5.3.9 adequately covers the concerns of Fire and Emergency. Fire and Emergency noted at the time that the Reporting Officer has not addressed

the need for a new accompanying objective and requested that the hearing panel consider the need for a new objective to support the direction provided in the replacement policy.

The section 42A Reporting Officer of Hearing 28 has therefore recommended that Fire and Emergency's submission point relating to the new objective be accepted in part, insofar as whilst a new objective is not recommended, the amended policy framework is recommended to provide for Fire and Emergency facilities.

Based on this recommendation, Fire and Emergency agree in part, in so far that the recommended new Policy 5.3.4 explicitly includes emergency service facilities when considering other anticipated activities in rural areas. However, Fire and Emergency note that the only objective to support the direction provided in Policy 5.3.4 is Objective 5.3.1 which requires that *(a) Rural character and amenity are maintained.*

Fire and Emergency note that this sole objective is very broad and consider that Fire and Emergency's suggested Objective would go some way in creating a more robust and complete policy framework. Fire and Emergency therefore request that the panel reconsider the inclusion of the above suggested new objective.

Yours sincerely



Alec Duncan
Planner

on behalf of

Beca Limited

Direct Dial: +64 7 960 7259

Email: alec.duncan@beca.com