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17 February 2020

Attention: Sandra Kelly

Dear Sandra

Fire and Emergency New Zealand – Letter to be tabled at Hearing 9: Business and Business Town Centre Zones

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 9 – Business and Business Town Centre Zones scheduled to commence Monday 17th February 2020 and requests that in lieu of attendance this letter be tabled for the Hearing Commissioners' consideration.

The Officer's reports for Hearing 9 – Business and Business Town Centre Zones 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.

Objectives and Policies

Submission 378.57 on Section 4.5 Business and Business Town Centre Zones

The Officer's report has recommended acceptance of Fire and Emergency's submission for emergency services (including fire services) needs to be incorporated within the PWDP. It is the Reporting Officer's opinion that the PWDP does not give the necessary recognition to emergency services.

The Reporting Officer suggests that the objective proposed by Fire and Emergency which seeks recognition for non-commercial activities that contribute to the health, safety and wellbeing of the community should be reworded as a policy under the existing objective. Also, rather than referring to undefined 'non-commercial activities', the policy should be specific, in that it is referring to 'emergency service activities and facilities'.

Additionally, the Reporting Officer considers that provision of emergency services in the business and business town centre zones needs to be included at the policy level, as it fills a gap in the PWDP that should recognise the important role that such facilities provide. The inclusion of the policy assists in achieving the purpose of the Act with respect to enabling people and communities to provide for their social, community and economic well-being and their health and safety.

The Reporting Officer recommends that the following policy be added to Section 4.5:

4.5.2A Policy – Emergency services

(a) Enable the on-going operation, use and redevelopment of existing and development of new emergency service activities.

This recommendation is largely supported by Fire and Emergency, although it considers the provision should also include 'emergency service facilities'. A slightly revised suggested wording is therefore:

4.5.2A Policy – Emergency services

(a) Enable the on-going operation, use and redevelopment of existing and development of new emergency service activities and associated facilities.

Submission 378.74 Policy 4.5.3 Commercial purpose: Business Town Centre Zone

Fire and Emergency supports Policy 4.5.3 as the provision anticipates non-commercial activities in the Business Town Centre Zone providing for a range of activities, including community activities and facilities. No change to Policy 4.5.3 is recommended and the Officer's Report has recommended acceptance of Fire and Emergency's submission. This recommendation is supported by Fire and Emergency.

Submission 378.58 Policy 4.5.4 – Commercial purpose: Business Zone

The submission from Fire and Emergency New Zealand seeks recognition of emergency services. This matter was addressed in submission 378.57 with the recommendation that a new Policy 4.5.2A – Emergency Services be included to apply to all business zones. Therefore, it is recommended that the submissions from Fire and Emergency be rejected. This recommendation is supported by Fire and Emergency.

Submission 378.7 Chapter 9: Specific Zones – 9.4 Business Zone Tamahere - Objective 9.4.2 – Adverse effects on land Use

Fire and Emergency supports Objective 9.4.2 to the extent that recognition is given to the health and well-being of communities and are protected from the adverse effects of land use and development. However, Fire and Emergency recommends that the wording better reflects section 5 of the RMA which also refers to the safety of the community as follows:

Objective 9.4.2 (a) Adverse effects of land use, as follows: (a) The health, safety and well-being of people, communities and the environment are protected from the adverse effects of land use and development within the Business Zone Tamahere.

The Reporting Officer considers that as the word 'safety' is included in section 5 of the RMA and is accordingly recommended for inclusion. This recommendation is supported by Fire and Emergency.

Provision for 'Emergency Services Training' and Management Activities' and 'Emergency Service Facilities'**Submission 378.31 Business Zone – Rule 17.1.2 Permitted Activities and Submission 378.89 Business Town Centre Zone – Rule 18.1.2 Permitted activities**

Fire and Emergency opposes the range of activities listed in 17.1.2 and 18.1.2 as permitted activities to the extent that no provision is explicitly made for emergency services training and management activities.

Fire and Emergency seeks that the rules be expanded to provide for emergency services training and management activities in order to better achieve the sustainable management purpose of the RMA and better enable Fire and Emergency to achieve its statutory function by facilitating firefighting and emergency response (including training for such circumstances).

The Reporting Officer has recommended acceptance of both submission points and considers that such activities are suitable and anticipated in the Business Zone and Business Town Centre Zone. As such, emergency services training and management activities have been included as a permitted activity in the Business Zone and Business Town Centre Zone.

This recommendation is supported by Fire and Emergency.

Submission 378.82 Business Zone - Rule 17.1.3 Restricted Discretionary Activities

Fire and Emergency opposes Restricted Discretionary Activity Rule 17.1.3 to the extent that no provision is made for emergency service facilities. As provision is not made under this rule, emergency service facilities would instead default to non-complying activities under Rule 17.1.5.

The Reporting Officer has recommended acceptance in part of Fire and Emergency's submission however considers that such activities are suitable and anticipated in the Business Zone and as such have been included as a permitted activity in the Business Zone under Permitted Activity Rule 17.1.2.

This recommendation is supported by Fire and Emergency.

Submission 378.90 Business Town Centre Zone – Rule 18.1.3 Restricted Discretionary Activities

Fire and Emergency opposes Restricted Discretionary Activity Rule 18.1.3 to the extent that no provision is made for emergency service facilities. As provision is not made under this rule, emergency service facilities would instead default to non-complying activities under Rule 18.1.5.

The Reporting Officer considers that such activities could be suitable on some sites within the Business Town Centre Zone and need to be assessed through resource consent process due to such effects as vehicle access and disruption to frontages. The Reporting Officer considers that the discretionary activity status, as provided in Rule 18.1.4, is considered appropriate.

This recommendation is supported by Fire and Emergency. However, we would like to note that this recommendation has not been incorporated into the Appendix 4 changes and needs to be.

Submission 378.97 Business Zone Tamahere - Rule 19.1.1 Permitted Activities

Fire and Emergency opposes the range of activities listed in 19.1.1 to the extent that no provision is explicitly made for emergency services training and management activities.

Fire and Emergency seeks that the rules be expanded to provide for emergency services training and management activities in order to better achieve the sustainable management purpose of the RMA and better enable Fire and Emergency to achieve its statutory function by facilitating firefighting and emergency response (including training for such circumstances).

The Reporting Officer considers that such activities are suitable and anticipated in the Business Zone Tamahere. As such, the Reporting Officer has recommended that emergency services training and management activities be included as a permitted activity in the Business Zone Tamahere.

Submission 378.98 Business Zone Tamahere – Rule 19.1.1 Permitted Activities

Fire and Emergency opposes Restricted Discretionary Activity Rule 19.1.2 to the extent that no provision is made for emergency service facilities. As provision is not made under this rule, emergency service facilities would instead default to non-complying activities under Rule 19.1.4.

The Reporting Officer understood that during the community engagement meeting leading to the preparation of the PWDP, there was no demand for any changes to the Tamahere Village Business zone provisions. Accordingly, no change to the activities is proposed.

While Fire and Emergency consider that the default non-complying activity status is overly restrictive as outlined in their submission, Fire and Emergency consider that given the Tamahere Village Business Zone is a minor area in terms of extent and it would be more unlikely than not that they would build an emergency service facility in this zone. This recommendation is accepted by Fire and Emergency.

Business, Business Town Centre and Business Zone Tamahere Provisions**Submission 378.83 Business Zone - Rule 17.2.1.1 – Noise; Submission 378.91 Business Town Centre Zone – Rule 18.2.1.1 Noise and Submission 378.99 Business Zone Tamahere - Rule 19.2.1.1 Noise**

Fire and Emergency supports Rules 17.2.1.1, 18.2.1.1 and 19.2.1.1 as they permit noise generated by emergency generators and emergency sirens. This exemption appropriately provides for the operational requirements of Fire and Emergency and enables it to meet its statutory obligations in a manner that provides for the on-going health and safety of people and communities.

The Reporting Officer has recommended acceptance of these submission points. This recommendation is supported by Fire and Emergency.

Submission 378.85 Business Zone - Rule 17.3.1 Height; Submission 378.93 Business Town Centre Zone – Rule 18.3.1 Height and Submission 378.101 Business Zone Tamahere – Rule 19.3.1

Fire and Emergency broadly supports the height standards of 17.3.1, 18.3.1 and 19.3.1 however, seeks the inclusion of a specific exemption for hose drying towers in order to appropriately provide for the operational requirements of Fire and Emergency.

The Reporting Officer has recommended accepting the specific submissions by Fire and Emergency to exclude hose drying towers up to 15m from Rule 17.3.1.1, 18.3.1.1 and 19.3.1. This recommendation is supported by Fire and Emergency.

Submission 378.86 Business Zone – Rule 17.3.4.2 and Submission 378.94 Business Town Centre Zone – Rule 18.3.7 Building setbacks - Waterbodies

Fire and Emergency supports the building setback in Rules 17.3.4.2 and 18.3.7 and considers that the standard will safeguard the wellbeing of communities in accordance with the purpose of the RMA which includes enabling people and communities to provide for their social, economic and cultural wellbeing and for their health and safety. The provisions will also support the purpose of Fire and Emergency in the effective protection of lives, property and the surrounding environment.

The Reporting Officer has recommended an increase in the minimum required building setback from a waterbody from 23m to 27.5m. This recommendation is supported by Fire and Emergency.

Submission 378.87 Business Zone – Rule 17.4.1 General Subdivision and Submission 378.95 Business Town Centre Zone – 18.4.1 Subdivision- general

Fire and Emergency supports Rules 17.4.1 and 18.4.1 as subdivision of land in the Business Zone and Business Town Centre Zone is a Restricted Discretionary activity and requires that proposed lots must be connected to public-reticulated water supply. Subdivision that does not comply is a Discretionary Activity. On the basis that the Business and Business Town Centre Zones will always be located where public reticulated water supplies will be available, Fire and Emergency support this.

Fire and Emergency through other submissions has also sought amendments to Chapter 14: Infrastructure and Energy Service Connections for Subdivisions Rule 14.3.1.8 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. These submission points are being dealt with through future hearings with unknown outcomes at this point.

The Reporting Officer has recommended acceptance of Fire and Emergency's submission on Rules 17.4.1 and 18.4.1. This recommendation is supported by Fire and Emergency.

Submission 378.88 Business Zone – 17.4.1.1 Subdivision – Multi-unit Development and Submission 378.96 Business Town Centre Zone – 18.4.2 Subdivision – multi-unit subdivision

Fire and Emergency supports Rule 17.4.1.1 and 18.4.2 as any subdivision of land in the Business Zone and Business Town Centre Zone in the form of multi-unit development is a Restricted Discretionary activity and requires that multi-unit developments be connected to a reticulated water supply. Subdivision that does not comply is a Discretionary Activity.

The Reporting Officer has recommended acceptance of Fire and Emergency's submission on Rule 17.4.1.1 and 18.4.2. This recommendation is supported by Fire and Emergency.

Fire and Emergency appreciates the opportunity to be involved in the Waikato District Plan review process, in the interests of enabling people and communities to provide for their social and economic wellbeing, and for their health and safety with regard to fire safety, fire prevention, fire extinction and other emergency response activities.

Should you have any queries or seek clarification on the above, please contact me on the details below.

Yours sincerely



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Planner

on behalf of

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