

Submissions to Plan Change 16: Technical Improvements

Submissions 1 – 4

February 2021

Submitter No:	Name of Submitter	Page No:
1	Waikato Regional Council	3 – 7
2	Classic Builders, A1 Homes, ZB Homes, Jennian Homes and Generation Homes	8 – 14
3	Fire and Emergency New Zealand	15 – 20
4	Carla Mounsey	21 – 22

File No: 25 07 00
 Document No: 17944747
 Enquiries to: Hannah Craven



18 January 2021

Waipā District Council
 Private Bag 2402
 Te Awamutu 3840

Private Bag 3038
 Waikato Mail Centre
 Hamilton 3240, NZ

waikatoregion.govt.nz
 0800 800 401

Email: districtplan@waipadc.govt.nz

Dear Sir/Madam

Waikato Regional Council Submission to Proposed Plan Changes 15 – Permeable Surfaces and 16 – Technical Improvements to the Waipā District Plan

Thank you for the opportunity to make a submission on the Proposed Plan Changes 15 – Permeable Surfaces and 16 – Technical Improvements to the Waipā District Plan. Please find attached the Waikato Regional Council's submission regarding this document.

Waikato Regional Council looks forward to being involved in further discussion regarding the development of the plan changes.

Should you have any queries regarding the content of this document please contact Hannah Craven, Student Policy Advisor, Policy Implementation directly on (07) 859 2831 or by email hannah.craven@waikatoregion.govt.nz.

Regards,

Tracey May

Director Science and Strategy

Introduction

1. Waikato Regional Council (WRC) appreciates the opportunity to make a submission to Proposed Plan Changes 15 – Permeable Surfaces and 16 – Technical Improvements. WRC’s primary interest is in relation to the Waikato Regional Policy Statement (WRPS). District Plans, including Plan Changes such as this one, are required to give effect to the RPS (RMA s75(3)(c)).
2. In this case, the key areas of interest relate to natural hazard risk in the Cambridge North Structure Plan Area and water supply for firefighting purposes - Section 15 – Infrastructure, Hazards, Development and Subdivision.
3. WRC seeks the following decision from Council:
 - a. Proposed Plan Change 15: Retain and amend Rule 2.4.2.17 to include the requirement of a minimum floor level as a performance standard for dwellings or other suitably effective mitigation measures.

Submitter details

Waikato Regional Council
Contact person: Hannah Craven (Policy Implementation)



Post: Private Bag 3038
Waikato Mail Centre
Hamilton 3240

I could not gain an advantage in trade competition through this submission.

I am not directly affected by an effect of the subject matter of the submission that:

- (a) does not adversely affect the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Submission on Proposed Plan Change 15 – Permeable Surfaces

3. WRC supports the changes to the definitions of permeable and impermeable surfaces and site coverage.
4. WRC oppose the deletion of Rule 2.4.2.17 – Cambridge North Structure Plan Area: flood risk for the following reasons:
 - a. The structure plan area is within the Waikato Central Drainage Scheme area in which further guidance to drain ponded stormwater through WRC managed drains and culverts is required. The current level of service for this drainage area is to drain ponded rainfall water from a 10% AEP rainfall event within three days. The current level of service does not take into consideration projected climate change, thus may become overwhelmed by an increase in rainfall intensities and duration, increasing the stormwater ponding and runoff flood risk.
 - b. Development in the area will increase impermeable surfaces and runoff. As a result, the risk of ponding, flooding, and damage to infrastructure and dwellings may increase. This requires mitigation options to be considered – such as setting minimum floor levels that account for climate change. Another option may be to limit the uses of buildings in areas of flood risks.
 - c. The deletion of Rule 2.4.2.17 will result in all guidance being from the Building Act regarding natural hazards risk mitigation in the structure plan area. The Building Act and Code are insufficient to effectively mitigate natural hazards risk, as they provide minimal guidance on accounting for climate change and mitigation measures beyond the requirement for floor levels to be clear of the 50-year flood level..
 - d. WRC supports attempts to mitigate risks to human health and safety. Retaining and amending Rule 2.4.2.17 to suitable performance standards for dwellings in flood risk areas will protect human life and structures relied on for social and economic wellbeing.

Submission on Proposed Plan Change 16 – Technical Improvements

1. WRC supports the attempt to protect life and preserve human safety and acknowledges the difficulty in meeting that objective with the ambiguous nature and application of the existing rule.
2. We commend Plan Change 16 for having regard to the National Disaster Resilience Strategy in particular, Section 5 “Managing Risks.”
<https://www.civildefence.govt.nz/assets/Uploads/publications/National-Disaster-Resilience-Strategy/National-Disaster-Resilience-Strategy-10-April-2019.pdf>. We draw attention to the holistic approach of this document to managing risk and not relying on just a single mechanism.
3. We support the inclusion of Issue 15.2.1A, Objective 15.3.5A, and Policy 15.3.5A.1 to strengthen and increase policy support for the existing rule for when infrastructure services are not provided by Council.
4. We trust the Fire and Emergency Services New Zealand have provided advice to the Council on appropriate standards for mitigating fire risk.

Further information and hearings

WRC **wishes to be heard** at the hearings for Proposed Plan Changes 15 – Permeable Surfaces and 16 – Technical Improvements in support of this submission and is prepared to consider a joint submission with others making a similar submission.

WRC **could not** gain an advantage in trade competition through this submission.

2



Plan Change on Waipā District Plan Submission Form

Form 5

Clause 6 of the First Schedule to the Resource Management Act 1991

Send to: Waipa District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Fax: 07 872 0033 | Web: www.waipadc.govt.nz | Email: districtplan@waipadc.govt.nz

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

COUNCIL USE ONLY

Date received

Document ref:

Note: You must fill in **ALL** sections of this form.
Submissions close **5pm Friday, 29 January 2021**

1 Submitter details	
Full name of submitter: (required)	Gareth Moran on behalf of the applicant; Classic Builders, A1 Homes, ZB Homes, Jennian Homes and Generation Homes
Contact name if different from above:	
Contact phone number(s) (mobile optional):	
Postal address: (required)	PO Box 9342, Waikato Mail Centre, Hamilton 3240
Email (optional):	
How would you like us to contact you?	
By post <input type="radio"/>	
By email <input checked="" type="checkbox"/>	

Privacy Act Information - It is a requirement of the legislation for submissions **to be made available to the public.**

Your contact details are collected:

- To arrange a hearing date and time for you to speak (if you choose to).
- So the Council can write and inform you of the decision(s) on your submission(s).

Your name and address will be publicly available.

Your personal contact details (e.g. mobile and email address) will only be used for the above purposes and otherwise kept confidential. You have the right to correct any errors in personal details contained in your submission.

2 This is a submission on the following proposed plan change to the Waipa District Plan	
Plan Change Number and Name: (e.g. #1 – Rezoning of 3847 Cambridge Road)	#16 - Technical Improvements

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input checked="" type="radio"/> I am <input type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

Please complete the reverse side of this form

4 Attendance at Council hearing

Select one	<input checked="" type="radio"/> I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input type="radio"/> I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes
 No

5 The specific provisions of the plan change my submission relates to are: (give details)

Select one	<input type="radio"/> I SUPPORT	Please see attachment
	<input checked="" type="radio"/> I SUPPORT IN PART	
	<input type="radio"/> I OPPOSE	


6 My submission is: (please include the reasons for your view)

Please see attachment

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)

Please see attachment

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)

Signature of submitter: (or person authorised to sign on behalf of submitter)	 Gareth Moran on behalf of the applicant	Dated 28/01/2021
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B&A Urban & Environmental • Kerikeri Whangarei Warkworth Auckland Hamilton Napier Christchurch	298 Victoria Street Hamilton Central 3204 • PO Box 9342 Waikato Mail Centre Hamilton 3240
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Submission on Plan Change 16 – Technical Improvements

Full name: Classic Builders, A1 Homes, ZB Homes, Jennian Homes and Generation Homes
Attn: Gareth Moran

Mobile:

Email:

Submission Information:

Please find attached a submission on behalf Classic Builders, A1 Homes, ZB Homes, Jennian Homes and Generation Homes.

On behalf of the above referenced companies, we would like to acknowledge the proactive approach taken by Waipa District Council in order to simplify the interoperation and administration of the District Plan. The intent of our submission is to elaborate further on the changes proposed by Council by creating even further efficiencies and reducing the volume of resource consents required.

None of the above referenced companies will gain an advantage in trade competition through this submission.

Our clients wish to be heard in support of this submission.

If others make a similar submission, we will consider presenting a joint case with them at a Hearing.

Gareth Moran - Associate Planner
Barker and Associates

Submission on Plan Change 16 – Technical Improvements

Submission Point	Submission Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
1	Rule 2.4.1 - Outdoor Living	Support, subject to amendment	<p>PC 16 proposes to reduce the minimum outdoor living requirement from 60m² to 50m² and remove the requirement for the outdoor living area to be positioned on north, east or western side of a dwelling.</p> <ul style="list-style-type: none"> We consider adequate outdoor living which retains appropriate on-site amenity values can be provided within a 40m² area (3.5m dimension) so would like to see this figure further reduced in size. We consider there should be flexibility of having the outdoor living area potentially split to maximise sunlight; for example, two 20m² outdoor living areas could be positioned on either side of a dwelling. Remove the wording 'directly accessible' from Rule 2.4.2.18 (c). In our opinion, just because an outdoor living area is not <i>directly</i> accessible off a habitable room should not generate an expensive consenting process. For example, an appropriate outdoor living area could be created in an alternative location on the property to maximise shade or views. If a non-complying outdoor living area is the <u>only</u> associated non-compliance with an application for resource consent, the activity 	<p>1) Retain the removal of the term - '<i>is located to the north, east or west of the site</i>'. This will give property owners the flexibility as to where they position their outdoor living areas. For example, some outdoor living areas maybe better suited on the southern side of dwellings, for sun protection, shelter from prevailing winds and/or to advantage of views.</p> <p>2) Reduce the minimum outdoor living area requirement from 50m² to 40m² with a 3.5m dimension. Following interviews and conversations with our clients, we consider a 40m² outdoor living area with a 3.5m dimension is large enough to provide for an acceptable level of onsite amenity.</p> <p>3) Add the ability to 'split' outdoor living areas to maximise/minimise sunshine</p> <p>4) Remove the wording '<i>directly accessible</i>' from Rule 2.4.2.18 (c).</p> <p>5) Reduce activity status from Restricted Discretionary to Controlled if outdoor</p>

<p>2</p>	<p>Glazing – Rule 2.3.1</p>	<p>Seek amendment/support</p>	<p>status should be reduced from Restricted Discretionary to <u>Controlled</u>, in order to expediate the consent process and avoid unnecessary application costs. Of particular note is that controlled activity resource consents need to be processed within 10 working days and must be granted, subject to conditions of consent within the scope of matters of control.</p> <p>It is a common occurrence that redundant windows are placed in garages and other non-habitable rooms (sometimes on the southern side of a dwelling) in order to avoid a resource consent process by virtue of the 15% minimum glazing requirements on the front façade of a dwelling.</p> <p>In our opinion, garaging and non-habitable rooms should be removed from the glazing requirements, as it doesn't make sense requiring windows in rooms which will not generate any benefits in terms of passive surveillance on the street frontages. Furthermore, placing windows on the southern side of dwellings is also in direct conflict with Objective 2.3.5.1 which seeks to maximize passive solar gains.</p> <p>Realising the importance of retaining at least some glazing on the front façade of dwellings, we believe that adopting the Hamilton City Council approach (or version thereof) would be appropriate. The Hamilton City Council provision reads as follows:</p>	<p>living is the only non-compliance associated with a consent.</p>
<p>1) The following provision (or version thereof) is adopted into the District Plan for glazing</p> <p><i>At least one <u>habitable room</u> of the residential unit shall have a clear-glazed window facing the transport corridor from which vision toward the roadway corridor is not blocked by any accessory building.</i></p> <p>2) Retain the wording as notified to Rule 2.4.2.19 (e) - <i>This rule shall not apply to relocated buildings or a garage that <u>is an accessory building.</u></i></p>				

	<p>“At least one habitable room of the residential unit shall have a clear-glazed window facing the transport corridor from which vision toward the transport corridor is not blocked by any accessory building. For corner and through sites this shall be required only on the frontage from which vehicular access is provided.”</p>		
	<p>It is noted that Waipa District Council refers to the ‘transport corridor’ as ‘roading corridor’, so this terminology would need to be amended.</p>		
	<p>In the case of corner sites, we suggest that a window shall be provided on at least one habitable room facing <u>each</u> separate road frontage.</p>		
	<p>If this provision is adopted then it will remove unnecessary windows being positioned in non-habitable rooms in order to avoid a consenting process, whilst still retaining a degree of passive surveillance towards the road corridor. This will remove a number of uncertainties and give housing companies and their customers further confidence and assurance prior to embarking on a new home build.</p>		
	<p>We are in full support of the proposed change to the wording in 2.4.2.19 (e) - <i>This rule shall not apply to relocated buildings or a garage that is an accessory building.</i></p>		

3	Front Façade – Rule 2.4.2.3	oppose	<p>The problem with this provision is that it is almost impossible for long narrow sites with limited road frontage to comply, thus triggering an automatic consenting process, at no fault of the property owner.</p> <p>It is our understanding that one of the driving factors behind this rule was primarily for CPTED (Crime Prevention Through Environmental Design) reasons. However, provided a dwelling is able to comply with the glazing requirements, then passive surveillance is accomplished, and the intent of the rule is achieved.</p> <p>On this basis, we believe this provision should be removed completely from the plan, as it is not serving any additional benefit over and above what is required as part of the other CPTED and design driven provisions of the plan.</p>	1) Remove Rule 2.4.2.3 from the plan change as notified.
4	Consequential Changes	Neutral	This submission point is included to ensure that there is scope to make any other necessary changes to provisions or wording in order to give effect to the submission points raised above.	And any other consequential changes(s) or amendments(s) necessary to give effect to the relief sought in the above submission points.

Waipā District Council – Proposed Plan Change 16 Submission on behalf of Fire and Emergency New Zealand

Submission on publicly notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Waipā District Council
Submission on: Proposed Plan Change 16 – Technical Improvements

Name of organisation: Fire and Emergency New Zealand

Address for service: C/- Beca Limited
PO Box 448
Hamilton 3240

Attention: Alec Duncan

Phone: [REDACTED]

Email: [REDACTED]

Fire and Emergency New Zealand (Fire and Emergency) could not gain an advantage in trade competition through this submission.

Fire and Emergency is directly affected by an effect of the subject matter that; adversely affects the environment and does not relate to trade competition or the effects of trade competition.

This is a submission on behalf of Fire and Emergency on Proposed Plan Change 16 – Technical Improvements, specifically as it relates to water supply for firefighting purposes in rural areas. Fire and Emergency understand that the purpose of Proposed Plan Change 16 is to make amendments to the Waipā District Plan (District Plan) to ensure that provisions subject of Proposed Plan Change 16 are more easily interpreted and implemented. This includes inserting a new issue, objective and policy so there is increased policy support for the rule framework that requires water supply for firefighting purposes in rural areas; and the introduction of measurable standards into the existing rule so that it specifies more clearly the levels of water supply required for firefighting purposes.

Background:

In achieving the sustainable management of natural and physical resources under the Resource Management Act 1991 (RMA), decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. Fire and Emergency has a responsibility under the Fire and Emergency New Zealand Act 2017 to provide for firefighting activities to prevent or limit damage to people, property and the environment. As such, Fire and Emergency has an interest in the land use provisions of the District Plan to ensure that, where necessary, appropriate consideration is given to fire safety and operational firefighting requirements.

In order for Fire and Emergency to achieve their principle objective which includes reducing the incidence of unwanted fire and the associated risk to life and property, protecting and preserving life, and preventing or limiting injury, damage to property land, and the environment, Fire and Emergency requires adequate water supply be available for firefighting activities; and adequate access for new developments and subdivisions to ensure that Fire and Emergency can respond to emergencies.

The provision for adequate water supply is therefore critical. It is important to Fire and Emergency that any new subdivision or land use has access to adequate water supply (whether reticulated or non-reticulated). This essential emergency supply will provide for the health, safety and wellbeing of people and the wider community, and therefore contributes to achieving the purpose of the RMA.

The New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice) is a non-mandatory New Zealand Standard that sets out the requirements for firefighting water and access. However, it is noted that as the Code of Practice is implemented through the Regional Infrastructure Technical Specifications (RITS), a document that standardises the design and construction of infrastructure throughout the region, compliance with the Code of Practice is mandatory in the district's urban environments.

The Code of Practice enables a consistent approach throughout New Zealand and contributes to effective and efficient emergency operations. The Code of Practice provides techniques to define a sufficient firefighting water supply that may vary according to the circumstances and is based on an assessment of the minimum water supplies needed to fight a fire and to limit fire spread according to each different building's fire hazards. The firefighting water supply required to address the fire hazard may be established by use of tables within the Code of Practice, or by calculation. The Code of Practice is written to provide flexibility as to how the firefighting water supplies can be determined and provided, and this can be discussed with local Fire and Emergency representatives directly.

Fire and Emergency's submission is:

Fire and Emergency understands that a number of changes to the existing, and the insertion of new provisions are proposed to the District Plan relating to water supply for firefighting purposes in rural areas (being non-reticulated areas), including to Section 15 – Infrastructure, Hazards, Development and Subdivision, and Section 21 – Assessment Criteria and Information Requirements. Proposed insertions to the District Plan are shown in *red*. Provisions intended to be removed are shown *strike out*.

Subject to the specific changes sought below, Fire and Emergency broadly supports Proposed Plan Change 16.

Section 15 – Infrastructure, Hazards, Development and Subdivision

Issues

Insert Issue 15.2.1A – to identify the resource management issue relating to rural fires and health and safety as follows:

On-site infrastructure

15.2.1A Inadequate or unsuitable on-site infrastructure at the time of, and subsequent to subdivision in un-serviced areas can expose future residents to risks associated with natural hazards and other threats, affecting their health and safety.

Fire and Emergency support the identification of new issue 15.2.1A above relating to the provision (or lack) of on-site infrastructure. Currently, the District Plan does not acknowledge the risk

associated with inadequate and/or unsuitable onsite infrastructure (which includes firefighting water supply) and the associated risk to health and safety as a result. Fire and Emergency consider that new issue 15.2.1A sufficiently addresses this as it broadly relates to the need to provide for onsite firefighting water supply in un-serviced areas.

Fire and Emergency consider that the addition of this new resource management issue will improve and support the policy and rule framework.

Objectives

Insert Objective 15.3.5A – so that significant adverse effects arising from subdivision in un-serviced areas of the district are avoided, as follows:

Objective – subdivision in areas that are not serviced

15.3.5A Avoid significant adverse effects on people, property, infrastructure and the environment arising from any subdivision in areas that are not serviced by Council infrastructure.

Fire and Emergency understand and recognise that rule 15.4.2.22 relating to the provision of firefighting water supply is not well supported by existing objectives.

Fire and Emergency therefore support the inclusion of new objective 15.3.5A in order to improve the policy framework and consider that the addition of this new resource management objective will improve and support the intention of rule 15.4.2.22.

Policies

Insert Policy 15.3.5A.1 – to provide policy support for the existing rule, as follows:

Policy – health and safety on rural properties

15.3.5A.1 Health and safety for residents in areas that are not serviced by Council infrastructure should be provided through appropriate design and mitigation measures.

As above, Fire and Emergency understand and recognise that rule 15.4.2.22 relating to the provision of firefighting water supply is not well supported by existing policies.

Fire and Emergency therefore support the inclusion of new policy 15.3.5A.1 in order to improve the policy framework and consider that the addition of this new resource management policy will improve and support the implementation of the rule framework.

Rules

Amend Rule 15.4.2.22 – consequential amendment as a result of amending part (b) and making it a new rule, as follows:

15.4.2.22 Where water is **not** supplied by Council each lot shall provide: ~~(a) A an independent potable water supply sufficient for activities permitted on the site; and~~

~~(b) Access to an adequate water supply for firefighting purposes.~~

Insert Rule 15.4.2.22A – insert as a new rule with measurable standards, as follows:

15.4.2.22A Where water is not supplied by Council or a private community supply, or water is supplied by Council but is a restricted flow supply, each lot shall provide access to water supply for firefighting purposes that is or will be:

(a) Accessible to firefighting equipment; and

(b) Between 6 and 90 metres from a dwelling on the site; and

(c) On the same site as a dwelling (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and

(d) Either:

(i) Stores at least 45,000 litres, or

(ii) Provides at least 25 litres per second for 30 minutes.

~~Advice note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and NZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. sets out a number of options to provide water for the New Zealand Fire Service's operational requirements, and shall be used as a guide when designing fire fighting water protection.~~

Fire and Emergency engaged with Council prior to public notification of Proposed Plan Change 16 and had the opportunity to provide feedback on the proposed options. This correspondence is attached as Appendix 1 of Proposed Plan Change 16 Section 32 Evaluation Report. Through this feedback, Fire and Emergency supported amendments to rule 15.4.2.22 as they assisted with clarity of the rule and its implementation, however strongly emphasised the importance that the intent of the rule (i.e. the requirement to provide firefighting water supply for new lots) remained in the District Plan to adequately mitigate the risks of fire, especially in rural areas.

In terms of the operation of the current rural rule 15.4.2.22, Fire and Emergency recognise that wording such as 'adequate' introduces the requirement for judgement and interpretation by Council staff which undermines the effectiveness of the rule and potentially the vires of the rule. Fire and Emergency therefore support the replacement of rule 15.4.2.22(b) with the proposed new rule 15.4.2.22A, subject to the intent being retained.

The proposed new rule 15.4.2.22A largely follows the minimum requirements for structures with a Fire Water Classification 2 (FW2) as per the Code of Practice. Structures that are classified as FW2 include non-sprinklered housing, specifically, single family dwellings and multi-unit dwellings. Fire and Emergency support this prescribed approach in principle, however, note that in doing this, this new rule would only apply to a subdivision application for residential purposes i.e. subdivision intended for the construction of a dwelling or the use of a building for the purpose of a dwelling, and not any other structure (i.e. care facilities, industrial premises). These other structures will likely have a higher Fire Water Classification (FW3-FW7), therefore requiring greater water storage and flow.

Fire and Emergency do however note that while rule 15.4.2.22A has a focus on dwellings, most other activities that are required to have a higher Fire Water Classification will likely trigger the need for a subsequent land use consent (as per the Rural Zone and Large Lot Residential Zone provisions) and will therefore be subject to new assessment criteria 21.1.15.20A. This assessment criteria requires water supply for firefighting purposes where there is no, or restricted flow Council water supply. For example, the construction and operation of an industrial premise in a rural, non-reticulated location will likely require consent as a discretionary activity under the District Plan. This will then require the applicant and Council to take into consideration how firefighting water supply will be achieved in accordance with the Code of Practice. This will in turn provide flexibility for the applicant, to allow them to install a sprinkler system to the approved standards, therefore reducing the Fire Water Classification for their activity.

In addition to the above, given that rule 15.4.2.22A applies to subdivision activities, we envisage that in many instances it would be unlikely for a developer to provide firefighting water supply at the time of subdivision, or have sufficient detail available to confirm the optimal location of firefighting water supply for each lot as this may be determined subsequent to the subdivision process and once the new lots have been purchased by new landowners. From a practical perspective, we do not anticipate that many developers would be able to adequately demonstrate compliance with this rule at the time of subdivision.

As such, Fire and Emergency are of the understanding that in order to administer this rule, Council would include a consent notice on each newly created title requiring the provision of firefighting water supply prior to the construction and habitation of any dwelling or other structure that requires fire protection. Fire and Emergency therefore emphasise the importance of the wording of the consent notice including reference to the Code of Practice. Fire and Emergency would be happy to work with Council to establish the most appropriate wording to ensure that the consent notice clearly and succinctly sets out the firefighting water supply requirements for any future property owners of these titles.

There is some concern that the wording within the rule of 'each lot' will require a water supply for firefighting purposes for a new lot where the intention of the subdivision is not for future development of a dwelling or other structure that requires fire protection. Accordingly, a minor amendment is proposed to allow some flexibility where the subdivision intent does not involve future buildings. This amendment enhances the workability of the rule in its implementation and avoids unnecessary provision of a firefighting water supply.

Fire and Emergency therefore recommends the following amendments to the proposed rule, as below. A minor amendment is also sought to the first paragraph to provide clarity in terms of what is being provided, noting access is considered to be adequately addressed in subsection (a). Fire and Emergency's further amendments are shown in ***bold*** or ~~***bold***~~.

*15.4.2.22A Where water is not supplied by Council or a private community supply, or water is supplied by Council but is a restricted flow supply, each lot **(except where the lot is being created for the purpose of a conservation lot, a network utility lot, an access lot or a lot solely for a rural purpose)** shall provide ~~access to~~ water supply for firefighting purposes that is or will be:*

(a) Accessible to firefighting equipment; and

(b) Between 6 and 90 metres from a dwelling on the site; and

(c) On the same site as a dwelling (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and

(d) Either:

(i) Stores at least 45,000 litres, or

(ii) Provides at least 25 litres per second for 30 minutes.

Advice note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and NZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. ~~sets out a number of options to provide water for the New Zealand Fire Service's operational requirements, and shall be used as a guide when designing fire fighting water protection.~~

Overall, the amendments sought to rule 15.4.2.22A are considered to enhance the workability of the rule provision, and to ensure the firefighting water supply requirements are suitable for the intention of the newly created lot.

Section 21 – Assessment Criteria and Information Requirements

Further to the above rule, Proposed Plan Change 16 proposes to introduce new assessment criteria for Infrastructure, Hazards, Development and Subdivision activities that result in a Discretionary activity status. Importantly, any development or subdivision that results in a Discretionary activity will be required to assess their activity against the following:

	<u>Infrastructure, Hazards, Development and Subdivision Assessment Criteria</u>	
<u>21.1.15.20A</u>	<u>Water supply for firefighting purposes where there is no, or restricted flow Council water supply</u>	<u>(a) The extent of consistency with the New Zealand Fire Service Code of Practice.</u> <u>(b) The potential for spread of fire to other buildings or properties.</u> <u>(c) Whether other fire mitigation measures are proposed.</u>

Fire and Emergency strongly support the use of Assessment Criteria in District Plans requiring the applicant and Council to consider an application against its ability to meet the Code of Practice if a consent is sought. Further, Fire and Emergency support the direct reference to the Code of Practice, as proposed.

Fire and Emergency seeks the following decision from Council:

Fire and Emergency support the Proposed Plan Change 16, subject to the plan change being amended to provide greater clarity for plan users and to assist Council in its implementation as above.

Fire and Emergency would welcome the opportunity to discuss, or provide further clarification, in relation to this submission.

Fire and Emergency wish to be heard in support of their submission.

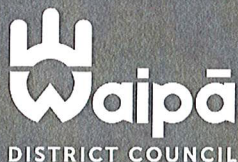
If others make a similar submission, Fire and Emergency will consider presenting a joint case with them at the hearing.

.....

(Signature of person authorised to sign on behalf of Fire and Emergency New Zealand)

29/01/2021

.....



Plan Change on Waipā District Plan Submission Form

Form 5

Clause 6 of the First Schedule to the Resource Management Act 1991

Send to: Waipa District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Fax: 07 872 0033 | Web: www.waipadc.govt.nz | Email: districtplan@waipadc.govt.nz

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

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Date received	
Document ref:	

Note: You must fill in **ALL** sections of this form.
Submissions close **5pm Friday, 29 January 2021**

1 Submitter details	
Full name of submitter: <i>(required)</i>	Carla Mounsey
Contact name if different from above:	
Contact phone number(s) <i>(mobile optional):</i>	[REDACTED]
Postal address: <i>(required)</i>	c/- LAD Architecture PO Box 120 Cambridge
Email <i>(optional):</i>	[REDACTED]
How would you like us to contact you?	
By post	<input type="radio"/>
By email	<input checked="" type="checkbox"/>

Privacy Act Information - It is a requirement of the legislation for submissions to be made available to the public.

Your contact details are collected:

- To arrange a hearing date and time for you to speak (if you choose to).
- So the Council can write and inform you of the decision(s) on your submission(s).

Your name and address will be publicly available.

Your personal contact details (e.g. mobile and email address) will only be used for the above purposes and otherwise kept confidential. You have the right to correct any errors in personal details contained in your submission.

2 This is a submission on the following proposed plan change to the Waipa District Plan	
Plan Change Number and Name: <i>(e.g. #1 – Rezoning of 3847 Cambridge Road)</i>	Change 16 Technical Improvements

3 Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="checkbox"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="checkbox"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

4 Attendance at Council hearing

Select one	<input type="radio"/> I do	wish to be heard (attend and speak at the Council hearing) in support of my submission
	<input checked="" type="radio"/> I do not	

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Yes
 No

5 The specific provisions of the plan change my submission relates to are: (give details)

Select one	<input type="radio"/> I SUPPORT
	<input checked="" type="radio"/> I SUPPORT IN PART
	<input type="radio"/> I OPPOSE

6 My submission is: (please include the reasons for your view)


Clarification around rule 15.4.2.22A(d)(i) is needed see below.
 If rule 15.4.2.22.A(d)(i) does mean capacity to store 45000L of water I support it. If it is a continuous store I do not support.
 All other changes I support as these changes make design easier.

7 I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)

Rule 15.4.2.22A(d)(i) - please clarify wording.
 Is this - ~~store~~ a continuous store of 45000L OR capacity to store 45000L?
 (can the store (water tank) be use as the house water supply?)

8 Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)

Signature of submitter:
 (or person authorised to sign on behalf of submitter)



Dated 29/1/21