

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

**Clause 6 of Schedule 1**

**Resource Management Act 1991**

To: Whakatane District Council

Submission on: Proposed Plan Change 3

**Name of submitter: Fire and Emergency New Zealand**

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**Fire and Emergency New Zealand (Fire and Emergency) is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (RMA).**

This is a submission on behalf of Fire and Emergency on notified plan change 3 to the Operative Whakatane District Plan.

Background:

In achieving the sustainable management of natural and physical resources under the 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, particularly in relation to subdivision and new developments.

Fire and Emergency's Submission:

Fire and Emergency **supports** proposed plan change 3 for the reasons set out below:

Proposed Plan Change # 1-7

The new matters of discretion and matters of control relating to dwellings (section 5.4.7), papakainga (section 5.4.8) and places of assembly (sections 7.3.3, 5.4.9, 5.4.10, 6.4.5, 7.4.7) are supported by Fire and Emergency to the extent that they relate to and require Council to have regard to egress from the site, on-site manoeuvring and the provision and location of network utilities, specifically water supply.

Adequate access to both the source of a fire and a firefighting water supply is essential to the efficient operation of Fire and Emergency. Fire and Emergency have specific requirements for fire appliance access to sites and buildings including the firefighting water supply. The road gradient should not exceed 16%. The road surface should be sealed and able to take the weight of a 14 to 20 tonne truck and be trafficable at all times. The minimum roading width should not be less than 4m and the property entrance no less than 3.5m wide. The height clearance along the access ways must exceed 4m with no obstruction, for example, trees, hanging cables, and overhanging eaves.

The requirements for firefighting access are set out in the Code of Practice and further detailed in Fire and Emergency's 'Emergency Vehicle Access Guidelines' (May 2015).

Further, the provision for adequate water supply, especially in rural and isolated areas is critical. It is important to Fire and Emergency that any land use that does not have access to a reticulated water supply has access to an adequate firefighting water supply of some kind. This essential emergency supply will provide for the health, safety and wellbeing of people and the wider community, and therefore achieves the purpose of the RMA.

#### Proposed Plan Change # 9-10

In terms of 'Emergency Service Facilities', this activity is provided for in the Rural Coastal Zone as a Restricted Discretionary activity and in the Rural Ōhiwa Zone as a Controlled activity. The addition of matters of discretion and matters of control is generally a positive change and are supported by Fire and Emergency as it specifies more clearly the matters to be considered in any resource consent process (currently this is undefined).

Fire and Emergency require the ability to construct and operate fire stations in locations which will enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the Whakatane district in order to continue to achieve emergency response time commitments in situations where development occurs and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for the purposes of fire stations.

Therefore, it is important that the resource consent process does not unintendedly inhibit the ability for Fire and Emergency to establish a fire station in strategic locations, for example, the Rural Coastal and Rural Ōhiwa Zones, should this be required in future. Fire and Emergency do however note that the Rural Coastal Zone is a relatively niche zone (being coastal) and therefore would likely be of low interest to Fire and Emergency from a fire station development perspective.

Fire and Emergency note that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of a number of activities that may be anticipated through rural and urban environments.

Of note, emergency sirens play a crucial role in facilitating a prompt emergency response and provide a critical backup to the pager system used by Fire and Emergency. A siren can be the most effect means of communication in alerting volunteers, these volunteers generally live and work in close proximity to the fire stations. Sirens also provide assurance to the people who have made the call that help is on the way. We note that the District Plan does not specifically exempt emergency sirens from the noise rule (11.2.6) and therefore will be subject to resource consent and assessment criteria 3.7.10 for noise effects. Fire and Emergency seek that Council carefully consider the crucial role of emergency sirens in any assessment for an emergency service facility or similar, should they be required to do so in future.

Fire and Emergency wishes to acknowledge the opportunity to submit on proposed plan change 3 and also welcomes the opportunity to discuss, or provide further clarification, in relation to its submission.

**Fire and Emergency do not wish to be heard in support of their submission.**



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

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Date: 09/11/2020