

PLAN CHANGE 1 – MINOR IMPROVEMENTS

SUBMISSION FORM 5

CLAUSE 6 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991



This is a submission on Plan Change 1 to the Partially Operative Dunedin City Second Generation District Plan (2GP). Your submission must be lodged with the Dunedin City Council by midnight on 18 December 2024. All parts of the form must be completed.

Privacy

Please note that submissions are public. Your name, organisation, contact details and submission will be included in papers that are available to the media and the public, including publication on the DCC website, and will be used for processes associated with Plan Change 1. This information may also be used for statistical and reporting purposes. If you would like a copy of the personal information we hold about you, or to have the information corrected, please contact us at dcc@dcc.govt.nz or 03 477 4000.

Make your submission

Online: dunedin.govt.nz/2gp-plan-change-1 **Email:** districtplansubmissions@dcc.govt.nz

Post to: Submission on Plan Change 1, Attn: City Development, Dunedin City Council, PO Box 5045, Dunedin 9054

Deliver to: Customer Services Agency, Attn: City Development, Dunedin City Council, Ground Floor, 50 The Octagon, Dunedin

Submitter details (You must supply a postal and/or electronic address for service)

First name:

Last name:

Organisation (if applicable): Fire and Emergency New Zealand

Contact person/agent (if different to submitter): c/o Beca

Postal address for service: 85 Molesworth Street

Suburb:

City/town: Wellington

Postcode: 6011

Email address: jennifer.beardsall@beca.com

Trade competition

Please note: If you are a person who could gain an advantage in trade competition through your submission, your right to make a submission may be limited by clause 6(4), Schedule 1 of the Resource Management Act.

I could gain an advantage in trade competition through this submission: Yes No

If you answered yes, you could gain an advantage in trade competition through this submission, please select an answer:

- Yes No My submission relates to an effect that I am directly affected by and that:
- adversely affects the environment; and
 - does not relate to trade competition or the effects of trade competition.

Submission

Submissions on Plan Change 1 can only be made on the provisions or mapping which are proposed to change, or alternatives that are clearly within the 'purpose of proposal and scope of change' statements for the related Change ID given in the Section 32 report and in the summary of changes document. Submissions on other aspects of the 2GP may not be considered by the hearing panel.

You must indicate which parts of the plan change your submission relates to. You can do this by identifying the relevant Change ID and either making a submission on:

- all changes related to that Change ID or alternatives within the associated 'purpose of proposal and scope of change'; or
- specific provisions that are being amended as part of that Change ID.

The specific aspects of Plan Change 1 that my submission relates to are:

Change ID (please see accompanying Plan Change 1 – Summary of Changes document, Section 32 Report, or find the list on www.dunedin.govt.nz/2gp-plan-change-1)

PHS1

For example: Res13

Provision name and number, or address and map layer name (where submitting on a specific proposed amendment):

All firefighting water supply related policies and rules - refer to Multiple Submissions table.

For example: Rule 9.5.4.4, or the stormwater open watercourse mapped area at 123 Street

My submission seeks the following decision from the Council: (Please give precise details, such as what you would like us to retain or remove, or suggest amended wording)

- Accept the change
- Accept the change with amendments outlined below
- Reject the change
- If the change is not rejected, amend as outlined below

Please refer to attached letter.

Reasons for my views (you may attach supporting documents):

If you wish to make multiple submissions, you can use the submission table on page 3 or attach additional pages.

Please refer to attached letter.

Hearings

Do you wish to speak in support of your submission at a hearing: Yes No

If others make a similar submission, would you consider presenting a joint case at a hearing: Yes No

Signature:



Date:

17/12/24

Multiple Submissions Table

Change ID, and provision name and number or address and map layer name where submitting on a specific provision being amended by that Change ID

Decision Sought

- a. Accept the change
- b. Accept the change with amendments outlined
- c. Reject the change
- d. If the change is not rejected, amend as outlined

Reasons for my views

Change ID, and provision name and number or address and map layer name where submitting on a specific provision being amended by that Change ID	Decision Sought	Reasons for my views
PHS1 - Rule 9.3.3	Accept the change.	Refer to attached letter.
PHS1 - Policy 9.2.2.8	Reject the change.	Refer to attached letter.
PHS1 - Rule 9.6.2.X	Reject the change.	Refer to attached letter.
PHS1 - Rule 9.5.3 (5)	Consequential amendments.	Refer to attached letter.

Form 5

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

Clause 6 of Schedule 1, Resource Management Act 1991

To: Dunedin City Council

Submission on: Plan Change 1 – Minor Improvements

Name of Submitter: Fire and Emergency New Zealand

This is a submission on Plan Change 1 to the Partially Operative Dunedin City Second Generation District Plan (2GP).

Fire and Emergency could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that Fire and Emergency's submission relates to are:

- *Change PHS1 – relating to firefighting water supply for subdivisions and development.*

Fire and Emergency's submission is:

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 2GP to ensure that, where necessary, appropriate consideration is given to fire safety and operational firefighting requirements.

The primary objective of Fire and Emergency is to reduce the incidence of unwanted fire and the associated risk to life and property. To achieve this objective Fire and Emergency requires adequate water supply be available for firefighting activities.

It is critical for Fire and Emergency that water supply infrastructure is in place prior to any development commencing and that this water supply has adequate capacity and pressures available to service future growth. Fire appliances carry a limited amount of water and adequate water with sufficient pressure must be available to enable Fire and Emergency to control or extinguish a fire. In the urban areas of the Dunedin City district, water is sourced from the reticulated water supply network. However, where reticulation is not available or is limited (i.e. trickle fed), alternative water sources will be required. This may be in the form of dedicated water tanks or ponds for firefighting. Adequate physical access to this water supply for new development (whether reticulated or non-reticulated) is also essential.

Fire and Emergency may be required to respond to any structural fire emergency in any area, therefore all buildings (not just dwellings) should have access to a suitable firefighting water supply. 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.

As DCC notes, adequate capacity and pressure for each development can be determined through the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice). The Code of Practice is a freely and publicly available New Zealand Standard that sets out the minimum requirements for firefighting water and access for Fire and Emergency to respond effectively and efficiently in an emergency.

Fire and Emergency supports the Council's efforts to review residential firefighting water supply rules under Plan Change 1 which is intended to make it easier for applicants to interpret requirements and to provide a broader range of options for compliance with the Code of Practice. The local Fire and Emergency team would also like to thank DCC for consulting with them directly in the redrafting of the relevant 2GP rules relating to firefighting water supply for dwellings.

Whilst the proposed changes to Rule 9.3.3 are supported, Fire and Emergency opposes other elements of Change PHS1. Overall, FENZ considers that Change PHS1 in its current form exacerbates an existing policy and rule framework gap within 2GP in the provision of firefighting water supply for all non-residential new build development and subdivisions.

Change PHS1 seeks to delete the requirement for all subdivisions (other than those specifically exempted) to comply with the Code of Practice. Instead, only subdivisions which "*may result in new residential buildings*" will be assessed by resource consent planners based on whether a firefighting supply can be provided, either on a reticulated or non-reticulated basis. The Section 32 report states that one of the reasons for this is to align with overarching health and safety Policy 9.2.2.8, which only requires developments to provide access to suitable water supply for firefighting purposes where they involve residential development. As previously stated, Fire and Emergency may be required to respond to any structural fire emergency in any area, therefore all buildings (not just dwellings) should have access to an adequate firefighting water supply.

Within the District, local stations have responded to a range of structural fires including both residential and non-residential buildings in both reticulated and non-reticulated areas. Issues encountered during firefighting incidents have included inadequate pressures when utilising the reticulated network and an absence of dedicated on-site firefighting water supplies in non-reticulated locations. Ultimately these slow down Fire and Emergency's ability to fight fires in the most efficient way possible, thereby potentially resulting in significant building damage, fire spread, injuries or fatalities which could have otherwise been avoided, or at least mitigated, were an adequate and accessible firefighting water supply available.

Fire and Emergency therefore opposes Policy 9.2.2.8 insofar as the policy change fails to take the opportunity to broaden the policy to ensure that suitable water supply for firefighting purposes is provided for all new build development across the district, including both residential and non-residential buildings.

On this basis, Fire and Emergency consider that the proposed new assessment matter for subdivisions (rule 9.6.2.X) should apply to all subdivision activities which have the potential to result in new build development, either as a subsequent permitted activity or via a further land use consent. All subdivisions which have the potential to result in new structures should be assessed by resource consent planners as to whether a firefighting supply can be provided, either on a reticulated or non-reticulated basis. The provision of shared firefighting systems in non-reticulated areas can also be promoted for both residential and non-residential development.

Fire and Emergency seek the following decision from the local authority:

Under Change ID: PHS1, Fire and Emergency seeks the following amendments to PC1 of the 2GP to ensure that the District Plan secures an adequate firefighting water supply for all new buildings, in both reticulated and unreticulated locations across the district:

- Amendments to Policy 9.2.2.8 to broaden the scope of development required to achieve compliance (and consequential amendment to 9.5.3 (5) – Performance standard contravention regarding firefighting).
- Amendments to the subdivision assessment matters under rule 9.6.2.X(a) so that resource consent planners must consider whether access to an adequate firefighting water supply can be achieved for all subdivisions which may result in any new buildings. The provision of shared firefighting infrastructure in unreticulated areas for all subdivisions should also be promoted.
- The inclusion of rules (equivalent to rule 9.3.3) to require the provision of an adequate firefighting water supply, and associated access, for all new build development, including commercial and industrial development in all zones.

The detailed amendments sought are outlined at Appendix A.

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

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



Signature of person authorised to sign on behalf of
Fire and Emergency

Date:	17/12/2024
Electronic address for service of person making submission:	jennifer.beardsall@beca.com
Telephone:	04 550 5964
Postal address:	85 Molesworth Street, Wellington, 6035
Contact person:	Jennifer Beardsall

Appendix A – Fire and Emergency New Zealand specific submission points

ID	Provision	Position	Feedback	Decision sought
9 – Public Health and Safety				
1	<p>Policy 9.2.2.8</p> <p>Require all <i>Only allow new residential buildings, or subdivision activities that may result in new residential buildings, to where the residential buildings will have access to suitable water supply for firefighting purposes.</i></p>	Oppose	<p>FENZ opposes Policy 9.2.2.8 insofar as the policy change fails to take the opportunity to broaden the policy to ensure that suitable water supply for firefighting purposes is provided for all new build development across the district, including both residential and non-residential buildings. The Policy should be amended to align with objective 9.2.2 that seeks to maintain or enhance people’s health and safety. This objective can only be achieved with respect to firefighting purposes if the 2GP policy and rule framework applies to all new build development. Consequential amendments should be made to other rules and performance standard contraventions which reference Policy 9.2.2.8.</p>	<p>Amend as follows:</p> <p><i>Only allow new residential buildings, or subdivision activities that may result in new residential buildings, where the residential buildings will have access to suitable water supply for firefighting purposes.</i></p>
2	<p>Rule 9.6.2.X(a) Assessment of restricted discretionary activities</p> <p><i>X. Subdivision activities that may result in new residential buildings.</i></p> <p><i>a. Effects on health and safety</i></p>	Oppose	<p>FENZ opposes Rule 9.6.2.X in so far FENZ considers that this assessment matter should require all new subdivision activities (not just residential buildings) that may result in any new building (other than any relevant exemptions) to be assessed as to whether the site can be serviced with an</p>	<p>Amend as follows:</p> <p><i>X. Subdivision activities that may result in new residential buildings.</i></p> <p><i>a. Effects on health and safety</i></p>

ID	Provision	Position	Feedback	Decision sought
	<p><i>Relevant objectives and policies:</i></p> <p><i>i. Objective 9.2.2</i></p> <p><i>ii. Subdivision that may result in new residential buildings ensures there is access to suitable water supply for firefighting purposes (Policy 9.2.2.8).</i></p> <p>....</p>		adequate firefighting water supply.	<p><i>Relevant objectives and policies:</i></p> <p><i>i. Objective 9.2.2</i></p> <p><i>ii. Subdivision that may result in new residential buildings ensures there is access to suitable water supply for firefighting purposes (Policy 9.2.2.8).</i></p> <p><i>iv.</i></p>
3	NEW	NEW	Rules should be included (similar to Rule 9.3.3) which are extended to all new buildings (other than specified exemptions), in all zones. The provisions within each zone should reference the Code of Practice.	