



Hamilton Fire Station
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Hamilton City Council
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Hamilton 3204

Attention: Hearing Panel

8 August 2023

Dear Panel

Hamilton City Council – Proposed Plan Change 13 to the Hamilton City Operative District Plan

Fire and Emergency New Zealand (Fire and Emergency) made a submission on Proposed Plan Change 13 (PPC13) to the Hamilton City Operative District Plan (District Plan). Fire and Emergency have decided not to attend the hearing scheduled to commence 23 August 2023, and in lieu, request that this letter be tabled at the hearing for the Hearing Panel's (the Panel's) consideration.

Fire and Emergency's submission addressed matters relating to activities required to be undertaken to enable an effective emergency response and to provide for the health and safety of people and communities in Hamilton City. Issues of particular interest and relevance to Fire and Emergency broadly included:

- ensuring new development is adequately serviced by firefighting water supply, and
- ensuring fire appliances and Fire and Emergency personnel can adequately access the development area in the event of a fire or other emergency.

The section 42A Hearing Report (42A report) on PPC13 has been received along with the Proponent's expert evidence. There is general acceptance of the recommendations within the 42A report. The matters of which Fire and Emergency would like the Panel to turn their minds to are set out below.

Firefighting water supply

Water supply modelling

Through our submission, Fire and Emergency noted that the water supply modelling undertaken was six years old and suggested that in order for Hamilton City Council (HCC) to manage adverse effects on the water supply network, updated modelling of the water supply network be undertaken to confirm whether the 2017 findings are still accurate, prior to making a decision on PPC13. This submission point was supported by Kāinga Ora.

Isaac McIntyre from HCC has assessed water supply on behalf of HCC's Development Unit. Mr McIntyre states that HCC considers the modelling work completed in 2017 is still fit for purpose when compared to HCC Future Water Demand assumptions. Mr McIntyre indicates that the HCC assumptions modelled for water demand, subject to the plan change, up to the year 2031 show an increase of 535 people. This number is also used in the 2017 Modelling Work produced by Mott McDonald.

Mr McIntyre considers that the HCC modelled assumptions do not show the need for any upgrades to HCC infrastructure and therefore, additional modelling is not expected to show vastly different results and therefore not considered necessary for PPC13.

In any event, Mr McIntyre considers that, at the time of resource consent to support development, modelling is likely to be required, and any system upgrades needed to meet the necessary standards funded by the developer. Mr McIntyre confirms that HCC are not aware of any capacity restraints at present, but a thorough assessment would need to be undertaken at development stage rather than at this stage of a plan change for zoning.

On that basis, the s42A reporting officer considers that water supply has been sufficiently considered.

Fire and Emergency accept the explanation in relation to this matter and assume that HCC has accounted for the growth / demand on the water supply network since the 2017 modelling was undertaken, given the likely yield for the Te Rapa Racecourse Precinct is approximately 200 residential dwellings which could see an exceedance of anticipated increase in people as per the modelled assumptions.

District plan rule framework

Across Hamilton City, Fire and Emergency has experienced situations where developments have not met SNZ PAS 4509:2008 and this is understood to be due to issues with enforceability of the existing district plan rules. Fire and Emergency are therefore of the view that the District Plan provisions do not adequately address firefighting water supply servicing across Hamilton City, particularly where required level of service is not met by the reticulated system (i.e. where developments require a fire water classification greater than what is provided for by the reticulated system for reasons such as the size of the building and fire hazard category). Fire and Emergency's concern therefore relates to the development stage where, there is no explicit requirement for the future developer of the plan change area to demonstrate compliance with SNZ PAS 4509:2008 or for HCC to require the provision of a firefighting water supply that meets the requirements of SNZ PAS 4509:2008. This becomes particularly important when activities are able to proceed as permitted activities where no assessment of available capacity is required.

To manage fire risk in the plan change area, Fire and Emergency has sought a specific rule in the district plan requiring all subsequent subdivision and development in the Te Rapa Racecourse Medium Density Residential Precinct be subject to a development standard requiring all developments to demonstrate that they can be adequately serviced for firefighting water supply in accordance with the SNZ PAS 4509:2008 at the time of resource consent and conditioned accordingly. This would include the provision of additional supply over and above what is provided via the reticulated network where a higher level of service is required or where it is determined that there is insufficient capacity in the water supply network at the time of development.

Fire and Emergency noted in its submission that Rule 25.13.4.4(d) states that "*A reticulation system shall be provided which is adequate for fire-fighting purposes and for estimated domestic and commercial consumption*".

As highlighted by Mr McIntyre in Appendix A of the s42A report, Rule 25.13.4.4(d) refers to Note 2 "*Acceptable means of compliance for the provision, design and construction of water infrastructure is contained within the Hamilton City Infrastructure Technical Specification*".

It is Mr McIntyre's view that Rule 25.13.4.4(d) is adequate for firefighting purposes. Mr McIntyre states that if a subdivision consent is granted within the area subject to PPC13, HCC would impose the following conditions:

- 1) *The development shall be provided with fire protection via a fire hydrant system. The design of the water network shall conform to the Code of Practice for Fire Fighting Water Supplies (SNZ PAS 4509). (Residential)*
- 2) *The development shall be provided with fire protection system in accordance with SNZ PAS 4509. Where higher level of service is required (eg above FW#), a private system shall be designed and installed to*



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comply with the requirements of the Code of Practice for Firefighting Water Supplies (SNZ PAS 4509) at the cost of the consent holder. (Industrial)

Mr McIntyre indicates that Condition 1 has been used for numerous large scale residential developments within Hamilton City which results in compliance with SNZ PAS 4509:2008, and that conditions of consent are enforceable by HCC as a regulator. On that basis, the s42A reporting officer considers that no additional provisions are required for firefighting water supply servicing.

The Statement of Evidence of Mr Hayden Vink on behalf of the Waikato Racing Club Incorporated states that any development within PPC13 area will need to be designed and serviced in accordance with Hamilton City Infrastructure Technical Specification (RITS) whereby Clause 6.2.3.3 specifically requires a water supply network to comply with SNZ PAS 4509:2008, with consideration required to increase the level of service to ensure security of supply for operational purposes within specific developments. It is Mr Vink's view that adding a specific rule in the district plan PPC13 is not necessary and would result in a site-specific addition which is better addressed under standard consent processes. It is Mr Vink's experience that this issue is well-managed through compliance with the RITS and there is no need to duplicate it.

Fire and Emergency are cognisant that the RITS requires a water supply network to comply with SNZ PAS 4509:2008 with the network designed to meet FW2 in residential areas and it is likely that this will be met as a minimum standard given HCCs commitment to meeting a minimum level of service within the city. However, RITS is non-statutory and considered only through resource consents and engineering approval processes, and compliance with the specifications within are not mandatory or enforceable by HCC as the regulator (or at least involve discretion as to how it is applied).

Fire and Emergency would like to formally acknowledge the confirmation of HCCs interpretation and application of Rule 25.13.4.4(d) in addressing firefighting water supply requirements and for enforcing compliance with SNZ PAS 4509:2008 for subdivision activities. This does however leave a gap for landuse activities where no subdivision is proposed, and Fire and Emergency are unclear how Rule 25.13.4.4(d) would be applied or enforced in the scenario when or if development proceeds without subdivision. However, Fire and Emergency acknowledge that the plan change area will likely be subject to subdivision and that based on the response from Mr McIntyre, any future subdivision would be conditioned accordingly, requiring at most, that the reticulated network conforms to SNZ PAS 4509:2008.

Fire and Emergency therefore accept the response provided by HCC.

Access

Fire and Emergency supported the no parking restriction being introduced along the northbound lane of Ken Browne Drive which would result in the full carriageway width being trafficable at all times. This would mean emergency service vehicles are able to access the development area with reduced obstructions, given the proposed increase in traffic and existing demand for parking as well as parking demand likely to be generated as a result of the residential development being enabled as part of this plan change.

Fire and Emergency requested that the same approach be taken with Sir Tristram Avenue where the full 7.4m sealed carriageway width remains trafficable and no parking or other obstructions are introduced that could slow or stop emergency services from accessing the development area.



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The 42A reporting officer agrees that removal of parking is required to maintain the movement function of Sir Tristram Avenue and is likely to need to be restricted to one side to allow for two-way traffic which will be assessed at resource consent stage. Fire and Emergency accept that this will be addressed at the time of subdivision.

Fire and Emergency also supported the private rear-lanes being constructed to a minimum carriageway width of 5.5m. This support was on the basis that no off street parking will be provided along the rear lanes as parked cars on a narrow road or private way will obstruct fire appliances from moving along the carriageway. Rear lanes should be wide enough to allow fire appliances to get through them easily and to allow Fire and Emergency personnel to carry out emergency operations. This means that when the fire appliance is parked, Fire and Emergency personnel can easily open and exit the doors, access equipment from its compartments and safely connect the hose to the pump.

Fire and Emergency sought a 4m vertical clearance for all transport corridors within the new precinct to ensure access for fire appliances. The s42A reporting officer has indicated that Proposed Plan Change 12 'Enabling Housing Supply' includes a 4m vertical clearance requirement for all rear lanes, however with respect to other roads, considers that this matter is not specific to the plan change area and is best addressed at a city-wide scale and that HCC may consider this matter as part of any future plan change. It is recommended that the 4m vertical clearance request is rejected for this reason.

Fire and Emergency generally accept this reasoning, however note that Precinct specific provisions for height clearances could be introduced via PPC13 if there was an appetite by the Panel to do so. Fire and Emergency also note that there is a delay with hearing of submissions on Proposed Plan Change 12 'Enabling Housing Supply'.

Thank you for consideration of these matters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Daryl Trim', written over a light grey background.

Daryl Trim
Kaiwhakahaere patu ahi o Waikato
District Manager - Waikato

