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Attention: Planning Standards Team

Dear Sir/Madam,

Fire and Emergency NZ feedback on phase 1 of the proposed National Planning Standards

Fire and Emergency New Zealand (Fire and Emergency NZ) welcomes the opportunity to provide feedback on the first phase of the National Planning Standards. Fire and Emergency NZ is generally supportive of the overall approach to provide standardisation of plans produced under the Resource Management Act 1991 (RMA). This will support Fire and Emergency NZ in achieving its statutory objectives and functions in an efficient and effective manner.

The feedback in this letter builds on the initial feedback provided to the Ministry for the Environment on 31 July 2017. That letter outlined the roles and responsibilities of Fire and Emergency NZ and how the National Planning Standards could assist Fire and Emergency NZ in meeting its obligations under the Fire and Emergency New Zealand (FENZ) Act 2017 within the RMA framework.

As outlined in the previous feedback provided to the Ministry for the Environment, Fire and Emergency NZ's principal objective under the FENZ Act is to reduce the incidence of unwanted fire and its associated risk to life and property. It is also charged with providing fire prevention, response and suppression services as well as other emergency response for hazardous substances, transport accidents and other incidents. Fire and Emergency NZ's responsibilities are to protect and preserve life (including limiting injury), to prevent or limit damage to property or land, and to prevent or limit damage to the environment.

As such, Fire and Emergency NZ monitors development regulated under the RMA to ensure that, where necessary, appropriate consideration is given to fire safety, emergency preparedness and the health and safety of people and communities.

There are three key topics of relevance to Fire and Emergency NZ within the National Planning Standards, being District Wide Matters Standard, Definitions and Metrics. Each topic is outlined within the following sections of this letter.

1. District Wide Matters Standard (S-DWM)

As noted, Fire and Emergency NZ submits on a number of resource consent applications and plan changes where it considers its operational requirements, notably the provision of adequate firefighting water supply and suitable access for fire appliances, has not been appropriately considered in development proposals. In the high majority of submissions on subdivision and land use consents, Fire and Emergency NZ requests that a condition or standard be imposed requiring compliance with the New Zealand Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (the Code of Practice) to providing dedicated firefighting water supply and access to that water supply.

Fire and Emergency NZ therefore supports proposed standard S-SUB which would allow for other documents for the management of subdivisions, such the Code of Practice, to be included within the *Subdivision Chapter*

2. Definitions

Proposed definitions supported by Fire and Emergency NZ

Fire and Emergency NZ is supportive of the proposed definitions for the following terms:

- Ancillary activity;
- Minor residential dwelling;
- Residential activity;
- Residential unit; and
- Reverse sensitivity.

Additional definitions to consider including within the template definitions

a. Emergency services

Fire and Emergency NZ supports the inclusion of a definition for community facilities as there are currently inconsistencies across New Zealand. However, emergency services and associated facilities are sometimes included within the definition of 'community facility' (and therefore the associated rules) which can be problematic.

Some examples of how 'emergency services' are defined in various plans around the country is as follows:

Plan	Reference to 'emergency services' in definitions
Auckland Unitary Plan	Defines "emergency facilities" separately to "community facilities"
Thames-Coromandel District Plan	Within "Community facility" definition
New Plymouth Draft District Plan	Defines "emergency service facilities" separately to 'community facilities'
South Taranaki District Plan	Defines "emergency facilities"
Hurunui Operative District Plan	Within "Critical infrastructure" definition
Christchurch Replacement Plan	Within "Community facility" definition – separate rule for fire stations.
Queenstown Proposed Plan	Within "Community Activity" definition
Dunedin Proposed Plan	Defines "emergency services"

The proposed definition of 'community facility' within the draft National Planning Standards contains reference to "*non-profit facilities for the primary use for ... safety and welfare...*", which could be interpreted to include emergency services facilities such as fire stations. Fire and Emergency does not consider that this definition should be used when planning for "emergency services" within planning documents.

Within the original discussion document released by MfE, "emergency services" was identified as a definition that could be standardised. This definition is not included within the draft National Planning Standards Document. Fire and Emergency NZ would like to suggest the MfE considers including an "emergency services" definition within the planning standards. This would provide national consistency for emergency

service providers and save time and money for Fire and Emergency in having to regularly review and submit on definitions. The use of a fire station is different from many other community facilities such as a town hall, sports club, church or welfare centre. Fire stations provide a specific community service, however they are not available for general community use and typically would have different effects from other community facilities.

For this reason, and to provide clarification and certainty, Fire and Emergency NZ suggests that "emergency services" are defined separately to "community facilities." The inclusion of reference to "safety and welfare" within the "Community Facilities" definition may have unintended consequences as it covers a broad range of services. "Emergency services" could be specifically excluded from this rule to provide clarification as to which activities are covered by which rules.

The Civil Defence Emergency Management Act 2002 defines 'emergency services' as:

"means the New Zealand Police, Fire and Emergency New Zealand, and providers of health and disability services"

Fire and Emergency NZ requests that the definition of "community facility" be amended to exclude emergency services and that a new definition of 'emergency services' using the Civil Defence Emergency Management Act 2002 definition, is added to the National Planning Standards.

b. Dwelling

Dwelling is defined in different plans in various different ways. While dwelling could be considered as a relatively implicit word, without a standard definition, how "dwelling" is used within a rule could have unintended consequences, especially when used within a definition for firefighting water supply. If "habitable room" includes reference to commercial buildings, then including reference to the "dwelling" within the rule for firefighting water supply would ensure that compliance with Code of Practice is achieved in the most appropriate way for a dwelling in all zones.

Therefore Fire and Emergency NZ requests that a definition of "dwelling" is included within the National Planning Standards as defined in the RMA:

Dwelling means the same as "dwelling house" as defined in Part 2 of the RMA 1991-

"means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence; but does not include the land upon which the residence is sited."

Fire and Emergency NZ would be happy to discuss the inclusion of these additional definitions with MfE.

3. Summary

Overall, Fire and Emergency NZ is supportive of the proposal to create national planning standards and requests that MfE considers the matters that have been raised above when progressing with the development of these standards.

Fire and Emergency NZ is happy to work with MfE to develop appropriate plan provisions that support a standardised approach to the management of Fire and Emergency NZ related activities.