



Kaipara te Oranganui • Two Oceans Two Harbours

Plan Change N°4 Fire Safety Rules (Land Use) (PC4) to the Kaipara District Plan

Summary of Submissions

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Introduction on how to make a further submission

Further submissions are a way that the public can participate in resource management processes for a District Plan or Plan Change. The Council has, as required under the Resource Management Act, prepared this Summary document to enable persons who may wish to make a further submission to see what an original submitter said in respect of any matter contained in their submissions. The original submissions have therefore been broken down into individual submission points.

This Summary document has been divided into two parts - Part A and Part B. In Part A, the summaries of the submissions have these listed under the Submitter's name in alphabetical order. In Part B, the summaries of submissions have been classified into particular categories or issues (for example traffic and pedestrian matters, providing for commercial activities in Mangawhai) so that a person who may wish to make a further submission on a particular issue can see what issues he/she may wish to support or oppose.

Further submissions:

The Resource Management Act 1991 has specific requirements for those that wish to make a further submission. It sets out:

- who can make a further submission; and
- what further submissions are limited to; and
- the correct format to be used; and
- who is to be served a copy of the further submission once it has been lodged with Council.

These are explained more fully below along with how and where to lodge your further submission and what the next steps will be once the time for lodging further submissions has expired.

Below is also a guide to use the documents in making your further submission.

Who can make a further submission?

Under the Resource Management Act, any person can make a further submission if they:

- represent a relevant aspect of the public interest;
- have an interest in the Proposed Plan Change greater than the interest that the general public has;
- the local authority itself.

What further submissions are limited to:

Under the Resource Management Act a further submission can only be made in **SUPPORT** or in **OPPOSITION** of matters raised in the original submissions.

No new matters can be raised.

Format of further submissions

Under the Resource Management Act, further submissions should be set out in the format shown in the submission form following this page. This form is intended as a guide only, but is suitable for brief submissions. Please attach additional pages as necessary.

Who is to be served a copy of the further submission?

The Resource Management Act requires that a copy of the further submission be sent to the person who made the original submission within **five (5) working days** of sending the further submission to the Kaipara District Council.

How and where to lodge your further submission?

Please note that further submissions are to be received by Kaipara District Council by **4.30pm on Friday, 03 April 2017**. Submissions can be:

Posted to: Chief Executive
Kaipara District Council
Private Bag 1001
Dargaville 0340

Delivered to: Kaipara District Council
42 Hokianga Road
Dargaville 0310

or

Kaipara District Council
Unit 6 The Hub
6 Molesworth Drive
Mangawhai 0505

Emailed to: planchanges@kaipara.govt.nz

Made online at: www.kaipara.govt.nz

Faxed to: (09) 439 6756

Next Step

At a later date the Council will hold hearings to consider all submissions. All submitters will be advised of the hearings dates at least ten (10) working days prior to the commencement of the hearings. Those persons lodging submissions or further submissions may, if they wish, attend the hearings and those that indicated that they wished to be heard, may present further information relating to their submission or further submission.

How to use the summary documents to fill in your further submission form

Please Note: Original submitters have been allocated a submitter number and each submission point is referenced by a unique number as follows:

For example, **PC4.6.7**

PC4 stands for Plan Change N^o4.

6 is the submitter number

.7 is the submission matter number.

Please Note: You need to reference this whole number (i.e. **PC4.6.7**) when you make a further submission.

Submitter	Specific Submission Number	Support / Oppose	Reason
Please refer to the Submitter Number and name that your further submission relates to.	Please indicate the Specific Submission Number your further submission relates to.	Clearly indicate whether you SUPPORT or OPPOSE the specific submission.	Tell us the reason WHY you support or oppose the specific submission. These reasons may help us understand your further submission.
PC4.6 Royal Belgian Landscape Society	PC4.6.7	Support	Himalayan pansies provide food for a variety of indigenous birds when no other food is available

Primary Submission **PC4.6.7**

Submitter: PC4.6 - Royal Belgian Landscape Society, PO Box 123456 Antwerp XYZ8765, Belgium

Specific Submission: .7 - Himalayan pansies are not pest plants and should not be eradicated in the Plan Change area

Decision Requested: Delete from the Plan Change the 'eradication of Himalayan pansies...' and any references that these plants are 'environmental pest plants'.

Joe Bloggs

Full Postal Address: **Address for Service:**

PO Box 9999

PO Box 9999

Dargaville 0340

Dargaville 0340

Telephone: 09 888 8888 Fax Number: 09 888 8889 Email: jbloggs@xtra.co.nz

I **do (do not)** wish to be heard in support of my submission.

Submitters Addresses and Contact Details Listed in Alphabetical Order

Submitter Name	Submitter Number	Submitter's Address / Contact Details
Perry Antonius	2	antonius.perry@clear.net.nz
Clive Boonham	9	PO Box 401005 Mangawhai Heads 0541 raro.retreats@xtra.co.nz
James Bremner	25	262 Molesworth Drive Mangawhai Heads 0505 jamesbremner@xtra.co.nz
Bill Butterfield	15	57 Jack Boyd Drive RD 2 Kaiwaka 0573 justwilliam@xtra.co.nz
Ian Chisholm	23	179 Taylor Road RD 2 Waimauku 0882 chisholms@xtra.co.nz
Barry and Jan Clark	10	108 Moir Point Road Mangawhai Heads 0505 bazzclark@gmail.com
Ian Clarke	6	Ian Clarke ccclarky@gmail.com
Robert Corbett	11	9 Shamrock Drive Kumeu 0810 corbett@ihug.co.nz
Grant and Fiona Douglas	16	c/- Flight Operations (FC 2283) PO Box 92 Dubai United Arab Emirates grant.douglas@beachshadow.com
Graham Drury	5	17 Awatea Street Mangawhai Heads 0505 graham@ggd.net.nz

Submitter Name	Submitter Number	Submitter's Address / Contact Details
Far North District Council	27	Sarah Trinder Far North District Council Private Bag 752 Kaikohe 0440 Sarah.trinder@fndc.govt.nz
Ian Fish	3	ian@debsandian.com
Steve Fitt	24	PO Box 269 Mangawhai 0540 stevefittprojects@gmail.com
Carla Hood	4	4 Sandy Lane Mangawhai Heads 0505 crshood@gmail.com
Annette and Bryan Hurring	21	150 Findlay Road RD 3 Pukekohe 2678 bandahnz@xtra.co.nz
Prue Innes	12	PO Box 173 Mangawhai Heads 0505 prueinnes@xtra.co.nz
Robin Johnson	26	109 Cornwall Way Mangawhai 0505 glopak.technology@gmail.com
Jonathan Larsen	29	1434 State Highway 1 RD 5 Wellsford 0975 jglarsen.nz@gmail.com
Maria Macfarlane	22	PO Box 168 Mangawhai 0540 ruiemj@clear.net.nz
Kathy Newman	1	kathynewman@xtra.co.nz
New Zealand Fire Service	28	Jaiman Patel New Zealand Fire Service jaiman.patel@beca.com

Submitter Name	Submitter Number	Submitter's Address / Contact Details
Jorg Nordmeier	20	29 Wintle Street Mangawhai 0505 jorgandbarb@yahoo.co.nz
Theresa Pearson	14	29 Pearson Street Mangawhai Heads 0505 tessap@xtra.co.nz
Douglas and Ann Somers-Edgar	18	46 Wintle Street Mangawhai Heads 0505
Stephan Sosich	7	ssosich@gmail.com
Stephan Sosich	8	ssosich@gmail.com
Patrick Sparks	13	34A Pokapu Street New Lynn Auckland 0600 patricksparks@hotmail.com
Philip and Beverly Revell	19	12 Findlay Street Mangawhai Heads 0505 philrevell@yahoo.com
Henk and Christa van der Woerd	17	14 Ti Kouka Way RD 2 Kaiwaka 0573

Form 6

Further submission in support of, or in opposition to, submission on Plan Change N°4 – Fire Safety Rules (Land Use) – To the Kaipara District Plan

Clause 8 of Schedule 1, Resource Management Act 1991

To Kaipara District Council

Name of person making further submission: *[full name]*.....

This is a further submission on Plan Change N°4 (PC 4) to the Kaipara District Plan in support / in opposition (please circle which applies).

I am *[state whether you are —*

- *a person representing a relevant aspect of the public interest. In this case, also **specify the grounds** for saying that you come within this category; or*
- *a person who has an interest in the proposal that is greater than the interest the general public has. In this case, also **explain the grounds** for saying that you come within this category; or*
- *the local authority for the relevant area.]*

I support (or oppose) the submission of:

[name and address of original submitter and submission number of original submission if available].

The particular parts of the submission I support (or oppose) are:

[clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal].

The reasons for my stance (support or opposition) are:

[give reasons].

I seek that the whole (or part *[describe part]*) of the submission be allowed (or disallowed):

[give precise details].

I wish (or do not wish) to be heard in support of my further submission.

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

*Delete if you would not consider presenting a joint case.

.....
Signature of person making further submission (or person authorised to sign on behalf of person making further submission)

.....
You are reminded that under clause 8A of the First Schedule to the Resource Management Act 1991, you are required to serve the person who made the original submission that you are supporting or opposing, with a copy of your further submission within **five (5) days** of providing the Council with your further submission.

Copy of Public Notice

Public Notice of availability of a Summary of Submissions and call for further submissions to Plan Change N°4 (PC 4) Fire Safety Rules (Land Use) to the Kaipara District Plan

Public Notice is hereby given, in accordance with Clause 7 of the First Schedule to the Resource Management Act 1991, that Kaipara District Council has prepared a summary of the decisions requested by persons making submissions on Plan Change N°4 (PC 4) Fire Safety Rules (Land Use). Kaipara District Council is now calling for further submissions. This allows people to review the submissions and the ability to provide comment on them.

Background

Plan Change N°4 seeks to change, retain and add District Plan provisions as set out below:

- **Land Use Rules**

Plan Change N°4 concerns changes to the Fire Safety Rules (Land Use) for buildings and structures in the Rural, Residential, Business (Commercial and Industrial), and the two Maori Purposes Zones of the District Plan, to remove the requirement to comply with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008.

The Fire Safety Rules (Land Use) concerned are Rules 12.10.26; 13.10.26; 14.10.26; 15A.10.25; 15B.10.25 and 15A.10.3b(c).

- **Subdivision Rules**

It is proposed to retain references to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 in the subdivision rules in the Rural, Residential, Business (Commercial and Industrial), and one of the Maori Purposes Zones (only one provides for subdivision) of the District Plan. The retention of these references was open to submissions.

The subdivision rules concerned are Rules 12.15.4; 13.14.4; 14.13.4 and 15B.14.4.

- **New provisions to be added**

It is proposed that an issue statement, a specific objective, three policies an 'other methods' section and an outcome statement be added to Chapter 2 of the District Plan which addresses structure fires.

- **Vegetation**

It is proposed to remove the setback requirement for buildings in the **Residential and Business Zones** to be located at least 20 metres from naturally occurring or deliberately planted areas of shrub or shrubland, woodlot or forest. This also includes removing the requirement for a building to be 20 metres from the dripline of any tree.

- **Removal of redundant reference**

It is proposed to remove the provision relating to a 1971 Model Bylaw for Fire Prevention. This model bylaw no longer exists and was never replaced.

Kaipara District Council received 29 submissions.

The purpose of the summary is to enable further submissions to be made.

Inspection and availability of documents

This summary, together with the submissions in full, may be inspected without fees online at www.kaipara.govt.nz and at any of the following locations:

- Kaipara District Council Office at 42 Hokianga Road, Dargaville;
- Kaipara District Council Office at Unit 6, the Hub, 6 Molesworth Drive, Mangawhai;
- Dargaville Library at 71 Normanby Street, Dargaville;
- Kaiwaka Library at 2 Kaiwaka-Mangawhai Road, Kaiwaka;
- Maungaturoto Library, Hurndall Street, Maungaturoto; and
- Paparoa Library, Brook House, State Highway 12, Paparoa.

Please contact Howard Alchin during normal working hours on 09 439 3123 or 0800 727 059 if you have any questions about this Plan Change or email planchanges@kaipara.govt.nz.

Making a further submission

Clause 8 of the First Schedule to the Resource Management Act 1991 states that the following persons may make a **further submission** in the prescribed form:

- (1)
 - (a) Any person representing a relevant aspect of the public interest; and
 - (b) Any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has; and
 - (c) The local authority itself.
- (2) A further submission must be limited to a matter in **support of or in opposition to** the submissions that have already been made under clause 6 and were received before submissions closed on Friday 25 November 2016.

Clause 8A of the First Schedule states that:

- (1) A person who makes a further submission must serve a copy of it on:
 - (a) The relevant local authority; and
 - (b) The person who made the submission to which the further submission relates.
- (2) The further submission must be served on the person referred to in subclause (1)(b) no later than **five (5) working days** after the day on which the person provides the relevant local authority with the further submission.

The prescribed form for further submissions is available online at Council's website or at the locations where the summary of submissions may be inspected.

The further submissions period commences on Friday 17 March 2017 and must be made by 4:30pm Monday 03 April 2017.

The closing date for making further submissions is **4:30pm Monday 03 April 2017**. You can lodge your further submission in writing or electronically:

- Online: www.kaipara.govt.nz
- Email: planchanges@kaipara.govt.nz
- Fax: (09) 6756
- By post: Kaipara District Council, Private Bag 1001, Dargaville 0340; or
- In person: Kaipara District Council Offices at 42 Hokianga Road, Dargaville or at Unit 6, The Hub, 6 Molesworth Drive, Mangawhai

Next steps for public participation

Once the closing date for lodging further submissions has passed, the Council will hold a hearing to consider the submissions and further submissions that have been lodged and issue a decision on the proposed Plan Change. Anyone who has made a submission or further submission, and who has indicated that they wish to be heard, will have the right to attend the hearing and to present their submission or further submission.

On receiving notice of a decision on their submission or further submission, any person may appeal the decision to the Environment Court for further consideration if they disagree with or are dissatisfied with the decision made by the Council.

Notification date: Friday 17 March 2017

Graham Sibery
Chief Executive

Part A - Summary of Submissions Listed by Submitter in Alphabetical Order

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
BOONHAM	Clive	PC4.9.1	Role of Code in the District Plan	Incorporation of Fire Safety Rules based on NZFS Code of Practice was ill-conceived and done without consideration of the legal situation; whether contents of code were lawful; ramifications on amenity values of district; cost to individuals to comply with the Code.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.2	Amenity	If allowed to continue it will turn Mangawhai, as an example, into a tank town denuded of all vegetation and trees - an example being the area on the causeway on Molesworth Street opposite the Museum.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.3	Costs to Comply	Rules were side-stepped to allow smaller tanks and modified requirements in respect of access and special couplings but only on obtaining resource consents at great cost (Evaluation shows that 177 consents have been granted with no indication of how many applicants installed the standard 45,000 litre tanks).	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.4	Legislation	Some of the changes are welcome but other simply perpetuate the confusion that surrounds the NZFS Code of Practice and whether it is legally applicable to the RMA and the Building Act.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.5	Issues	Issues - 2.3.14: This is a list of general statements that may or may not be true but which take us nowhere. It reiterates the special coupling requirement as if it is set in concrete. It has already been established that this requirement is ridiculous. If the purpose of dedicated tanks is for firefighting then why make them only available to the Fire Service which will likely arrive too late?	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.6	Objectives	District-wide Objectives - 2.4.15: What does 'encourage and promote' mean?	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies.
		PC4.9.7	Policies	Policies - 2.5.17(a): What does 'ensure' mean? What is an 'adequate supply'? What is 'reasonably anticipated land use'?	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies.
		PC4.9.8	Policies	Policies: 2.5.17(b): What does 'promote' mean? What is an 'alternative supply'? How much and what rules attach to the requirement? Given that the Fire Truck may not arrive before the house is destroyed, is this a suggestion that the untrained occupants should keep an alternative supply of water with the implication that they are to be responsible for fighting the fire. But the occupants cannot use the water because of the special coupling. We end up with water which no one can use, which is acknowledged in the proposed 2.3.14. I quote from the Evaluation: ' <i>As far as the permitted activity is concerned, legal test specify that they should be clear and certain to enable the Plan user to judge the meaning and effect of the rule at face value without having to resort to using explanations or seeking advice from those who want it</i> '.	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies. Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
		PC4.9.9	Other Methods	Other Methods: These are all pie in the sky dreams that have no basis in reality until they are thoroughly considered and concrete proposals adopted. They are utterly meaningless in a District Plan. Methods of ensuring safety must be balanced against convenience.	Other Methods: These are all pie in the sky dreams that have no basis in reality until they are thoroughly considered and concrete proposals adopted. They are utterly meaningless in a District Plan. Methods of ensuring safety must be balanced against convenience.
		PC4.9.10	Miscellaneous	In my understanding most house fires are caused by cooking accidents, heaters [or] open fire accidents, candles overturned, or electrical faults.	The obvious methods to prevent structural fires would be to set rules that ban cooking and heating in houses, ban the use of candles in houses, and ban the use of electricity. Such rules would deal with the actual issues.
		PC4.9.11	Policies	Note all the vague words in these proposals: investigate, promote, support.	They should have no place in the District Plan. Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.12	Outcomes	Outcomes: 2.7.13: Is this an outcome that is relevant to a District Plan?	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.13	Rural and Maori Purpose Zone Rules	Rural and Maori Purpose Zones have retained access for fire service vehicles and the 20 metre vegetation rule for vegetation and trees including scrublands. This will prevent rural dwellers from beautifying the gardens immediately adjacent to their house. Who is to distinguish what is garden and what is scrub or shrubland. The 20 metre setback is inappropriate for NZ conditions and seems to be taken out of a Code of Practice for Victoria, Australia. How many houses have been destroyed by wildfires that have resulted from rose beds, fruit trees and ornamental shrubs surrounding houses. Is the KDC going to appoint an inspector of rural gardens to ensure there is not vegetation within 20 metres of a house?	Neither has any place in a District Plan. Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.14	Rural and Maori Purpose Zone Rules	Rural and Maori Purpose Zones – the recommendation that a fire sprinkler system be installed has no place in a District Plan and is meaningless.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.15	Urban Rules	Urban Rules - the proposed changes are a mixture of vague and general statements of supposed best practice with no clear requirements or obligations. They are poorly drafted. They break all the rules of good drafting.	Delete rules 13.10.26 and 14.10.26.
		PC4.9.16	Subdivision Rules	Plan Change 4 proposes to retain references to the Code of Practice in subdivision rules (Rules 12.15.4; 13.14.4; 14.13.4; 15B.14.4) and references to the Code in the Kaipara District Council Engineering Standards 2011.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice - including subdivision.

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
		PC4.9.17	Role of Code in the District Plan	The Code of Practice is not a statutory document and it is not mandatory for Council to include it in rules in the District Plan. There is no interface between the Code of Practice in the Fire Service Act with other legislation which is relevant to local authorities such as the RMA and Building Act. The Code of Practice is simply a set of standards for water mains and has no relevance to any other matters relating to firefighting and does not impose any requirements in respect of the RMA or Building Act.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.18	Legislation	<p>Section 30 of the Fire Services Act deals with: Use of water in mains for fire protection, fire fighting, and hazardous substances emergency protection. Note that s30 deals solely with water mains and water mains only.</p> <p>The duties of the National Commander in respect of water mains are set out in s30(2), and under s30(3) the National Commander is obliged to publish a Code of Practice specifying standards for water supply volume and pressure for water mains.</p> <p>The Code of Practice cannot include other matters such as access for fire trucks, hard-stands and turning circles for fire trucks, other forms of water supply that are not water mains, special couplings or restrictions on vegetation around houses.</p> <p>The Code of Practice as drafted goes way beyond the limitations imposed by section 30(3).</p>	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.19	Legislation	<p>Under s21(6) of the Fire Service Act states that 'the Minister shall not approve any code of practice or standard...which has the effect of requiring any building to achieve performance criteria additional to or more restrictive than specified in the Building Act 2004 or in the Building Code'.</p> <p>The Code of Practice can have no application to the issue of building consents. The National Commander does not have the statutory power to include such matters under section 30(3).</p>	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.20	Role of Code in the District Plan	<p>The Foreword to the Code tends to embellish the powers that the NZFS derives from the Code of Practice. For instance, it states that the Code will form the basis of a partnership between the Fire Service and territorial authorities. The Evaluation appears to accept this: '<i>...Council is supportive of the intent of NZFS's document that it forms the basis of a partnership between NZFS and territorial authorities and be used by territorial authorities in rules regulating subdivisions in the District Plan. Council and NZFS would then achieve a common objective in respect of providing water supplies for firefighting purposes to facilitate fire safe communities</i>'.</p> <p>To be blunt, there is no such statutory partnership and there is no mandate for such matters to be included in the Code of Practice.</p>	KDC should not be offering support for matters that are outside the ambit of a Code of Practice and which are clearly ultra vires.

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
		PC4.9.21	Legislation	Under s21 of the Fire Services Act the Fire Service Commission's role is to seek to achieve co-ordination with territorial authorities along with all other authorities, departments and professions in respect of fire safety. The functions of the Commission in promoting fire safety are set out in s21(2). They relate to the dissemination of knowledge, education, and publicity about fire safety, campaigns and research and do not relate to setting obligatory guidelines or standards that relate to the supply of water for fire fighting or the issue of consents under the RMA or in respect of subdivisions.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.22	Legislation	While it is accepted practice that it (the Code of Practice) is reviewed every five years, that practice had not been followed. The last review was in 2008. In fact there is no statutory basis for the review of the Code.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.23	Legislation	Under the RMA, a reference to the Code in the District Plan is treated as a reference to the Code in force at the time. If the Code is replaced or amended then there has to be a costly Plan amendment.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.24	Costs to Comply	KDC has spent a fortune in ratepayers' money on trying to come to terms with this issue and work out what the Code actually says, how it applies, and what its legal obligations are in respect of the Code. Unless the matter is put to bed once and for all it is going to cost the KDC many millions of dollars on an ongoing basis to keep up to date with the vagaries of the NZFS, with absolutely no benefit to the community.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.25	Miscellaneous	The Evaluation notes the different approaches of local authorities throughout the country to this issue. It is ludicrous that each council in the country should be faced with dealing with such a complex issue separately, at huge expense for each individually. It is totally unreasonable that small councils such as the KDC should be burdened with such complicated problems. The whole question of fire safety and the powers of the NZFS should not be a matter for each individual council but a national issue which is the responsibility of central government in association with the NZFS.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.9.26	Miscellaneous	Examining other sources of water for fighting fires in a non-reticulated area (such as community tanks and portable dams) is also an issue for the whole of the country, not just Kaipara. It seems absurd that Kaipara and other councils should be separately researching these matters at huge individual cost. This is clearly the role of the NZFS under the Fire Service Act.	Until the government and the Fire Service get their acts together, local authorities should adopt the approach of the FNDC to ensure that the Fire Service Code of Practice plays no part in its District Plan or in respect of issuing consent under the Building Act.
BREMNER	James	PC4.25.1	Support C Boonham	Having read the submissions of Clive Richard Gerald Boonham I fully endorse the entirety.	No specific relief stated.

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
BUTTERFIELD	Bill	PC4.15.1	Support C Boonham	I support the submissions of Clive R.G. Boonham from Mangawhai.	Plan Change 4 should be completely withdrawn and replaced with a new Plan Change that deletes all references to the Code of Practice.
		PC4.15.2	Amenity	The proposed removal of setback requirements for buildings to be 20m from trees.	No specific relief stated.
CHISHOLM	Ian	PC4.23.1	Support C Boonham	I support the reasons set out in the submissions of Clive Richard Gerald Boonham (Ref: 1614161).	Plan Change 4 should be completely withdrawn and replaced with a new plan change proposal that completely deletes any reference to fire rules based on the Code of Practice.
CLARK	Barry and Jan	PC4.10.1	Support C Boonham	We support the submissions of Clive Richard Gerald Boonham.	No specific relief stated.
CLARKE	Ian	PC4.6.1	Amenity	Fire fighting regulations, creating a 'tank farm' community, vegetation restrictions around residential properties and turning circles of fire trucks are just stupid.	Relief as outlined by Clive Boonham.
		PC4.6.2	Support C Boonham	I fully support Clive Boonham's submission.	Relief as outlined by Clive Boonham.
CORBETT	Robert	PC4.11.1	Support C Boonham	I wish to endorse and support the submission by Clive Boonham.	No specific relief sought.
DOUGLAS	Grant and Fiona	PC4.16.1	Oppose Plan Change	We object to the Plan Change 4 of the Fire Safety Rules.	No specific relief stated.
		PC4.16.2	Role of Code in the District Plan	The inclusion of a set rules from the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice is purely an advisory document. However, it would appear that the council has taken upon itself to propose that this document be inclusive in the District Plan as an enforceable local law.	No specific relief stated.
		PC4.16.3	Role of Code in the District Plan	The Code as an advisory document in the preface highlights the value of fire protection systems both in commercial structures and homes and water requirements can be tailored to a much lower demand in these structures.	No specific relief stated.
		PC4.16.4	Role of Code in the District Plan	In the foreword of the Code it clearly states what the purpose of the document is to provide <u>direction</u> on what constitutes a sufficient supply of water for firefighting in urban fire districts. This code of practice is <u>not intended to provide specifications</u> for the water supply required for the effective operation of fire protection systems.	No specific relief stated.
		PC4.16.5	Role of Code in the District Plan	The intent of the Code is that it will form the <u>basis of a partnership</u> between the New Zealand Fire Service, territorial authorities, water supply authorities, and developers so that the Code may be used as a basis for territorial authority and water supply authority (WSA) conditions of supply or be called up, for example, by territorial authorities in rules regulating subdivisions in the District Plan.	No specific relief stated.
		PC4.16.6	Role of Code in the District Plan	The general aims of the document state that 'compliance with this code of practice does not guarantee that in each and every case the Fire Service can control or extinguish a fire with the water supply available.'	No specific relief stated.

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		PC4.16.7	Role of Code in the District Plan	The Code as a guidance document states in Paragraph 1 General Aims that the 'code of practice provides techniques to define a sufficient firefighting water supply that may vary according to circumstances. It relates to the Fire Service requirements only; territorial authorities and building owners may choose to exceed the provisions. SNZ PAS 4509 is written in a way that will encourage flexibility and provide different opinions for developers and territorial authorities'. The legal content of this is further stated; <u>This Code of Practice is non-mandatory but could be incorporated into relevant bylaws.</u>	No specific relief stated.
		PC4.16.8	Miscellaneous	Currently, there are prevention measures in place such as; a fire ban in summer and during dry periods, fire alarms and portable fire extinguishers. Additionally, residents have the options of installing fire suppression and alarms connected to the internet to allow earlier response times.	The notion of prevention would be of greater benefit to limiting fires in the first place.
		PC4.16.9	Legislation	Further to this [prevention measures] (and in Mangawhai's case as a residential area), all houses have a water tank and neighbours in the area would be more than happy to allow the NZFS to use this resource should a fire occur within the local vicinity.	No specific relief stated.
		PC4.16.10	Role of Code in the District Plan	The Code as an advisory document states that 'The Fire Service recommends the installation of automatic fire detection devices such as smoke detection systems and fire protection systems such as sprinklers in buildings (irrespective of the water supply) to provide maximum protection for life and property'.	If any discussion is to take place in a Local Plan then it should be of an advisory nature based upon the NZFS Fire Fighting Water Supplies Code of Practice and, the location of where firefighters are based relative to their operational ability.
		PC4.16.11	Miscellaneous	The location of fire service appliances within a certain radius from a town like Mangawhai should remove the draconian tank requirements by virtue of the fact that they are within proximity to attend a fire at an early stage.	Isolated properties of a significant distance from the fire appliances should be advised to implement additional fire prevention/extinguishing systems to reduce a fire but only in an advisory capacity. Insurance companies should be the driver of installing such systems and consequently reducing premiums as an incentive.
		PC4.16.12	Role of Code in the District Plan	The Code of Practice is too prescriptive in their handling of NZFS Water Supplies Code of Practice, given it is not a legal requirement but of an advisory nature and therefore any reference to making any of the statements mandatory in the District Plan should be removed.	If any input into future plans require an input on Fire matters, reference should be made to the document as it was intended, a Code of Practice with its content encouraged to be considered in future development rather than prescribed in some ill-thought out local law.
DRURY	Graham	PC4.5.1	Oppose Plan Change	That the Proposed Plan Change 4 be withdrawn in its entirety and that it be replaced with a new Plan Change which makes no reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.	Decline the proposal and replace Plan Change 4 with a plan change that: <ul style="list-style-type: none"> - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.

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		PC4.5.2	Oppose Plan Change	Council has failed to provide any evidence which either supports the changes proposed or that those changes are justified or necessary. The proposal is ill conceived and there is no statutory basis for them.	Decline the proposal and replace Plan Change 4 with a plan change that: <ul style="list-style-type: none"> - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
		PC4.5.3	Oppose Plan Change	The proposed changes are inappropriate for Mangawhai and other small villages and the rural areas of Kaipara.	Decline the proposal and replace Plan Change 4 with a plan change that: <ul style="list-style-type: none"> - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
		PC4.5.4	Costs to Comply	The costs to residential property owners of complying with the proposed changes are substantial and totally out of proportion to any possible benefits and would impose an unreasonable and unnecessary financial burden upon owners.	Decline the proposal and replace Plan Change 4 with a plan change that: <ul style="list-style-type: none"> - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
		PC4.5.5	Amenity	The practical application of the particulars of the proposal will cause an unnecessary and significantly detrimental loss of amenity to the communities affected by the proposal.	Decline the proposal and replace Plan Change 4 with a plan change that: <ul style="list-style-type: none"> - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
Far North District Council	Sarah Trinder	PC4.27.1	Policies	FNDC is supportive of the inclusion of a policy structure relating to structural fires. Currently the FNDC framework is like that of KDC, only including wildfire risk. This issue will form part of the FNDC review.	Retain the inclusion of a policy structure for structural fires.
		PC4.27.2	Policies	The proposal adds an issue, an objective and three policies to Chapter 2 - District wide resource management. The general public may see no difference between structural fire and wildfire. It is unclear if there will be mention in Chapter 7 - Natural Hazards that structural fire is addressed in Chapter 2.	Consider including a cross reference in Chapter 7 Natural Hazards.
		PC4.27.3	Issues	Issue 2.3.14 clearly highlights that structural fires are an issue for KDC and it sets the scene for the policy cascade for structural fire risk.	Retain this issue.

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		PC4.27.4	Objectives	Objective 2.4.15 states that KDC is going to encourage and promote fire safety measures. FNDC is supportive of this objective.	Retain this issue.
		PC4.27.5	Policies	Policy 2.5.17(a) assumes that KDC will be able to supply new reticulated sites within the reticulated services boundary, with an adequate supply of water for fire fighting purposes. In July 2014 FNDC engaged Opus to conduct an assessment to define the available fire flow in its reticulated network. It was found that a large number of the reticulated areas have deficient flows to address fires. It is unclear from the Section 32 report if KDC has undertaken a similar study and therefore there could be implications with the flow rates for fire fighting purposes even in urban reticulated areas.	Only retain this policy if there is appropriate water flow for fire fighting available.
		PC4.27.6	Other Methods	Other methods 2.6.5.5, 2.6.5.6, 2.6.5.7, 2.6.5.8 recognise that there are methods other than the District Plan that can be used to assist the minimisation of structural fire risk. It is noted that these have been carefully considered in the Section 32 report and are important when fire safety (land use) triggers are removed.	Retain the inclusion of other methods.
		PC4.27.7	Rural and Maori Purpose Zone Rules	Rules 12.1.26, 15A.10.25, 15B.10.25, 13.10.26 and 14.10.26 propose to amend existing Fire Safety Rules (Land use) in the Rural; Residential; Business (Commercial and Industrial); Maori Purposes; Maori Land and Maori Purposes; Treaty Settlement Land Zones. There is no longer reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 or reference to the outdated Fire Prevention Bylaw in the rules. This is consistent with the FNDC. The Section 32 report has provided some good avenues to explore as to how to address fire safety (land use) as part of the FNDC review.	Retain the wording in rules 12.1.26, 15A.10.25, 15B.10.25, 13.10.26 and 14.10.26 related to the removal of reference to the Fire Service Fire Fighting Water Supplies Code of Practice and bylaw for fire prevention in the rules if the other methods, notes and subdivision performance standards are retained through the plan change processes.
		PC4.27.8	Rural and Maori Purpose Zone Rules	Rules 12.1.26, 15A.10.25 and 15B.10.25 include Note 1 around setback for buildings from the dripline of any tree and Note 2 relating to the installation of fire sprinklers. Rule 13.10.26 and 14.10.26 include Note 1 around the installation of fire sprinklers. The inclusion of these notes is important when other land use triggers are removed.	Retain the notes for rules 12.1.26, 15A.10.25, 15B.10.25, 13.10.26 and 14.10.26.
		PC4.27.9	Urban Rules	Rules 13.10.26 and 14.10.26 (urban rules) propose to delete the rule for buildings to be set back 20 metres from vegetation. The FNDC currently has a similar rule but the setback applies to residential units: <i>'Residential units shall be located at least 20m away from the dripline of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest'.</i> The retention of a rule for setback from vegetation for residential units would provide a separation distance from vegetation and help safeguard vegetation from a structural fire. Those who cannot achieve the requirement can seek resource consent where applications will be assessed on their merits. Clarity around the interpretation of what a <i>'naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest'</i> in the form a guidance note would be beneficial.	Consider amending the rules 13.10.26 and 14.10.26 to link the setback from vegetation to residential use regardless of the underlying zone and provide guidance on the interpretation of the rule wording.

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		PC4.27.10	Rural and Maori Purpose Zone Rules	Rules 12.10.26, 15A.10.25 and 15B.10.25 (rural rule) include the retention of the building setback from vegetation rule. As mentioned above the FNDP currently has a similar rule but the setback applies only to residential units.	Consider amending rules 12.10.26, 15A.10.25 and 15B.10.25 to link the setback from vegetation to residential use regardless of the underlying zone and provide guidance on the interpretation of the rule.
		PC4.27.11	Subdivision Rules	It is proposed to retain reference to the code of practice in the subdivision performance standards. This is an important time to implement fire safety measures when land use triggers are removed. FNDP in [its] subdivision chapter refers to compliance with 'Engineering Standards and Guidelines' which reference the New Zealand Fire Service's Code of Practice.	Retain reference to the New Zealand Fire Fighting Supplies Code of Practice as a performance standard for subdivision in the rural, residential, business (commercial and industrial) and Maori Purposes: Treaty settlement zones.
FISH	Ian	PC4.3.1	Oppose Plan Change	I oppose the proposal in its entirety.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code.
		PC4.3.2	Support C Boonham	I support the submissions of Clive Richard Gerald Boonham.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code.
FITT	Steve	PC4.24.1	Role of Code in the District Plan	Incorporation of Fire Safety Rules based on NZFS Code of Practice was ill-conceived and done without consideration of the legal situation; whether contents of code were lawful; ramifications on amenity values of district; cost to individuals to comply with the Code.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.2	Amenity	If allowed to continue it will turn Mangawhai, as an example, into a tank town denuded of all vegetation and trees - an example being the area on the causeway on Molesworth Street opposite the Museum.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.3	Costs to Comply	Rules were side-stepped to allow smaller tanks and modified requirements in respect of access and special couplings but only on obtaining resource consents at great cost (Evaluation shows that 177 consents have been granted with no indication of how many applicants installed the standard 45,000 litre tanks).	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.4	Legislation	Some of the changes are welcome but other simply perpetuate the confusion that surrounds the NZFS Code of Practice and whether it is legally applicable to the RMA and the Building Act.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.5	Issues	Issues - 2.3.14: This is a list of general statements that may or may not be true but which take us nowhere. It reiterates the special coupling requirement as if it is set in concrete. It has already been established that this requirement is ridiculous. If the purpose of dedicated tanks is for firefighting then why make them only available to the Fire Service which will likely arrive too late?	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.6	Objectives	District-wide Objectives - 2.4.15: What does 'encourage and promote' mean?	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies.
		PC4.24.7	Policies	Policies - 2.5.17(a): What does 'ensure' mean? What is an 'adequate supply'? What is 'reasonably anticipated land use'?	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies.

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		PC4.24.8	Policies	<p>Policies: 2.5.17(b): What does 'promote' mean? What is an 'alternative supply'? How much and what rules attach to the requirement? Given that the Fire Truck may not arrive before the house is destroyed, is this a suggestion that the untrained occupants should keep an alternative supply of water with the implication that they are to be responsible for fighting the fire. But the occupants cannot use the water because of the special coupling. We end up with water which no one can use, which is acknowledged in the proposed 2.3.14.</p> <p>I quote from the Evaluation: <i>'As far as the permitted activity is concerned, legal test specify that they should be clear and certain to enable the Plan user to judge the meaning and effect of the rule at face value without having to resort to using explanations or seeking advice from those who want it'.</i></p>	<p>'Ensure', 'adequate', 'reasonably promote', alternative supply' etc. are all vague terms that have no place in rules or policies.</p> <p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
		PC4.24.9	Other Methods	<p>Other Methods: These are all pie in the sky dreams that have no basis in reality until they are thoroughly considered and concrete proposals adopted. They are utterly meaningless in a District Plan.</p> <p>Methods of ensuring safety must be balanced against convenience.</p>	<p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
		PC4.24.10	Miscellaneous	<p>In my understanding most house fires are caused by cooking accidents, heaters [or] open fire accidents, candles overturned, or electrical faults.</p>	<p>The obvious methods to prevent structural fires would be to set rules that ban cooking and heating in houses, ban the use of candles in houses, and ban the use of electricity. Such rules would deal with the actually issues.</p>
		PC4.24.11	Policies	<p>Note all the vague words in these proposals: investigate, promote, support.</p>	<p>They should have no place in the District Plan.</p> <p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
		PC4.24.12	Outcomes	<p>Outcomes: 2.7.13: Is this an outcome that is relevant to a District Plan?</p>	<p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
		PC4.24.13	Rural and Maori Purpose Zone Rules	<p>Rural and Maori Purpose Zones have retained access for fire service vehicles and the 20 metre vegetation rule for vegetation and trees including scrublands.</p> <p>This will prevent rural dwellers from beautifying the gardens immediately adjacent to their house. Who is to distinguish what is garden and what is scrub or shrubland. The 20 metre setback is inappropriate for NZ conditions and seems to be taken out of a Code of Practice for Victoria, Australia. How many houses have been destroyed by wildfires that have resulted from rose beds, fruit trees and ornamental shrubs surrounding houses?</p> <p>Is the KDC going to appoint an inspector of rural gardens to ensure there is not vegetation within 20 metres of a house?</p>	<p>Neither has any place in a District Plan.</p> <p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
		PC4.24.14	Rural and Maori Purpose Zone Rules	<p>Rural and Maori Purpose Zones – the recommendation that a fire sprinkler system be installed has no place in a District Plan and is meaningless.</p>	<p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>

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		PC4.24.15	Urban Rules	Urban Rules - the proposed changes are a mixture of vague and general statements of supposed best practice with no clear requirements or obligations. They are poorly drafted. They break all the rules of good drafting.	Delete rules 13.10.26 and 14.10.26.
		PC4.24.16	Subdivision Rules	Plan Change 4 proposes to retain references to the Code of Practice in subdivision rules (Rules 12.15.4; 13.14.4; 14.13.4; 15B.14.4) and references to the Code in the Kaipara District Council Engineering Standards 2011.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice - including subdivision.
		PC4.24.17	Role of Code in the District Plan	The Code of Practice is not a statutory document and it is not mandatory for Council to include it in rules in the District Plan. There is no interface between the Code of Practice in the Fire Service Act with other legislation which is relevant to local authorities such as the RMA and Building Act. The Code of Practice is simply a set of standards for water mains and has no relevance to any other matters relating to firefighting and does not impose any requirements in respect of the RMA or Building Act.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.18	Legislation	Section 30 of the Fire Services Act deals with: Use of water in mains for fire protection, fire fighting, and hazardous substances emergency protection. Note that s30 deals solely with water mains and water mains only. The duties of the National Commander in respect of water mains are set out in s30(2), and under s30(3) the National Commander is obliged to publish a Code of Practice specifying standards for water supply volume and pressure for water mains. The Code of Practice cannot include other matters such as access for fire trucks, hard-stands and turning circles for fire trucks, other forms of water supply that are not water mains, special couplings or restrictions on vegetation around houses. The Code of Practice as drafted goes way beyond the limitations imposed by section 30(3).	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.19	Legislation	Under s21(6) of the Fire Service Act states that 'the Minister shall not approve any Code of Practice or standard which has the effect of requiring any building to achieve performance criteria additional to or more restrictive than specified in the Building Act 2004 or in the building code'.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.20	Role of Code in the District Plan	The foreword to the Code tends to embellish the powers that the NZFS derives from the Code of Practice. For instance, it states that the Code will form the basis of a partnership between the Fire Service and territorial authorities. The Evaluation appears to accept this: '...Council is supportive of the intent of NZFS's document that it forms the basis of a partnership between NZFS and territorial authorities and be used by territorial authorities in rules regulating subdivisions in the District Plan. Council and NZFS would then achieve a common objective in respect of providing water supplies for firefighting purposes to facilitate fire safe communities'. To be blunt, there is no such statutory partnership and there is no mandate for such matters to be included in the Code of Practice.	KDC should not be offering support for matters that are outside the ambit of a Code of Practice and which are clearly ultra vires.

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		PC4.24.21	Legislation	Under s21 of the Fire Services Act the Fire Service Commission's role is to seek to achieve co-ordination with territorial authorities along with all other authorities, departments and professions in respect of fire safety. The functions of the Commission in promoting fire safety are set out in s21(2). They relate to the dissemination of knowledge, education, and publicity about fire safety, campaigns and research and do not relate to setting obligatory guidelines or standards that relate to the supply of water for fire fighting or the issue of consents under the RMA or in respect of subdivisions.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.22	Legislation	While it is accepted practice that it (the Code of Practice) is reviewed every five years, that practice had not been followed. The last review was in 2008. In fact there is no statutory basis for the review of the Code.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.23	Legislation	Under the RMA, a reference to the Code in the District Plan is treated as a reference to the Code in force at the time. If the Code is replaced or amended then there has to be a costly Plan amendment.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.24	Costs to Comply	KDC has spent a fortune in ratepayers' money on trying to come to terms with this issue and work out what the Code actually says, how it applies, and what its legal obligations are in respect of the Code. Unless the matter is put to bed once and for all it is going to cost the KDC many millions of dollars on an ongoing basis to keep up to date with the vagaries of the NZFS, with absolutely no benefit to the community.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.25	Miscellaneous	The Evaluation notes the different approaches of local authorities throughout the country to this issue. It is ludicrous that each council in the country should be faced with dealing with such a complex issue separately, at huge expense for each individually. It is totally unreasonable that small councils such as the KDC should be burdened with such complicated problems. The whole question of fire safety and the powers of the NZFS should not be a matter for each individual council but a national issue which is the responsibility of central government in association with the NZFS.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
		PC4.24.26	Miscellaneous	Examining other sources of water for fighting fires in a non-reticulated area (such as community tanks and portable dams) is also an issue for the whole of the country, not just Kaipara. It seems absurd that Kaipara and other councils should be separately researching these matters at huge individual cost. This is clearly the role of the NZFS under the Fire Service Act.	Until the government and the Fire Service get their acts together, local authorities should adopt the approach of the FNDC to ensure that the Fire Service Code of Practice plays no part in its District Plan or in respect of issuing consents under the Building Act.
HOOD	Carla	PC4.4.1	Support C Boonham	I support the submission of Clive Richard Gerald Boonham.	No specific relief stated.
HURRING	Annette and Bryan	PC4.21.1	Support C Boonham	We support the submissions of Clive Richard Gerald Boonham.	Plan Change 4 should be completely withdrawn and replaced with a new Plan Change that deletes all reference to the Code of Practice.

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INNES	Prue	PC4.12.1	Support C Boonham	I support the submissions of Clive Richard Gerald Boonham.	Plan Change 4 should be completely withdrawn and replaced with a new Plan Change that deletes all reference to the Code of Practice.
JOHNSON	Robin	PC4.26.1	Miscellaneous	The objective of introducing rules relating to fire safety can be summarised as firstly saving life and secondly preserving property. Life Safety. This is totally unrelated to provision of water supplies. If a fire breaks out in a house life safety is best served by the provision of working smoke alarms and immediate evacuation of the premises. Anyone who can't or doesn't will be toast long before the brigade arrives. The incidence of domestic fires is strongly correlated with deprivation.	Providing working smoke alarms coupled with regular checking to the most deprived areas, if done through community groups would be the single-most effective action to prevent loss of life from domestic fires and would cost a fraction of the money currently being spent on water supplies in higher socio-economic areas.
		PC4.26.2	Other Methods	Property protection - The fire service record of saving buildings over much of the Kaipara is low due to brigade response and travel times. In respect to property we do need protection from is 'the great fire of London'. This means the brigade simply aims to prevent the spread of fire from one property to the next. To do this the brigade does need access to water. In the case of Mangawhai, the main area affected by the rule, there is little dedicated fire water storage available in the older developed areas and a proliferation of dedicated tanks in new subdivisions.	Mangawhai like other towns without council water supplies is therefore in need of a tanker water supply for the foreseeable future. Investing in a new large tanker would provide a guaranteed supply to the whole of the area served by the brigade at a fraction of the cost of the tanks installed so far (previous submissions have pointed this out).
		PC4.26.3	Other Methods	SNZ PAS 4509:2008 - Council has proposed adopting this standard and have implemented a piecemeal approach so far. The proposal now presented does not improve the situation. The problem lies in the standard. For houses not served by public water supply the requirement of 45,000 litres of water in 90m is farcical. While the council has reduced this to 11,000 litres (the rationale for this is unclear - certainly no justification has been provided for this in the documentation provided). The solutions advanced in Gisborne may have some merit although the idea that the volume required is proportional to the number of houses is of course a fallacy. The past practice of council of requiring each property to install a tank is similarly flawed, the standard required a tank within 90 metres so if my neighbour installs a tank there is no reason for me to do the same.	Deleting all references to SNZ PAS 4509:2008 and simply adding a couple of rules regarding supply and fitting smoke detectors including regular servicing to at least all houses in lower socioeconomic areas with a commitment to providing and maintaining water tankers to brigades in the area will give improved outcomes at much less cost - costs would be recovered through rates thus distributing the cost over all ratepayers rather than [only] on new properties.
LARSEN	Jonathan	PC4.29.1	Miscellaneous	<p>Original rule process had no regard to fundamental facts</p> <p>The original decision on the fire safety rule (the rule) was imposed without any consideration as to whether there was an existing problem or whether the rule would address any such problem if one existed.</p> <p>No assessment was carried out of the incidence in the district of dwellings and other buildings being lost to fire as a result of inadequate onsite fire fighting water supplies.</p> <p>No assessment was carried out of the incidence in the district of dwellings or other buildings being lost to fire as a result of wildfire.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p>

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				This is a fundamental flaw in the original process of imposing the rule.	<p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <p>a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u></p> <p>b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008</p> <p>c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 ‘Model Bylaw for Fire Prevention’; and</p> <p>d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest</p> <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.29.2.	Miscellaneous	<p>The rule change proposal fails to deal with the failings of the original rule.</p> <p>The proposal does not make a proper assessment of whether there are any relevant problems or environmental effects that the rule addresses, or whether the rules controls would remedy any such problem or environmental effect if it did exist.</p> <p>In failing to undertake any such assessment, the Council has perpetuated the fundamental failings of the original rule.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p>

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					<p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <p>a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u></p> <p>b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008</p> <p>c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 ‘Model Bylaw for Fire Prevention’; and</p> <p>d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest</p> <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.29.3	Role of Code in the District Plan	<p>Background to the fire safety rule</p> <p>The rule as notified in the proposed District Plan dated October 2009 was a fairly innocuous rule that didn't draw much attention.</p> <p>The Council decision on the rule made such significant changes to the rule, including by reference the NZFS Fire Fighting Water Supplies Code of Practice and the vegetation setbacks as a result of submissions by NZFS and the Department of Conservation, that it should have been re-notified at the time to allow public submissions on the changes.</p> <p>The decision to include setback requirements from vegetation was done without undertaking any analysis of whether there was a problem or environmental effect that needed to be addressed.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <p>a) It does not impede the movement of fire service vehicles</p>

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					<p>or equipment or generally restrict access for fire fighting purposes; <u>and</u> b)Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest</p> <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.29.4	Role of Code in the District Plan	<p>Requirements for incorporation of documents by reference ignored again.</p> <p>The proposal includes the continued incorporation by reference of the Code of Practice.</p> <p>The requirements for the incorporation of documents by reference in plans and proposed plans are set out in Part 3 of Schedule 1 of the Act.</p> <p>The Council failed to undertake the public consultation required by clause 34 of Schedule 1 of the Act. The Council failed to make the proposed material available, failed to give the required public notice regarding the material, and failed to allow reasonable opportunity for comment or consider comments made as required by clause 34.</p> <p>By breaching these statutory obligations the Council deprived the public of the opportunity to comment on the material proposed to be incorporated.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <p>a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b)Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008</p>

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					<p>e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and</p> <p>d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest</p> <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.9.5	Role of Code in the District Plan	<p>The Code of Practice is a flawed document.</p> <p>The NZFS Code of Practice for Fire Fighting Water Supplies is a document developed for the urban environment. An attempt has been made to convert it to the rural environment by specifying static water supplies that supposedly somehow equate to what might be expected in terms of reticulated water supplies in an urban environment.</p> <p>As had been acknowledged, the volumes of the specified water supplies are grossly excessive especially when applied to residential dwellings. The incorporation of static water supplies is however the only change that has been made to the Code of Practice to try to adapt it to the rural environment.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <p>a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u></p> <p>b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008</p> <p>c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and</p>

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					<p>d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest</p> <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.29.6	Role of Code in the District Plan	<p>Other parts of the Code of Practice are also completely inappropriate for the rural environment. For example the requirement to accommodate access for 20 tonne appliances. In a rural situation there are no such appliances on the turnouts. These types of appliances are large aerial appliances used for multi-storey buildings in the central business districts of cities. In the rural environment much smaller rural utility appliances are used that are lighter, narrower and have smaller turning circles.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <p>a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u></p> <p>b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008</p> <p>c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 ‘Model Bylaw for Fire Prevention’; <u>and</u></p> <p>d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest</p>

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					<p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.29.7	Role of Code in the District Plan	<p>The requirements of the Code of Practice contradict the District Plan's permitted activity standards. For example the Code of Practice specifies minimum access widths of 4m and maximum gradients of 16%.</p> <p>In practice of course the Fire Service safely operates on accesses less than 4m wide and steeper in gradient than 16%, both in the immediate area and around the country.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p>

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					<p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.29.8	Role of Code in the District Plan	The Code of Practice is a non-statutory document that has no regard to the matters that are supposed to be considered by the Council in instituting a rule into a statutory District Plan. The Council has arbitrarily adopted the Code of Practice without having proper regard to whether there is an actual problem or environmental effect to be addressed, nor whether the proposed remedy will address any such problem or environmental effect even if it did exist.	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 ‘Model Bylaw for Fire Prevention’; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

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		PC4.29.9	Miscellaneous	<p>The actual facts in relation to incidence of fire.</p> <p>If Council had undertaken a proper assessment the incidence of fire it would have determined that the incidence of structure fires with damage is actually very low.</p> <p>By way of example it is known that for the Mangawhai appliance's first response calls, the incidence of structure fires with damage is about 3 to 4 incidents per year. Damage to a structure can range from example from some burning around a fuse board from an electrical fault, damage to a deck or weatherboards by a malfunctioning barbeque, or a fully involved fire damaging multiple areas of a structure. The level of analysis carried out by the Council is insufficient to determine the actual outcomes of the quoted call rates.</p> <p>By extrapolation, and all other factors being the same, it is reasonable to assume that the likelihood of a fire occurring is the same or similar to the immediate historical incidence.</p> <p>If one assumes that there are say 2000 dwellings and other buildings in the urban Mangawhai and Mangawhai Heads area, and conservatively another 500 dwellings and other buildings in the surrounding rural area to which Mangawhai responds as first appliance, then this total of 2500 can be used to calculate the likelihood of such an incident.</p> <p>On that basis any one building would be expected to be damaged in some way by a fire once every 625 to 833 years.</p> <p>Any impartial evaluation would conclude that a requirement for a dedicated water supply is completely out of all proportion to any potential risk.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; <u>and</u> d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

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		PC4.29.10	Miscellaneous	<p>The actual facts in relation to response to incidents</p> <p>The entire Kaipara district area is covered by volunteer fire brigades.</p> <p>In the event that a fire occurs, the volunteers are alerted by pager and siren, and make their way to the fire station from their work, home or leisure location in order to respond to the incident. Once a full crew has arrived to man the appliance they then respond to the incident.</p> <p>If a genuine fire breaks out in a normal modern fire-loaded structure, the development of the fire and fire spread occurs very quickly. If a fire starts in a normal room in the absence of an accelerant, all of the contents of the room can be expected to be fully involved in fire (flashover) within about two and a half minutes. For an example see https://www.youtube.com/watch?v=piofZLySsNc</p> <p>Following flashover in the room of origin the fire spread will rapidly occur into other non-fire separated parts of the structure.</p> <p>In a city where there are professional crews on duty 24/7, buildings can be saved or partially saved when this occurs. In this situation crews are responding to incidents within very short periods of time, and stations located within short distances of each other. Even in this situation buildings are often damaged by fire and smoke, including partial roof collapse, to the extent that they are demolished and rebuilt.</p> <p>The situation in Kaipara is very different. For example at Mangawhai it is known that the average time from the start of structure fire incident resulting in damage to the arrival of the appliance at the incident is almost 15 minutes.</p> <p>In a normal building when a fire has become established, there will be no chance of saving the building after this sort of time period of time has elapsed.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 ‘Model Bylaw for Fire Prevention’; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

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		PC4.29.11	Miscellaneous	<p>Dwellings in non-reticulated areas whether urban or rural almost invariably have rainwater tanks.</p> <p>Normal rural fire fighting practice involves utilising the first arriving appliance's on-board water, rain water tanks of the affected building, the tanks of adjacent neighbours, swimming pools, brigade or other water tankers, subsequent arriving appliances' water, and appliance water shuttles and water relays. This is the status quo of providing a water supply used throughout the country.</p> <p>This practice will continue to be used on all existing dwellings and other buildings in the Kaipara District in the unlikely event of a fire.</p> <p>Neither the formulation of the original rule, nor the analysis of the proposal acknowledges that there has been a single incident in Kaipara where a building was not saved because it didn't have a dedicated fire fighting water supply.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
		PC4.29.12	Issues	<p>Issue 2.3.14</p> <p><i>'The District is served by a number of volunteer <u>fire fighting forces...</u>'</i></p>	<p>The term fire fighting forces is wrong and should be corrected.</p>

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
		PC4.29.13	Issues	<p>Issue 2.3.14</p> <p><i>'Where there may be a [sic] domestic water tanks onsite dedicated for fire fighting purposes, special couplings are required by the Fire Service to enable this water to be used'.</i></p>	This statement is completely incorrect and should be deleted or amended.
		PC4.29.14	Issues	<p>Issue 2.3.14</p> <p>It is not clear why the Council needs to be making all of these statements in the District Plan about something that is not an RMA matter in the first place.</p>	Clarify why Issue 2.3.14 needs to be in the District Plan.
		PC4.29.15	Objectives	<p>Objective 2.4.15</p> <p>The Council proposes inserting an Objective stating <i>'To encourage and promote fire safety measures for buildings and structures to minimise fire risk to life, property and the environment'.</i></p> <p>The Council in doing so is unnecessarily granting itself a mandate well outside its obligations under the RMA. The promotion of fire safety is the role of the Fire Service through its statutory instruments including the Fire Service Act 1975 and the Fire Safety and Evacuation of Buildings Regulations 2006 (as will be the case for FENZ through the Fire and Emergency New Zealand Bill and related legislation).</p>	Therefore this unnecessary wording should be deleted.
		PC4.29.16	Policies	<p>Policy 2.5.17(b)</p> <p>The Council proposes the insertion of the policy <i>'To promote in non-reticulated areas that there is an adequate alternative supply of water for fire-fighting purposes for the reasonably anticipated land use'.</i></p> <p>It is not at all clear what this statement means in real terms. However in the absence of any guidance it can only reasonably mean that the Council will default back to the Fire Service's flawed (in relation to non-reticulated areas) Code of Practice.</p> <p>Given that it is already acknowledged that the Code of Practice is an unreasonable imposition, this policy then contradicts the position already taken by Council.</p>	Therefore this policy as drafted should not be included in the District Plan.
		PC4.29.17	Policies	<p>Policy 2.5.17(c)</p> <p>The Council proposes inserting a policy to <i>'encourage education on fire hazard [sic]...'</i></p> <p>The policy states <i>'Council or the community for areas where there is no reticulated water can provide static supplies for fire fighting purposes in the form of tanks situated at strategic locations that can serve a wider area'.</i></p> <p>The idea of providing water tanks all around the district is an unreasonable financial imposition on ratepayers.</p>	Policy 2.5.17(c) should be deleted.

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				<p>It will achieve nothing because Council is ignoring the fact that structure fires are rare events, that volunteer response times are generally too long to allow buildings to be saved regardless of the available water supply, that houses in non-reticulated areas all have rainwater tanks that typically provide a water supply in the unlikely event that there is a fire, and that the Fire Service Act 1975 provides the powers to take water from neighbouring properties (which also typically have rainwater tanks) for the purposes of extinguishing fire.</p> <p>This idea is completely impractical and will simply impose unnecessary cost on ratepayers for no benefit.</p>	
		PC4.29.18	Other Methods	<p>Other method 2.6.2.5</p> <p>The Council proposes inserting the wording <i>'Investigate the provision of additional water supply [sic] for fire fighting purposes in non-reticulated residential areas (e.g. Mangawhai, Kaiwaka and Te Kopuru) e.g. community water tanks or providing volunteer brigades with mobile tankers or portable dams'</i>.</p> <p>It is not clear what is expected to be achieved by this. Mangawhai, Dargaville and Te Kopuru already have tankers at their disposal, and Mangawhai's tanker is responded to the Kaiwaka first pump area as required. The idea of community water tanks will achieve nothing as explained in relation to Policy 2.5.17(c) above, and it is not clear what the intention of Council providing portable dams would be (over and above what already exist) nor how these dams would be filled or how this process would ever save a structure involved in fire.</p>	Delete Method 2.6.2.5.
		PC4.29.19	Miscellaneous	<p>Incorrect terminology and grammar</p> <p>The reporting continually refers to 'fire fighting'.</p>	Even Microsoft accepts that in normal usage this should be a conjunction.
		PC4.29.20	Miscellaneous	<p>Incorrect terminology and grammar</p> <p>There is also continual reference to <i>'structural'</i> fires. I have not heard this term used before - the term <i>'structure'</i> fires is the norm. Using structural rather than structure in this context is akin to using vegetational rather than vegetation.</p>	Use the term 'structure' rather than 'structural'.
		PC4.29.21	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15A.10.25 and 15B.10.25 Performance Standards</p> <p>Subclause a) is based on the ill-conceived assumption that fire appliances need to be in close proximity to a structure in order to extinguish a fire. In fact this is neither necessary nor desirable, as fire fighting deliveries can be easily run over reasonably long distances, and close proximity to structure fires actually places the appliance at risk.</p> <p>There is also an incorrect assumption that a fire appliance needs to be able to park in close proximity to a water tank in order to draw water from it. This is not usually possible or desirable as given the configuration of down pipes and water tanks, the tanks are typically close to buildings. Normal practice is to draw water from tanks using a portable pump or ejector pump (such as a B-type or Water Dragon) which can then feed the appliance for fire fighting purposes. These all</p>	Delete subclause (a) from Rules 12.10.26; 15A.10.26 and 15B.10.25.

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				<p>operate without having to have the appliance in close proximity to the water tank. In fact one would not want to be wasting valuable time trying to line up and connect an appliance to a coupling on a tank using hard suction when you could have a much faster get-to-work using the portable pump to feed the appliance. Virtually every water tank will not have a hard suction coupling and valve connected, and the requirement for one would be impractical, expensive and unnecessary.</p> <p>By leaving this unclear and ill-conceived reference in the District Plan, matters relating to <i>'the movement of fire service vehicles or equipment'</i> and <i>'access for fire fighting purposes'</i> become a matter of interpretation for the Council. The Council, having no idea what these terms mean in practice, will have to defer to the opinion of the Fire Service. The Fire Service's position will be that the (flawed) Code of Practice must be complied with.</p> <p>It is also illogical to state that a building can block access to itself.</p>	
		PC4.29.22	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15A.10.25 and 15B.10.25 Performance Standards</p> <p>Deletion of subclauses (b) and (c) from Rules supported.</p>	Delete subclauses (b) and (c) from Rules 12.10.26; 15A.10.25 and 15B.10.25.
		PC4.29.23	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15A.10.25 and 15B.10.25 Performance Standards</p> <p>The retention of sub clause d) (now labelled sub clause b)[and incorrectly shown as strikethrough] is not supported for many reasons.</p> <p>There is no established problem with 'wildfire' as claimed by the Council. The Council has not provided any evidence that any such wildfire has ever resulted in the loss of a single Kaipara dwelling.</p> <p>It is my contention that Council has come to an ill-informed opinion about bush fires as a result of media coverage of forest fires in Australia and the USA. The conditions and vegetation in those countries are in no way comparable to New Zealand and cannot be reasonably used as a comparable example. Whilst localised scrub and grass fires occur in dry and windy conditions, established native bush is unlikely to burn.</p> <p>In order for a forest fire to become established, it requires light and medium fuels in the ground and sub canopy areas, which acts as the 'kindling' for a fire which is then pushed along by the wind. In an Australian eucalyptus forest the small and medium fuels are provided by very dry and hot ground conditions and a large volume of dry naturally shed branches, bark and leaves as fuel.</p> <p>By comparison in New Zealand a native forest has a wet humus layer on the ground of decomposing leaf litter along with lush undergrowth of ferns, mosses and green shrubs etc. This is not a suitable substrate for starting or maintaining a fire, particularly with the high rainfall conditions of Northland.</p> <p>In any event there is no evidence to suggest there is a problem with dwellings being lost to any such fires.</p>	Delete subclause (d) revegetation setback distances in Rules 12.10.26; 15A.10.25 and 15B.10.25.

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				<p>The requirement to provide large buffer zones around buildings for no good reason detracts from and conflicts with the ability of landowners to provide amenity planting and for the encouragement and protection of native flora and ecosystems. The enhancement of amenity values and native ecosystems are key objectives of the District Plan. The imposition of the rule directly and unnecessarily contradicts these objectives.</p> <p>Despite there being no demonstrable problem to address, if Council deems that such buffer zones are required, then logically Council must also regulate to require that such zones must also be maintained in perpetuity. What this would mean in real terms is that no building in the Rural or Maori Purposes Zones could have woody vegetation established within 20 metres around it as this is deemed to be unsafe. However, perversely, all buildings in urban, commercial and industrial zones can have any amount of such vegetation around them with no setback.</p>	
		PC4.29.24	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Assessment Criteria</p> <p>Assessment criterion i) states <i>'Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for resource consent:</i></p> <p><i>i) The extent of consultation that has been undertaken with the New Zealand Fire Service and their response (or whether their written approval has been obtained);'</i></p> <p>If a ratepayer applies to vary the situation the Council then uses this assessment criterion to effectively hand its decision making obligations back to the Fire Service. The Fire Service is not going to give its approval to a building that does not comply with the already predetermined agreement. The Council in practice will not exercise its discretion to grant consent to a building that does not have the written approval of the Fire Service. This then subjects the property owner to the need for a Court appeal in order to try and achieve some level of impartiality - and all this over a rule for which no evidential basis has been provided.</p> <p>Despite having removed the reference to the Code of Practice from the Performance Standards, the Fire Service on referral from the Council of a proposal is simply going to reassume its standard position that the Code of Practice must be complied with.</p> <p>In effect Council through using this assessment criterion has handed control of decision making over to a non-Council entity with no statutory powers under the RMA.</p>	Provide relief in consultation with and to the satisfaction of the submitter.
		PC4.29.25	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Assessment Criteria</p> <p>Assessment criterion ii) states <i>'ii) Whether and the extent to which the building is assessed as a low fire hazard and risk.</i></p> <p>The Council will simply bow to whatever the Fire Service tells it in regard to any such assessment.</p>	Provide relief in consultation with and to the satisfaction of the submitter.

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		PC4.29.26	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Assessment Criteria</p> <p>The remaining assessment criteria are - <i>iii) Any mitigation measures proposed to reduce the fire risk;</i> <i>iv) The adequacy of the water supply; and</i> <i>v) The accessibility of the water supply to fire service vehicles'.</i></p> <p>These are also matters which the Council does not have the ability to independently assess, and it will simply defer to whatever the Fire Service says.</p> <p>The Fire Service will of course default to its (flawed) Code of Practice in prescribing the requirements for water supply and access.</p>	Provide relief in consultation with and to the satisfaction of the submitter.
		PC4.29.27	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Notes</p> <p>Note 1 referring to a Fire Service recommendation is redundant in the context of a rule and should be deleted. Note 1 refers to a Fire Service recommendation on building setback requirement from vegetation.</p> <p>If the Fire Service wants to make such recommendations then it can do so itself. Likewise if the Fire Service has the ability to impose such restrictions on private property then it can use its own powers to do so.</p>	Delete Note 1 in Rules 12.10.26; 15A.10.25 and 15B.10.25.
		PC4.29.28	Rural and Maori Purpose Zone Rules	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Notes</p> <p>Note 2 refers to driving distance of over five minutes being the measure of whether or not a sprinkler system is recommended. This is a flawed metric - the correct metric would be the response time of the neighbouring brigade. The delay in turning out is not related to a five minute drive, but more to the time it takes for volunteer to travel to the station to man the appliance after the alert. In any event, this note serves no purpose in the context of the rule.</p>	This type of advice should be left to the Fire Service to provide.
		PC4.29.29	Subdivision Rules	<p>Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4 Retention of reference to Code of Practice</p> <p>The Council has come to the conclusion that the requirements of the Code of Practice are disproportionate to the risks posed.</p> <p>As previously explained the presence of a dedicated fire fighting water supply as required by the Code of Practice is not a relevant factor in saving buildings from fire in non-reticulated areas of Kaipara.</p> <p>Furthermore, as previously explained the standards in the Code of Practice for on-site hard stand and turning areas are inappropriate for rural areas and small towns.</p> <p>Depending on the activity being undertaken in commercial and industrial zones, there will be merit in having a water supply in non-reticulated areas. However by referring to the Code of Practice as a document that must be complied with, all of its contents are imposed, including for example requirements to accommodate 20 tonne appliances. Reference to the Code of Practice should be retained relating</p>	<p>Remove reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4.</p> <p>The Council should also include a note in the District Plan drawing attention to the existence of the Code of Practice as a guide.</p>

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				<p>to water supplies for commercial and industrial activities in reticulated areas, and should be considered for commercial and industrial areas in non-reticulated areas on a case-by-case basis.</p> <p>Therefore, retaining reference to the Code of Practice in these rules is illogical especially for non-reticulated areas in the Residential, Rural and the Maori Purposes Zones. By retaining reference to the Code of Practice in these rules the Council is contradicting itself and imposing an unreasonable and illogical burden on future applicants.</p> <p>Whilst some guidance may be able to be drawn from the Code of Practice, it should not be incorporated by reference as a standard that must be complied with. It is a flawed non-statutory document and incorporating it into the District Plan gives it a statutory power that imposes an unreasonable and unnecessary burden on ratepayers. It was only incorporated in the first place because the previous Council did not read it or understand the implications of its content.</p>	
		PC4.29.30	Rural and Maori Purpose Zone Rules	<p>Rule 15A.10.3b(c)</p> <p>If there is a requirement to meet the requirements of the Building Act 2004, then such requirements are enforceable under the Building Act 2004. Including this reference in this rule is an unnecessary and redundant restatement of what is already required.</p> <p>The statement <i>'be adequate for fire fighting purposes'</i> is left very much open to interpretation. The Council doesn't know what this means, and the Fire Service standard advice will be that it complies with the flawed and ineffective Code of Practice. Therefore we get back into the same circular argument.</p> <p>In the event of a fire in any of these remote locations, the building will almost certainly be a total loss regardless of the adequacy of any water supply.</p>	Delete Rule 15A.10.3b(c).
		PC4.29.31	Miscellaneous	<p>The Council has been inadvertently drawn into trying to impose regulations relating to fire safety that are outside of its statutory mandate or areas of expertise.</p> <p>This happened in the first instance because the Council agreed to incorporate the Code of Practice into the District Plan, without reading the Code of Practice or understanding its content.</p> <p>The regulations that it has devised to try and appease the desires of the Fire Service are contradictory, illogical, unnecessary and unworkable.</p> <p>The Council can have regard to the non-statutory recommendations of the Fire Service, but it should not continue to have these recommendations formally incorporated into its District Plan.</p> <p>The New Zealand Fire Service has a statutory mandate to administer matters relating to fire safety (as will its successor). The Fire Service can use its statutory powers as it sees fit to achieve its desired outcomes. This does not have to, and should not, be done by proxy through the Council RMA based District Plan.</p>	<p>All that the Council needs to do to provide accessible water supplies that can be used for fire fighting is to require new domestic buildings to have a 75mm cam lock coupling and ball or gate valve fitted say 300mm above the base of the domestic water tank. This is the most affordable and useful fitting for this purpose.</p> <p>Each local brigade can then have one adapter on their appliance that will adapt whatever portable pump coupling they use to the cam lock coupling. In many instances no adaption will be required as 75mm cam lock is the standard for the Rural Fire Authority and the Fire Service is following suit in this regard.</p> <p>If existing property owners want to make this facility available then they can simply retrofit the cam lock coupling and valve to their existing tank.</p>

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MACFARLANE	Maria	PC4.22.1	Miscellaneous	It is unclear whether Proposed Plan Change 4 is supported or opposed.	No specific relief stated.
NEWMAN	Kathy	PC4.1.1	Support Plan Change	Common sense has prevailed. I support the changes made to allow residential planting within 20m of a building.	I hope this latest proposal of change is accepted.
		PC4.1.2	Support Plan Change	Common sense has prevailed. I support doing away with water storage by residents for fire fighting purposes.	I hope this latest proposal of change is accepted.
NEW ZEALAND FIRE SERVICE	Jaiman Patel	PC4.28.1	Legislation	<p>The Commission is the governing body that controls the New Zealand Fire Service (NZFS). The Commission is also the National Rural Fire Authority (NRFA). The Fire Service Act 1975 (FSA) and the Forest and Rural Fires Act 1977 establish the governance, management and operational arrangements for these organisations. The NZFS trains and responds to structural fires and other emergencies, whereas the NRFA supports local Rural Fire Authorities (RFA) in training for, and responding to rural wildfires.</p> <p>It is a matter of prime importance for the Commission to take an active and co-ordinating role in the promotion of fire safety in New Zealand, through reducing the incidence of fire and the attendant risk to life and property, and through seeking unity and completeness of fire safety law and practice as set out in section 20 of the FSA. The Commission is required to provide the New Zealand Government with a Statement of Intent (SOI) that sets out how the Commission will achieve its statutory responsibilities.</p>	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
		PC4.28.2	Role of Code in the District Plan	It is essential that the NZFS is able to meet its responsibility of providing efficient and effective emergency services to all New Zealanders, in order to avoid, remedy or mitigate the adverse effects of fire and other emergencies. To do so the Commission requires, amongst other matters adequate water supply for firefighting activities and adequate access to properties for fire appliances to ensure that the NZFS can respond to emergencies.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
		PC4.28.3	Role of Code in the District Plan	<p>The Commission's main areas of concern are the provision of firefighting water supplies and the provision of firefighting access in new developments to enable the New Zealand Fire Service (NZFS) to operate effectively and efficiently in an emergency. In order to achieve this, the Commission seeks compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice). The Code of Practice is a non-mandatory New Zealand Standard that sets out standards for water supply and access design which meet the operational requirements of the NZFS for both reticulated and non-reticulated areas. The requirements for firefighting water in the Code of Practice are based on building risk.</p> <p>The Code of Practice provides a number of options for adequate water supply and details a number of minimum standards for different situations including:</p> <ul style="list-style-type: none"> - Firefighting water storage requirements' - Standards regarding accessibility to firefighting water; and 	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.

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				<p>- Standards regarding the location of the firefighting water in relation to the fire hazard (building or vegetation etc.).</p> <p>The Code of Practice provides flexibility in the methods for providing water supplies that can include tank water, swimming pools or permanent rivers and ponds.</p>	
		PC4.28.4	Role of Code in the District Plan	PC4 seeks to change the regulatory regime that applies to the provision of firefighting water supply in Kaipara District in a manner that has the potential to impact on the efficiency and effectiveness of the NZFS. It is considered that the elements of the approach set out in PC4 may compromise the ability of the Commission to meet its statutory obligations by deleting the requirement for land use developments to comply with the Code of Practice.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
		PC4.28.5	Role of Code in the District Plan	<p>PC4 fails to achieve the sustainable management purpose of the Resource Management Act 1991 (RMA) by compromising the ability of people and communities to provide for their health and safety. Furthermore, PC4 does not appropriately provide for the management of the potential adverse effects of fire on people, property, and the environment and does not appropriately give effect to the Regional Policy Statement for Northland (2016)(RPS), including Policy 7.1 that requires:</p> <p><i>'Subdivision, use and development of land will be managed to minimise the risks from natural hazards by:</i></p> <p><i>(a) Seeking to use the best available information, including formal risk management techniques in areas potentially affected by natural hazards;</i></p> <p><i>(b) Minimising any increase in vulnerability due to residual risk;</i></p> <p><i>(c) Aligning with emergency management approaches (especially risk reduction);</i></p> <p><i>(d) Ensuring that natural hazard risk to vehicular access routes and building platforms for proposed new lots is considered when assessing subdivision proposals; and</i></p> <p><i>(e) Exercising a degree of caution that reflects the level of uncertainty as to the likelihood or consequences of a natural hazard event'.</i></p>	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
		PC4.28.6	Legislation	The Commission is also concerned that PC4 does not have sufficient regard to the Fire and Emergency New Zealand Bill, including unified fire services, the mandatory requirement to prepare a Code of Practice, the main functions and objectives of Fire and Emergency New Zealand and the likely mandatory requirement to comply with the Code of Practice.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
		PC4.28.7	Role of Code in the District Plan	PC4 does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other available means (including improved implementation and administration of the status quo - Operative District Plan provisions) and therefore is not appropriate in terms of section 32 of the RMA. On this basis, the Commission is concerned that the requirements of section 32 have not been met and records this concern here as required by section 32A.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.

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		PC4.28.8	Issues	<p>Chapter 2 - district-wide Resource Management Issues, 2.3 Significant Issues for the Sustainable Management and Development of the District, new issue 2.3.14</p> <p>At a high level, the Commission supports the recognition of the potential adverse effects of fire as a significant resource management issue for the District. However, the Commission considers that proposed new issue 2.3.14:</p> <ul style="list-style-type: none"> • Is not consistent with the purpose of District Plans set out in section 72 of the RMA, nor does it directly relate to the functions of the Council under the RMA as set out in section 31, rather the explanatory text relates to some of the functions of the NZFS that are performed in accordance with the FSA; • Is inconsistent with the level of detail, specificity, and manner of expression in all other issues in section 2.3 of the District Plan; • Inappropriately confines the issue to a consideration of fires in buildings and structures and does not consider the potential effects of fire spread; • Fails to recognise the importance of swift access to firefighting water at the time a fire crew arrives at the site of a fire; • Inappropriately and disproportionately elevates the confined matter of emergency management responses to fire alongside matters of national and regional significance identified in section 6 of the RMA and Part 2 of the RPS; and • The 'issue' of enabling people and communities in the District to provide for their health and safety through the management of the potential adverse effects of fire on the environment, including the recognition of the role of infrastructure, is better and more appropriately addressed more generically through Issue 2.3.7 and Issue 2.3.8. 	Delete proposed issue 2.3.14 in its entirety.
		PC4.28.9	Objectives	<p>Chapter 2 - district-wide Resource Management Issues, 2.4 district-wide Objectives, new objective 2.4.15.</p> <p>The Commission generally supports proposed Objective 2.4.15 subject to expanding the proposed Objective to addressing fire safety measures in generally, as opposed to confining the objective to fires in buildings and structures as proposed. Such an approach:</p> <ul style="list-style-type: none"> • Reflects the new and merged Fire and Emergency New Zealand organisation, including its legislative purpose set out in the Fire and Emergency New Zealand Bill; • Recognises the risk of all fires; • Aligns with the Commission's statutory responsibility under the FSA; • Better gives effect to Policy 7.1.1 of the RPS, which does not distinguish or confine emergency management approach and risk reduction to buildings and structures; 	Amend proposed Objective 2.4.15 as follows: '2.4.15 To encourage and promote fire safety measures for buildings and structures to minimise fire risk to life, property and the environment' .

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				<ul style="list-style-type: none"> Is the most appropriate way to achieve the sustainable management purpose of the Act in accordance with section 32(1)(a), that is the appropriate statutory test or an objective. 	
		PC4.28.10	Policies	<p>Chapter 2 - district-wide Resource Management Issues, 2.5 district-wide Policies, new Policies 2.5.17(a), (b) and (c).</p> <p>The Commission generally supports proposed Policies 2.5.17(a), (b) and (c) to the extent that the proposed Policies generally seek to achieve firefighting water supplies and fire risk reduction across the District. However, the proposed Policies, and associated explanatory text, fail to consider the importance of access for fire appliances to that water supply in a manner that is consistent with the Code of Practice (and the subsequent rules that implement these proposed Policies). Further, the Commission considers that the explanatory text that accompanies the proposed Policies:</p> <ul style="list-style-type: none"> Fails to recognise that the Code of Practice as one of the primary fire risk reduction tools used by the NZFS; Fails to recognise the broader adverse effects of fire by only addressing the risk of fire spread. <p>The Commission seeks limited amendments to the Policies and accompanying explanatory text to:</p> <ul style="list-style-type: none"> better give effect to Policy 7.1.1 of the RPS; is the most appropriate way to achieve proposed Objective 2.4.15 (including as amended by this submission) better enable the Commission to meet its statutory obligations; reflect the respect accorded to New Zealand Standards by the Environment Court as set out in McIntyre v Christchurch City Council [1996] NZRMA 286; and achieve the purpose of the RMA by enabling people and communities to provide for the health and safety and by enabling the appropriate mitigation of natural hazards and management of the adverse effects of fire on people, communities, property and the environment. 	<p>Amend proposed Policies 2.5.17(a), (b) and (c) as follows:</p> <p>'2.5.17(a) - To ensure new reticulated sites within the Reticulated Services Boundary are provided with an adequate supply of water for fire fighting, <u>and access to that water supply</u>, for the reasonably anticipated land use;</p> <p>2.5.17(b) - To promote <u>ensure</u> in non-reticulated areas that there is an adequate supply of water for fire fighting purposes, and <u>access to that water supply</u>, for the reasonably anticipated land use'</p> <p>2.5.17(c) - To encourage education on fire hazard and on fire risk reduction measures.</p> <p><i>The District Plan includes <u>can promote</u> measures at land use and subdivision stages to <u>avoid or minimise the potential adverse effects of fire on people, property, and the environment. assist in minimising fire risk spread for community. The New Zealand Firefighting Supplies Code of Practice SNZ PAS 4509:2008 is a New Zealand Standard that specifies what constitutes an adequate water supply, and access to it, for firefighting purposes. However, provisions in a District Plan are not the only method of minimising fire risk. The Building Code contains measures that are applied at the time a building consent is lodged. Council or the community for areas where there is no reticulated water supply can provide static supplies for firefighting purposes in the form of tanks situated at strategic locations that can service a wider area'.</u></i></p>
		PC4.28.11	Other Methods	<p>Chapter 2 - district-wide Resource Management, 2.6 Methods, 2.6.2 Other Methods, new methods 2.6.2.5, 2.6.2.6, 2.6.2.7 and 2.6.2.8</p> <p>The Commission does not oppose the proposed 'Other Methods' 2.6.2.5, 2.6.2.6, 2.6.2.7 and 2.6.2.8 and comments as follows:</p> <ul style="list-style-type: none"> the detail, specificity and form of the proposed Other Methods is inconsistent with the form and content of section 2.6 of the District Plan; the proposed Plan Change does not include a parallel District Plan Method in Section 6.1 of the District Plan to address the approach taken in the District Plan to addressing the adverse effects of fire and implementing Proposed Policies 2.5.17(a), (b) and (c); 	<p>Amend proposed new Other Methods 2.6.2.5, 2.6.2.6, 2.6.2.7 as follows:</p> <p>'2.6.2.5 - Investigate the provision of additional water supply for fire fighting purposes <u>consistent with New Zealand Firefighting Supplies Code of Practice SNZ PAS 4509:2008</u> in non-reticulated residential areas (e.g. Mangawhai, Kaiwaka and Te Kopuru) e.g. community water tanks or providing volunteer fire brigades with mobile tankers or portable;</p>

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
				<ul style="list-style-type: none"> the investigation of the potential use of communal water supplies, as set out in proposed Other Method 2.6.2.5, in a manner that achieves compliance with the Code of Practice is acknowledged; implementing the Building Code, as set out in proposed Other Method 2.6.2.6 is a statutory obligation on the Council and not necessary in the context of the Council's functions under the RMA; sprinkler systems are considered to be one of the most efficient means of fighting structural fires and therefore the Commission supports the promotion of the installation of sprinkler systems (consistent with the advice in the Code of Practice), however, sprinkler systems require a building consent and therefore should be promoted when a building is designed rather than as an advice note to a building consent; and support for the NZFS's education initiatives is acknowledged and appreciated. 	<p>2.6.2.6 – Implementation of the Building Code at the time of building consents;</p> <p>2.6.2.7 - Promote the installation of Sprinkler Systems by including an Advice Note on resource consents and/or all Building Consents;..'</p>
		PC4.28.12	Outcomes	<p>Chapter 2 - district-wide Resource Management Issues, 2.7 Outcomes, new Outcome 2.7.13</p> <p>The Commission supports proposed outcome 2.7.13 subject to limited amendments because this Outcome is consistent with:</p> <ul style="list-style-type: none"> the Commission's statutory obligations; the Objective and Policies of Proposed Plan Change 4 as amended by this submission; Policy 7.1.1 of the RPS; and the sustainable management purpose of the RMA. 	<p>Amend proposed Outcome 2.7.13 as follows:</p> <p>'2.7.13 - A community where the risks to life, <u>property</u> and the surrounding environment from fire <u>is</u> <u>are</u> minimised'.</p>
		PC4.28.13	Rural and Maori Purpose Zone Rules	<p>Rule 12.10.26 (Rural), Rule 15A.10.25 (Maori Purposes: Maori Land and Maori Purposes) and Rule 15B.10.25 (Treaty Settlement Land Zones)</p> <p>The Commission opposes the proposed deletion of the requirement for a new building to comply with the Code of Practice in Rules 12.10.26, 15A.10.25 and 15B.10.25 because such a deletion:</p> <ul style="list-style-type: none"> does not accord appropriate respect for the Code of Practice as a New Zealand Standard as set out in McIntyre v Christchurch City Council [1996] NZRMA 286; is not consistent with the importance afforded to firefighting water by section 14(3)(e) of the RMA; is not the most appropriate way to achieve proposed Objective 2.4.15 (including as amended by this submission); does not appropriately implement proposed Policies 2.5.17(a), (b) and (c) (including as amended by this submission); does not give effect to Policy 7.1.1 of the RPS; does not enable the Commission to meet its statutory obligations; 	<p>Retain Clause (b) in the Operative Plan Rules 12.10.26, 15A.10.25 and 15B.10.25, do not delete Clause (b) as proposed.</p> <p>Delete Clause (c) in Rules 12.10.26, 15A.10.25 and 15B.10.25 as proposed.</p> <p>Include Advice Note 2 in Rules 12.10.26, 15A.10.25 and 15B.10.25 as proposed.</p>

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
				<ul style="list-style-type: none"> • does not appropriately mitigate natural hazards and the adverse effects of fire on people, communities, property and the environment; and • does not enable people and communities to provide for their health and safety and therefore does not achieve the purpose of the RMA. <p>Further, the Commission considers that the Section 32 Evaluation Report fails to appropriately consider and give appropriate weight to the following matters:</p> <ul style="list-style-type: none"> • Policy 7.1.1 of the RPS that requires subdivision, use and development of land to be managed to minimise the risks of natural hazards by, amongst other matters, 'aligning with emergency management approaches (especially risk reduction)' • the provisions of the Fire and Emergency New Zealand Bill that was introduced in Parliament in June 2016 and includes a requirement to prepare a Code of Practice and is likely to require mandatory compliance with the Code of Practice through the Bill's offence provisions (Department of Internal Affairs regulatory impact statement: 'Fire Service Review: Detailed Policy Design' 7 April 2016, paragraph 41.1); • the inherent flexibility included in the Code of Practice that means that compliance can be achieved by a number of means rather than just the 45,000 litre static water supply set out in Part 1 of the Section 32 Evaluation Report; • the full range of solutions and approaches taken in other jurisdictions to the extent that the Section 32 Evaluation Report in Sub-Section 2.3 fails to consider those District Plans that include provisions that are similar to the Operative Kaipara District Plan, for example the recent decisions made by the Independent Hearings Panel on the Christchurch Replacement District Plan (a district that includes remote areas on Banks Peninsula); • the costs of providing sprinklers in a manner that is consistent with the evaluation of costs of other methods that may achieve compliance with the Code of Practice; and • the extent to which the 'community frustration' mentioned in Part 1 of the Section 32 Evaluation Report is a result of incorrect implementation of the Operative District Plan (by applying a rigid 45.000 litre static water supply standard, rather than the full ambit of solutions available to achieve compliance with the Code of Practice), such that the Proposed Plan Change is not necessary to address the 'community frustration' and achieve the outcome sought. <p>The Commission therefore seeks the retention of the requirement to comply with the Code of Practice in Rules 12.10.26, 15A.10.25 and 15B.10.25, and welcomes the opportunity to continue to work with the Council to 'streamline' the implementation of these Rules in a manner that enables a full consideration to the various approaches that may be deployed to achieve compliance with the Code of Practice, including the installation of sprinklers.</p>	

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
				<p>Further, the Commission supports the proposed deletion of the clause in the Rules that requires compliance with NZS 9231:1971 on the basis that the Standard no longer exists.</p> <p>The Commission also supports the proposed Advice Note that recommends the installation of sprinklers on the basis that sprinkler systems are considered to be one of the most efficient means of fighting structural fires. Such an Advice Note is consistent with advice included in the Code of Practice. That said, the Commission considers that the Advice Note alone does not achieve the purpose of the RMA on the basis that advice notes do not have statutory weight.</p>	
		PC4.28.14	Urban Rules	<p>Rule 13.10.26 (Residential), Rule 14.10.26 (Commercial and Industrial) - For the reasons set out above [Submission Point PC4.28.14], the Commission:</p> <ul style="list-style-type: none"> opposes the proposed deletion of the requirement for a new building to comply with the Code of Practice in Rules 13.10.26 and 14.10.26; supports the proposed deletion of the clause in Rules that requires compliance with NZS 9231:1971; and supports the proposed Advice Note that recommends the installation of sprinklers. <p>The Commission also acknowledges the rationale given by the Council for the proposed deletion of Clause (d) and Note 1, which relate to the proximity of vegetation to buildings and does not oppose their deletion given that the rules apply in urban environments.</p>	<p>Retain Clause (b) in the Operative Plan, Rules 13.10.26 and 14.10.26, do not delete clause (b) as proposed.</p> <p>Delete Clause (c) in Rules 13.10.26 and 14.10.26 as proposed.</p> <p>Include Advice Note 1 in Rules 13.10.25 and 14.10.25 as proposed.</p>
		PC4.28.15	Rural and Maori Purpose Zone Rules	<p>Rule 15A.10.3b(c) - For the reasons set out in Submission Point PC4.28.14, the Commission opposes the proposed deletion of the requirement for a new dwelling to comply with the Code of Practice in Rule 15A.10.3b(c).</p>	<p>Retain reference to the Code of Practice as it is currently included in Operative Plan Rule 15A.10.3b(c).</p>
		PC4.28.16	Subdivision Rules	<p>Performance Standards - Rule 12.15.4 (Rural), Rule 13.14.4 (Residential), Rule 14.13.4 (Commercial and Industrial), Rule 15B.14.4 (Maori Purposes: Treaty Settlement Zones).</p> <p>The Commission supports the proposed retention of the requirement for all developments to have water supplies that are adequate for firefighting purposes, including reference to the Code of Practice as a Performance Standard in Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4. The retention of these performance standards:</p> <ul style="list-style-type: none"> is consistent with the importance afforded to firefighting water by Section 14(3)(e) of the RMA; is the most appropriate way to achieve proposed Objective 2.4.15 (including as amended by this submission); appropriately implements proposed Policies 2.5.17(a), (b) and (c) (including as amended by this submission); gives effect to Policy 7.1.1 of the RPS; enables the Commission to meet its statutory obligations; 	<p>Retain the Operative Plan Performance Standards in Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4 as proposed.</p>

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
				<ul style="list-style-type: none"> appropriately mitigate natural hazards and the adverse effects of fire on people, communities, property and the environment; and achieves the purpose of the RMA by enabling people and communities to provide for their health and safety. 	
		PC4.28.17	Subdivision Rules	References to the Kaipara District Council Engineering Standards 2011. The Commission supports the proposed retention of references to the Kaipara District Council Engineering Standards throughout the District Plan to the extent that these Standards, in turn, require reticulated water supplies to be in accordance with the Code of Practice. The Commission's support is for the reasons set out in relation to subdivision performance standards (refer also to submission point PC4.28.16).	Retain references to the Kaipara District Council Engineering Standards 2011 throughout the District Plan.
NORDMEIER	Jorg	PC4.20.1	Support C Boonham	I would like my submission to be the same that Mr Clive Richard Gerald Boonham submitted, dated Nov 18 2016.	Same as in Mr Boonham's submission.
PERRY	Antonius	PC4.2.1	Miscellaneous	This Submitter poses a scenario in which he cannot access the last 10,000 litres of water in the event of a fire because of a shortened outlet hose. The Submitter uses whatever water is available in the tank (other than the remaining 10,000 litres) to fight the fire and waits 15 minutes for the Fire Brigade to arrive while he watches the house go up in flames. The tank on my property would be too hot to get near to and the Fire Service would use water from the 2 adjoining properties.	The rules are lacking common sense. Please scrap.
		PC4.2.2	Miscellaneous	The Fire Regulations that the Council is working with appear to belong to cities with reticulated water supplies, hence the use of fire hydrants.	The rules are lacking common sense. Please scrap.
PEARSON	Theresa	PC4.14.1	Support C Boonham	I would like to support Clive Richard Gerald Boonham's submission to the Council's fire plan.	No specific relief stated.
SOMERS-EDGAR	Douglas and Anne	PC4.18.1	Support C Boonham	We very strongly support the submission filed by Clive Richard Gerald Boonham in rejection of the Proposed Plan Change 4.	No specific relief stated.
SOSICH	Stephan	PC4.7.1	Role of Code in the District Plan	Refer submission point numbered PC4.8.1 by S Sosich.	Refer relief sought in submission point numbered PC4.8.1 by S Sosich.
		PC4.7.2	Amenity	Refer submission point numbered PC4.8.2 by S Sosich.	Refer relief sought in submission point numbered PC4.8.2 by S Sosich.
		PC4.7.3	Costs to Comply	Refer submission point numbered PC4.8.3 by S Sosich.	Refer relief sought in submission point numbered PC4.8.3 by S Sosich.
		PC4.7.4	Role of Code in the District Plan	Refer submission point numbered PC4.8.4 by S Sosich.	Refer relief sought in submission point numbered PC4.8.4 by S Sosich.
		PC4.7.5	Legislation	Refer submission point numbered PC4.8.5 by S Sosich.	Refer relief sought in submission point numbered PC4.8.5 by S Sosich.
SOSICH	Stephan	PC4.8.1	Role of Code in the District Plan	Incorporation of Fire Safety Rules based on NZFS Code of Practice was ill-conceived and done without consideration of the legal situation; whether contents	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.

Submitter Surname/ Organisation contact	Submitter first name/ Contact	Submitter ID	Subject	Summary	Relief sought
				of the code were lawful; ramifications on amenity values of the district; cost to individuals to comply with the code and possible subsequent amendments.	
		PC4.8.2	Amenity	If allowed to continue it will turn Mangawhai, as an example, into a Tank Town denuded of vegetation and trees as is the case on the causeway on Molesworth Drive opposite the museum.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
		PC4.8.3	Costs to Comply	Rules were side-stepped to allow smaller tanks and modified requirements in respect of fire vehicle access, hard stand and special couplings but only on obtaining resource consents at great cost. Costs will continue to be enormous should the code be adopted in its entirety.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
		PC4.8.4	Role of Code in the District Plan	The Code of Practice is not a statutory document and it is not mandatory for Council to include it in rules in the District Plan. There is no interface between the Code of Practice under the Fire Services Act and any other legislation relevant to local authorities. It stands on its own as a standard for nothing more than water mains.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
		PC4.8.5	Legislation	The Fire Service Act has been repealed and the Fire and Emergency NZ Bill is [in] the process of being brought in and is with the select committee stage.	Nothing should happen until this new bill is enacted as it provides for the Code of Practice water supplies for fire fighting to be rewritten.
		PC4.8.6	Miscellaneous	I am a career firefighter for 30 years. There have been no fire fatalities in the area and a focus on fire safety education and the importance of having smoke alarms will go a long way further to saving lives than a wide driveway and a certain amount of water in a tank with a certain fitting. Of all the fire fatalities I have attended not one was as a result of not meeting the Code of Practices water supplies.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
		PC4.8.7	Miscellaneous	The whole question of fire safety and the powers of NZFS should not be a matter for each individual council but a national issue which is the responsibility of central government in association with the NZFS.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
		PC4.8.8	Legislation	The NZFS under the Fire Services Act should be putting its energies into co-ordinating inquiry and research into alternative methods of providing water for firefighting (and other firefighting issues) as required under the Fire Safety Act and the soon Fire and Emergency Bill.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
SPARKS	Patrick	PC4.13.1	Support C Boonham	We are in total support of Clive Richard Gerald Boonham's submission on the Fire Safety Regulations and not the money making scheme that the Council proposes.	No specific relief stated.
		PC4.13.2	Miscellaneous	Considers that the Plan Change is an opportunity for Council to make money and upset Mangawhai ratepayers.	No specific relief stated.
REVELL	Philip and Beverly	PC4.19.1	Support C Boonham	We support the submissions of Clive R G Boonham dated 18 November 2016.	No specific relief sought.
VAN DER WOERD	Henk and Christa	PC4.17.1	Support C Boonham	We do support the submissions of Clive Richard Gerald Boonham.	No specific relief stated.

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Part B - Summary of Submissions Listed by Subject Matter in Alphabetical Order

Amenity (7)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.2	If allowed to continue it will turn Mangawhai, as an example, into a tank town denuded of all vegetation and trees - an example being the area on the causeway on Molesworth Street opposite the Museum.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
BUTTERFIELD Bill	PC4.15.2	The proposed removal of setback requirements for buildings to be 20m from trees.	No specific relief stated.
CLARKE Ian	PC4.6.1	Fire fighting regulations, creating a 'tank farm' community, vegetation restrictions around residential properties and turning circles of fire trucks are just stupid.	Relief as outlined by Clive Boonham.
DRURY Graham	PC4.5.5	The practical application of the particulars of the proposal will cause an unnecessary and significantly detrimental loss of amenity to the communities affected by the proposal.	Decline the proposal and replace Plan Change 4 with a plan change that: <ul style="list-style-type: none"> - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
FITT Steve	PC4.24.2	If allowed to continue it will turn Mangawhai, as an example, into a tank town denuded of all vegetation and trees - an example being the area on the causeway on Molesworth Street opposite the Museum.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
SOSICH Stephan	PC4.7.2	Refer submission point numbered PC4.8.2 by S Sosich.	Refer relief sought in submission point numbered PC4.8.2 by S Sosich.
SOSICH Stephan	PC4.8.2	If allowed to continue it will turn Mangawhai, as an example, into a Tank Town denuded of vegetation and trees as is the case on the causeway on Molesworth Drive opposite the museum.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.

Costs to Comply (7)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.3	Rules were side-stepped to allow smaller tanks and modified requirements in respect of access and special couplings but only on obtaining resource consents at great cost (Evaluation shows that 177 consents have been granted with no indication of how many applicants installed the standard 45,000 litre tanks).	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.24	KDC has spent a fortune in ratepayers' money on trying to come to terms with this issue and work out what the Code actually says, how it applies, and what its legal obligations are in respect of the Code. Unless the matter is put to bed once and for all it is going to cost the KDC many millions of dollars on an ongoing basis to keep up to date with the vagaries of the NZFS, with absolutely no benefit to the community.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
DRURY Graham	PC4.5.4	The costs to residential property owners of complying with the proposed changes are substantial and totally out of proportion to any possible benefits and would impose an unreasonable and unnecessary financial burden upon owners.	Decline the proposal and replace Plan Change 4 with a plan change that: <ul style="list-style-type: none"> - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
FITT Steve	PC4.24.3	Rules were side-stepped to allow smaller tanks and modified requirements in respect of access and special couplings but only on obtaining resource consents at great cost (Evaluation shows that 177 consents have been granted with no indication of how many applicants installed the standard 45,000 litre tanks).	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.24.24	KDC has spent a fortune in ratepayers' money on trying to come to terms with this issue and work out what the Code actually says, how it applies, and what its legal obligations are in respect of the Code. Unless the matter is put to bed once and for all it is going to cost the KDC many millions of dollars on an ongoing basis to keep up to date with the vagaries of the NZFS, with absolutely no benefit to the community.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
SOSICH Stephan	PC4.7.3	Refer submission point numbered PC4.8.3 by S Sosich.	Refer relief sought in submission point numbered PC4.8.3 by S Sosich.
SOSICH Stephan	PC4.8.3	Rules were side-stepped to allow smaller tanks and modified requirements in respect of fire vehicle access, hard stand and special couplings but only on obtaining resource consents at great cost. Costs will continue to be enormous should the code be adopted in its entirety.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.

Issues (7)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.5	Issues - 2.3.14: This is a list of general statements that may or may not be true but which take us nowhere. It reiterates the special coupling requirement as if it is set in concrete. It has already been established that this requirement is ridiculous. If the purpose of dedicated tanks is for firefighting then why make them only available to the Fire Service which will likely arrive too late?	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
FAR NORTH DISTRICT COUNCIL	PC4.27.3	Issue 2.3.14 clearly highlights that structural fires are an issue for KDC and it sets the scene for the policy cascade for structural fire risk.	Retain this issue.
FITT Steve	PC4.24.5	Issues - 2.3.14: This is a list of general statements that may or may not be true but which take us nowhere. It reiterates the special coupling requirement as if it is set in concrete. It has already been established that this requirement is ridiculous. If the purpose of dedicated tanks is for firefighting then why make them only available to the Fire Service which will likely arrive too late?	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
LARSEN Jonathan	PC4.29.12	Issue 2.3.14 <i>'The District is served by a number of volunteer fire fighting forces...'</i>	The term fire fighting forces is wrong and should be corrected.
	PC4.29.13	Issue 2.3.14 <i>'Where there may be a [sic] domestic water tanks onsite dedicated for fire fighting purposes, special couplings are required by the Fire Service to enable this water to be used.'</i>	This statement is completely incorrect and should be deleted or amended.
	PC4.29.14	Issue 2.3.14 It is not clear why the Council needs to be making all of these statements in the District Plan about something that is not an RMA matter in the first place.	Clarify why Issue 2.3.14 needs to be in the District Plan.
NEW ZEALAND FIRE SERVICE	PC4.28.8	Chapter 2 - District-wide Resource Management Issues, 2.3 Significant Issues for the Sustainable Management and Development of the District, new issue 2.3.14 At a high level, the Commission supports the recognition of the potential adverse effects of fire as a significant resource management issue for the District. However, the Commission considers that proposed new issue 2.3.14: <ul style="list-style-type: none"> • Is not consistent with the purpose of District Plans set out in section 72 of the RMA, nor does it directly relate to the functions of the Council under the RMA as set out in section 31, rather the explanatory text relates to some of the functions of the NZFS that are performed in accordance with the FSA; • Is inconsistent with the level of detail, specificity, and manner of expression in all other issues in section 2.3 of the District Plan; • Inappropriately confines the issue to a consideration of fires in buildings and structures and does not consider the potential effects of fire spread; • Fails to recognise the importance of swift access to firefighting water at the time a fire crew arrives at the site of a fire; • Inappropriately and disproportionately elevates the confined matter of emergency management responses to fire alongside matters of national and regional significance identified in section 6 of the RMA and Part 2 of the RPS; and • The 'issue' of enabling people and communities in the District to provide for their health and safety through the management of the potential adverse effects of fire on the environment, including the recognition of the role of infrastructure, is better and more appropriately addressed more generically through Issue 2.3.7 and Issue 2.3.8. 	Delete proposed issue 2.3.14 in its entirety.

Legislation (18)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.4	Some of the changes are welcome but other simply perpetuate the confusion that surrounds the NZFS Code of Practice and whether it is legally applicable to the RMA and the Building Act.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.18	<p>Section 30 of the Fire Services Act deals with: Use of water in mains for fire protection, fire fighting, and hazardous substances emergency protection. Note that s30 deals solely with water mains and water mains only.</p> <p>The duties of the National Commander in respect of water mains are set out in s30(2), and under s30(3) the National Commander is obliged to publish a Code of Practice specifying standards for water supply volume and pressure for water mains.</p> <p>The Code of Practice cannot include other matters such as access for fire trucks, hard-stands and turning circles for fire trucks, other forms of water supply that are not water mains, special couplings or restrictions on vegetation around houses.</p> <p>The Code of Practice as drafted goes way beyond the limitations imposed by section 30(3).</p>	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.19	<p>Under s21(6) of the Fire Service Act states that 'the Minister shall not approve any code of practice or standard...which has the effect of requiring any building to achieve performance criteria additional to or more restrictive than specified in the Building Act 2004 or in the Building Code'.</p> <p>The Code of Practice can have no application to the issue of building consents. The National Commander does not have the statutory power to include such matters under section 30(3).</p>	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.21	Under s21 of the Fire Services Act the Fire Service Commission's role is to seek to achieve co-ordination with territorial authorities along with all other authorities, departments and professions in respect of fire safety. The functions of the Commission in promoting fire safety are set out in s21(2). They relate to the dissemination of knowledge, education, and publicity about fire safety, campaigns and research and do not relate to setting obligatory guidelines or standards that relate to the supply of water for fire fighting or the issue of consents under the RMA or in respect of subdivisions.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.22	While it is accepted practice that it (the Code of Practice) is reviewed every five years, that practice had not been followed. The last review was in 2008. In fact there is no statutory basis for the review of the Code.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.23	Under the RMA, a reference to the Code in the District Plan is treated as a reference to the Code in force at the time. If the Code is replaced or amended then there has to be a costly Plan amendment.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
DOUGLAS Grant and Fiona	PC4.16.9	Further to this [prevention measures] (and in Mangawhai's case as a residential area), all houses have a water tank and neighbours in the area would be more than happy to allow the NZFS to use this resource should a fire occur within the local vicinity.	No specific relief stated.
FITT Steve	PC4.24.4	Some of the changes are welcome but other simply perpetuate the confusion that surrounds the NZFS Code of Practice and whether it is legally applicable to the RMA and the Building Act.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.24.18	<p>Section 30 of the Fire Services Act deals with: Use of water in mains for fire protection, fire fighting, and hazardous substances emergency protection. Note that s30 deals solely with water mains and water mains only.</p> <p>The duties of the National Commander in respect of water mains are set out in s30(2), and under s30(3) the National Commander is obliged to publish a Code of Practice specifying standards for water supply volume and pressure for water mains.</p> <p>The Code of Practice cannot include other matters such as access for fire trucks, hard-stands and turning circles for fire trucks, other forms of water supply that are not water mains, special couplings or restrictions on vegetation around houses.</p> <p>The Code of Practice as drafted goes way beyond the limitations imposed by section 30(3).</p>	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.24.19	Under s21(6) of the Fire Service Act states that 'the Minister shall not approve any Code of Practice or standard...which has the effect of requiring any building to achieve performance criteria additional to or more restrictive than specified in the Building Act 2004 or in the building code'.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.24.21	Under s21 of the Fire Services Act the Fire Service Commission's role is to seek to achieve co-ordination with territorial authorities along with all other authorities, departments and professions in respect of fire safety. The functions of the Commission in promoting fire safety are set out in s21(2). They relate to the dissemination of knowledge, education, and publicity about fire safety, campaigns and research and do not relate to setting obligatory guidelines or standards that relate to the supply of water for fire fighting or the issue of consents under the RMA or in respect of subdivisions.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.24.22	While it is accepted practice that it (the Code of Practice) is reviewed every five years, that practice had not been followed. The last review was in 2008. In fact there is no statutory basis for the review of the Code.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.24.23	Under the RMA, a reference to the Code in the District Plan is treated as a reference to the Code in force at the time. If the Code is replaced or amended then there has to be a costly Plan amendment.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
NEW ZEALAND FIRE SERVICE	PC4.28.1	<p>The Commission is the governing body that controls the New Zealand Fire Service (NZFS). The Commission is also the National Rural Fire Authority (NRFA). The Fire Service Act 1975 (FSA) and the Forest and Rural Fires Act 1977 establish the governance, management and operational arrangements for these organisations. The NZFS trains and responds to structural fires and other emergencies, whereas the NRFA supports local Rural Fire Authorities (RFA) in training for, and responding to rural wildfires.</p> <p>It is a matter of prime importance for the Commission to take an active and co-ordinating role in the promotion of fire safety in New Zealand, through reducing the incidence of fire and the attendant risk to life and property, and through seeking unity and completeness of fire safety law and practice as set out in section 20 of the FSA. The Commission is required to provide the New Zealand Government with a Statement of Intent (SOI) that sets out how the Commission will achieve its statutory responsibilities.</p>	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
	PC4.28.6	The Commission is also concerned that PC4 does not have sufficient regard to the Fire and Emergency New Zealand Bill, including unified fire services, the mandatory requirement to prepare a Code of Practice, the main functions and objectives of Fire and Emergency New Zealand and the likely mandatory requirement to comply with the Code of Practice.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
SOSICH Stephan	PC4.7.5	Refer submission point numbered PC4.8.5 by S Sosich.	Refer relief sought in submission point numbered PC4.8.5 by S Sosich.
SOSICH Stephan	PC4.8.5	The Fire Service Act has been repealed and the Fire and Emergency NZ Bill is [in] the process of being brought in and is with the select committee stage.	Nothing should happen until this new bill is enacted as it provides for the Code of Practice water supplies for fire fighting to be rewritten.
	PC4.8.8	The NZFS under the Fire Services Act should be putting its energies into co-ordinating inquiry and research into alternative methods of providing water for firefighting (and other firefighting issues) as required under the Fire Safety Act and the soon Fire and Emergency Bill.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.

Miscellaneous (23)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.10	In my understanding most house fires are caused by cooking accidents, heaters [or] open fire accidents, candles overturned, or electrical faults.	The obvious methods to prevent structural fires would be to set rules that ban cooking and heating in houses, ban the use of candles in houses, and ban the use of electricity. Such rules would deal with the actual issues.
	PC4.9.25	<p>The Evaluation notes the different approaches of local authorities throughout the country to this issue. It is ludicrous that each council in the country should be faced with dealing with such a complex issue separately, at huge expense for each individually.</p> <p>It is totally unreasonable that small councils such as the KDC should be burdened with such complicated problems. The whole question of fire safety and the powers of the NZFS should not be a matter for each individual council but a national issue which is the responsibility of central government in association with the NZFS.</p>	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.26	Examining other sources of water for fighting fires in a non-reticulated area (such as community tanks and portable dams) is also an issue for the whole of the country, not just Kaipara. It seems absurd that Kaipara and other councils should be separately researching these matters at huge individual cost. This is clearly the role of the NZFS under the Fire Service Act.	Until the government and the Fire Service get their acts together, local authorities should adopt the approach of the FNDC to ensure that the Fire Service Code of Practice plays no part in its District Plan or in respect of issuing consent under the Building Act.
DOUGLAS Grant and Fiona	PC4.16.8	Currently, there are prevention measures in place such as; a fire ban in summer and during dry periods, fire alarms and portable fire extinguishers. Additionally, residents have the options of installing fire suppression and alarms connected to the internet to allow earlier response times.	The notion of prevention would be of greater benefit to limiting fires in the first place.
	PC4.16.11	The location of fire service appliances within a certain radius from a town like Mangawhai should remove the draconian tank requirements by virtue of the fact that they are within proximity to attend a fire at an early stage.	<p>Isolated properties of a significant distance from the fire appliances should be advised to implement additional fire prevention/extinguishing systems to reduce a fire but only in an advisory capacity.</p> <p>Insurance companies should be the driver of installing such systems and consequently reducing premiums as an incentive.</p>
FITT Steve	PC4.24.10	In my understanding most house fires are caused by cooking accidents, heaters [or] open fire accidents, candles overturned, or electrical faults.	The obvious methods to prevent structural fires would be to set rules that ban cooking and heating in houses, ban the use of candles in houses, and ban the use of electricity. Such rules would deal with the actual issues.
	PC4.24.25	<p>The Evaluation notes the different approaches of local authorities throughout the country to this issue. It is ludicrous that each council in the country should be faced with dealing with such a complex issue separately, at huge expense for each individually.</p> <p>It is totally unreasonable that small councils such as the KDC should be burdened with such complicated problems. The whole question of fire safety and the powers of the NZFS should not be a matter for each individual council but a national issue which is the responsibility of central government in association with the NZFS.</p>	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.24.26	Examining other sources of water for fighting fires in a non-reticulated area (such as community tanks and portable dams) is also an issue for the whole of the country, not just Kaipara. It seems absurd that Kaipara and other councils should be separately researching these matters at huge individual cost. This is clearly the role of the NZFS under the Fire Service Act.	Until the government and the Fire Service get their acts together, local authorities should adopt the approach of the FNDC to ensure that the Fire Service Code of Practice plays no part in its District Plan or in respect of issuing consents under the Building Act.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
JOHNSON Robin	PC4.26.1	The objective of introducing rules relating to fire safety can be summarised as firstly saving life and secondly preserving property. Life Safety. This is totally unrelated to provision of water supplies. If a fire breaks out in a house life safety is best served by the provision of working smoke alarms and immediate evacuation of the premises. Anyone who can't or doesn't will be toast long before the brigade arrives. The incidence of domestic fires is strongly correlated with deprivation.	Providing working smoke alarms coupled with regular checking to the most deprived areas, if done through community groups would be the single-most effective action to prevent loss of life from domestic fires and would cost a fraction of the money currently being spent on water supplies in higher socio-economic areas.
LARSEN Jonathan	PC4.29.1	<p>Original rule process had no regard to fundamental facts</p> <p>The original decision on the fire safety rule (the rule) was imposed without any consideration as to whether there was an existing problem or whether the rule would address any such problem if one existed.</p> <p>No assessment was carried out of the incidence in the district of dwellings and other buildings being lost to fire as a result of inadequate onsite fire fighting water supplies.</p> <p>No assessment was carried out of the incidence in the district of dwellings or other buildings being lost to fire as a result of wildfire.</p> <p>This is a fundamental flaw in the original process of imposing the rule.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; and b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.29.2	<p>The rule change proposal fails to deal with the failings of the original rule.</p> <p>The proposal does not make a proper assessment of whether there are any relevant problems or environmental effects that the rule addresses, or whether the rules controls would remedy any such problem or environmental effect if it did exist.</p> <p>In failing to undertake any such assessment, the Council has perpetuated the fundamental failings of the original rule.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 ‘Model Bylaw for Fire Prevention’; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
	PC4.29.9	<p>The actual facts in relation to incidence of fire.</p> <p>If Council had undertaken a proper assessment the incidence of fire it would have determined that the incidence of structure fires with damage is actually very low.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		<p>By way of example it is known that for the Mangawhai appliance's first response calls, the incidence of structure fires with damage is about 3 to 4 incidents per year. Damage to a structure can range from example from some burning around a fuse board from an electrical fault, damage to a deck or weatherboards by a malfunctioning barbeque, or a fully involved fire damaging multiple areas of a structure. The level of analysis carried out by the Council is insufficient to determine the actual outcomes of the quoted call rates.</p> <p>By extrapolation, and all other factors being the same, it is reasonable to assume that the likelihood of a fire occurring is the same or similar to the immediate historical incidence.</p> <p>If one assumes that there are say 2000 dwellings and other buildings in the urban Mangawhai and Mangawhai Heads area, and conservatively another 500 dwellings and other buildings in the surrounding rural area to which Mangawhai responds as first appliance, then this total of 2500 can be used to calculate the likelihood of such an incident.</p> <p>On that basis any one building would be expected to be damaged in some way by a fire once every 625 to 833 years.</p> <p>Any impartial evaluation would conclude that a requirement for a dedicated water supply is completely out of all proportion to any potential risk.</p>	<p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
	PC4.29.10	<p>The actual facts in relation to response to incidents</p> <p>The entire Kaipara district area is covered by volunteer fire brigades.</p> <p>In the event that a fire occurs, the volunteers are alerted by pager and siren, and make their way to the fire station from their work, home or leisure location in order to respond to the incident. Once a full crew has arrived to man the appliance they then respond to the incident.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p>

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		<p>If a genuine fire breaks out in a normal modern fire-loaded structure, the development of the fire and fire spread occurs very quickly. If a fire starts in a normal room in the absence of an accelerant, all of the contents of the room can be expected to be fully involved in fire (flashover) within about two and a half minutes. For an example see https://www.youtube.com/watch?v=piofZLySsNc Following flashover in the room of origin the fire spread will rapidly occur into other non-fire separated parts of the structure.</p> <p>In a city where there are professional crews on duty 24/7, buildings can be saved or partially saved when this occurs. In this situation crews are responding to incidents within very short periods of time, and stations located within short distances of each other. Even in this situation buildings are often damaged by fire and smoke, including partial roof collapse, to the extent that they are demolished and rebuilt.</p> <p>The situation in Kaipara is very different. For example at Mangawhai it is known that the average time from the start of structure fire incident resulting in damage to the arrival of the appliance at the incident is almost 15 minutes.</p> <p>In a normal building when a fire has become established, there will be no chance of saving the building after this sort of time period of time has elapsed.</p>	<p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
	PC4.29.11	<p>Dwellings in non-reticulated areas whether urban or rural almost invariably have rainwater tanks.</p> <p>Normal rural fire fighting practice involves utilising the first arriving appliance's on-board water, rain water tanks of the affected building, the tanks of adjacent neighbours, swimming pools, brigade or other water tankers, subsequent arriving appliances' water, and appliance water shuttles and water relays. This is the status quo of providing a water supply used throughout the country.</p> <p>This practice will continue to be used on all existing dwellings and other buildings in the Kaipara District in the unlikely event of a fire.</p> <p>Neither the formulation of the original rule, nor the analysis of the proposal acknowledges that there has been a single incident in Kaipara where a building was not saved because it didn't have a dedicated fire fighting water supply.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p>

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			<p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>
	PC4.29.19	<p>Incorrect terminology and grammar</p> <p>The reporting continually refers to 'fire fighting'.</p>	<p>Even Microsoft accepts that in normal usage this should be a conjunction.</p>
	PC4.29.20	<p>Incorrect terminology and grammar</p> <p>There is also continual reference to '<i>structural</i>' fires. I have not heard this term used before - the term '<i>structure</i>' fires is the norm. Using structural rather than structure in this context is akin to using vegetational rather than vegetation.</p>	<p>Use the term 'structure' rather than 'structural'.</p>
	PC4.29.31	<p>The Council has been inadvertently drawn into trying to impose regulations relating to fire safety that are outside of its statutory mandate or areas of expertise.</p> <p>This happened in the first instance because the Council agreed to incorporate the Code of Practice into the District Plan, without reading the Code of Practice or understanding its content.</p>	<p>All that the Council needs to do to provide accessible water supplies that can be used for fire fighting is to require new domestic buildings to have a 75mm cam lock coupling and ball or gate valve fitted say 300mm above the base of the domestic water tank. This is the most affordable and useful fitting for this purpose.</p>

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		<p>The regulations that it has devised to try and appease the desires of the Fire Service are contradictory, illogical, unnecessary and unworkable.</p> <p>The Council can have regard to the non-statutory recommendations of the Fire Service, but it should not continue to have these recommendations formally incorporated into its District Plan.</p> <p>The New Zealand Fire Service has a statutory mandate to administer matters relating to fire safety (as will its successor). The Fire Service can use its statutory powers as it sees fit to achieve its desired outcomes. This does not have to, and should not, be done by proxy through the Council RMA based District Plan.</p>	<p>Each local brigade can then have one adapter on their appliance that will adapt whatever portable pump coupling they use to the cam lock coupling. In many instances no adaption will be required as 75mm cam lock is the standard for the Rural Fire Authority and the Fire Service is following suit in this regard.</p> <p>If existing property owners want to make this facility available then they can simply retrofit the cam lock coupling and valve to their existing tank.</p>
MACFARLANE Maria	PC4.22.1	It is unclear whether Proposed Plan Change 4 is supported or opposed.	No specific relief stated.
PERRY Antonius	PC4.2.1	This Submitter poses a scenario in which he cannot access the last 10,000 litres of water in the event of a fire because of a shortened outlet hose. The Submitter uses whatever water is available in the tank (other than the remaining 10,000 litres) to fight the fire and waits 15 minutes for the Fire Brigade to arrive while he watches the house go up in flames. The tank on my property would be too hot to get near to and the Fire Service would use water from the 2 adjoining properties.	The rules are lacking common sense. Please scrap.
	PC4.2.2	The Fire Regulations that the Council is working with appear to belong to cities with reticulated water supplies, hence the use of fire hydrants.	The rules are lacking common sense. Please scrap.
SOSICH Stephan	PC4.8.6	I am a career firefighter for 30 years. There have been no fire fatalities in the area and a focus on fire safety education and the importance of having smoke alarms will go a long way further to saving lives than a wide driveway and a certain amount of water in a tank with a certain fitting. Of all the fire fatalities I have attended not one was as a result of not meeting the Code of Practices water supplies.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
	PC4.8.7	The whole question of fire safety and the powers of NZFS should not be a matter for each individual council but a national issue which is the responsibility of central government in association with the NZFS.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
SPARKS Patrick	PC4.13.1	Considers that the Plan Change is an opportunity for Council to make money and upset Mangawhai ratepayers.	No specific relief stated.

Objectives (5)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.6	District-wide Objectives - 2.4.15: What does 'encourage and promote' mean?	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies.
FAR NORTH DISTRICT COUNCIL	PC4.27.4	Objective 2.4.15 states that KDC is going to encourage and promote fire safety measures. FNDC is supportive of this objective.	Retain this issue.
FITT Steve	PC4.24.6	District-wide Objectives - 2.4.15: What does 'encourage and promote' mean?	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies.
LARSEN Jonathan	PC4.29.15	<p>Objective 2.4.15</p> <p>The Council proposes inserting an Objective stating <i>'To encourage and promote fire safety measures for buildings and structures to minimise fire risk to life, property and the environment'</i></p> <p>The Council in doing so is unnecessarily granting itself a mandate well outside its obligations under the RMA. The promotion of fire safety is the role of the Fire Service through its statutory instruments including the Fire Service Act 1975 and the Fire Safety and Evacuation of Buildings Regulations 2006 (as will be the case for FENZ through the Fire and Emergency New Zealand Bill and related legislation).</p>	Therefore this unnecessary wording should be deleted.
NEW ZEALAND FIRE SERVICE	PC4.28.9	<p>Chapter 2 - District-wide Resource Management Issues, 2.4 District-wide Objectives, new objective 2.4.15</p> <p>The Commission generally supports proposed Objective 2.4.15 subject to expanding the proposed Objective to addressing fire safety measures in generally, as opposed to confining the objective to fires in buildings and structures as proposed. Such an approach:</p> <ul style="list-style-type: none"> • Reflects the new and merged Fire and Emergency New Zealand organisation, including its legislative purpose set out in the Fire and Emergency New Zealand Bill; • Recognises the risk of all fires; • Aligns with the Commission's statutory responsibility under the FSA; • Better gives effect to Policy 7.1.1 of the RPS, which does not distinguish or confine emergency management approach and risk reduction to buildings and structures; • Is the most appropriate way to achieve the sustainable management purpose of the Act in accordance with section 32(1)(a), that is the appropriate statutory test or an objective. 	Amend proposed Objective 2.4.15 as follows: <i>'2.4.15 To encourage and promote fire safety measures for buildings and structures to minimise fire risk to life, property and the environment'</i> .

Oppose Plan Change (5)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
DOUGLAS Grant and Fiona	PC4.16.1	We object to the Plan Change 4 of the Fire Safety Rules.	No specific relief stated.
DRURY Graham	PC4.5.1	That the Proposed Plan Change 4 be withdrawn in its entirety and that it be replaced with a new Plan Change which makes no reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.	Decline the proposal and replace Plan Change 4 with a plan change that: - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
	PC4.5.2	Council has failed to provide any evidence which either supports the changes proposed or that those changes are justified or necessary. The proposal is ill conceived and there is no statutory basis for them.	Decline the proposal and replace Plan Change 4 with a plan change that: - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
	PC4.5.3	The proposed changes are inappropriate for Mangawhai and other small villages and the rural areas of Kaipara.	Decline the proposal and replace Plan Change 4 with a plan change that: - Contains no reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 - Reflects the needs, wishes, and circumstances of all the communities affected by the proposal.
FISH Ian	PC4.3.1	I oppose the proposal in its entirety.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code.

Other Methods (7)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.9	Other Methods: These are all pie in the sky dreams that have no basis in reality until they are thoroughly considered and concrete proposals adopted. They are utterly meaningless in a District Plan. Methods of ensuring safety must be balanced against convenience.	Other Methods: These are all pie in the sky dreams that have no basis in reality until they are thoroughly considered and concrete proposals adopted. They are utterly meaningless in a District Plan. Methods of ensuring safety must be balanced against convenience.
FAR NORTH DISTRICT COUNCIL	PC4.27.6	Other methods 2.6.5.5, 2.6.5.6, 2.6.5.7, 2.6.5.8 recognise that there are methods other than the District Plan that can be used to assist the minimisation of structural fire risk. It is noted that these have been carefully considered in the Section 32 report and are important when fire safety (land use) triggers are removed.	Retain the inclusion of other methods.
FITT Steve	PC4.24.9	Other Methods: These are all pie in the sky dreams that have no basis in reality until they are thoroughly considered and concrete proposals adopted. They are utterly meaningless in a District Plan. Methods of ensuring safety must be balanced against convenience.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
JOHNSON Robin	PC4.26.2	Property protection - The fire service record of saving buildings over much of the Kaipara is low due to brigade response and travel times. In respect to property we do need protection from is 'the great fire of London'. This means the brigade simply aims to prevent the spread of fire from one property to the next. To do this the brigade does need access to water. In the case of Mangawhai, the main area affected by the rule, there is little dedicated fire water storage available in the older developed areas and a proliferation of dedicated tanks in new subdivisions.	Mangawhai like other towns without council water supplies is therefore in need of a tanker water supply for the foreseeable future. Investing in a new large tanker would provide a guaranteed supply to the whole of the area served by the brigade at a fraction of the cost of the tanks installed so far (previous submissions have pointed this out).
	PC4.26.3	SNZ PAS 4509:2008 - Council has proposed adopting this standard and have implemented a piecemeal approach so far. The proposal now presented does not improve the situation. The problem lies in the standard. For houses not served by public water supply the requirement of 45,000 litres of water in 90m is farcical. While the council has reduced this to 11,000 litres (the rationale for this is unclear - certainly no justification has been provided for this in the documentation provided). The solutions advanced in Gisborne may have some merit although the idea that the volume required is proportional to the number of houses is of course a fallacy. The past practice of council of requiring each property to install a tank is similarly flawed, the standard required a tank within 90 metres so if my neighbour installs a tank there is no reason for me to do the same.	Deleting all references to SNZ PAS 4509:2008 and simply adding a couple of rules regarding supply and fitting smoke detectors including regular servicing to at least all houses in lower socioeconomic areas with a commitment to providing and maintaining water tankers to brigades in the area will give improved outcomes at much less cost - costs would be recovered through rates thus distributing the cost over all ratepayers rather than [only] on new properties.
LARSEN Jonathan	PC4.29.18	Other method 2.6.2.5 The Council proposes inserting the wording ' <i>Investigate the provision of additional water supply [sic] for fire fighting purposes in non-reticulated residential areas (e.g. Mangawhai, Kaiwaka and Te Kopuru) e.g. community water tanks or providing volunteer brigades with mobile tankers or portable dams</i> ' It is not clear what is expected to be achieved by this. Mangawhai, Dargaville and Te Kopuru already have tankers at their disposal, and Mangawhai's tanker is responded to the Kaiwaka first pump area as required. The idea of community water tanks will achieve nothing as explained in relation to Policy 2.5.17(c) above, and it is not clear what the intention of Council providing portable dams would be (over and above what already exist) nor how these dams would be filled or how this process would ever save a structure involved in fire.	Delete Method 2.6.2.5.
NEW ZEALAND FIRE SERVICE	PC4.28.11	Chapter 2 - District-wide Resource Management, 2.6 Methods, 2.6.2 Other Methods, new methods 2.6.2.5, 2.6.2.6, 2.6.2.7 and 2.6.2.8 The Commission does not oppose the proposed 'Other Methods' 2.6.2.5, 2.6.2.6, 2.6.2.7 and 2.6.2.8 and comments as follows:	Amend proposed new Other Methods 2.6.2.5, 2.6.2.6, 2.6.2.7 as follows: '2.6.2.5 - Investigate the provision of additional water supply for fire fighting purposes consistent with New Zealand Firefighting Supplies Code of Practice SNZ PAS 4509:2008 in non-reticulated

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		<ul style="list-style-type: none"> the detail, specificity and form of the proposed Other Methods is inconsistent with the form and content of section 2.6 of the District Plan; the proposed Plan Change does not include a parallel District Plan Method in Section 6.1 of the District Plan to address the approach taken in the District Plan to addressing the adverse effects of fire and implementing Proposed Policies 2.5.17(a), (b) and (c); the investigation of the potential use of communal water supplies, as set out in proposed Other Method 2.6.2.5, in a manner that achieves compliance with the Code of Practice is acknowledged; implementing the Building Code, as set out in proposed Other Method 2.6.2.6 is a statutory obligation on the Council and not necessary in the context of the Council's functions under the RMA; sprinkler systems are considered to be one of the most efficient means of fighting structural fires and therefore the Commission supports the promotion of the installation of sprinkler systems (consistent with the advice in the Code of Practice), however, sprinkler systems require a building consent and therefore should be promoted when a building is designed rather than as an advice note to a building consent; and support for the NZFS's education initiatives is acknowledged and appreciated. 	<p>residential areas (e.g. Mangawhai, Kaiwaka and Te Kopuru) e.g. community water tanks or providing volunteer fire brigades with mobile tankers or portable;</p> <p>2.6.2.6 – Implementation of the Building Code at the time of building consents;</p> <p>2.6.2.7 - Promote the installation of Sprinkler Systems by including an Advice Note on resource consents and/or all Building Consents;..'</p>

Outcomes (3)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.12	Outcomes: 2.7.13: Is this an outcome that is relevant to a District Plan?	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
FITT Steve	PC4.24.12	Outcomes: 2.7.13: Is this an outcome that is relevant to a District Plan?	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
NEW ZEALAND FIRE SERVICE	PC4.28.12	Chapter 2 - District-wide Resource Management Issues, 2.7 Outcomes, new Outcome 2.7.13 The Commission supports proposed outcome 2.7.13 subject to limited amendments because this Outcome is consistent with: <ul style="list-style-type: none"> the Commission's statutory obligations; the Objective and Policies of Proposed Plan Change 4 as amended by this submission; Policy 7.1.1 of the RPS; and the sustainable management purpose of the RMA. 	Amend proposed Outcome 2.7.13 as follows: '2.7.13 - A community where the risks to life, <u>property</u> and the surrounding environment from fire <u>is are</u> minimised'.

Policies (12)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.7	Policies - 2.5.17(a): What does 'ensure' mean? What is an 'adequate supply'? What is 'reasonably anticipated land use'?	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies.
	PC4.9.8	Policies: 2.5.17(b): What does 'promote' mean? What is an 'alternative supply'? How much and what rules attach to the requirement? Given that the Fire Truck may not arrive before the house is destroyed, is this a suggestion that the untrained occupants should keep an alternative supply of water with the implication that they are to be responsible for fighting the fire. But the occupants cannot use the water because of the special coupling. We end up with water which no one can use, which is acknowledged in the proposed 2.3.14. I quote from the Evaluation: ' <i>As far as the permitted activity is concerned, legal test specify that they should be clear and certain to enable the Plan user to judge the meaning and effect of the rule at face value without having to resort to using explanations or seeking advice from those who want it.</i> '	'Ensure', 'adequate', 'reasonably promote', 'alternative supply' etc. are all vague terms that have no place in rules or policies. Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.9.11	Note all the vague words in these proposals: investigate, promote, support.	They should have no place in the District Plan. Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
FAR NORTH DISTRICT COUNCIL	PC4.27.1	FNDC is supportive of the inclusion of a policy structure relating to structural fires. Currently the FNDC framework is like that of KDC, only including wildfire risk. This issue will form part of the FNDC review.	Retain the inclusion of a policy structure for structural fires.
	PC4.27.2	The proposal adds an issue, an objective and three policies to Chapter 2 - District wide resource management. The general public may see no difference between structural fire and wildfire. It is unclear if there will be mention in Chapter 7 - Natural Hazards that structural fire is addressed in Chapter 2.	Consider including a cross reference in Chapter 7 Natural Hazards.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.27.5	Policy 2.5.17(a) assumes that KDC will be able to supply new reticulated sites within the reticulated services boundary, with an adequate supply of water for fire fighting purposes. In July 2014 FNDC engaged Opus to conduct an assessment to define the available fire flow in its reticulated network. It was found that a large number of the reticulated areas have deficient flows to address fires. It is unclear from the Section 32 report if KDC has undertaken a similar study and therefore there could be implications with the flow rates for fire fighting purposes even in urban reticulated areas.	Only retain this policy if there is appropriate water flow for fire fighting available.
FITT Steve	PC4.24.7	Policies - 2.5.17(a): What does 'ensure' mean? What is an 'adequate supply'? What is 'reasonably anticipated land use'?	'Ensure', 'adequate', 'reasonably promote', alternative supply' etc. are all vague terms that have no place in rules or policies.
	PC4.24.8	Policies: 2.5.17(b): What does 'promote' mean? What is an 'alternative supply'? How much and what rules attach to the requirement? Given that the Fire Truck may not arrive before the house is destroyed, is this a suggestion that the untrained occupants should keep an alternative supply of water with the implication that they are to be responsible for fighting the fire. But the occupants cannot use the water because of the special coupling. We end up with water which no one can use, which is acknowledged in the proposed 2.3.14. I quote from the Evaluation: <i>'As far as the permitted activity is concerned, legal test specify that they should be clear and certain to enable the Plan user to judge the meaning and effect of the rule at face value without having to resort to using explanations or seeking advice from those who want it.'</i>	'Ensure', 'adequate', 'reasonably promote', alternative supply' etc. are all vague terms that have no place in rules or policies. Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
	PC4.24.11	Note all the vague words in these proposals: investigate, promote, support.	They should have no place in the District Plan. Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
LARSEN Jonathan	PC4.29.16	Policy 2.5.17(b) The Council proposes the insertion of the policy <i>'To promote in non-reticulated areas that there is an adequate alternative supply of water for fire-fighting purposes for the reasonably anticipated land use'</i> . It is not at all clear what this statement means in real terms. However in the absence of any guidance it can only reasonably mean that the Council will default back to the Fire Service's flawed (in relation to non-reticulated areas) Code of Practice. Given that it is already acknowledged that the Code of Practice is an unreasonable imposition, this policy then contradicts the position already taken by Council.	Therefore this policy as drafted should not be included in the District Plan.
	PC4.29.17	Policy 2.5.17(c) The Council proposes inserting a policy to <i>'encourage education on fire hazard [sic]...'</i> The policy states <i>'Council or the community for areas where there is no reticulated water can provide static supplies for fire fighting purposes in the form of tanks situated at strategic locations that can serve a wider area'</i> . The idea of providing water tanks all around the district is an unreasonable financial imposition on ratepayers. It will achieve nothing because Council is ignoring the fact that structure fires are rare events, that volunteer response times are generally too long to allow buildings to be saved regardless of the available water supply, that houses in non-reticulated areas all have rainwater tanks that typically provide a water supply in the unlikely	Policy 2.5.17(c) should be deleted.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		<p>event that there is a fire, and that the Fire Service Act 1975 provides the powers to take water from neighbouring properties (which also typically have rainwater tanks) for the purposes of extinguishing fire.</p> <p>This idea is completely impractical and will simply impose unnecessary cost on ratepayers for no benefit.</p>	
<p>NEW ZEALAND FIRE SERVICE</p>	<p>PC4.28.10</p>	<p>Chapter 2 - District-wide Resource Management Issues, 2.5 District-wide Policies, new Policies 2.5.17(a), (b) and (c).</p> <p>The Commission generally supports proposed Policies 2.5.17(a), (b) and (c) to the extent that the proposed Policies generally seek to achieve firefighting water supplies and fire risk reduction across the District. However, the proposed Policies, and associated explanatory text, fail to consider the importance of access for fire appliances to that water supply in a manner that is consistent with the Code of Practice (and the subsequent rules that implement these proposed Policies). Further, the Commission considers that the explanatory text that accompanies the proposed Policies:</p> <ul style="list-style-type: none"> • Fails to recognise that the Code of Practice as one of the primary fire risk reduction tools used by the NZFS; • Fails to recognise the broader adverse effects of fire by only addressing the risk of fire spread <p>The Commission seeks limited amendments to the Policies and accompanying explanatory text to:</p> <ul style="list-style-type: none"> • better give effect to Policy 7.1.1 of the RPS; • is the most appropriate way to achieve proposed Objective 2.4.15 (including as amended by this submission); • better enable the Commission to meet its statutory obligations; • reflect the respect accorded to New Zealand Standards by the Environment Court as set out in McIntyre v Christchurch City Council [1996] NZRMA 286; and • achieve the purpose of the RMA by enabling people and communities to provide for the health and safety and by enabling the appropriate mitigation of natural hazards and management of the adverse effects of fire on people, communities, property and the environment. 	<p>Amend proposed Policies 2.5.17(a), (b) and (c) as follows:</p> <p>'2.5.17(a) - To ensure new reticulated sites within the Reticulated Services Boundary are provided with an adequate supply of water for fire fighting, and access to that water supply, for the reasonably anticipated land use;</p> <p>2.5.17(b) - To promote ensure in non-reticulated areas that there is an adequate supply of water for fire fighting purposes, and access to that water supply, for the reasonably anticipated land use';</p> <p>2.5.17(c) - To encourage education on fire hazard and on fire risk reduction measures.</p> <p><i>The District Plan includes can promote measures at land use and subdivision stages to avoid or minimise the potential adverse effects of fire on people, property, and the environment. assist in minimising fire risk spread for community. The New Zealand Firefighting Supplies Code of Practice SNZ PAS 4509:2008 is a New Zealand Standard that specifies what constitutes an adequate water supply, and access to it, for firefighting purposes. However, provisions in a District Plan are not the only method of minimising fire risk. The Building Code contains measures that are applied at the time a building consent is lodged. Council or the community for areas where there is no reticulated water supply can provide static supplies for firefighting purposes in the form of tanks situated at strategic locations that can service a wider area'.</i></p>

Role of Code in the District Plan (29)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
<p>BOONHAM Clive</p>	<p>PC4.9.1</p>	<p>Incorporation of Fire Safety Rules based on NZFS Code of Practice was ill-conceived and done without consideration of the legal situation; whether contents of code were lawful; ramifications on amenity values of district; cost to individuals to comply with the Code.</p>	<p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
	<p>PC4.9.17</p>	<p>The Code of Practice is not a statutory document and it is not mandatory for Council to include it in rules in the District Plan. There is no interface between the Code of Practice in the Fire Service Act with other legislation which is relevant to local authorities such as the RMA and Building Act. The Code of Practice is simply a set of standards for water mains and has no relevance to any other matters relating to firefighting and does not impose any requirements in respect of the RMA or Building Act.</p>	<p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
	<p>PC4.9.20</p>	<p>The Foreword to the Code tends to embellish the powers that the NZFS derives from the Code of Practice. For instance, it states that the Code will form the basis of a partnership between the Fire Service and territorial</p>	<p>KDC should not be offering support for matters that are outside the ambit of a Code of Practice and which are clearly ultra vires.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		<p>authorities. The Evaluation appears to accept this: '<i>...Council is supportive of the intent of NZFS's document that it forms the basis of a partnership between NZFS and territorial authorities and be used by territorial authorities in rules regulating subdivisions in the District Plan. Council and NZFS would then achieve a common objective in respect of providing water supplies for firefighting purposes to facilitate fire safe communities</i>'.</p> <p>To be blunt, there is no such statutory partnership and there is no mandate for such matters to be included in the Code of Practice.</p>	
DOUGLAS Grant and Fiona	PC4.16.2	The inclusion of a set rules from the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice is purely an advisory document. However, it would appear that the council has taken upon itself to propose that this document be inclusive in the District Plan as an enforceable local law.	No specific relief stated.
	PC4.16.3	The Code as an advisory document in the preface highlights the value of fire protection systems both in commercial structures and homes and water requirements can be tailored to a much lower demand in these structures.	No specific relief stated.
	PC4.16.4	In the foreword of the Code it clearly states what the purpose of the document is to provide <u>direction</u> on what constitutes a sufficient supply of water for firefighting in urban fire districts. This code of practice is <u>not intended to provide specifications</u> for the water supply required for the effective operation of fire protection systems.	No specific relief stated.
	PC4.16.5	The intent of the Code is that it will form the <u>basis of a partnership</u> between the New Zealand Fire Service, territorial authorities, water supply authorities, and developers so that the Code may be used as a basis for territorial authority and water supply authority (WSA) conditions of supply or be called up, for example, by territorial authorities in rules regulating subdivisions in the District Plan.	No specific relief stated.
	PC4.16.6	The general aims of the document state that 'compliance with this code of practice does not guarantee that in each and every case the Fire Service can control or extinguish a fire with the water supply available.'	No specific relief stated.
	PC4.16.7	The Code as a guidance document states in Paragraph 1 General Aims that the 'code of practice provides techniques to define a sufficient firefighting water supply that may vary according to circumstances. It relates to the Fire Service requirements only; territorial authorities and building owners may choose to exceed the provisions. SNZ PAS 4509 is written in a way that will encourage flexibility and provide different opinions for developers and territorial authorities'. The legal content of this is further stated; <u>This Code of Practice is non-mandatory</u> but could be incorporated into relevant bylaws.'	No specific relief stated.
	PC4.16.10	The Code as an advisory document states that 'The Fire Service recommends the installation of automatic fire detection devices such as smoke detection systems and fire protection systems such as sprinklers in buildings (irrespective of the water supply) to provide maximum protection for life and property'.	If any discussion is to take place in a Local Plan then it should be of an advisory nature based upon the NZFS Fire Fighting Water Supplies Code of Practice and, the location of where firefighters are based relative to their operational ability.
	PC4.16.12	The Code of Practice is too prescriptive in their handling of NZFS Water Supplies Code of Practice, given it is not a legal requirement but of an advisory nature and therefore any reference to making any of the statements mandatory in the District Plan should be removed.	If any input into future plans require an input on Fire matters, reference should be made to the document as it was intended, a Code of Practice with its content encouraged to be considered in future development rather than prescribed in some ill-thought out local law.
FITT Steve	PC4.24.1	Incorporation of Fire Safety Rules based on NZFS Code of Practice was ill-conceived and done without consideration of the legal situation; whether contents of code were lawful; ramifications on amenity values of district; cost to individuals to comply with the Code.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.24.17	<p>The Code of Practice is not a statutory document and it is not mandatory for Council to include it in rules in the District Plan. There is no interface between the Code of Practice in the Fire Service Act with other legislation which is relevant to local authorities such as the RMA and Building Act. The Code of Practice is simply a set of standards for water mains and has no relevance to any other matters relating to firefighting and does not impose any requirements in respect of the RMA or Building Act.</p>	<p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
	PC4.24.20	<p>The Foreword to the Code tends to embellish the powers that the NZFS derives from the Code of Practice. For instance, it states that the Code will form the basis of a partnership between the Fire Service and territorial authorities. The Evaluation appears to accept this: '...Council is supportive of the intent of NZFS's document that it forms the basis of a partnership between NZFS and territorial authorities and be used by territorial authorities in rules regulating subdivisions in the District Plan. Council and NZFS would then achieve a common objective in respect of providing water supplies for firefighting purposes to facilitate fire safe communities'.</p> <p>To be blunt, there is no such statutory partnership and there is no mandate for such matters to be included in the Code of Practice.</p>	<p>KDC should not be offering support for matters that are outside the ambit of a Code of Practice and which are clearly ultra vires.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
LARSEN Jonathan	PC4.29.3	<p>Background to the fire safety rule</p> <p>The rule as notified in the proposed District Plan dated October 2009 was a fairly innocuous rule that didn't draw much attention.</p> <p>The Council decision on the rule made such significant changes to the rule, including by reference the NZFS Fire Fighting Water Supplies Code of Practice and the vegetation setbacks as a result of submissions by NZFS and the Department of Conservation, that it should have been re-notified at the time to allow public submissions on the changes.</p> <p>The decision to include setback requirements from vegetation was done without undertaking any analysis of whether there was a problem or environmental effect that needed to be addressed.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.29.4	<p>Requirements for incorporation of documents by reference ignored again.</p> <p>The proposal includes the continued incorporation by reference of the Code of Practice.</p> <p>The requirements for the incorporation of documents by reference in plans and proposed plans are set out in Part 3 of Schedule 1 of the Act.</p> <p>The Council failed to undertake the public consultation required by clause 34 of Schedule 1 of the Act. The Council failed to make the proposed material available, failed to give the required public notice regarding the material, and failed to allow reasonable opportunity for comment or consider comments made as required by clause 34.</p> <p>By breaching these statutory obligations the Council deprived the public of the opportunity to comment on the material proposed to be incorporated.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supple complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.9.5	<p>The Code of Practice is a flawed document.</p> <p>The NZFS Code of Practice for Fire Fighting Water Supplies is a document developed for the urban environment. An attempt has been made to convert it to the rural environment by specifying static water supplies that supposedly somehow equate to what might be expected in terms of reticulated water supplies in an urban environment.</p> <p>As had been acknowledged, the volumes of the specified water supplies are grossly excessive especially when applied to residential dwellings. The incorporation of static water supplies is however the only change that has been made to the Code of Practice to try to adapt it to the rural environment.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supple complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.29.6	<p>Other parts of the Code of Practice are also completely inappropriate for the rural environment. For example the requirement to accommodate access for 20 tonne appliances. In a rural situation there are no such appliances on the turnouts. These types of appliances are large aerial appliances used for multi-storey buildings in the central business districts of cities. In the rural environment much smaller rural utility appliances are used that are lighter, narrower and have smaller turning circles.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.29.7	<p>The requirements of the Code of Practice contradict the District Plan's permitted activity standards. For example the Code of Practice specifies minimum access widths of 4m and maximum gradients of 16%.</p> <p>In practice of course the Fire Service safely operates on accesses less than 4m wide and steeper in gradient than 16%, both in the immediate area and around the country.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supply complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 c) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.29.8	<p>The Code of Practice is a non-statutory document that has no regard to the matters that are supposed to be considered by the Council in instituting a rule into a statutory District Plan. The Council has arbitrarily adopted the Code of Practice without having proper regard to whether there is an actual problem or environmental effect to be addressed, nor whether the proposed remedy will address any such problem or environmental effect even if it did exist.</p>	<p>Make the amendments and deletions to the Issues, Objectives, Policies, Other Methods and Outcomes as detailed in this submission.</p> <p>Remove formal reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from rules 12.15.4, 13.14.4 and 15B.14.4.</p> <p>Delete rule 15A.10.3b(c).</p> <p>Delete rules 12.10.26, 13.10.26, 14.10.26, 15A.10.25 and 15B.10.25 from the District Plan.</p> <p>OR</p> <p>Delete rule 12.10.26 d), 15A.10.25 d) and 15B.10.25 d), and rewrite clause 12.10.26 a), 15A.10.25 a) and 15B.10.25 a) so that it is clear in meaning to the satisfaction of the submitter.</p> <p>OR</p> <p>Amend rule 12.10.26 as follows –</p> <p>(1) Any building is permitted if:</p> <ul style="list-style-type: none"> a) It does not impede the movement of fire service vehicles or equipment or generally restrict access for fire fighting purposes; <u>and</u> b) Water supply for fire fighting and access to this supple complies with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 e) The use of the building shall at all times be in accordance with the fire safety requirements specified in New Zealand Standards NZS 9231:1971 'Model Bylaw for Fire Prevention'; and d) b) The building is located at least 20m away from naturally occurring or deliberately planted area of scrub or shrub land, woodlot or forest <p>(2) Except that the standards required by rule 12.10.26(1) a) and b) do not apply to Lots 1 and 2 DP 316176, Lots 1 to 3 DP 197164, and Lots 2 to 6 DP 321788 or any subsequent Lots resulting from these specified Lots.</p> <p>OR</p> <p>Provide other such decision in consultation with, and to the satisfaction of, the submitter.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
NEW ZEALAND FIRE SERVICE	PC4.28.2	It is essential that the NZFS is able to meet its responsibility of providing efficient and effective emergency services to all New Zealanders, in order to avoid, remedy or mitigate the adverse effects of fire and other emergencies. To do so the Commission requires, amongst other matters adequate water supply for firefighting activities and adequate access to properties for fire appliances to ensure that the NZFS can respond to emergencies.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
	PC4.28.3	<p>The Commission's main areas of concern are the provision of firefighting water supplies and the provision of firefighting access in new developments to enable the New Zealand Fire Service (NZFS) to operate effectively and efficiently in an emergency. In order to achieve this, the Commission seeks compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 (Code of Practice). The Code of Practice is a non-mandatory New Zealand Standard that sets out standards for water supply and access design which meet the operational requirements of the NZFS for both reticulated and non-reticulated areas. The requirements for firefighting water in the Code of Practice are based on building risk.</p> <p>The Code of Practice provides a number of options for adequate water supply and details a number of minimum standards for different situations including:</p> <ul style="list-style-type: none"> - Firefighting water storage requirements - Standards regarding accessibility to firefighting water; and - Standards regarding the location of the firefighting water in relation to the fire hazard (building or vegetation etc.). <p>The Code of Practice provides flexibility in the methods for providing water supplies that can include tank water, swimming pools or permanent rivers and ponds.</p>	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
	PC4.28.4	PC4 seeks to change the regulatory regime that applies to the provision of firefighting water supply in Kaipara District in a manner that has the potential to impact on the efficiency and effectiveness of the NZFS. It is considered that the elements of the approach set out in PC4 may compromise the ability of the Commission to meet its statutory obligations by deleting the requirement for land use developments to comply with the Code of Practice.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
	PC4.28.5	<p>PC4 fails to achieve the sustainable management purpose of the Resource Management Act 1991 (RMA) by compromising the ability of people and communities to provide for their health and safety. Furthermore, PC4 does not appropriately provide for the management of the potential adverse effects of fire on people, property, and the environment and does not appropriately give effect to the Regional Policy Statement for Northland (2016)(RPS), including Policy 7.1 that requires:</p> <p><i>'Subdivision, use and development of land will be managed to minimise the risks from natural hazards by:</i></p> <ul style="list-style-type: none"> <i>(a) Seeking to use the best available information, including formal risk management techniques in areas potentially affected by natural hazards;</i> <i>(b) Minimising any increase in vulnerability due to residual risk;</i> <i>(c) Aligning with emergency management approaches (especially risk reduction);</i> <i>(d) Ensuring that natural hazard risk to vehicular access routes and building platforms for proposed new lots is considered when assessing subdivision proposals; and</i> <i>(e) Exercising a degree of caution that reflects the level of uncertainty as to the likelihood or consequences of a natural hazard event'.</i> 	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
	PC4.28.7	PC4 does not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other available means (including improved implementation and administration of the status quo - Operative District Plan provisions) and therefore is not appropriate in terms of section 32 of the RMA. On this basis, the Commission is concerned that the requirements of section 32 have not been met and records this concern here as required by section 32A.	Amend PC4 to achieve the relief sought in Appendix A including any further consequential amendments that may be necessary to address the matters raised in this submission.
SOSICH Stephan	PC4.7.1	Refer submission point numbered PC4.8.1 by S Sosich.	Refer relief sought in submission point numbered PC4.8.1 by S Sosich.
	PC4.7.4	Refer submission point numbered PC4.8.4 by S Sosich.	Refer relief sought in submission point numbered PC4.8.4 by S Sosich.
SOSICH Stephan	PC4.8.1	Incorporation of Fire Safety Rules based on NZFS Code of Practice was ill-conceived and done without consideration of the legal situation; whether contents of the code were lawful; ramifications on amenity values of the district; cost to individuals to comply with the code and possible subsequent amendments.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.
	PC4.8.4	The Code of Practice is not a statutory document and it is not mandatory for Council to include it in rules in the District Plan. There is no interface between the Code of Practice under the Fire Services Act and any other legislation relevant to local authorities. It stands on its own as a standard for nothing more than water mains.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to the NZFS Code of Practice for firefighting water supplies.

Rural and Maori Purpose Zone Rules (18)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.13	<p>Rural and Maori Purpose Zones have retained access for fire service vehicles and the 20 metre vegetation rule for vegetation and trees including scrublands.</p> <p>This will prevent rural dwellers from beautifying the gardens immediately adjacent to their house. Who is to distinguish what is garden and what is scrub or shrubland. The 20 metre setback is inappropriate for NZ conditions and seems to be taken out of a Code of Practice for Victoria, Australia. How many houses have been destroyed by wildfires that have resulted from rose beds, fruit trees and ornamental shrubs surrounding houses.</p> <p>Is the KDC going to appoint an inspector of rural gardens to ensure there is not vegetation within 20 metres of a house?</p>	<p>Neither has any place in a District Plan.</p> <p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
	PC4.9.14	Rural and Maori Purpose Zones - the recommendation that a fire sprinkler system be installed has no place in a District Plan and is meaningless.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.
FAR NORTH DISTRICT COUNCIL	PC4.27.7	Rules 12.1.26, 15A.10.25, 15B.10.25, 13.10.26 and 14.10.26 propose to amend existing Fire Safety Rules (Land use) in the Rural; Residential; Business (Commercial and Industrial); Maori Purposes; Maori Land and Maori Purposes; Treaty Settlement Land Zones. There is no longer reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 or reference to the outdated Fire Prevention Bylaw in the rules. This is consistent with the FNDP. The Section 32 report has provided some good avenues to explore as to how to address fire safety (land use) as part of the FNDP review.	Retain the wording in rules 12.1.26, 15A.10.25, 15B.10.25, 13.10.26 and 14.10.26 related to the removal of reference to the Fire Service Fire Fighting Water Supplies Code of Practice and bylaw for fire prevention in the rules if the other methods, notes and subdivision performance standards are retained through the plan change processes.
	PC4.27.8	Rules 12.1.26, 15A.10.25 and 15B.10.25 include Note 1 around setback for buildings from the dripline of any tree and Note 2 relating to the installation of fire sprinklers. Rule 13.10.26 and 14.10.26 include Note 1 around the installation of fire sprinklers. The inclusion of these notes is important when other land use triggers are removed.	Retain the notes for rules 12.1.26, 15A.10.25, 15B.10.25, 13.10.26 and 14.10.26.
	PC4.27.10	Rules 12.10.26, 15A.10.25 and 15B.10.25 (rural rule) include the retention of the building setback from vegetation rule. As mentioned above the FNDP currently has a similar rule but the setback applies only to residential units.	Consider amending rules 12.10.26, 15A.10.25 and 15B.10.25 to link the setback from vegetation to residential use regardless of the underlying zone and provide guidance on the interpretation of the rule.
FITT Steve	PC4.24.13	<p>Rural and Maori Purpose Zones have retained access for fire service vehicles and the 20 metre vegetation rule for vegetation and trees including scrublands.</p> <p>This will prevent rural dwellers from beautifying the gardens immediately adjacent to their house. Who is to distinguish what is garden and what is scrub or shrubland. The 20 metre setback is inappropriate for NZ conditions and seems to be taken out of a Code of Practice for Victoria, Australia. How many houses have been destroyed by wildfires that have resulted from rose beds, fruit trees and ornamental shrubs surrounding houses?</p> <p>Is the KDC going to appoint an inspector of rural gardens to ensure there is not vegetation within 20 metres of a house?</p>	<p>Neither has any place in a District Plan.</p> <p>Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.</p>
	PC4.24.14	Rural and Maori Purpose Zones – the recommendation that a fire sprinkler system be installed has no place in a District Plan and is meaningless.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
LARSEN Jonathan	PC4.29.21	<p>Rules 12.10.26, 15A.10.25 and 15B.10.25 Performance Standards</p> <p>Subclause a) is based on the ill-conceived assumption that fire appliances need to be in close proximity to a structure in order to extinguish a fire. In fact this is neither necessary nor desirable, as fire fighting deliveries can be easily run over reasonably long distances, and close proximity to structure fires actually places the appliance at risk.</p> <p>There is also an incorrect assumption that a fire appliance needs to be able to park in close proximity to a water tank in order to draw water from it. This is not usually possible or desirable as given the configuration of down pipes and water tanks, the tanks are typically close to buildings. Normal practice is to draw water from tanks using a portable pump or ejector pump (such as a B-type or Water Dragon) which can then feed the appliance for fire fighting purposes. These all operate without having to have the appliance in close proximity to the water tank. In fact one would not want to be wasting valuable time trying to line up and connect an appliance to a coupling on a tank using hard suction when you could have a much faster get-to-work using the portable pump to feed the appliance. Virtually every water tank will not have a hard suction coupling and valve connected, and the requirement for one would be impractical, expensive and unnecessary.</p> <p>By leaving this unclear and ill-conceived reference in the District Plan, matters relating to <i>'the movement of fire service vehicles or equipment'</i> and <i>'access for fire fighting purposes'</i> become a matter of interpretation for the Council. The Council, having no idea what these terms mean in practice, will have to defer to the opinion of the Fire Service. The Fire Service's position will be that the (flawed) Code of Practice must be complied with.</p> <p>It is also illogical to state that a building can block access to itself.</p>	Delete subclause (a) from Rules 12.10.26; 15A.10.26 and 15B.10.25.
	PC4.29.22	<p>Rules 12.10.26, 15A.10.25 and 15B.10.25 Performance Standards</p> <p>Deletion of subclauses (b) and (c) from Rules supported.</p>	Delete subclauses (b) and (c) from Rules 12.10.26; 15A.10.25 and 15B.10.25.
	PC4.29.23	<p>Rules 12.10.26, 15A.10.25 and 15B.10.25 Performance Standards</p> <p>The retention of sub clause d) (now labelled sub clause b)[and incorrectly shown as strikethrough] is not supported for many reasons.</p> <p>There is no established problem with 'wildfire' as claimed by the Council. The Council has not provided any evidence that any such wildfire has ever resulted in the loss of a single Kaipara dwelling.</p> <p>It is my contention that Council has come to an ill-informed opinion about bush fires as a result of media coverage of forest fires in Australia and the USA. The conditions and vegetation in those countries are in no way comparable to New Zealand and cannot be reasonably used as a comparable example. Whilst localised scrub and grass fires occur in dry and windy conditions, established native bush is unlikely to burn.</p> <p>In order for a forest fire to become established, it requires light and medium fuels in the ground and sub canopy areas, which acts as the 'kindling' for a fire which is then pushed along by the wind. In an Australian eucalyptus forest the small and medium fuels are provided by very dry and hot ground conditions and a large volume of dry naturally shed branches, bark and leaves as fuel.</p> <p>By comparison in New Zealand a native forest has a wet humus layer on the ground of decomposing leaf litter along with lush undergrowth of ferns, mosses and green shrubs etc. This is not a suitable substrate for starting or maintaining a fire, particularly with the high rainfall conditions of Northland.</p> <p>In any event there is no evidence to suggest there is a problem with dwellings being lost to any such fires.</p>	Delete subclause (d) re vegetation setback distances in Rules 12.10.26; 15A.10.25 and 15B.10.25.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		<p>The requirement to provide large buffer zones around buildings for no good reason detracts from and conflicts with the ability of landowners to provide amenity planting and for the encouragement and protection of native flora and ecosystems. The enhancement of amenity values and native ecosystems are key objectives of the District Plan. The imposition of the rule directly and unnecessarily contradicts these objectives.</p> <p>Despite there being no demonstrable problem to address, if Council deems that such buffer zones are required, then logically Council must also regulate to require that such zones must also be maintained in perpetuity. What this would mean in real terms is that no building in the Rural or Maori Purposes Zones could have woody vegetation established within 20 metres around it as this is deemed to be unsafe. However, perversely, all buildings in urban, commercial and industrial zones can have any amount of such vegetation around them with no setback.</p>	
	PC4.29.24	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Assessment Criteria</p> <p>Assessment criterion i) states <i>'Where an activity is not permitted by this Rule, Council has restricted its discretion over the following matters when considering and determining an application for resource consent:</i></p> <p><i>i) The extent of consultation that has been undertaken with the New Zealand Fire Service and their response (or whether their written approval has been obtained);'</i></p> <p>If a ratepayer applies to vary the situation the Council then uses this assessment criterion to effectively hand its decision making obligations back to the Fire Service. The Fire Service is not going to give its approval to a building that does not comply with the already predetermined agreement. The Council in practice will not exercise its discretion to grant consent to a building that does not have the written approval of the Fire Service. This then subjects the property owner to the need for a Court appeal in order to try and achieve some level of impartiality - and all this over a rule for which no evidential basis has been provided.</p> <p>Despite having removed the reference to the Code of Practice from the Performance Standards, the Fire Service on referral from the Council of a proposal is simply going to reassume its standard position that the Code of Practice must be complied with.</p> <p>In effect Council through using this assessment criterion has handed control of decision making over to a non-Council entity with no statutory powers under the RMA.</p>	Provide relief in consultation with and to the satisfaction of the submitter.
	PC4.29.25	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Assessment Criteria</p> <p>Assessment criterion ii) states <i>'ii) Whether and the extent to which the building is assessed as a low fire hazard and risk.</i></p> <p>The Council will simply bow to whatever the Fire Service tells it in regard to any such assessment.</p>	Provide relief in consultation with and to the satisfaction of the submitter.
	PC4.29.26	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Assessment Criteria</p> <p>The remaining assessment criteria are - <i>'iii) Any mitigation measures proposed to reduce the fire risk;</i></p> <p><i>iv) The adequacy of the water supply; and</i></p> <p><i>v) The accessibility of the water supply to fire service vehicles'.</i></p> <p>These are also matters which the Council does not have the ability to independently assess, and it will simply defer to whatever the Fire Service says.</p>	Provide relief in consultation with and to the satisfaction of the submitter.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		The Fire Service will of course default to its (flawed) Code of Practice in prescribing the requirements for water supply and access.	
	PC4.29.27	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Notes</p> <p>Note 1 referring to a Fire Service recommendation is redundant in the context of a rule and should be deleted. Note 1 refers to a Fire Service recommendation on building setback requirement from vegetation.</p> <p>If the Fire Service wants to make such recommendations then it can do so itself. Likewise if the Fire Service has the ability to impose such restrictions on private property then it can use its own powers to do so.</p>	Delete Note 1 in Rules 12.10.26; 15A.10.25 and 15B.10.25.
	PC4.29.28	<p>Rules 12.10.26, 15.A.10.25 and 15B.10.25 Notes</p> <p>Note 2 refers to driving distance of over five minutes being the measure of whether or not a sprinkler system is recommended. This is a flawed metric - the correct metric would be the response time of the neighbouring brigade. The delay in turning out is not related to a five minute drive, but more to the time it takes for volunteer to travel to the station to man the appliance after the alert. In any event, this note serves no purpose in the context of the rule.</p>	This type of advice should be left to the Fire Service to provide.
	PC4.29.30	<p>Rule 15A.10.3b(c)</p> <p>If there is a requirement to meet the requirements of the Building Act 2004, then such requirements are enforceable under the Building Act 2004. Including this reference in this rule is an unnecessary and redundant restatement of what is already required.</p> <p>The statement '<i>be adequate for fire fighting purposes</i>' is left very much open to interpretation. The Council doesn't know what this means, and the Fire Service standard advice will be that it complies with the flawed and ineffective Code of Practice. Therefore we get back into the same circular argument.</p> <p>In the event of a fire in any of these remote locations, the building will almost certainly be a total loss regardless of the adequacy of any water supply.</p>	Delete Rule 15A.10.3b(c).
NEW ZEALAND FIRE SERVICE	PC4.28.13	<p>Rule 12.10.26 (Rural), Rule 15A.10.25 (Maori Purposes: Maori Land and Maori Purposes) and Rule 15B.10.25 (Treaty Settlement Land Zones)</p> <p>The Commission opposes the proposed deletion of the requirement for a new building to comply with the Code of Practice in Rules 12.10.26, 15A.10.25 and 15B.10.25 because such a deletion:</p> <ul style="list-style-type: none"> • does not accord appropriate respect for the Code of Practice as a New Zealand Standard as set out in <i>McIntyre v Christchurch City Council</i> [1996] NZRMA 286; • is not consistent with the importance afforded to firefighting water by section 14(3)(e) of the RMA; • is not the most appropriate way to achieve proposed Objective 2.4.15 (including as amended by this submission); • does not appropriately implement proposed Policies 2.5.17(a), (b) and (c) (including as amended by this submission); • does not give effect to Policy 7.1.1 of the RPS; • does not enable the Commission to meet its statutory obligations; • does not appropriately mitigate natural hazards and the adverse effects of fire on people, communities, property and the environment; and 	<p>Retain Clause (b) in the Operative Plan Rules 12.10.26, 15A.10.25 and 15B.10.25, do not delete Clause (b) as proposed.</p> <p>Delete Clause (c) in Rules 12.10.26, 15A.10.25 and 15B.10.25 as proposed.</p> <p>Include Advice Note 2 in Rules 12.10.26, 15A.10.25 and 15B.10.25 as proposed.</p>

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		<ul style="list-style-type: none"> does not enable people and communities to provide for their health and safety and therefore does not achieve the purpose of the RMA. <p>Further, the Commission considers that the Section 32 Evaluation Report fails to appropriately consider and give appropriate weight to the following matters:</p> <ul style="list-style-type: none"> Policy 7.1.1 of the RPS that requires subdivision, use and development of land to be managed to minimise the risks of natural hazards by, amongst other matters, 'aligning with emergency management approaches (especially risk reduction)' the provisions of the Fire and Emergency New Zealand Bill that was introduced in Parliament in June 2016 and includes a requirement to prepare a Code of Practice and is likely to require mandatory compliance with the Code of Practice through the Bill's offence provisions (Department of Internal Affairs regulatory impact statement: 'Fire Service Review: Detailed Policy Design' 7 April 2016, paragraph 41.1); the inherent flexibility included in the Code of Practice that means that compliance can be achieved by a number of means rather than just the 45,000 litre static water supply set out in Part 1 of the Section 32 Evaluation Report; the full range of solutions and approaches taken in other jurisdictions to the extent that the Section 32 Evaluation Report in Sub-Section 2.3 fails to consider those District Plans that include provisions that are similar to the Operative Kaipara District Plan, for example the recent decisions made by the Independent Hearings Panel on the Christchurch Replacement District Plan (a district that includes remote areas on Banks Peninsula); the costs of providing sprinklers in a manner that is consistent with the evaluation of costs of other methods that may achieve compliance with the Code of Practice; and the extent to which the 'community frustration' mentioned in Part 1 of the Section 32 Evaluation Report is a result of incorrect implementation of the Operative District Plan (by applying a rigid 45.000 litre static water supply standard, rather than the full ambit of solutions available to achieve compliance with the Code of Practice), such that the Proposed Plan Change is not necessary to address the 'community frustration' and achieve the outcome sought. <p>The Commission therefore seeks the retention of the requirement to comply with the Code of Practice in Rules 12.10.26, 15A.10.25 and 15B.10.25, and welcomes the opportunity to continue to work with the Council to 'streamline' the implementation of these Rules in a manner that enables a full consideration to the various approaches that may be deployed to achieve compliance with the Code of Practice, including the installation of sprinklers.</p> <p>Further, the Commission supports the proposed deletion of the clause in the Rules that requires compliance with NZS 9231:1971 on the basis that the Standard no longer exists.</p> <p>The Commission also supports the proposed Advice Note that recommends the installation of sprinklers on the basis that sprinkler systems are considered to be one of the most efficient means of fighting structural fires. Such an Advice Note is consistent with advice included in the Code of Practice. That said, the Commission considers that the Advice Note alone does not achieve the purpose of the RMA on the basis that advice notes do not have statutory weight.</p>	
	PC4.28.15	Rule 15A.10.3b(c) - For the reasons set out in Submission Point PC4.28.14, the Commission opposes the proposed deletion of the requirement for a new dwelling to comply with the Code of Practice in Rule 15A.10.3b(c).	Retain reference to the Code of Practice as it is currently included in Operative Plan Rule 15A.10.3b(c).

Subdivision Rules (6)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.16	Plan Change 4 proposes to retain references to the Code of Practice in subdivision rules (Rules 12.15.4; 13.14.4; 14.13.4; 15B.14.4) and references to the Code in the Kaipara District Council Engineering Standards 2011.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice - including subdivision.
FAR NORTH DISTRICT COUNCIL	PC4.27.11	It is proposed to retain reference to the code of practice in the subdivision performance standards. This is an important time to implement fire safety measures when land use triggers are removed. FNDP in [its] subdivision chapter refers to compliance with 'Engineering Standards and Guidelines' which reference the New Zealand Fire Service's Code of Practice.	Retain reference to the New Zealand Fire Fighting Supplies Code of Practice as a performance standard for subdivision in the rural, residential, business (commercial and industrial) and Maori Purposes: Treaty settlement zones.
FITT Steve	PC4.24.16	Plan Change 4 proposes to retain references to the Code of Practice in subdivision rules (Rules 12.15.4; 13.14.4; 14.13.4; 15B.14.4) and references to the Code in the Kaipara District Council Engineering Standards 2011.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code of Practice - including subdivision.
LARSEN Jonathan	PC4.29.29	<p>Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4 Retention of reference to Code of Practice</p> <p>The Council has come to the conclusion that the requirements of the Code of Practice are disproportionate to the risks posed.</p> <p>As previously explained the presence of a dedicated fire fighting water supply as required by the Code of Practice is not a relevant factor in saving buildings from fire in non-reticulated areas of Kaipara.</p> <p>Furthermore, as previously explained the standards in the Code of Practice for on-site hard stand and turning areas are inappropriate for rural areas and small towns.</p> <p>Depending on the activity being undertaken in commercial and industrial zones, there will be merit in having a water supply in non-reticulated areas. However by referring to the Code of Practice as a document that must be complied with, all of its contents are imposed, including for example requirements to accommodate 20 tonne appliances. Reference to the Code of Practice should be retained relating to water supplies for commercial and industrial activities in reticulated areas, and should be considered for commercial and industrial areas in non-reticulated areas on a case-by-case basis.</p> <p>Therefore, retaining reference to the Code of Practice in these rules is illogical especially for non-reticulated areas in the Residential, Rural and the Maori Purposes Zones. By retaining reference to the Code of Practice in these rules the Council is contradicting itself and imposing an unreasonable and illogical burden on future applicants.</p> <p>Whilst some guidance may be able to be drawn from the Code of Practice, it should not be incorporated by reference as a standard that must be complied with. It is a flawed non-statutory document and incorporating it into the District Plan gives it a statutory power that imposes an unreasonable and unnecessary burden on ratepayers. It was only incorporated in the first place because the previous Council did not read it or understand the implications of its content.</p>	<p>Remove reference to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 from Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4.</p> <p>The Council should also include a note in the District Plan drawing attention to the existence of the Code of Practice as a guide.</p>
NEW ZELAND FIRE SERVICE	PC4.28.16	<p>Performance Standards - Rule 12.15.4 (Rural), Rule 13.14.4 (Residential), Rule 14.13.4 (Commercial and Industrial), Rule 15B.14.4 (Maori Purposes: Treaty Settlement Zones)</p> <p>The Commission supports the proposed retention of the requirement for all developments to have water supplies that are adequate for firefighting purposes, including reference to the Code of Practice as a Performance Standard in Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4. The retention of these performance standards:</p>	Retain the Operative Plan Performance Standards in Rules 12.15.4, 13.14.4, 14.13.4 and 15B.14.4 as proposed.

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
		<ul style="list-style-type: none"> • is consistent with the importance afforded to firefighting water by Section 14(3)(e) of the RMA; • is the most appropriate way to achieve proposed Objective 2.4.15 (including as amended by this submission); • appropriately implements proposed Policies 2.5.17(a), (b) and (c) (including as amended by this submission); • gives effect to Policy 7.1.1 of the RPS; • enables the Commission to meet its statutory obligations; • appropriately mitigate natural hazards and the adverse effects of fire on people, communities, property and the environment; and • achieves the purpose of the RMA by enabling people and communities to provide for their health and safety. 	
	PC4.28.17	<p>References to the Kaipara District Council Engineering Standards 2011</p> <p>The Commission supports the proposed retention of references to the Kaipara District Council Engineering Standards throughout the District Plan to the extent that these Standards, in turn, require reticulated water supplies to be in accordance with the Code of Practice. The Commission's support is for the reasons set out in relation to subdivision performance standards (refer also to submission point PC4.28.16).</p>	Retain references to the Kaipara District Council Engineering Standards 2011 throughout the District Plan.

Support C Boonham (16)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BREMNER James	PC4.25.1	Having read the submissions of Clive Richard Gerald Boonham I fully endorse the entirety.	No specific relief stated.
BUTTERFIELD Bill	PC4.15.1	I support the submissions of Clive R.G. Boonham from Mangawhai.	Plan Change 4 should be completely withdrawn and replaced with a new Plan Change that deletes all references to the Code of Practice.
CHISHOLM Ian	PC4.23.1	I support the reasons set out in the submissions of Clive Richard Gerald Boonham (Ref: 1614161).	Plan Change 4 should be completely withdrawn and replaced with a new plan change proposal that completely deletes any reference to fire rules based on the Code of Practice.
CLARK Barry and Jan	PC4.10.1	We support the submissions of Clive Richard Gerald Boonham.	No specific relief stated.
CLARKE Ian	PC4.6.2	I fully support Clive Boonham's submission.	Relief as outlined by Clive Boonham.
CORBETT Robert	PC4.11.1	I wish to endorse and support the submission by Clive Boonham.	No specific relief sought.
FISH Ian	PC4.3.2	I support the submissions of Clive Richard Gerald Boonham.	Withdraw Proposed Plan Change 4 and replace with a new Plan Change to delete any reference in the District Plan to Fire Safety Rules and the NZFS Code.
HOOD Carla	PC4.4.1	I support the submission of Clive Richard Gerald Boonham.	No specific relief stated.
HURRING Annette and Bryan	PC4.21.1	We support the submissions of Clive Richard Gerald Boonham.	Plan Change 4 should be completely withdrawn and replaced with a new Plan Change that deletes all reference to the Code of Practice.
INNES Prue	PC4.12.1	I support the submissions of Clive Richard Gerald Boonham.	Plan Change 4 should be completely withdrawn and replaced with a new Plan Change that deletes all reference to the Code of Practice.
NORDMEIER Jorg	PC4.20.1	I would like my submission to be the same that Mr Clive Richard Gerald Boonham submitted, dated Nov 18 2016.	Same as in Mr Boonham's submission.
PEARSON Theresa	PC4.14.1	I would like to support Clive Richard Gerald Boonham's submission to the Council's fire plan.	No specific relief stated.
SOMERS-EDGAR Douglas and Anne	PC4.18.1	We very strongly support the submission filed by Clive Richard Gerald Boonham in rejection of the Proposed Plan Change 4.	No specific relief stated.
SPARKS Patrick	PC4.13.1	We are in total support of Clive Richard Gerald Boonham's submission on the Fire Safety Regulations and not the money making scheme that the Council proposes.	No specific relief stated.
REVELL Philip and Beverly	PC4.19.1	We support the submissions of Clive R G Boonham dated 18 November 2016.	No specific relief sought.
VAN DER WOERD Henk and Christa	PC4.17.1	We do support the submissions of Clive Richard Gerald Boonham.	No specific relief stated.

Support Plan Change (2)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
NEWMAN Kathy	PC4.1.1	Common sense has prevailed. I support the changes made to allow residential planting within 20m of a building.	I hope this latest proposal of change is accepted.
	PC4.1.2	Common sense has prevailed. I support doing away with water storage by residents for fire fighting purposes.	I hope this latest proposal of change is accepted.

Urban Rules (4)

Submitter/Organisation Full Name	Submitter ID	Summary	Relief sought
BOONHAM Clive	PC4.9.15	Urban Rules - the proposed changes are a mixture of vague and general statements of supposed best practice with no clear requirements or obligations. They are poorly drafted. They break all the rules of good drafting.	Delete rules 13.10.26 and 14.10.26.
FAR NORTH DISTRICT COUNCIL	PC4.27.9	<p>Rules 13.10.26 and 14.10.26 (urban rules) propose to delete the rule for buildings to be set back 20 metres from vegetation. The FNDP currently has a similar rule but the setback applies to residential units:</p> <p><i>'Residential units shall be located at least 20m away from the dripline of any trees in a naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest'.</i></p> <p>The retention of a rule for setback from vegetation for residential units would provide a separation distance from vegetation and help safeguard vegetation from a structural fire. Those who cannot achieve the requirement can seek resource consent where applications will be assessed on their merits. Clarity around the interpretation of what a <i>'naturally occurring or deliberately planted area of scrub or shrubland, woodlot or forest'</i> in the form a guidance note would be beneficial.</p>	Consider amending the rules 13.10.26 and 14.10.26 to link the setback from vegetation to residential use regardless of the underlying zone and provide guidance on the interpretation of the rule wording.
FITT Steve	PC4.24.15	Urban Rules - the proposed changes are a mixture of vague and general statements of supposed best practice with no clear requirements or obligations. They are poorly drafted. They break all the rules of good drafting.	Delete rules 13.10.26 and 14.10.26.
NEW ZEALAND FIRE SERVICE	PC4.28.14	<p>Rule 13.10.26 (Residential), Rule 14.10.26 (Commercial and Industrial) - For the reasons set out above [Submission Point PC4.28.14], the Commission:</p> <ul style="list-style-type: none"> opposes the proposed deletion of the requirement for a new building to comply with the Code of Practice in Rules 13.10.26 and 14.10.26; supports the proposed deletion of the clause in Rules that requires compliance with NZS 9231:1971; and supports the proposed Advice Note that recommends the installation of sprinklers. <p>The Commission also acknowledges the rationale given by the Council for the proposed deletion of Clause (d) and Note 1, which relate to the proximity of vegetation to buildings and does not oppose their deletion given that the rules apply in urban environments.</p>	<p>Retain Clause (b) in the Operative Plan, Rules 13.10.26 and 14.10.26, do not delete clause (b) as proposed.</p> <p>Delete Clause (c) in Rules 13.10.26 and 14.10.26 as proposed.</p> <p>Include Advice Note 1 in Rules 13.10.25 and 14.10.25 as proposed.</p>