

SUBMISSION ON NOTIFIED APPLICATION CONCERNING RESOURCE CONSENT

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056



(Form 13)

Section 95A (public) Resource Management Act 1991 @codc.govt.nz
w.codc.govt.nz

To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340
resource.consent@codc.govt.nz

DETAILS OF SUBMITTER

Full name: Fire and Emergency New Zealand (FENZ)

Contact person (if applicable): Mark Mawhinney

Electronic address for service of submitter: mark.mawhinney@fireandemergency.nz

Telephone: 0275304590 _____

Postal address (or alternative method of service under [section 352](#) of the Act):

PO Box 2360 Queenstown 9349 _____

This is a submission on the following resource consent application: RC No: **220453**

Applicant: **Burn Cottage Road JV Limited** Valuation No: **2842117900**

Location of Site: **172 Burn Cottage Road, Cromwell**

Brief Description of Application: **Subdivision consent to create (4) lots from one existing Record of Title in Rural Resource Area, Land use Consent to establish building platforms on each of the new titles**

Submissions Close 09 February 2024

The specific parts of the application that my submission relates to are:

(give details, attach on separate page if necessary)

Wildfire risk to the buildings on these proposed sections. FENZ believe there is a need for planning to be in place to mitigate wildfire risk.

This submission is: *(attach on separate page if necessary)*

Include:

- *whether you support or oppose the specific parts of the application or wish to have them amended; and*
- *the reasons for your views.*

FENZ neither support or oppose application. FENZ would like to see planning undertaken, through the build process and landscape planting, that mitigates the potential impacts of a wildfire either starting on or spreading onto the sections.

Central Otago is one of the driest districts in New Zealand. Fire poses a significant risk to life and property due to the number of high and above fire weather days. Fires are predominantly human induced events. Fires can start from deliberately lit fires or from machinery causing sparks, failures in power lines, even self combustion of organic material. There is little or no likelihood of stopping the accidental, or otherwise, starting of fires. Climate change may cause more fires or create conditions that make fire more difficult to manage. All these potentialities imply good fire management by homeowners is important and will become more important in the future.

I/We seek the following decision from the consent authority:
(give precise details, including the general nature of any conditions sought)

There being a requirement that when homes are built on these sections both the materials used in the build and the landscape plantings consider wildfire risk. "Fire Smart" is an internationally recognised process that guides people through the process of implementing safe design of landscapes around homes. FENZ "wildfire safer housing guide also provides information on what to consider when designing your home. FENZ will provide advice and information to the applicant should they wish to contact us.

We neither support or oppose (select one)

We do not wish to be heard in support of this submission (select one)

We am not* a trade competitor for the purposes of [section 308B](#) of the Resource Management Act 1991 (select one)

We are not (select one) directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b)

We do not request (select one), pursuant to [section 100A](#) of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority. “See *note 4 below as you may incur costs relating to this request.*”



_____ 25th January 2024

Signature

Date

(to be signed by submitter or person authorised to sign on behalf of submitter)

In lodging this submission, I understand that my submission, including contact details, are considered public information, and will be made available and published as part of this process.

Notes to submitter

1. If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#).

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

2. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
3. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.

4. If you make a request under [section 100A](#) of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you will be liable to meet the additional costs of the hearings commissioner or commissioners, compared to our hearing panel. Typically these costs range from \$3,000 - \$10,000.

5. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - it is frivolous or vexatious:
 - it discloses no reasonable or relevant case:
 - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - it contains offensive language:

it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Form 13

Submission on application concerning resource consent or esplanade strip that is subject to public notification or limited notification by consent authority

Sections 95A, Resource Management Act 1991

To: Central Otago District Council

Submission on Publicly Notified Resource Consent – Burn Cottage Road JV Limited

Name of submitter: Fire and Emergency New Zealand

This is a submission on an application from Burn Cottage Road JV Limited for a resource consent to subdivide a 32 hectare property at 172 Burn Cottage Road. The consent seeks to subdivide the property into four lots and establish five building platforms. Proposed Lot 1 will contain two building platforms.

Fire and Emergency New Zealand's (Fire and Emergency) interests relates to the proposed building platforms and subsequent residential dwellings that are to be established.

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

Fire and Emergency are **neutral** to this resource consent application, subject to the relief sought in this submission.

The specific parts of the application that Fire and Emergency's submission relates to are:

- *The provision for firefighting water supply in accordance with the Code of Practice (SNZ PAS 4509:2008)*
- *Emergency service access in accordance with Designers' guide to firefighting operations, Emergency vehicle access, F5-02-GD*

Fire and Emergency's submission is:

In achieving the sustainable management of natural and physical resources under the RMA, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment.

The risk of fire represents a potential adverse effect of low probability but high potential impact. Fire and Emergency has a responsibility under the Fire and Emergency New Zealand Act 2017 to provide for firefighting activities to prevent or limit damage to people, property and the environment. As such, Fire and Emergency monitors development occurring under the RMA to ensure that, where necessary, appropriate consideration is given to fire safety and operational firefighting requirements.

In order for Fire and Emergency to achieve their principle objective which includes reducing the incidence of unwanted fire and the associated risk to life and property, protecting and preserving life, and preventing or limiting injury, damage to property land, and the environment, Fire and Emergency requires adequate water supply be available for firefighting activities; and adequate access for new developments and subdivisions to ensure that Fire and Emergency can respond to emergencies.

The provision for adequate water supply is therefore critical. It is important to Fire and Emergency that any new subdivision or land use has access to adequate water supply (whether reticulated or non-reticulated). This essential emergency supply will provide for the health, safety and wellbeing of people and the wider community, and therefore contributes to achieving the purpose of the RMA.

Firefighting Water Supply

The application states that the applicant currently has an agreement in place with the water company servicing this location. The agreement provides the applicant with 30,000m³ of water per day from Burn Cottage Road with the option of an additional 30,000m³ if required for any reason. The purchasers of the proposed lots will also be given the option of installing bores if that is the preference.

There is potential risk to Fire and Emergency given the applicant wishes to provide flexibility with regard to water supply, either via connection from Burn Cottage Road or a bore.

Central Otago District Council have a Memorandum of Understanding (MOU) with Fire and Emergency which requires that a condition be placed on resource consent approvals pertaining to firefighting water supply where a dwelling is to be erected on any building platform.

As such, and in the absence of specific residential buildings plans, Fire and Emergency request that a consent notice be placed on the title of proposed Lots 1-4 as follows:

Consent Notice

The following shall be registered as a consent notice on the relevant Record of Title

1. *All owners, and subsequent owners of Lot x DP xxx are advised of the following:*

All habitable dwellings shall be provided with a firefighting water supply that complied with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ/PAS 4509:2008.

Access

With respect to access, it is noted that there is an existing vehicle crossing to the site off Burn Cottage Road. However, the applicant is proposing to relocate the vehicle crossing to the west to reduce the impact on the neighbour. Given the requirements within the Central Otago District Plan, it is considered that the vehicle crossing would be suitable for fire appliances.

The application states that there is an existing farm access track which will be utilised to provide access to all of the allotments with an additional short length of driveway to be constructed. The Scheme Plan shows the access throughout the site via the following rights of way and widths as labelled on the Scheme Plan:

- AA = 3m in width
- AB = 6m in width
- AC = no width specified.
- AD = 6m in width

Two passing bays are to be created in the top third of the track where it is too narrow for two-way traffic. A 3m carriageway width and not specified carriageway width pose a risk to Fire and Emergency given a minimum carriageway width of 4m is required for fire appliances as outlined in the *Designers' guide to firefighting operations, Emergency vehicle access, F5-02-GD*.

The application also notes that there are steep sections associated with the access to be provided. Fire and Emergency require a maximum gradient of 1:16 to enable fire appliance access.

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

Fire and Emergency seeks that the rights of way are developed to provide a carriageway width of 4m and a gradient not steeper than 1:16 to enable easy access for fire appliances.

Fire and Emergency recommend the inclusion of a consent notice to be imposed on all four of the proposed Lots 1-4 as follows:

Consent Notice

The following shall be registered as a consent notice on the relevant Record of Title

1. All owners, and subsequent owners of Lot x DP xxx are advised of the following:

All habitable dwellings shall be provided with a firefighting water supply that complied with New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ/PAS 4509:2008.

Fire and Emergency may wish to be heard in support of its submission. If others make a similar submission, Fire and Emergency will consider presenting a joint case with them at the hearing.

Fire and Emergency does not request, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.



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

Date:	01/02/2024
Electronic address for service of person making submission:	Lydia.Shirley@beca.com
Telephone:	+64 3 367 2460
Postal address:	ANZ Centre 267 High Street Christchurch Central City Christchurch, 8011
Contact person:	Lydia Shirley

RECEIVED 1/02/2024 CODC
