

Greater Wellington Regional Council
PO Box 11646
WELLINGTON 6142

18 August 2017

Attention: Erin Campbell (Hearings Officer)

Dear Erin,

New Zealand Fire Service Commission, Wellington Rural Fire Authority and Wairarapa Rural Fire Authority (Submitter #142) – Letter to be tabled for hearing: Greater Wellington Proposed Natural Resources Plan (Hearing 3)

The New Zealand Fire Service Commission, Wellington Rural Fire Authority and Wairarapa Rural Fire Authority ('Submitter #142') no longer wishes to attend the hearing commencing on 4 September 2017, regarding the topics to be covered under Hearing 3. The reasons for that are set out in this letter, and we therefore request that this letter be tabled for the Hearing Panel's consideration in lieu of attendance.

The Council Section 42A Report for the *Water Allocation* topic is correct in its summary of Submitter #142's submission points S142/009-012 and 014-018 as set out on pages 43-45 of Appendix D to the Report.

S142/009 & 010 – Policies 111 & 112

Submitter #142 supported the proposed provisions in Policies 111 and 112, which clarify that the use of water for firefighting during low flows, droughts and serious water shortage is still enabled under section 14(3)(e) of the RMA.

The section 42A report has recommended the acceptance of these submission points. Submitter #142 supports this recommendation.

S142/011 – Rule 136

Submitter #142 supported proposed Rule 136 as it contained a note clarifying that the taking of water for firefighting is enabled under section 14(3)(e) of the RMA.

The section 42A report has recommended to accept in part this submission point. This is because it has been recommended to remove this note and instead provide a clearer note on the activities enabled under section 14(3)(e) of the RMA at the beginning of the rules relating to water takes. Submitter #142 supports this recommendation, in the interests of providing further clarity on the matter within the Proposed Plan.

S142/012 & 014 - 018 – New rules for firefighter training water takes

Submitter #142 requested several new rules to be added to allow for water takes for firefighter training in general and throughout the Whaitua chapters (subject to standards).

As raised in our tabled letters for Hearings 1 and 2, the Fire and Emergency New Zealand Act 2017 ('FENZ Act') received Royal Assent in May 2017. Schedule 2 of this Act sets out the consequential amendments

that have also been passed as part of this Act. An amendment has consequentially been made to section 14(3)(e) of the Resource Management Act, which now will state:

A person is not prohibited by subsection (2) from taking, using, damming, or diverting any water, heat, or energy if –

...

*(e) the water is required to be taken or used for ~~firefighting purposes~~ **emergency or training purposes in accordance with section 45 of the Fire and Emergency New Zealand Act 2016.***

This amendment now clarifies that both emergency and training water takes are an important use of water for the purposes of both preparing for and responding to fire hazards. As set out in the FENZ Act, this amendment came into force on 1 July 2017. This enables water takes for firefighter training purposes under section 14(3)(e) of the RMA so that provision for this activity is no longer required within the Proposed Plan.

The section 42A report has also recognised that this change to the RMA has occurred. Consequently it has recommended that submission points S142/012 & 014 – 018 be rejected. Submitter #142 supports this recommendation, for the reasons stated above.

Submitter #142 requests that the Hearing Panel take into consideration the points made above when coming to a decision on the approval of the matters being assessed within Hearing 3 on the Proposed Plan.

Submitter #142 appreciates the opportunity to be involved in the Plan Review process, in the interests of promoting the safety of the environment and the community in regards to protection from fire.

Should you have any further queries please contact myself or Gavin Dunphy (Area Commander and Area Manager for Hutt-Wairarapa) on (027) 232 2294 or gavin.dunphy@fireandemergency.nz

Yours sincerely



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