

Proposed Natural Resources Plan:

Submitter:

**New Zealand Fire Commission and  
Wellington Rural Fire Authority**

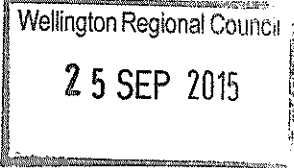
Submitter Number:

**S142**



## FORM 5

# SUBMISSION ON THE PROPOSED WELLINGTON NATURAL RESOURCES PLAN



To: Greater Wellington Regional Council  
Submission on: Proposed Natural Resources Plan for the Wellington Region

Name of submitter: This is a joint submission made by:

- The New Zealand Fire Service Commission (the NZFS Commission) which represents the interests of both the New Zealand Fire Service (NZFS) and the National Rural Fire Authority (NRFA), and
- The Wellington Rural Fire Authority and the Wairarapa Rural Fire Authority

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### Background:

This is a submission on the Proposed Natural Resources Plan for the Wellington Region made on behalf of the New Zealand Fire Service Commission (NZFS Commission), which represents the interests of both the New Zealand Fire Service (NZFS) and the National Rural Fire Authority (NRFA). This submission is also made on behalf of both the Wellington and the Wairarapa Rural Fire Authorities. Collectively, these parties will be referred to as 'the Submitters' throughout this submission.

The NZFS and the NRFA are managed by the overarching NZFS Commission. The NZFS trains for and responds to mainly structural fires whereas the NRFA supports local RFAs in training for and responding to rural wildfires. Both the NZFS and the NRFA (through supporting RFAs) operate at regional levels with the overall goal to protect people, their property, the communities of New Zealand and the environment from the consequence of unwanted fires.

The NZFS Commission submitted feedback on the Draft Natural Resources Plan with the aim of enabling the NZFS to carry out its requirements under the Fire Service Act 1975 more effectively in the protection of lives, property and the surrounding environment. This formal submission talks to the matters that were raised in the initial submission as well as some additional matters relating to activities required to be undertaken to enable effective firefighting training and emergency response. This formal submission has also been expanded to include

the interests of the NRFA and Wellington and Wairarapa RFAs, as all these parties undertake similar activities, albeit for different purposes.

The NZFS Commission would like to thank Greater Wellington Regional Council for including the majority of the requests made with its submission on the Draft Natural Resources Plan. This submission focuses on minor adjustments to the provisions requested in the submission on the Draft Plan. It also includes some new requested provisions which address the requirements of the Submitters to undertake certain training exercises in order to be prepared for emergency response. The Submitters are happy and willing to work with Greater Wellington Regional Council to discuss the issues raised in this submission as the review process progresses.

**The specific parts of the Proposed Natural Resources Plan that this submission relates to are:**

The provisions which affect the Submitters' responsibilities in protecting communities from the effects of unwanted fire, including:

- Discharges to air relating to live burns undertaken for training purposes;
- Water takes undertaken for both training and emergency response purposes;
- Discharges to land and water associated with both training and emergency response activities.

**Reason for submission:**

In achieving the sustainable management of natural and physical resources under the RMA 1991, 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. The NZFS Commission has a responsibility under the Fire Service Act 1975 to provide for structural firefighting activities in a safe, effective and efficient manner. As such, the NZFS Commission monitors development occurring under the RMA 1991 to ensure that, where necessary, appropriate consideration is given to fire safety.

The NRFA operate under the Forest and Rural Fires Act 1977 to provide for forest and rural land protection from the consequences of fires. The Wellington Rural Fire Authority and the Wairarapa Rural Fire Authority manage the responsibilities of the NRFA within the Greater Wellington Region.

In order to effectively fulfil the emergency response responsibilities above, the Submitters require the ability to undergo training exercises to train personnel in emergency preparedness and firefighting skills. Further details on what this training involves and the importance of the skills learned as a result are set out in further detail below.

### Live fire training

Live fire training is a practice which involves setting fire to an existing structure in a controlled setting for the purposes of training NZFS personnel. NZFS personnel work in dangerous environments where their safety and the success of their actions is determined by training, PPE (Personal Protective Equipment) and the most appropriate selection of fire suppression tools and medium application.

While 'cold' training provides education on the procedures to be followed, there is no other form of training that gives students the experience they will require in real life scenarios than live fire training. Live fire training is an extremely beneficial training medium as it allows operational firefighters to study fire development and behaviour and to practice various suppression techniques and tactics in a controlled and safe environment.

Modern construction methods and materials have changed the way that fires react and therefore the conditions that firefighters are faced when attending a fire emergency. Live fire training allows the NZFS to replicate some of these conditions; in particular the unvented fire and partially vented fire conditions that are encountered with modern construction.

In addition, NZFS policy requires that all fire incidents attended by the NZFS be investigated to establish the cause of the fire. In certain incidents, a specialist investigation is required to be undertaken by officers with the appropriate qualifications, training and experience to be considered as Specialist Fire Investigators. On occasion, these Specialist Fire Investigators may be called to provide expert opinion of investigations carried out to Criminal, Coronial and Civil courts of law. Therefore, the ability to carry out or observe demonstrations, reconstructions, and experiments involving live fire burning is a vital component in the development and upkeep of expertise and credibility for Specialist Fire Investigators.

The location of a live fire training exercise may be within an urban or a rural setting, depending on where a property becomes available for this purpose. For this reason, the NZFS requires the ability to carry out live burns in both urban and rural locations.

NZFS training staff are acutely aware of air quality issues and undertake live burning exercises with absolute regard to keeping contaminant release to the minimum for the briefest period of time possible. The ability to conduct live fire training also aids in ensuring that NZFS personnel are better equipped to deal with actual fire emergencies with the aim of extinguishing these fires in a more efficient and expeditious manner. The NZFS Commission believes that this ability results in a net overall reduction of fire-borne contaminants throughout an air shed.

### Equipment training – water extraction

For all the Submitters, the ability to source water and use it in an effective manner to extinguish a fire is crucial to a fire emergency response. In order to ensure that an emergency response is undertaken as efficiently and effectively as possible, all the Submitters undertake training exercises on the use of pumps and hoses in extracting water from surface water bodies.

The Wellington RFA has four volunteer rural fire forces which on average each conduct training once a month where they would source water from a surface water body. The Wairarapa RFA has eight volunteer rural fire forces which would each undertake training at a similar frequency. Each training session involves on average up to 1 hour of actual water pumping. This equates to around 12 hours of pumping in total per month undertaken by the Wellington and Wairarapa RFAs.

In addition, local Wellington Department of Conservation staff and Greater Wellington Regional Council parks staff undertake training but would source water from a surface water body for training purposes on an annual basis only.

The NZFS rarely uses water from an open water source; however it does on occasion use either portable pumps or fire trucks for training.

Training exercises can involve a range of equipment with varying pressure ratings, as set out below. It is noted that the amounts below are maximum calculations; however the equipment is rarely utilised to its full capacity over the length of a training session, making the volume of actual takes lower than those set out in the table below. The fire truck pumps are also rarely used, and then not to their full capacity and only in a water body that can support the rate of take.

Pump Type	Rate of take	Total volume of take over 1 hour (m <sup>3</sup> )
High Pressure Low Volume	1.66L/sec	6m <sup>3</sup>
Low Pressure Medium Volume	5L/sec	18m <sup>3</sup>
Medium Pressure Medium Volume	8.33L/sec	30m <sup>3</sup>
NZFS Iveco-type truck	31L/sec	112m <sup>3</sup>
NZFS Scania-type truck	56L/sec	202m <sup>3</sup>

Locations for these training exercises are carefully selected. Solid, secure and clear access to the water is important in terms of transporting equipment to the site. Locations are also selected in places which will be out of the way of the general public as much as possible, to protect their health and safety and so as to not create a conflict of waterway usage. At the same time, the Submitters are mindful of the impact of training exercises on ecological values, and sensitive environments are also avoided. Locations within areas of high ecological value are often impractical and too difficult to access easily anyway. Saltwater can at times be used for training purposes; however during these exercises water is always accessed via a hardstand (i.e. a wharf or jetty) with no disturbance to the banks or beds of water bodies. A careful assessment of potential locations for training during periods of low flow and drought is also undertaken. Practically, any water bodies that do not contain a depth, volume and rate of flow

that allow for an effective training session will be avoided. Groundwater is not utilised for training purposes.

Training involves the taking of water from a water body and the discharge of this water to land adjacent to the water body. At times firefighting foam is used in training exercises, to learn how to effectively use it during an actual emergency event. All efforts are made to avoid the direct discharge of foam to water. The firefighting foam utilised is typical of foam used throughout the world. It is eco-toxic in concentrated form, but when diluted it is not harmful (efforts are being made to produce a foam that is not hazardous at all; however this technology is still some years away). The Submitters are confident that training exercises involving foam are capable of meeting the requirements of proposed Rule 42 which manages the permitted discharge of contaminants into water, or onto or into land where it may enter water.

Pump testing also takes place periodically outside of training events. In terms of discharges, this involves a discharge of water to water only.

Detail on the submission points of the Submitters and further detail on the reason for the submission is provided in the table below.

**The Submitters seek the following decision from Greater Wellington Regional Council:**

Amend the Proposed Natural Resources Plan to provide for the operational requirements of the Submitters in a way that enables the safety and wellbeing of the Wellington Region through protection from fire (as set out in the table below).

- The Submitters wish to be heard in support of their submission.
- If others make a similar submission, the Submitters will not consider presenting a joint case with them at the hearing.
- The Submitters could not gain an advantage in trade competition through this submission.



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(Signature of person authorised to sign on behalf of the Submitters)

25/09/2015  
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Date

Plan Provision	Support/Oppose/ Amend	Submissions/Reasons	Relief Sought
<b>Definitions</b>			
Surface water body	Support	The Submitters support the exclusion of fire fighting water storage ponds within the surface water definition.	Retain reference to exclusion of fire fighting storage ponds within the definition of <i>Surface water body</i> .
New Definition – 'Firefighter training'		The Submitters request the inclusion of a definition for firefighter training within the Chapter 2 to provide clarity around what types of activities are covered under firefighter training exercises.	Addition of Definition: <u>Firefighter Training</u> - <u>The activities that the New Zealand Fire Service, Rural Fire Authorities and any other Fire Brigade undertake to train their personnel for emergency preparedness. Such activities include live burns, and pump training in surface water bodies.</u>
<b>Beneficial Use and Development</b>			
Policy 7 - uses of land and water	Support in Part	The Submitters support in part the inclusion of Policy 7 which states that the cultural, social and economic benefits of using land and water for fire fighting shall be recognised. The Submitters view this policy as fundamental to any new development within the Wellington Region. The inclusion of the term "shall be recognised" is also supported. The Submitters request that the role of firefighter training in providing cultural, social and economic benefits through equipping firefighters to effectively respond to a fire emergency also be recognised through this Policy.	Amend Policy 7 to state: <u>The cultural, social and economic benefits of using land and water for:</u> ... <u>i) firefighting and firefighter training, and</u> ... <u>shall be recognised</u>
<b>Air Quality</b>			
Policy 56 - Outdoor	Support	The Submitters note the inclusion of the firefighter training provisions within the air quality rules, but note that there is no	Retain Policy 56.



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burning		guiding policy to direct this specific rule. However, when undertaking training exercises, the Submitters are able to fulfil the outcome sought in Policy 56 through implementing best practice management for minimising smoke during a fire. The training exercises also show firefighters how to implement different techniques for effectively extinguishing a fire in an emergency.	
Rule 3: Outdoor burning for firefighter training – permitted activity	Support	Practical structural firefighter training is essential for firefighters to gain knowledge and experience for emergency events and reduce endangering firefighter safety during a real fire event. Controlled structure burns for firefighter training can also reduce the amount of contaminants discharged to air through the effective use of fire intensity.	Retain Rule 3.
Rule 5: Outdoor burning of specified materials – prohibited activity	Support	The Submitters support the exemption of firefighter training within Rule 5 for the discharge of contaminants to air resulting from the burning of specified materials. This allows firefighter training to be undertaken using materials that may be found in a fire emergency. It is noted that the Submitters do take measures to consider the environmental impacts of the materials that will be burned in a training event; for example asbestos is always removed prior to a live burn being undertaken on a structure.	Retain Rule 5.
<b>Discharges to Water</b>			
Rule 42 - Minor Discharges - Permitted Activity	Support in Part	The Submitters seek to amend Rule 42 to exclude discharges of contaminants resulting from firefighting during emergencies. When attending a fire, it is the Submitters' highest priority to extinguish the fire as soon as possible. It is often unknown what contaminants are contained on site. While every effort is taken to minimise the associated effects of firefighting, there is the potential for contaminants originating from the site of the fire to	Amend Rule 42 to state:  <i>The discharge of contaminants into water, or onto or into land where it may enter water that is not permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited by any other rule in this Plan is a permitted activity provided the following conditions are met:</i>

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		<p>be discharged to either or both land and water as a result of firefighting. In order to ensure that the Submitters are able to undertake emergency responses effectively without being penalised for associated environmental effects, this amendment is sought.</p> <p>It is noted that discharges produced by firefighter training activities are expected to be able to comply with Rule 42.</p>	<p>...</p> <p>Except that the discharges of contaminants produced by emergency firefighting activities undertaken by the <u>New Zealand Fire Service, Rural Fire Authorities and any other Fire Brigade are exempt from standards (a) to (e).</u></p>
Rule 43 - Water to Water - Permitted Activity	Support	<p>At times the Submitters test their pumps to ensure they are operating correctly. This involves water being run through the pump and being discharged immediately back into the same water body. The Submitters support proposed Rule 43 in allowing this activity to be permitted subject to reasonable standards.</p>	Retain Rule 43.
Taking, using, damming and diverting water	Support	<p>The Submitters support the exemption within Policy 111 to allow water to be taken for firefighting purposes during periods of low flows, as is provided for in section 14 of the RMA. This provides recognition that the Submitters are able to carry out their operational requirements during an emergency situation even when there is a water restriction in place.</p>	Retain Policy 111.
Policy 112 - Priorities in drought and serious water storage	Support	<p>The Submitters support the exemption within Policy 112 to allow water to be taken for firefighting purposes during periods of serious water shortages, as is provided for in section 14 of the RMA.</p>	Retain Policy 112.
Rule 136 - Take and use of water - Permitted Activity	Support	<p>It is crucial that the Submitters are allowed to utilise surface and/or groundwater as available when responding to a fire emergency. The Submitters support the note at the end of Rule 136 which recognises that taking water for firefighting purposes</p>	Retain the Note at the end of Rule 136.

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<p>New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i></p>		<p>is enabled under section 14 of the RMA.</p> <p>The rules as currently proposed do not provide for water takes from surface water for the purposes of firefighter training (as opposed to 'firefighting purposes', the intent of this phrase being to apply to emergency actions only). Firefighter Training (as described in the section above) is unable to comply with Proposed Rule 136(a). While the volume taken per training event is comparable to that allowed daily under 136(a), the rate of take is higher than that permitted. Additionally, it would be difficult to calculate water takes for firefighter training against 136(a), as training is typically undertaken from a public space rather than on private property. Firefighter training activities play a vital role in contributing to 'firefighting purposes' (i.e. emergency response), by ensuring that the Submitters' personnel are as equipped and prepared as possible to effectively respond to a fire emergency. Given this importance, the Submitters request that a specific rule be inserted into the Proposed Plan to allow for water takes associated with firefighter training as a permitted activity, subject to manageable standards that ensure that any effects on flow rates and ecology are minor. It is also noted that, in addition to this requested rule, firefighter training activities are required to, and are capable of complying with, Rule 124 which manages entry or passage over beds of lakes and rivers.</p>	<p>Addition of new rule to Water Allocation chapter 5.6 as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u>  <u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <p>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></p> <p>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></p> <p>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></p> <p>(d) <u>Fish are prevented from entering the water intake.</u></p>
<b>Coastal Management</b>			
<p>Rule 197 - Motor vehicles for certain purposes – permitted activity</p>	<p>Support</p>	<p>The Submitters support Rule 197 as there can be circumstances where access by firefighting appliances to coastal areas will be required in order to effectively respond to an emergency. This rule allows for reasonable access without the need to apply for a</p>	<p>Retain inclusion of motor vehicles for firefighting within Rule 197.</p>



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retrospective resource consent.			
<b>Ruamāhanga Whaitua</b>			
New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i>		<p>The Submitters note that separate provisions are being proposed for each catchment, or 'Whaitua'. The Submitters are concerned about the ability for the Plan to remain consistent when being applied to the same activity taking place across the Region, if separate rules are created for each catchment. The Submitters request that either the rule set out here is inserted into each Whaitua chapter to ensure the ability to carry out Fire Training across the Region, or the structure of the Plan is reconsidered to include overarching rules that apply across the Region.</p>	<p>Addition of a rule to the Ruamāhanga Whaitua Chapter as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u>  <u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></li> <li>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></li> <li>(d) <u>Fish are prevented from entering the water intake.</u></li> </ul>
<b>Wellington Harbour and Hutt Valley Whaitua</b>			
New Rule – <i>Take and use of water for Firefighter Training – permitted</i>		As above.	<p>Addition of a rule to the Wellington Harbour and Hutt Valley Whaitua Chapter as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u></p>

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activity			<p>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></li> <li>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></li> <li>(d) <u>Fish are prevented from entering the water intake.</u></li> </ul>
Te Awarua-o-Porirua New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i>		As above.	<p>Addition of a rule to the Te Awarua-o-Porirua Whaitua Chapter as follows:  <u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u>  <u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds</u></li> </ul>

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			<p><u>the rate of take from the water body, and</u></p> <p>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></p> <p>(d) <u>Fish are prevented from entering the water intake.</u></p>
<p>Kapiti Coast Whaitua</p> <p>New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i></p>		<p>As above.</p>	<p>Addition of a rule to the Kapiti Coast Whaitua Chapter as follows:</p> <p><u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u></p> <p><u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <p>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></p> <p>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></p> <p>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></p> <p>(d) <u>Fish are prevented from entering the water intake.</u></p>

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Wairarapa Coast Whaitua			
New Rule – <i>Take and use of water for Firefighter Training – permitted activity</i>		As above.	<p>Addition of a rule to the Wairarapa Coast Whaitua Chapter as follows:</p> <p><u>Rule RXXX: Take and use of water for Firefighter Training – permitted activity</u></p> <p><u>The take and use of water for firefighter training purposes is a permitted activity provided the following conditions are met:</u></p> <ul style="list-style-type: none"> <li>(a) <u>Each water take shall not occur for longer than 2 hours within a 24 hour period, and</u></li> <li>(b) <u>Surface water bodies shall only be utilised where there is a rate of flow that exceeds the rate of take from the water body, and</u></li> <li>(c) <u>The water is not taken from a natural wetland, or from within 50m of a natural wetland, and</u></li> <li>(d) <u>Fish are prevented from entering the water intake.</u></li> </ul>

