

28 July 2023

To: Hearing Panel,
for the WCC's Proposed District Plan.

JCA Submission for Stream 5

Introduction

The following is the Submission for Stream 5 of the Johnsonville Community Association Incorporated (JCA) to the Hearing Panel on the Proposed District Plan (PDP) for 2024-2034.

Johnsonville has long been targeted by the Council (WCC) for higher density residential and other development. The 2021 Spatial Plan outlined Johnsonville as expected to grow from 10,000 to 16,000 in the next 30 years, the highest level of population growth of any suburban area. This population growth of an additional 6,000 people (i.e.+60%) and has zoned Johnsonville with the largest High-Density Residential Zone in the city.

The JCA has noted previously, both to the Council and this Commission, the high level of supporting infrastructure investment that will be needed to support this massive population increase planned for Johnsonville. The JCA is very concerned that the Council has not budgeted sufficient supporting investment to enable Johnsonville to meet these growth expectations without further degradation of amenity.

Currently, there is neither a plan nor funding to increase the capacity of the Three Waters systems in Johnsonville to cope with this increase in population.

This is a completely illogical, and therefore, an unacceptable position for Johnsonville to be in given the level of proposed population increase as well as the fact that Johnsonville is also earmarked to be one of only two metropolitan centres for Wellington city.

Three Waters Infrastructure Shortfalls Need to be Rectified BEFORE Densification

Best practice urban planning requires key supporting infrastructure is in place before increasing housing density.

This is internationally accepted best practice. We understand that both Melbourne, Australia and the capital city of Australia, Canberra, do this.

Multiple submitters to Stream 5 have recommended that the Council put Three Waters infrastructure in BEFORE increasing housing density. The Council have repeatedly rejected these recommendations.

For example, the WCC Environmental Reference Group (Appendix B, page 13, 377.31) recommended the following in relation to THW-P4 (Three Waters Infrastructure Servicing):

2. Has sufficient capacity to accommodate development.

*3. **Is in position prior to the commencement of construction.***

*Limit subdivision and development where existing three waters capacity and / or level of service **is insufficient to service** further development unless*

The Council rejected this recommendation.

Claire Nolan, James Fraser, Biddy Bunzl, Margaret Franken, Michelle Wolland and Lee Muir (Appendix B, page 25, 275.1) recommended that the Council undertake a suburb specific response to assessing the ability of the Three Water infrastructure to accommodate the impacts of densification on wastewater, water supply and stormwater systems.

The Council rejected this recommendation.

Rimu Architects Ltd (Appendix B, page 13, 318.15) considers that TWH-P4 omits any mention of planned enhancements to bring the Three Waters infrastructure to a level that is adequate for Medium and High-Density residential zones (e.g. by deferring some areas for 5 or 10 years until the required infrastructure is constructed) or even a programme of renewals to bring capacity up to levels sufficient to service permitted uses under the operative district plan. They recommended the following in relation to THW-P4 (Three Waters Infrastructure Servicing):

Amend THW-P4 (Three waters infrastructure servicing) to add a statement on upgrading infrastructure to meet the level of service required to meet the requirements of permitted uses.

The Council rejected this recommendation.

The Tyers Stream Group (Appendix B, pages 12 and 24, 221.16, 221.1 and 221.2) made three recommendations requesting that adequate Three Waters infrastructure be in place before densification proceeds. For example, submission point 221.16 recommended the following:

Seeks that THW-P3 (Infrastructure Enabled Urban development) be amended to require sufficient capacity be in place before any subdivision, use or development takes place.

The Council rejected this recommendation.

The Section 42A Report for Three Waters does not address the BEFORE requirement as outlined below.

Paragraph 134 of the Section 42A Report for Three Waters states the following:

*Tyers Stream Group [221.10] seeks amendment to THW-O2 to require that sufficient capacity **be in place before** and (sic) any subdivision, use or development takes place.*

The Council Officer's assessment in response in paragraph 137 states the following:

Tyers Stream Group [221.10] submission point aligns with the general intent of the objective. However, in my opinion, by only allowing for subdivision, use or development where there is sufficient capacity, the opportunity for increased development to meet housing need and the requirements of the NPS-UD where there is an alternative means of servicing would be lost.

Paragraph 186 of the Section 42A Report for Three Waters states the following:

*Tyers Stream Group [221.16] seeks that THW-P3 is amended to require that sufficient capacity **be in place before** subdivision, use or development takes place. No specific relief was sought.*

The Council officer's assessment in response in paragraph 190 states the following:

As there is no specific relief sought by Tyers Stream Group [221.16], I consider the submission to be consistent with the policy direction set out in THW-P3, therefore no changes are recommended.

The JCA notes that the Council Officer did not infer a recommendation from the Tyers Stream Group submission point 221.16, despite the request clearly recommending that THW-P3 be amended.

The inference from the Council Officer's position is that there is no need for sufficient Three Waters infrastructure to be in place before densification proceeds.

Apart from not complying with generally accepted best practice, this position is completely illogical. For example, if the Council were to approve development

in a new subdivision would it expect the supporting Three Waters infrastructure to be put in place BEFORE or AFTER the buildings in the subdivision are built? Placement AFTERWARDS would be completely illogical and would not contribute towards a successful, well-functioning, urban environment. (SUB-01 Efficient Pattern of Development in the Subdivision chapter states *“Subdivision achieves an efficient development pattern that:.....*

4 is supported by development infrastructure and additional infrastructure for existing and anticipated future activities”). If placement AFTERWARDS is not acceptable for a new subdivision, then why should placement AFTERWARDS be acceptable for an existing urban environment?

It is very clear the Commission will need to set the rules very firmly regarding infrastructure being in place BEFORE densification proceeds otherwise densification will not result in well-functioning, urban environments.

The JCA’s overall conclusion is that the Council wants to push ahead with densification irrespective of whether the shortfalls in its Three Waters infrastructure have been fully rectified prior to densification.

Recommendations:

- **The Commission to note:**
 - **Currently, there is neither a plan nor funding to increase the capacity of the Three Waters system in Johnsonville to cope with the increase in population by 6,000 residents.**
 - **The JCA’s observations from the Section 42A Report for Three Waters and from its related Appendix B report that the WCC has rejected recommendations from a number of submitters aimed at ensuring that any shortfalls in the WCC’s Three Waters infrastructure must be fully rectified BEFORE densification of any area.**
 - **If any shortfalls in the WCC’s Three Waters infrastructure have NOT been fully rectified BEFORE densification, then the following adverse consequences for both existing and new residents may arise:**
 - **Stormwater systems may not successfully manage large rainfall events,**
 - **Water supply may not be adequate and water pressure may not be adequate for firefighting and tall buildings services purposes,**
 - **Wastewater systems may not manage wastewater successfully.**

- The Commission to consider whether the WCC has planned to provide sufficient increases in the city’s Three Waters infrastructure capacity to meet the city’s projected population growth and, if not, whether a delay in implementing the densification plan (as has been implanted in Auckland following the recent flooding) for Wellington city is justified.
- The JCA requests the Commission support the JCA’s recommendation to the WCC that shortfalls in Johnsonville’s Three Waters infrastructure needs to be fully rectified before high density accommodation and buildings are built in Johnsonville’s metropolitan centre zone and the high-density residential zone.

Council’s Accountability is Missing to Provide Three Waters Infrastructure When Requested by Developers

The NPS-UD requires councils to enable development throughout the city yet the PDP Three Waters objectives and policy limits this only to areas where *“Sufficient **existing or planned** three waters infrastructure capacity and/or level of service is, or will be, available to service the use or development”*. The Council reserves the right to restrict development on the basis that *“some areas of the city will not have capacity to accommodate significant growth in the short to medium term until investment is made in increasing capacity”*.

However, there is no provision within the PDP requiring the Council to provide Three Waters infrastructure for a development when requested by a developer to do so. As such, there is no accountability on the Council within the planning rules to provide Three Waters infrastructure wherever requested and/or required for development across the city. As such, the Council can choose where development can proceed to block a developer’s request by simply not planning to invest in the Three Waters infrastructure capacity for that area. This is despite the NPS-UD requiring councils to use a permissive approach to enable development where requested by a developer.

Accordingly, the JCA requests the Commission to consider whether the policy in relation to THW-P3 (Infrastructure enabled urban development) need to be strengthened to reflect the Council’s accountability to amend its infrastructure plans to require the provision of Three Waters infrastructure when requested by developers. In other words, the PDP needs to require the Council to amend and align its infrastructure investment planning towards supporting areas where development is demanded.

Recommendations:

- **The Commission to consider whether the PDP should be strengthened to reflect the WCC’s accountability to provide Three Waters infrastructure when requested by developers.**
- **The Commission to consider whether the Objective THW-O2 should be amended to add the following (or appropriate equivalent) requirement:**
 2. It can be satisfactorily serviced through an alternative means where existing three waters infrastructure capacity and/or level of service is insufficient, or
 - 3. There is sufficient developer support to support amending the three waters infrastructure plan to service the use or development.**
- **The Commission to consider whether the Objective THW-O2 should be amended to add the following (or appropriate equivalent) requirement:**

New subdivision, use or development is enabled in urban areas that have existing or planned three waters infrastructure capacity, **or have strong developer support**, to meet growth demand in the short to medium term.
- **The Commission to consider whether the Rule THW-R2 should be amended to add the following (or appropriate equivalent) requirement:**
 2. Activity status: Restricted Discretionary
 - ...

Matters of discretion are:

 1. The relevant sections of the Wellington Water Regional Standard for Water Services, v3.0, December 2021;
 - 2. If the supporting infrastructure investment is not planned, the level of developer support for the provision of supporting infrastructure;**
 3. Design and effectiveness of an alternative solution;
 4. Ownership, maintenance and operation arrangements; and
 5. Any site constraints.

Permeability Management

The Council Officer appears to have made a mistake in not providing a permeability rule for non-residential developments.

Paragraph 74 of the Section 42A Report states:

I have considered permeable surface requirements for non-residential development in conjunction with the requirements for four or more residential units below.

Paragraph 76 of the Section 42A Report then states the following in relation to THW-R4:

*THW-R4 (Incorporation of water sensitive design methods – four or more residential units **and non-residential activity**)*

3. The maximum feasible area of permeable surfacing.

Paragraph 318 of the Section 42A Report does not include any reference to non-residential activity.

However, on page 5 of the accompanying Appendix A – Three Waters report, it does include, under THW-R4, a provision for permeable surfacing but does so for non-residential **buildings** rather than non-residential **activity**.

From the above, it would seem that there are no minimum permeable surfacing requirements for non-residential activity in Johnsonville’s future metropolitan centre zone.

Currently, Johnsonville has two very large “visible” car parking areas in its centre that are privately owned. These car parks are sealed but have drains which contribute towards achieving permeability in the centre of Johnsonville.

Going forward, it would appear that these car parking activities (or any non-residential activities replacing them) and other activities would not be required to have a permeability rule. Clearly, this does not make sense and needs to be rectified.

The JCA supports the requirements for permeability effects to be assessed and rectified before densification. Auckland’s experience of extensive flooding earlier this year emphasised the importance of this requirement.

Recommendation:

- **The Commission to consider whether the permeability rule for non-residential building is sufficient to cover non-residential activity.**

Green Space and Open Space Management

Green space:

- enables permeability,

- helps to counter, particularly through trees, the heating effects of climate change, and
 - provides an uplifting space for residents' physical and mental wellbeing.
- Internationally, it is recognised as best practice urban planning to include green space in high density urban environments.

Central Johnsonville lacks public park and green space.

In the PDP there is no green space mandated for Johnsonville's Metropolitan Centre Zone.

There is not a blade of green space within the Johnsonville Triangle (the triangle bordered by Johnsonville Road, Broderick Road and Moorefield Road) although the Johnsonville Triangle is at the centre of the Johnsonville metropolitan centre.

The sloping grass embankment opposite the Johnsonville Railway Station and Line obviously does not qualify as green space for the public. It is not a suitable green space environment, from a public safety and amenity viewpoint, for families, children, workers and visitors. Kiwi Rail and Waka Katohi would rightly be appalled at any attempt to use that area as public green space. Furthermore, there is no guarantee that this area will remain as green space.

Johnsonville does not have an equivalent of Wellington city's Midland Park in its centre. Midland Park is a very popular green space within the Wellington CBD. As a future metropolitan centre for the city, Johnsonville deserves a similar public green space for its residents, workers, and visitors to use.

The Council has repeatedly refused to make provision for green space in the Johnsonville metropolitan centre.

Both the JCA and the Johnsonville BID (Business Improvement District) have requested that provision be made for green space in the Johnsonville metropolitan centre.

In JCA's submission in September 2022 on the Draft District Plan, it recommended to the Council that the old disused Johnsonville Library site on Broderick Road, which is owned by Council, be converted either in part or in whole to green space for Johnsonville. This site is suitable for a park being located in a sunnier, relatively sheltered central site in an area some distance from any other green space in Johnsonville.

Similarly, the Johnsonville BID also recommended to the WCC that the old disused Johnsonville Library site become Johnsonville's green space. Part of their submission was that there was a need to establish our own "Midland Park" in the centre of Johnsonville.

These requests from Johnsonville community-based organisations were rejected by both Council management and also by a narrow councillor vote of 8 votes against 7 votes.

The Council wants to use the old library site for high-density social housing which obviously won't have any green space, while at the same time increasing the need for additional green space in the Johnsonville area for these new residents.

This outcome indicates that there is no commitment from the Council to provide green space in Johnsonville as part of its intensification plan for Johnsonville.

This appallingly bad decision for the centre of Johnsonville completely reinforces the JCA's recommendation in Stream 4 that the 2008 Johnsonville town centre plan needs to be updated to reflect Johnsonville's purpose as a metropolitan centre going forward. It is highly likely that an updated town centre plan would include specific provision for green space; local groups would certainly recommend this. There is no robust reason why green space should not be provided.

Green space is more important to the centre of Johnsonville than open space for the reasons stated at the beginning of this section. However, given the Council's decision, provision will need to be made for either green and / or open space (such as an atrium) when or if the Johnsonville Mall is re-developed.

All developments in the future must be of an adequate, and therefore appropriate, standard when they are built to avoid the increasing damage and catastrophes that are occurring throughout New Zealand as a result of inadequate infrastructure and lack of attention to issues such as permeability and green spaces.

Recommendations:

- **The Commission to note:**
 - **The provision of green space supports permeability particularly for large rainfall events expected to be incurred, due to climate change, during this century, and**
 - **The centre of Johnsonville lacks a public green space or park, and**
 - **Both the JCA and the Johnsonville BID want a public green space or park for the centre of Johnsonville.**
- **The JCA requests the Commission support the JCA’s recommendation to the WCC that the Proposed District Plan makes an explicit provision for:**
 - **the retention of green space as a requirement within any individual development, and**
 - **the provision of publicly owned parks where private urban green space is small,**
 - **the provision of a publicly owned park for the centre of Johnsonville.**

Stormwater Infrastructure Capacity Shortfall?

It is unclear to the JCA as to what extent Johnsonville’s stormwater infrastructure capacity already has a shortfall that needs to be addressed to manage large rainfall events, arising from climate change, during the next century.

Anecdotally, recent multi-unit housing developments in Johnsonville have required stormwater detention tanks in the ground.

Paragraph 11 of Alister Osborne’s report on Flood Hazard Modelling indicates that a 20% increase in rainfall has been used to model the effect of climate change up to 2130.

Paragraph 13 of Alister Osborne’s report on Flood Hazard Modelling states the following:

*Modelling is in line with industry standards but has been tailored towards the Wellington environment and the **needs** of the Wellington Water’s client councils.*

His report does not state what those **needs are**.

Normally when one is modelling over a long time period, best practice is to use an “envelope” that includes the highest and the lowest forecasts as well as the most likely (middle) forecast. For example, the JCA understands this approach

was used for projecting the population growth forecasts for the Spatial Plan and the PDP.

It is not clear from Mr. Osborne's report whether the 20% increase in rainfall is a low, middle or high increase forecast.

The highest forecast increase % is potentially very relevant when considering planning for dealing with the expected large rainfall events during this coming century. The highest forecast % increase should be one of the key determinants in deciding:

- the capacity of drains, and
- the width of stormwater pipes, and
- the capacity of retention and detention facilities, and
- the capacity of rainfall harvest facilities

for densification.

If planning for the latter stormwater management facilities is based on, say, a 20% increase in rainfall when this is not the highest realistic forecast increase % there could be a risk, going forward, that these stormwater management facilities may be too small to manage large rainfall events successfully.

It is therefore not clear whether the planning rules for stormwater infrastructure capacity management facilities are in fact adequate enough to manage large rainfall events during this coming century. If they are not sufficient, then the PDP will have not been successful in contributing towards creating a well-functioning, urban environment.

There are two further issues of concern regarding the planning rules for stormwater infrastructure capacity management facilities.

In paragraph 27 of Nadia Nitsche's report on Hydraulics and Hydrology, it states the following:

Wellington Water has to develop a framework and technical guidance for Council to support resource consent applications for developments that trigger the requirements to assess and mitigate hydraulic and hydrological impact and (sic) under the new district plan.

The requirements for hydraulic neutrality both for detention and retention will be developed separately.

These comments raise the question as to whether all of this pre-requisite framework and technical guidance should be:

- in place now, and
- publicly notified

so that all parties know what the framework and technical guidance is?

Shouldn't these requirements be publicly known by developers prior to their planning for high density developments?

Is Wellington Water, and therefore also the Council, ready for densification in terms of both:

- it's stormwater infrastructure capacity, as well as
- the framework and technical guidance for Council to assess and mitigate hydraulic and hydrological impacts that may arise from densification development proposals?

Planning rule THW-R5 provides the standard for achieving hydraulic neutrality. Development is permitted provided developers comply with the rule. However, the rule for achieving hydraulic neutrality can be infringed according to the assessment criteria for SUB-S4 (Stormwater Management) stated on page 31 of Appendix A – Subdivision as follows:

1. *The extent to which the proposed stormwater management solution is sufficient for the development or activity it serves;*
2. *The extent to which the proposed stormwater management solution results in adverse effects on peoples' health and safety;*
3. *Whether the proposed stormwater management solution results in adverse flooding effects on other property, including on the effective function of Council's reticulated network;*
4. *Where Council's reticulated system is not immediately available but is likely to be in the near future, the appropriateness of temporary systems; and*
5. *Whether any site constraints make compliance impracticable.*

The above infringements are in conflict with the requirement to achieve hydraulic neutrality on each development site. If a development site does not have hydraulic neutrality is this consistent with the NPS-UD's requirement for developments to create well-functioning, urban environments?

Finally, the JCA considers that any Johnsonville stormwater infrastructure shortfalls should be fully rectified before densification proceeds in line with best practice.

Recommendations:

- **The Commission to note that:**
 - **if planning for the latter stormwater management facilities is based on, say, a 20% increase in rainfall when this may not be the highest realistic forecast increase % there could be a risk, going forward, that stormwater management facilities may be too small to manage large rainfall events successfully, and**
 - **it is therefore not clear whether the planning rules for stormwater infrastructure capacity management facilities are adequate enough to manage large rainfall events during the coming century.**
- **The Commission to consider whether the planning rules for stormwater infrastructure capacity management facilities will be large enough to manage large rainfall events during this coming century.**
- **The Commission to note that:**
 - **Wellington Water has yet to develop a framework and technical guidance for Council (in relation to assessing and mitigating hydraulic and hydrological impacts under the new district plan) to support resource consent applications for developments, and**
 - **The requirements for hydraulic neutrality both for detention and retention will be developed separately and appear to not be in place.**
- **The Commission to consider and decide whether the Council should be required to ensure that all of the latter missing pre-requisite requirements are in place prior to densification proceeding.**
- **The Commission to note that the planning Rule THW-R5 for achieving hydraulic neutrality can be infringed according to the assessment criteria for SUB-S4 (Stormwater Management) as stated on page 31 of Appendix A – Subdivision.**
- **The Commission to consider whether part or all of the assessment criteria for SUB-S4 (Stormwater Management), as stated on page 31 of Appendix A – Subdivision, should be deleted.**
- **The Commission to support JCA’s recommendation to WCC that any Johnsonville stormwater infrastructure shortfalls should be fully rectified before densification proceeds in line with best practice.**

Water Supply Management

It is unclear to the JCA as to what extent Johnsonville’s water supply infrastructure capacity currently has a shortfall that needs to be addressed to meet the projected increase in population of 6,000 residents for Johnsonville.

It is also unclear whether the water supply infrastructure will have the necessary water pressure to meet the safety and other needs of residents in

taller buildings in both the High-Density Residential Zone and the Metropolitan Centre Zone. Water pressure will also be particularly important for sprinklers in tall buildings as well as for fire-fighting purposes.

Further reinforcing the importance of this issue is an article by Stuff dated 19 June 2023 on how the Auckland fire emergency services support capability has been seriously compromised in relation to water supply issues arising from densification:

Firefighters have warned Auckland Council the city's rapid growth means they sometimes run low on water to put out fires.

They also cannot get their trucks close to burning houses in high-density projects where buildings are packed close together.

Documents show Fire and Emergency has made multiple pleas to councils for help, saying behind closed doors that the government has overlooked the growing and serious problems.

"Demands on water to accommodate growth means there is not always sufficient water for firefighting," FENZ told Auckland Council in a recent presentation.

Recent intensification had resulted in "inadequate reticulated water supply with insufficient pressure for firefighting to serve development".

Carparking was filling streets and blocking fire trucks, or some roads left less than 4m of width to set up a fire truck - too narrow - and gaps of just 2 - 3m between houses was pushing up the level of destruction.

"Construction across our region is increasing the risk of fire," FENZ said.

"Intensification and infill housing is challenging traditional access."

Many recent developments were non-compliant but got consent anyway, FENZ said last September.

Or they were compliant, pointing to problems with the Building Code or the Act.

"Recent government changes to support growth", such as 2022's housing intensification laws, "do not consider the needs of emergency response in their objectives or outcomes", FENZ added.

Water supply was vital, but the guidelines on making sure there was enough remained voluntary.

Case study

The agency detailed a case study from April 2022 that summed up all the problems.

A Manukau house under construction was destroyed, and heat from it severely damaged three homes built in closely around it.

*Read the presentation: **FENZ case study** of Manukau House fire.*

Firefighters were forced to drag hoses up a 40m-long driveway that was too narrow for a truck.

"Firefighters accessed the fire by foot ... and by breaking down a fence of a neighbouring property," FENZ's 14-page slideshow said.

They got only half the 2000L-a-minute water flow required. The nearest hydrant was twice as far away (270m) as the ideal maximum of 135m, once hoses zigzagged corners.

They found out later the mains supply had two valves nearly closed.

The closed valves "were the cause of the lower water pressure the firefighters experienced. When we investigated after the fire, our crews opened them up again", Watercare told RNZ.

Only authorised people should touch valves, but "people do sometimes close them themselves - for example, to stop water flow on a private leak", it said, adding it had an audit programme for more than 100,000 valves across Auckland.

FENZ had stated Watercare approved the Manukau development's water connections even though the engineer's application did not include evidence "the water supply would be adequate".

But Watercare said the evidence was not needed as, normally, with the valves open, the neighbourhood had enough water pressure "and no capacity constraints in the area".

Watercare told RNZ in May, when asked who checked hydrants: "We have sufficient water pressure and volume available for firefighting across Auckland, and all hydrants are in good condition."

*However, checks on hydrants **are very patchy across the country.***

Twice as hot

At the Manukau fire, the home downwind of the burning building site had its top floor badly damaged.

"The level of destruction was due to wind direction, and short separation distance (1 - 3m between dwellings)," FENZ said.

The fire at the boundary was estimated as twice as hot as the Building Code allows.

But the infill development was all entirely legal, including the boundary requirements; 1m from boundary, 2m between buildings. The design was approved, but "development design created risk of fire spreading", FENZ told the council.

Sprinklers could save many houses, but if they had them that might exhaust supply capacity, it added.

*The problems are compounded by firefighters taking slightly longer to get to fires, which FENZ puts down to traffic jams and urban sprawl, **as RNZ has reported.***

Also, intensification creates more building sites, and they present higher risks - about five percent of the structure fires in Auckland are at construction sites.

FENZ went on to ask Auckland Council to be allowed a say on denser housing and other law changes, backing that up with a letter to the council chief executive in May 2022, and a submission to the ongoing Unitary Plan review into densification last September.

Read the submission: ***FENZ Submission** on notified Plan Changes 78-80 to Auckland Unitary Plan – housing water, 28/09/2022.*

Read the letter: ***FENZ letter to Auckland Council** asking to be able to make more input, May 2022.*

"Resource consents process, building consents process and bylaw enforcement creates [sic] gaps in ensuring adequate water supply to new developments," FENZ said.

It has also written to all other councils about working more closely with them in light of housing and transport reforms changing the landscape.

Lack of power

However, powers are lacking all around.

FENZ cannot force anyone to adopt its Code of Practice that sets water supply minimums. A Watercare bylaw mentions it, but says only that it "may" require a connection to adhere to the code.

Read the documents:

***New Zealand Fire Service Firefighting Water Supplies Code of Practice** – SNZ PAS 4509: 2008.*

***Water Supply and Wastewater Network Bylaw 2015** – as at 25 November 2021.*

Plus, councils "cannot make provisions under RMA for firefighters or emergency response access", FENZ said.

"The difficult access increases the time for fire to burn, increasing the heat radiation in a confined area.

"This is resulting in development that is inaccessible or takes significantly longer to access."

Auckland Council plans and places general manager John Duguid said their hands were tied in many respects, such as around water supply, because that came under the Building Code or the Building Act, and MBIE's purview.

"Certainly council has pushed for some significant changes to the building code ... in terms of building design issues, and also ... water supply for firefighting, access of firefighting to dwellings," Duguid said.

They made recent submissions to the ministry.

"Some of the key issues that council raised have not been addressed at this stage by MBIE," he said. That includes the basic problem of houses being allowed to be built much closer together, and higher.

A push for tougher fire ratings - burn time - by using less combustible materials, along with other fire protection moves, [<https://www.rnz.co.nz/news/national/490376/fire-regulation-proposal-withdrawn-just-days-before-fatal-loafers-lodge-fire-got-knocked-back-at-MBIE-just-last-month>], though the ministry said it would have another go at it.

Fire regulations are acknowledged by MBIE to be lagging reality, when it comes to intensification. However, that has not stopped infill housing proceeding apace. The lag of law can be seen in that Auckland is months away from settling on any unitary plan changes in a bid to catch up at least a little.

MBIE replies

MBIE said it had introduced fire rule changes to require interconnected smoke alarms and better exit paths from houses, which would come in gradually over a 12-month period from this November.

Other changes did not make it through.

"Submissions generally supported the intent of other proposed changes ... but there was no clear consensus on the technical details. We are continuing to work with the sector to progress further work," the ministry said on Sunday.

FENZ calls for land to be allocated for fire stations

FENZ in its three-pronged argument to Auckland Council, also wanted its help in designating land for fire stations as it does not have that power.

Duguid said they had been doing that.

FENZ said in a statement to RNZ that it had made a submission on the unitary plan changes and was working with the council.

Read the statement here: [*FENZ statement to Auckland Council on unitary plan changes, 2022.*](#)

Talks were carrying on about it being included as a key partner in the implementation of the council's water strategy, and it had won recent acknowledgement of its concerns about narrow, jammed streets from Auckland Transport in its May 2023 parking strategy, FENZ said.

FENZ have submitted (Appendix B, page 12, 273.24) that *“building hydrant systems cannot be considered a replacement of standard infrastructure hydrant systems”*. This recommendation has been rejected by the Council.

FENZ have also submitted (Appendix B, pages 17 and 18, 273.25, 26, 27 and 28) that *“FENZ considers that it is important for THW -R1 and THW-R2 to directly reference the New Zealand Fire Service Firefighting Code of Practice SNA PAS 4509:2008 to ensure firefighting water supply provisions are visible and enforceable through Three Waters Infrastructure provisions”*. All 4 recommendations stating this requirement from FENZ to the Council were rejected.

The JCA supports these recommendations from FENZ.

From the above article by Stuff, it seems clear to the JCA that the Council is not learning from the Auckland Council’s experiences of the downside risks of inadequate water supply and water pressure for firefighting purposes.

In JCA’s submission to the Commission for Stream 4, we indicated that the JCA had concerns particularly about fires occurring in Johnsonville’s high-density residential zone because, within that zone, there are many homes that are built of wood. That zone in future will have a mixture of tall buildings with smaller wooden buildings. Of direct relevance to the latter comment is the expert advice from Nick Locke who advised, in paragraphs 17 to 19 of his report to the Commission during Stream 4, that where there is a mixture of tall buildings with smaller buildings the wind tunnel effects are escalated. In a fire situation, this could prove to be catastrophic and is therefore something to be avoided.

In summary, in line with best practice water supply and water pressure infrastructure shortfalls in Johnsonville should be fully rectified and capable of meeting the increased demands expected before densification proceeds.

Recommendations:

- **The Commission to note that:**
 - **FENZ fire emergency services support capability has been seriously compromised in relation to water supply issues arising from densification in Auckland.**
 - **wind tunnels and fire in the Johnsonville high density residential zone could be most catastrophic because within that zone there are many homes that are built of wood.**
 - **The JCA supports the recommendations made by FENZ in relation to:**
 - ***“building hydrant systems cannot be considered a replacement of standard infrastructure hydrant systems”.***
 - ***“for THW -R1 and THW-R2 to directly reference the New Zealand Fire Service Firefighting Code of Practice SNA PAS 4509:2008 to ensure firefighting water supply provisions are visible and enforceable through Three Waters Infrastructure provisions”.***
- **The Commission to consider very carefully what changes need to be made to the PDP to ensure that the WCC’s planning rules are corrected or amended to provide robust and effective support to FENZ fire emergency services capability.**
- **The Commission to support JCA’s recommendation to WCC that in line with best practice water supply and water pressure infrastructure shortfalls in Johnsonville should be fully rectified and capable of meeting the increased demands expected before densification proceeds.**

Wastewater Management Issues

It is unclear to the JCA as to what extent its wastewater infrastructure capacity has a shortfall that needs to be addressed to meet the projected increase in population of 6,000 residents for Johnsonville.

In line with best practice waste water infrastructure shortfalls in Johnsonville should be fully rectified and capable of meeting the increased demands expected before densification proceeds.

The JCA is aware that during large rainfall events, excessive stormwater is diverted through Wellington’s wastewater infrastructure system with consequential pollution and damage to waterways and coastal areas. Obviously, this is completely unacceptable.

In relation to this problem, the JCA supports the recommendations set out below from the Greater Wellington Regional Council (GWRC) and the WCC Environmental Reference Group to improve the Council's wastewater management practices.

The GWRC have recommended (Appendix B, page 10, 351.85) that clause 5 of THW-P1, in order to 'reduce wastewater overflows,' should:

specify the extent of reduction in wastewaters sought, including any necessary consequential amendments.

The WCC Environmental Reference Group (Appendix B, page 11, 377.28) have submitted that they consider that the wording of Point 5 of THW-P1 should seek to avoid wastewater overflows. This would be in line with the objectives of the National Policy Statement for Freshwater Management 2020 (NPS-FM). They have then recommended as follows:

*Amend Point 5 of THW-P1 (Water Sensitive Design) as follows: ...
5. ~~Reduce~~ Avoid wastewater overflows wherever practicable.*

The Council has rejected both these recommendations.

Recommendations:

- **The Commission to note that the JCA fully supports:**
 - **The GWRC recommendation to specify the extent of reduction in wastewaters sought, including any necessary consequential amendments, and**
 - **The WCC Environmental Reference Group recommendation to:**
 - **Amend Point 5 of THW-P1 (Water Sensitive Design) as follows: ...**
 - 5. Reduce Avoid wastewater overflows wherever practicable.**
- **The Commission to support JCA's recommendation to WCC that that any Johnsonville waste water infrastructure shortfalls should be fully rectified before densification proceeds in line with best practice.**
- **The Commission to support JCA's recommendation to WCC that in line with best practice wastewater infrastructure shortfalls in Johnsonville should be fully rectified and capable of meeting the increased demands expected before densification proceeds.**

Subdivision Issues

The JCA has several issues of concern in relation to subdivision matters.

In relation to the following standards (S2 for Water Supply, S3 for Wastewater and S4 for Stormwater) the standards require a connection to a reticulated system where connection is available, otherwise other methods may be used. As an example, in Prospect Terrace in Johnsonville there isn't a reticulated stormwater system. So, if a developer gains approval to develop in that street should the Council be required mandatorily to provide the required infrastructure? Given the considerable problems the city has with its stormwater and wastewater infrastructure systems should it be mandatory to provide reticulated connections? For the latter reason, the JCA considers that reticulated connections should be mandatory particularly for either all urban areas or where densification is required.

The JCA wants SUB-S1 – Access strengthened particularly for firefighting purposes. In the article by Stuff, included earlier in this submission, multiple issues have been identified that need very clear standards in relation to access for firefighting purposes. These access issues are:

- *Intensification and infill housing is challenging traditional access.*
- *cannot get their trucks close to burning houses.*
- *some roads left less than 4m of width to set up a fire truck - too narrow.*
- *gaps of just 2 - 3m between houses was pushing up the level of destruction.*
- *Many recent developments were non-compliant but got consent anyway*
- *driveway that was too narrow for a truck.*
- *But the infill development was all entirely legal, including the boundary requirements; 1m from boundary, 2m between buildings.*
- *The design was approved, but "development design created risk of fire spreading", FENZ told the council.*
- *"This is resulting in development that is inaccessible or takes significantly longer to access."*
- *(need) better exit paths from houses.*
- *"The difficult access increases the time for fire to burn, increasing the heat radiation in a confined area."*

There is no reference in SUB-S1 requiring adequate access for fire-fighting purposes being enabled for all intensification developments. The JCA considers that an amendment should be made to SUB-S1 accordingly. The JCA also particularly notes that *"gaps of just 2 - 3m between houses was pushing up the level of destruction"* which raises significant questions about the appropriateness of setback and boundary rules.

The JCA understands that, under SUB – P-17 and SUB – RX, ridgelines may be subject to subdivision. In the JCA's submission on the PDP in September 2022, the JCA made the following recommendation on page 27:

The JCA also requests that Woodland Road/Prospect Terrace (Area C) be added to the PDP as a registered Ridgeline and be made subject to PDP Ridgeline rules.

The JCA will have further comments to make about ridgelines during Stream 8.

Recommendations:

- **The Commission to consider whether standards (S2 for Water Supply, S3 for Wastewater and S4 for Stormwater) should require a mandatory connection to a reticulated system preferably for all urban areas but, at the very least, where densification is planned**
- **The Commission to support JCA’s recommendation to the WCC that SUB-S1 be amended to require adequate access for fire-fighting purposes being enabled for all intensification developments.**
- **The Commission to note the comment in the article by Stuff that *“gaps of just 2 - 3m between houses was pushing up the level of destruction”* which raises significant questions about the appropriateness of setback and boundary rules.**
- **The Commission to support JCA’s recommendation to the WCC that the setback gaps and the boundary gaps between buildings in a high-density environment need to be widened in the interests of:**
 - **Public safety, and**
 - **Reduction in damage from fire destruction in a windy city, and**
 - **Promotion of much safer, resilient and well-functioning urban environments.**
- **The Commission to note the JCA’s recommendation to the WCC that Woodland Road/Prospect Terrace (Area C) be added to the PDP as a registered Ridgeline and be made subject to PDP Ridgeline rules.**

Conclusion

The decisions about this PDP are the biggest change to the city of Wellington in at least the last 50 to 60 years if not longer than that. Decisions about the PDP will affect Johnsonville in particular for the next 50 to 100 years. It is therefore fundamental that those decisions are sound and right. Prescient wisdom is the pre-eminent requirement to achieve this together with fully integrated planning to ensure that the end outcomes are well functioning urban environments.

Warren Taylor
on behalf of the Johnsonville Community Association