

Far North District Council
5 Memorial Ave
Kaikohe 0405

25 November 2024

Dear Hearing Commissioner

Fire and Emergency New Zealand – Letter to be tabled for the Proposed District Plan Hearing 9: Rural, Horticulture & Horticulture Processing

Fire and Emergency New Zealand (Fire and Emergency) made a submission on the Proposed Far North District Plan. Fire and Emergency requests that, in lieu of attendance at the Hearing commencing 2 December 2024, this letter be tabled for the Hearing Commissioners' consideration.

Fire and Emergency sought a number of changes to the Proposed Far North District Plan, including on rural provisions. The section 42A report for Rural Wide Issues and the Rural Production Zone has been reviewed. The relief sought by Fire and Emergency and the officer's recommendations is outlined below.

Officers Report

The following matters were responded to by the s42a reporting officer in sections 231 - 240:

1. The officer considers that it is appropriate that emergency facilities are permitted in the Rural Production Zone (RPROZ) but discretionary in other rural chapters (Section 42a Report Rural Wide Issues and the Rural Production Zone s.231-234). The noted reasoning is as follows:
 - The RPROZ is the most likely zone to find a suitable location for an emergency service facility, given land area and lot sizes.
 - The RPROZ often is adjacent to other rural zones that accommodate residential activities and so provides proximity without causing adverse amenity issues for residents from being located within those areas.
 - The HZ and HPFZ relate to the horticultural industry and emergency service facilities are neither anticipated nor consistent with their purpose.
2. The officer recommends no amendments in relation to the suggested new permitted activity condition and/or matter of discretion in rural chapters for emergency response transport / access and adequate water supply for firefighting. The reasoning is noted below:
 - The existing Natural Hazard chapter wildfire rules (NH-5 and NH-6) require new buildings and alterations for vulnerable activities (including residential) have water supply for firefighting that complies with SNZ PAS 4509:2008 New Zealand Fire Fighting Water Supplies Code of Practice.
 - The Transport chapter rules for vehicle crossing and accessing (TRAN-R2) includes a permitted activity standard for vehicle crossings and access for fire appliances to comply with SNZ PAS 4509:2008 New Zealand Fire Fighting Water Supplies Code of Practice.
3. The officer does not support the inclusion of an advice note referencing additional controls under the Building Code due to the following:
 - It would be cumbersome and inefficient to add advice notes for all the interactions between the District Plan and other legislation.

- In compliance with the National Planning Standards, the plan format seeks to avoid advice notes wherever possible.
 - There are more efficient methods to advise applicants of Building Code requirements during resource consent preparation.
4. It is not recommended that the matter of discretion relating to water supply for firefighting is extended beyond RSZ-R4 (visitor accommodation in the Settlement Zone) to other activities across zone chapters as the reporting officer notes that most activities in the rural zones are either fully discretionary or non-complying already where permitted conditions are infringed. Discretionary activities allow Council to consider the need for sufficient water supply for firefighting. The few restricted discretionary activities are considered to not need a specific focus on water supply with examples provided of surface coverage control infringements, emergency service facilities and intensive indoor primary production.

Fire and Emergency Response

Emergency Facilities

Fire and Emergency agree with the final reasoning provided by the reporting officer in that horticultural land is generally not suited for emergency facilities. However, beyond this, as developments progress in the region, Fire and Emergency maintain the need to construct and operate fire stations and other emergency response facilities in locations which will enable reasonable response times to fire and other emergencies. Fire and Emergency are not anticipating a significant increase in facilities needed but new emergency service facilities may have a functional need in any zone across the district to continue to achieve emergency response time commitments.

Fire and Emergency does not have requiring authority status and so does not have the ability to designate land for the purposes of fire stations. This makes permissive rules in the district plan the best way to facilitate the development of any new fire stations. The effects of a fire station can be largely anticipated and in the most part, do not differ to the effects of activities anticipated throughout rural and urban environments.

Existing fire stations are predominantly within longstanding communities and reflect their need to be close to the communities and amenities they are servicing. There are already brigades in rural zones other than the RPROZ; Mangonui Volunteer Fire Brigade (Rural Lifestyle Zone) and Houhora Volunteer Fire Brigade (Rural Residential Zone).

As such, Fire and Emergency maintain their original submission requesting emergency service facilities be permitted across rural zones (with the possible exemption of the Horticulture Zone and Horticulture Processing Facilities Zone).

Emergency access and adequate water supply for firefighting

Emergency access and water supply for firefighting are particularly important in rural zones. Rural roading and accessways often have less redundancy with no alternative routes. Fire and Emergency rely on this network to serve communities and maintain emergency capabilities. Similarly, rural areas are often unreticulated and Fire and Emergency rely on available alternative water supplies, of which their suitability can have large implications for fire response, and, in turn, effect on property, people and the environment. SNZ PAS 4509:2008 New Zealand Fire Fighting Water Supplies Code of Practice sets out the requirements for alternative water supplies.

The request for inclusion of emergency access and firefighting water supply as a permitted activity condition and/or matter of discretion to Rule R1 in the rural chapters was an attempt to improve clarity and navigation of the Plan to ensure adequate consideration of emergency needs. However, Fire and Emergency accept that the proposed district-wide provisions achieve the intended purpose.

Advice Note referencing Building Code

Fire and Emergency accept the intention to avoid advice notes where possible and note that there are other methods to advise applicants of Building Code requirements. However, Fire and Emergency consider it is important to use all levers available to create well considered and supportive legislation so that agencies (and departments within agencies) can work together across project processes to benefit the community and Council strategies and outcomes in more coordinated ways. The original wording was included due to having seen suggested building code requirement waivers as a result of granted resource consents in Aotearoa New Zealand, resulting in potentially adverse outcomes.

Fire and Emergency have had success in addition of notes advising that granting of resource consent does not imply waivers of Building Code requirements with the likes of the Auckland Unitary Plan, Plan Change 79 Decisions version (recognizing this Plan Change is currently under appeal in its entirety).

As such, Fire and Emergency maintains its request for the inclusion of the Advice Note.

Firefighting water supply matter of discretion

Fire and Emergency consider that there remain restricted discretionary activities in the Rural zones that would benefit from a matter of discretion on firefighting water supply like that for RSZ-R4. In the rural production zone alone, activities that trigger restricted discretionary include:

- where new buildings, structures or extensions of structures do not comply with height, setbacks, and coverage (which indicates increased scale of activity and possible increased associated fire risk);
- Community Facilities that exceed gross floor areas (which indicates increased scale of activity and possible increased associated fire risk);
- Papakāinga housing for less than 10 residential units;
- Rural tourism activity; and
- Rural industry.

All these activities can have possible significant impacts in an emergency if firefighting water supply is not adequately considered and so Fire and Emergency consider these activities provide examples of where the Rural Zones would benefit from specific matters of discretion to ensure that this is taken into account. This would allow different Council departments (in referencing SNZ PAS 4509:2008 New Zealand Fire Fighting Water Supplies Code of Practice) with support from Fire and Emergency to work for improved community outcomes across Rural zones. If Council consider that firefighting water supply is already considered through “servicing requirements” matters of discretion, Fire and Emergency request that this is clear and common practice by processing planners.

Fire and Emergency accepts that for discretionary activities Council has discretion to fully consider firefighting water supply matters and will continue to work with Council to ensure that planners and other departments are aware and equipped to be incorporating these matters in their decision making.

Fire and Emergency appreciate the opportunity to table these matters for the Hearing Commissioners’ consideration.

Yours sincerely,



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on behalf of

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