

West Coast Regional Council
388 Main South Road
Paroa
Greymouth 7805

21 June 2024

Dear Hearing Commissioners

Fire and Emergency New Zealand – Letter to be tabled for Proposed Te Tai o Poutini Plan – Industrial and Commercial Zones

Fire and Emergency New Zealand (Fire and Emergency) made a submission and further submission on the proposed combined district plan for the West Coast – Te Tai o Poutini. Fire and Emergency has opted not to attend the hearing scheduled for 1 to 3 July 2024 and requests that, in lieu of attendance, this letter be tabled for the Hearing Commissioners' consideration.

Fire and Emergency sought a number of changes to the Proposed Te Tai o Poutini plan. The section 42A report for plan's Industrial and Commercial zone has been reviewed. The relief sought by Fire and Emergency and the officer's recommendations is outlined below. Fire and Emergency acknowledges the generally high degree of support from the reporting officer for its submission points.

Industrial and Commercial Zones

The reporting officer recommended the majority of the Industrial and Commercial Zone submission points made by Fire and Emergency be accepted or accepted in part, specifically: CMUZ – O1, COMZ – R2, COMZ – R4, COMZ – R5, MUZ – R2, MUZ – R3, MUZ – R4, MUZ – R5, MUZ – R6, NCZ – R1, NCZ – R2, NCZ – R5, TCZ – R2, TCZ – R4, TCZ – R5, TCZ – R6, TCZ – R8, TCZ – R10, INZ – O2, GIZ – R2, GIZ – R3, GIZ – R4, GIZ – R5, GIZ – R6, LIZ – R2, LIZ – R3, LIZ – R5, LIZ – R7, LIZ – R8, and LIZ – R4. Fire and Emergency supports the officer's recommendation on these points.

The following submissions on INZ - O1, GIZ – R1, LIZ – R1, CMUZ – P11, COMZ – R1, MUZ – R1, MUZ – R, NCZ – R4, and TCZ – R1 were all recommended to be rejected by Council's officer. These matters are discussed further below.

INZ – O1: Industrial Zones Objective 1

The reporting officer has recommended rejecting Fire and Emergency's proposed amendment on INZ-O1 on the basis that 'appropriate activities' are recognised under INZ-P6 and consider it unnecessary for the objectives to recognise all permitted activities as the primary purpose of the Industrial zones is to provide for and enable industrial activities. Fire and Emergency sought that 'non-industrial' activities (e.g. emergency services facilities) be recognised in INZ-O1 to allow for the efficient and effective operation of emergency services facilities, thus avoiding or mitigating the potential for adverse effects associated with fire hazard and other emergencies. Fire and Emergency acknowledges and accepts the reporting officer's recommendation on this submission point.

GIZ – R1: General Industrial Zone Rule 1

The reporting officer has recommended rejecting Fire and Emergency's proposed amendments to GIZ-R1, stating that the management of water supply for new buildings developed within the zones is appropriately considered under the Building Act 2004, and therefore does not support the inclusions of these provisions within the zone chapters. The officer noted that the subdivision chapters include provisions which manage infrastructure and servicing arrangements for new development rights created through subdivision, and it is uncommon for general servicing controls to be included in the zone chapters. Fire and Emergency had requested a new standard in the GIZ – General Industrial Zone chapter to require the provision of firefighting water supply where development is not subject to subdivision. An additional assessment matter was also sought by FENZ where, in cases that water supply servicing requirements cannot be met, council would be provided the discretion as to the extent an activity is able to achieve compliance with the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.

While Fire and Emergency will not be pursuing this submission point any further, it does reiterate that the Building Act 2004 alone does not adequately provide for the provision to water supply (including firefighting water supply) to new development.

LIZ – R1: Light Industrial Zone Rule 1

The reporting officer has recommended rejecting Fire and Emergency's proposed amendments to LIZ-R1 relating to development provisions of connection to public water supply, demonstration of alternative/ satisfactory water supply, and notes on these aspects. The officer recommended rejected these amendments on the basis that the subdivision chapter includes provisions which manage infrastructure and servicing arrangements for new development rights created through subdivision.

In relation to new buildings in zones, the officer considers that water supply servicing arrangements can be appropriately managed under the requirements of the Building Code. The officer considered that the management of water supply for new buildings developed within the zones is appropriately considered under the Building Act 2004, hence does not support the inclusion of these provisions within the zone chapter.

Fire and Emergency's submission noted that there are cases that development in the General Industrial Zone will not require subdivision, and therefore will not be subject to the water supply provisions of the SUB - Subdivision chapter, specifically, SUB – S3 that requires subdividers to provide a water supply. Hence, amendments were proposed to require the provision of firefighting water supply. Additionally, as with GIZ – R1, Fire and Emergency sought that where water supply servicing requirements cannot be met, this will provide council discretion as to the extent an activity is able to achieve compliance with the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.

While Fire and Emergency will not be pursuing this submission point any further, it does reiterate that the Building Act 2004 alone does not adequately provide for the provision to water supply (including firefighting water supply) to new development.

CMUZ – P11: Commercial Mixed-Use Zone Policy 11

The reporting officer has recommended rejecting Fire and Emergency's proposed amendments to CMUZ – P11, stating that the requested level of detail is not necessary as the purpose of the reference to three waters infrastructure is to identify types of infrastructure that should be vested with the Council. Fire and Emergency sought this amendment to the policy that ensures all land use activities in the Mixed Use Zone are adequately serviced, particularly in relation to reticulated water supply or an alternative method for firefighting purposes.

It was considered that this amendment would give better effect to CMUZ-O1 and provides a better policy framework for the new standard sought in this zone relating to the requirement to provide water supply.

Fire and Emergency acknowledges and accepts the reporting officer's recommendation on this submission point.

COMS – R1: Commercial Zone Rule 1

The reporting officer has rejecting Fire and Emergency's proposed amendments to COMZ – R1, stating that the requested amendment would introduce unnecessary complexity to the rule. The officer also noted that any screening would be required to be located on privately owned land, and COMZ – R3 manages the maximum height of fences, walls, and retaining walls. Fire and Emergency had proposed amendments to COMZ – R1 (5) on the basis that it is important that screening of external storage areas as a visual mitigation will not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut off valves or other emergency response facilities. Such mitigation should be constructed in a way to ensure the signs and facilities are visible/accessible for Fire and Emergency. Where this is not possible, mitigation should not be required.

Fire and Emergency acknowledges and accepts the reporting officer's recommendation on this submission point.

MUZ – R1: Mixed Use Zone Rule 1

The reporting officer has recommended rejecting Fire and Emergency's proposed amendments to MUZ - R1, stating that the requested amendment would introduce unnecessary complexity to the rule. Fire and emergency had proposed a 'condition' to the existing point 5 of rule MUZ – R1 stating that screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities. As proposed amendments to COMZ – R1 – Fire and Emergency believe it is important that screening of external storage areas as a visual mitigation will not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut off valves or other emergency response facilities. Such mitigation should be constructed in a way to ensure the signs and facilities are visible/ accessible for Fire and Emergency. Where this is not possible, mitigation should not be required.

Fire and Emergency acknowledges and accepts the reporting officer's recommendation on this submission point.

MUZ – R8: Mixed Use Zone Rule 8

The reporting officer has recommended rejecting Fire and Emergency's request to retain MUZ – R8 as notified. The officer had agreed with Buller District Council's submission in that MUZ – R8 creates duplications with the requirement of the Building Act 2004, therefore supporting the deletion of this rule. Fire and Emergency had supported this rule be retained provided that the amendments sought for MUZ – R1 had of been accepted.

While Fire and Emergency will not be pursuing this submission point any further, it does reiterate that the Building Act 2004 alone does not adequately provide for the provision to water supply (including firefighting water supply) to new development.

NCZ – R4: Neighbourhood Centre Zone Rule 4

The reporting officer rejected Fire and Emergency's request to retain NCZ – R4 as notified. Fire and emergency made the submission supporting the retention of NCZ – R1 provided that NCZ – R1 be amended. The officer noted that amendments to NCZ – R1 were accepted, however they support the deletion of NCZ – R4 as it creates unnecessary duplication with the Building Act 2004.

While Fire and Emergency will not be pursuing this submission point any further, it does reiterate that the Building Act 2004 alone does not adequately provide for the provision to water supply (including firefighting water supply) to new development.

TCZ – R1: Town Centre Zone Rule 1

The reporting officer has recommended rejecting Fire and Emergency's request to retain TCZ – R1, stating that (for amendments to point 4) Fire and Emergency had not provided assessment as to why emergency service facilities are unable to comply with the façade controls. Fire and Emergency acknowledges and accepts the reporting officer's recommendation on this submission point.

Additionally, in relation to the submissions' proposed addition of two points and advice notes to TCZ – R1, the officer notes that the Subdivision chapter includes provisions which manage infrastructure and servicing arrangements for new development rights created through subdivision. It is considered uncommon for general servicing controls to be included in the zone chapters and is the case for other second-generation District Plans. In relation to new buildings in zones, the officer considered that water supply servicing arrangements can be appropriately managed under the requirements of the Building Code.

While Fire and Emergency will not be pursuing this submission point any further, it does reiterate that the Building Act 2004 alone does not adequately provide for the provision to water supply (including firefighting water supply) to new development.

Conclusion

Fire and Emergency wishes to reiterate that all of the amendments sought in the submission seek to enable Fire and Emergency to carry out its responsibilities under the Fire and Emergency New Zealand Act 2017 effectively in the protection of lives, property and the surrounding environment.

Yours sincerely,



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on behalf of

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