

Waitomo District Council  
Queen Street  
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Te Kūiti 3941

21 November 2024

**Attention:** Independent Hearing Commissioners

Dear Hearing Commissioners

**Written statement on behalf of Fire and Emergency New Zealand – Tranche 2: The hearing of the Proposed Waitomo District Plan (excluding Ecosystems and Indigenous Biodiversity)**

Fire and Emergency New Zealand (Fire and Emergency) made a submission on the Proposed Waitomo District Plan (PDP). Fire and Emergency has opted not to attend Tranche 2 hearing scheduled to commence Wednesday, 27 November 2024, and requests that, in lieu of attendance, this written statement be tabled for the Hearing Commissioners' consideration.

Fire and Emergency sought several changes to the PDP. This statement confirms Fire and Emergency's position in relation to its submission points and the section 42A report recommendations for the remaining topics of Tranche 2. It is noted that a separate written statement has been previously provided on the topic of Ecosystems and Indigenous Biodiversity.

There is a high level of agreement between the reporting officer's recommendations and Fire and Emergency's submission across the various Tranche 2 chapters. Fire and Emergency made 22 specific submission points on Tranche 2 topics. The provisions these submission points relate to are set out below:

- **Definitions:** 'Emergency Management Activities', 'Emergency Service Facilities', 'Hazardous Substance', 'Natural Hazard', 'Operational Need', 'Significant Hazardous Facility' and 'Structure'.
- **Transport:** Objectives and policies (general), TRAN-R1, TRAN-R8, TRAN-R10, TRAN-R11, TRAN-R17, TRAN-R18, TRAN – Table 3 and Figure – TRAN 7.
- **Residential Zone:** RESZ-O3, RESZ-O9, RESZ-O11, RESZ-P15, RESZ - Table 1 and RESZ-R34 Servicing.

The sections below therefore focus on those matters that are not yet agreed or have not been addressed in the section 42A reports and therefore require further consideration by the Hearing Commissioners before a decision is made.

## Definitions

### Structure

**Summary of submission point:** As part of fire station operational requirements many stations include a multi-purpose tower or pole between 12-15m in height.

Fire and Emergency towers are typically either lattice towers that can support a siren, aerials and hose drying or are platform towers that can support all the above plus be used for firefighter training. Similarly, poles can support sirens, aerials and hose drying activities. Examples of these structures were included in Fire and Emergency's submission.

The frequency of towers or poles being required at fire stations is generally dependent on locational and operational requirements of each station. Some existing fire station sites across the country have aerial and sirens mounted on the roof of the building which is not ideal, and Fire and Emergency are slowly rectifying this with the construction of towers and poles. Ideally all stations would have a tower or structure.

Fire and Emergency sought an exemption to either exclude towers and poles associated with emergency service facilities from the definition of 'structure' or exclude towers and poles associated with emergency service facilities from the height and height in relation to boundary performance standards in each zone.

Fire and Emergency consider that an exception would better provide for the health and safety of the community by enabling the efficient functioning of Fire and Emergency in establishing and operating fire stations. Such an exemption is considered justified on the basis that fire stations are a key component of Fire and Emergency's ability to respond to emergencies and will apply in relatively few situations only, and the effects of the exemption can be largely anticipated. Such effects do not differ from the effects of several activities that may be anticipated through the urban and rural environments such as television aerials on houses, small satellite dishes, and chimneys which are often excluded from definitions such as structures.

**Section 42A recommendation:** Mr Bell has rejected the relief sought. Mr Bell considers that it is not appropriate to amend the definition of 'structure' as it is a Resource Management Act 1991 (RMA) and national planning standards definition. However, it is considered that the relief sought by the submitter has been provided for through exceptions in the zones.

**Fire and Emergency's response:** Fire and Emergency agree with Mr Bell that it is not appropriate to amend the definition of 'structure' as it is an RMA and national planning standards definition.

It is however not clear how this relief has been covered through exemptions in the zones as stated by Mr Bell, with the exception of the Rural Lifestyle Zone whereby the reporting officer has recommended a restricted discretionary activity and that the performance standards in RLZ - Table 2 (i.e., 'height' and 'height in relation to boundary' do not apply).

Based on the s42A recommendations relating to the provision of emergency service facilities in the zones where Fire and Emergency has sought provision, the following activity statuses are:

Zone	Activity status as notified or recommended by Council reporting officers
Residential Zone	Discretionary (permitted activity sought but relief not addressed through s42A report)
General Rural Zone and Aerodrome Precinct (PREC3)	Permitted
Rural Production Zone	Permitted
Rural Lifestyle Zone	Restricted discretionary
Settlement Zone	Permitted
Commercial Zone	Permitted
Industrial Zone	Permitted

It is noted that the definition of 'height' and 'height in relation to boundary' is also a national planning standards definition that should not and has not been amended to address the relief sought.

An alternative option would be to exclude towers and poles associated with emergency service facilities from the 'height' and 'height in relation to boundary' rules in each zone where specific provision for emergency service facilities has been sought as a permitted activity. While this is not the most efficient solution, this would satisfy the relief sought by Fire and Emergency.

Fire and Emergency request that the Panel consider this exclusion to better enable the establishment of emergency service facilities and installation of towers and poles at new fire stations. It is noted that there are four existing fire stations in the Waitomo district and all sites have poles with sirens and aerials attached.

## Residential Zone

### RESZ - Table 1 – Provision for emergency service facilities

**Summary of submission point:** As notified, emergency service facilities are provided for in the Residential Zone as a discretionary activity (RESZ-R13). Fire and Emergency sought a permitted activity status for emergency service facilities in the residential zone, which will be subject to the performance standards within. Where there is a non-compliance with the performance standards, a restricted discretionary activity was requested subject to the matters of discretion associated with the infringed standard. This would ensure that Council have the discretion over what activities are deemed acceptable to be located in the Residential Zone based on the performance standards infringed.

**Section 42A recommendation:** Mr Draca does not appear to have addressed this relief in his Section 42A Report.

**Fire and Emergency's response:** New fire stations in the district may be necessary to continue to achieve emergency response time commitments in situations where development occurs, and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for the purposes of fire stations. Provisions within the rules of the district plan are therefore the best way to facilitate the development of any new fire stations within the district as urban development progresses.

Fire and Emergency request that the Panel consider providing for emergency service facilities as a permitted activity as part of its decision. Should the Panel disagree with the permitted activity status sought, then Fire and Emergency would accept a restricted discretionary activity status on the basis that the performance standards do not apply. A similar approach has been recommended by Ms Wratt in response to Fire and Emergency's relief sought in the Rural Lifestyle Zone. Recommended wording consistent with this approach is provided below.

RESZ-RX	Emergency service facilities
<b>Activity status: RDIS</b>  The performance standards in RLZ - Table 2 do not apply.	<b>Matters over which discretion is restricted are:</b>  (a) Visual effects including bulk, scale and location of the building; and (b) Noise generation; and (c) Effects on the safety and efficiency of the transport network; and (d) Effects on surrounding properties, residential character and amenity.

Fire and Emergency would welcome further collaboration or communication, should there be a need to discuss the matters raised in its submission and the details set out above.

Yours sincerely



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on behalf of

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