
PREFERRED OPTION REPORT TO DISTRICT PLAN COMMITTEE

DATE: 19 February 2018

TOPIC NAME: Emergency Services

SCOPE DESCRIPTION: Preferred Option Report for Emergency Services

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EXECUTIVE SUMMARY

<i>Issue(s)</i>	<ol style="list-style-type: none">1. Unclear and overlapping definitions.2. Policies which are not specific to emergency services, inconsistent district-wide and need to be better linked to the rules.3. Unclear and/or impracticable rules.4. The Firefighting Water Supply provisions need to be updated to reflect the pending replacement Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008) and to ensure the provisions are appropriate.
<i>Preferred Option</i>	<i>That emergency services are managed by amended definitions, policies, and rules within the Proposed District Plan to provide greater development flexibility in accordance with the recommendations set out in section 7 of the Emergency Services Baseline Report.</i>
<i>Recommendation to DPC</i>	<i>That the Preferred Option for Emergency Services is endorsed for further development (Section 32 and Drafting Phase).</i>
<i>DPC Decision</i>	<i>That the Committee endorses the Preferred Option for Emergency Services for further development (Section 32 and Drafting Stage).</i>

1.0 Introduction

The Emergency Services Baseline Report sought to better understand the requirements of emergency services establishing and operating in Selwyn District, the effects they generate, and the effectiveness of the current Operative Selwyn District Plan (Plan) provisions. The key deliverable of the report was policy and rule options to manage emergency services in Selwyn District. A copy of the Emergency Services Baseline Report is attached as **Appendix 1**.

Emergency services include:

- Fire and Emergency NZ (FENZ)¹;
- The Order of St John (St John); and
- The New Zealand Police (NZ Police).

There are currently 25 emergency service facilities across Selwyn District and at least two new proposed facilities, including:

- 16 FENZ facilities, including 15 volunteer fire stations and a head office facility in the Izone. Two new facilities are anticipated, including a replacement fire station at Rolleston on the same site, and a possible new Urban Search and Rescue (USAR) base combined with a new South Island firefighter training facility at the Izone business hub;
- 4 St John ambulance facilities including stations at Rolleston, Leeston and Darfield, and a training and accommodation facility at Waddington (the Guy Dunlop Training Centre) used for youth and clinical training purposes. St John advised there are likely to be new sites and facilities, but no specific details are available at this time;
- 5 NZ Police stations including Arthurs Pass, Darfield, Leeston, Lincoln, and Rolleston. NZ Police advised that no new stations are currently proposed.

2.0 Statement of Operative District Plan Approach

Both FENZ and St John rely on zoning and relevant district-wide and zone Plan provisions (objectives, policies, rules and definitions). In most instances resource consent is required for a new emergency service facility as there are a number of rules which trigger the need for resource consent.

NZ Police is the only emergency service with designated sites (MP1-MP5). NZ Police have advised that the Minister of Police will seek to 'roll-over' these existing designations into the Proposed District Plan, possibly with minor modifications. The 'roll-over' of these existing designations will be dealt with as part of the Designations Topic. Therefore, the assessment in the Emergency Services report focusses on FENZ and St John facilities given NZ Police will continue to rely on their designations.

It is of note that neither FENZ nor St John are currently requiring authorities under the RMA and therefore are not able to designate. St John is not eligible under the RMA to apply for requiring authority status as they do not meet the requiring authority criteria in section 166 of the RMA. FENZ's ability to

¹ The Fire and Emergency New Zealand Act 2017 integrated the New Zealand Fire Services Commission and rural fire authorities to form Fire and Emergency NZ (FENZ). FENZ now replaces the New Zealand Fire Service Commission, effective as of 1 July 2017.

obtain requiring authority status is less clear as they are a Crown entity, however FENZ advised they have not pursued requiring authority status to date and are not expecting to in the foreseeable future. Therefore designations have been ruled out as a management option for both St John and FENZ.

3.0 Summary of Issues

3.1 Unclear and Overlapping Definitions

A number of issues have been identified with the wording of the 'Emergency Services' definition². For example, it is not clear whether the definition extends to head office facilities and associated emergency services training and emergency co-ordination facilities such as the St John Guy Dunlop Training Centre in Waddington and the proposed FENZ urban search and rescue facility. This results in uncertainty in an activity-based plan as to whether such an activity is considered as an emergency services facility or not.

Emergency services currently also fall within the definition of 'community facilities'. Whilst emergency services being part of the community facilities definition is not an unusual approach, the overlapping definitions can be problematic where there are provisions for both activities and determining which apply.

Other definitions such as 'Educational facility' and 'Place of Assembly' are also relevant to emergency services developments given the trend toward multi-use facilities. For example, the recently established St John Rolleston Headquarters is also used for training and community use. Where emergency service facilities have multi-purposes the overlapping of the definitions can result in a lack of clarity as to which provisions apply.

3.2 Policies not specific to emergency services, inconsistent district-wide, and need to be better linked with the rules

There are objectives and policies in the Plan relevant to community facilities (including emergency services) which recognise their importance with respect to community health and safety and wellbeing; however, there is a lack of policy direction specific to emergency services and their operating requirements. Also, some policies are not considered practical or efficient. For example, Policy B2.3.4 seeks to avoid locating community facilities on the opposite side of strategic roads or railway lines. This policy is an example of a more generic community facility related policy which does not reflect the locational requirements of emergency services which often need to locate on strategic routes to enable efficient access and fast response times.

There are also current inconsistencies between the policies in the Township and Rural Volumes of the Plan, which results in an inconsistent district-wide approach. For example, the policies in the Rural Volume recognise that emergency services may not comply with noise limits but are essential services and therefore exempt emergency services from noise compliance. This exemption is not clear in the

² *Emergency Services: means facilities and activities utilised for the protection and safety of people and property in times of an emergency and shall include New Zealand Fire Service, New Zealand Police and St Johns Ambulance.*

Township policy as it is mentioned in the explanation to the policy only, although the exemption is clear in the Township rules.

In some instances the policy direction is not well linked with the rules. For example, there are policies about emergency services being exempt from site coverage requirements in rural areas to provide greater development leniency (Policy B2.3.2), however the rules still apply a site coverage maximum.

3.3 Unclear and/or Impracticable Rules

There are a number of rules in the Plan that are considered unclear and/or impracticable with respect to emergency services which can unduly constrain operations. These rules are analysed in detail in section 4.4 of the Emergency Services Baseline Report. The key rules where amendment is recommended or where further consideration of their effectiveness (in association with other Topics) is recommended are summarised below:

Site coverage - The Living and Business zones provide for a higher level of site coverage for emergency services; however, this development flexibility does not extend to the Rural Zone rules where site coverage is less of an issue due to the larger lot sizes and lower densities (although Rural Policy B2.3.2 exempts community facilities from site coverage requirements).

Scale of activities - In the Living Zones this rule restricts the scale of non-residential activity by limiting staff numbers living off site (no more than two full time equivalent staff employed on the site live off site), the gross floor area of buildings, and vehicle movements. Note 1 to the Living Zone rule exempts Police Stations only (although they are designated in any case) and it is understood that emergency services are intended to be exempt from the vehicle movement maximums but this is not clear in Note 2 of the rule (clause referencing incorrect). It is also of note that the Rural zone rule sets maximums depending on the road classification which is a different approach (and there is no equivalent vehicle movement rule in the Business Zones). Such rules are problematic for FENZ and St John as they do not recognise operational requirements and Council's Transport Consultants consider a district-wide exemption from the vehicle movement rules for emergency services would be reasonable.

Hours of operation - Non-residential activity in Living Zones is permitted if staff are not resident on site and visits to the site only occur between 7.00am - 10.00pm (spiritual and educational activities are exempt from this rule). The rule is problematic for FENZ and St John as their staff live off site and their open hours can extend beyond those specified.

Building height - Some fire station sites have outdoor sirens mounted on either a pole or the station building and communications facilities are often required. There is a need to consider greater development flexibility for such necessary structures.

Building position (Setbacks) - Setbacks from road boundaries are required across the zones. For example, garages in the Living Zones (which includes fire or ambulance stations) require a front yard setback of 5.5m. Resource consents have been required for FENZ facilities which have not met the front yard setback due to a need to locate closer to the road boundary for efficient access. Extensive setbacks from arterial and strategic roads (10-20m) are also an issue for emergency services.

Noise - The noise provisions do not apply to the use of sirens or warning devices associated with emergency services and retaining such a noise exemption is recommended. However, it is also

recommended that further consideration be given to whether the exemptions from the noise standards should also apply to general on-site noise.

Signage - Freestanding outdoor signs are limited to 1m² in size in Living Zones (3m² in Business and Rural Zones). This size is relatively restrictive with respect to emergency services and has necessitated resource consents. It is recommended that further consideration be given to the appropriateness of this restriction or a possible exemption for emergency services signage.

Vehicle/cycle parking - Parking for emergency services is not specifically provided for in the Plan. As a result, the vehicle parking provisions are unclear and potentially overly restrictive especially in relation to mixed-use facilities as it is not always clear which closest activity parking rates would apply. Furthermore, there is demand for on-site cycle parking and therefore the cycle parking requirements for emergency services could be made clearer.

Site access - There are rules across the zones which require sites with access to more than one road frontage to have access to the road with the lowest road classification. There are several examples of emergency service sites with more than one road frontage with vehicle access from each road. In some instances access from more than one frontage is sought by emergency services to enable responsiveness and to assist with avoiding reverse manoeuvring on or off site. Therefore this rule is considered overly restrictive and could compromise response times and overall efficiency.

Vehicle crossing widths - The maximum vehicle crossing widths (i.e. 7m maximum) are problematic in some instances as wide crossings are required for safe and efficient site access and such a width is not unexpected in association with such facilities.

Overall, the rules could be amended to better recognise emergency services importance to the community and their unique locational and operational requirements and to provide greater and more consistent development flexibility, whilst still ensuring effects are appropriately managed.

3.4 Firefighting Water Supply Provisions will need to be updated to reflect the pending replacement Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008) and to ensure the provisions are appropriate

FENZ require the provision of water for firefighting purposes and seek the inclusion of standards in District Plans requiring compliance with the Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008). The FENZ Act 2017 requires FENZ to develop, consult on, recommend the approval of, and publish a new Firefighting Water Supplies Code of Practice to replace SNZ PAS 4509:2008. The timing of this new Code of Practice is uncertain at this point; however it is anticipated it will be available during the drafting of the Proposed Plan provisions and therefore will need to be considered.

Currently both the Plan and the Selwyn District Council Engineering Code of Practice (CoP) contain provisions relevant to firefighting water supply. The Plan provisions require water supply for firefighting purposes in accordance with SNZ PAS 4509:2008 in relation to subdivisions in the Living 3 zone (rural-residential) only and new building developments in certain areas (i.e. Terrace Downs). The CoP is focused on reticulated water supply provision and technical matters including firefighting flows, pressure and the spacing of hydrants being provided as per SNZ PAS 4509:2008.

It needs to be considered further whether standards should continue to be contained within the Plan (ensuring any overlap with the CoP is avoided and consistency is achieved), and whether the provisions should be applied more widely to subdivisions and new developments across the zones (both where reticulated and not reticulated). This work is reliant on and will be guided by the pending replacement Firefighting Water Supplies Code of Practice.

4.0 Summary of relevant statutory and/or policy context

As mentioned, FENZ are required to develop a new Firefighting Water Supplies Code of Practice (SNZ PAS 4509:2008) which will inform the revision of the firefighting water supply provisions in both the Plan and the CoP.

The Ministry for the Environment led National Planning Standards are proposing a standard 'emergency services' definition which will need to be taken into account in developing revised definition(s).

There are no National Policy Statements, National Environmental Standards or Regional Policy documents directly relevant to this topic.

5.0 Summary of Approaches in other Districts

The Ashburton, Waimakariri and Christchurch District Plans all manage emergency services by way of zoning and district-wide and zone rules. All of the Plans define 'emergency services' and share a common thread of providing for fire, ambulance and police facilities and the safety and welfare of people.

The Waimakariri and Christchurch plans permit emergency services across the zones subject to compliance with certain standards such as maximum building height, setbacks, building coverage etc. The Ashburton District Plan permits emergency services in Commercial zones only subject to development standards and requires resource consent in the Residential, Rural, and Industrial zones.

Like Selwyn District, all of the plans reviewed include exemptions from the noise rules for warning devices/sirens. Only the Christchurch District Plan extends to exempting noise in association with activities at emergency services sites associated with emergency response and emergency response training. The Transport provisions apply to emergency services across all of the plans.

6.0 Summary of stakeholder engagement

Stakeholder engagement has been undertaken with representatives from FENZ, St John and NZ Police. Each provided valuable feedback which was incorporated in the Emergency Services Baseline Report.

Feedback was also sought from the Selwyn District Council Consents and Monitoring and Compliance Officers about any issues with emergency services establishing and operating in the district. Their feedback was also incorporated in the Emergency Services Baseline Report.

The Ministry of Civil Defence and Emergency Management (MCDEM) were contacted to establish whether MCDEM has an interest in relation to this topic. They confirmed they do not want to be involved at this stage of the District Plan Review.

Mahaanui Kurataiao Ltd and Environment Canterbury were provided with a copy of the Emergency Services Baseline Report and the Preferred Options Report and both advised they have no feedback.

7.0 Summary of Options to Address Issues

7.1 MANTAIN STATUS QUO

Effectiveness in Addressing Issues: A rollover of the current provisions would maintain the issues outlined in Section 3 and is therefore considered ineffective.

Risks: There would be a significant lost opportunity given the Plan review is underway and given the existing general management approach can be retained with amendment to improve the effectiveness of the provisions. There is also a strong likelihood that the emergency services would submit in opposition to status quo provisions.

Budget or Time Implications: This would be the most cost and time efficient option in the short-term for the Council, but such provisions remaining in the Plan would result in greater consenting costs for emergency services and in the long-term may necessitate a plan change whereby costs would be incurred in any case.

Stakeholder and Community Interests: Emergency services stakeholders.

Recommendation: Do not maintain the status quo.

7.2 SPECIFIC PURPOSE ZONE

Applying a Specific Purpose Zone in relation to FENZ or St John facilities was also considered in brief (even though this was outside of the project scope).

Effectiveness in Addressing Issues: Special zoning is not considered practical in this instance as a high threshold of information is required to develop a special activities-based zone for a significant number of facilities that vary in scale, location and function. Furthermore, as it is known that St John in particular are in a state of flux at the present time regarding future strategic growth, there is not the ability to strategically plan where it might be appropriate for future facilities to be located. Overall this approach is considered ineffective.

Risks: Such an approach would incur additional costs for the Council and could also trigger other requests for such zoning, and a possibility that the number of these zones multiply over time overly complicating the Plan.

Budget or Time Implications: This would be the least cost and time efficient option as it is a more significant departure from the current management regime.

Stakeholder and Community Interests: Emergency services stakeholders.

Recommendation: Do not proceed with the development of a Specific Purpose Zone for emergency services.

7.3 RETAIN THE CURRENT MANAGEMENT APPROACH WITH AMENDMENT

Effectiveness in Addressing Issues: Amending the existing Plan provisions is the simplest approach and would better provide for the range of existing and anticipated emergency services facilities whilst still ensuring environmental effects are adequately managed.

Risks: None identified.

Budget or Time Implications: Refining the existing Plan provisions as they relate to emergency services is considered a cost-effective approach and can be completed in a timely manner within the overall District Plan Review programme aided by responsive stakeholders who are engaged in the process.

Stakeholder and Community Interests: Aside from the emergency services stakeholders there may be some community interest, however it is anticipated that community interest would be minimal unless an existing facility is expanded or replaced or a new facility is located in close proximity to a residence.

Recommendation: Retain the current management approach with amendment.

8. Preferred Option for further engagement

The Project Team recommends that:

Emergency services are managed by amended definitions, policies and rules within the Proposed Plan and that the recommendations set out in section 7 of the Emergency Services Baseline Report, which seek to provide continued and in some instances greater development flexibility for emergency services, are endorsed by the District Plan Committee.

Further engagement is proposed to be undertaken with the identified stakeholders only (FENZ, St John and NZ Police) to seek their feedback in relation to draft emergency services provisions.



Appendix 1 - Emergency Services Baseline Report