

Proposed Porirua District Plan Submission.

Feedback Submission (19th November 2020)

Name: Ryan, Raymond; Janet Ryan; John Fokerd (Land owners)

Address: 298B Paekakariki Hill Road, RD 1 Porirua 5381

Phone (04) 234 1336

Email: rayryan@xtra.co.nz

Feedback Subject: Significant Natural Areas.

Properties effected: All those covered by the SNA

Feedback relates to: Rules for vegetation management

Submission:

The proposed rule of permitted removal of vegetation for a distance of **only 3m** from external walls or roof of a building does not adequately provide for **sensible risk management** by owners and occupiers of land for personal safety, wild fire protection of buildings and compliance with mandatory Electrical Safe Distances Codes of Practice.

The rule must be modified to **allow without recourse to administrative procedures, for owners and occupiers of property to comply with the recommendations of the Rural Fire Authority for defensible spaces** as identified in their publications “FireSmart.. home owner’s manual” and “**Flammability of Native Plant species**”. Non-recognition of these recommendations as the proposal implies could possibly leave the Council vulnerable to liability in the event of an Insurance Claim by land owners arising from Fire damage.

The rules must in no way **compromise** the effectiveness of Rural Fire Officers administering the Rural and Forest Fires Act.

The rules must be modified to allow **continuous and immediate** management of the safety hazards by the property owner arising from vegetation. This includes cognisance of the risk of the safety of people (in addition to fire) in the immediate vicinity of the buildings and defensible space, garden paths etc.

The rules must be modified to **allow adequate tree trimming beyond the 3m dimension** at the discretion of the owner to enhance healthy living conditions where shade, foliage accumulation etc threatens their wellbeing.

The rules must be modified **to allow adequate tree trimming** at the discretion of the owner to maintain efficient operation of alternative power resources.

The rules must be modified **to allow adequate tree trimming** for owners to comply with the mandatory regulatory requirements of the Health and Safety Act Part 2 “Maintenance of trees around Power Lines” and NZECP 34:2001 “Electrical Safe Distances” **without recourse to consent processes.**

It is agreed that the proposed rule to allow **removal of exotic trees** as a permitted use **without the need for permits/consents etc** for safety and environmental management and to allow the encouragement of regeneration of native species by natural process without the need for costly plantings in their place.

The rule must be modified to recognise the need for **cost effective administration of the plan.** The current plan rule is too restrictive for permitted actions **without recourse to consents.** These processes are costly for the property owner associated with processing applications. In addition, the property owners will be faced with increased costs in rates reflected by the overzealous bureaucratic controls of the current proposals.

The proposed rules must be modified to bring a **better balance** between owner’s rights, responsibilities, environmental management and cost-effective administration.

That the Council resources used to administer these rules as currently proposed would be more effectively used to enhance the ecosystem by diverting them to concentrate on eradication of pests such as opossums, rats, weasels, stoats, wild cats, ferrets and goats that are having a much more adverse effect on the environment than the loss of the few trees needed to protect the properties of private citizens from the ravages of fire and storm damage. These recommendation for rule change will affect only an infinitesimal area of the landscape thus having little impact on the overall objective of the SNAs.

Attachments:

Fire Risk Responsibilities: Article promoted by PCC Kapi Mana News Sept 2013

Flammability of Native Plant and Defensible spaces pages 1 to 4 Rural Fire Authority.

Picture extracted from book "Westies" by Bob Harvey showing the magnitude of flames that can exist through wild fires in native vegetation surroundings.

Extract from the Rural Forest and Fire Act 1977 Section 14

PCC Proposed District Plan Submission
Questions Answered By R S Ryan

Outstanding matters to be addressed

1. I could not
gain an advantage in trade competition through this submission.
2. I am
directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.
3. I wish
To be heard in support of my submission
4. I will not
Consider presenting a joint case with other submitters, who make a similar submission, at a hearing.

Thank you

Ngā mihi,

Louise White

Intermediate Policy Planner
Kaihanga Kaupapahere Māhuri

porirucity

Tel: 04 910 5490
porirucity.govt.nz

Additional matter

In addition to the matters raised in my submission a further point is that for “slope stability” exotic trees have a much quicker and deeper developing root systems that assists with stabilization than native trees. Therefore, in SNAs, the planting of exotic trees for slope stability show be allowed. A key objective in enhancing the water quality is to reduce water borne sediments especially from scars and escarpments formed due to adverse weather events.

Raymond Ryan

14. Joint, etc., exercise of statutory fire control powers—(1) Any 2 or more Fire Authorities may, in such manner and on such terms as they may from time to time deem appropriate, act together in the exercise of their powers under this Act, and may, upon such terms and conditions as they agree to between themselves, jointly appoint Rural Fire Officers and such other persons as they consider necessary for that purpose.

(2) The powers of any Fire Authority and of its Fire Officers under and in the enforcement of this Act and any regulations made thereunder, and the powers of any Minister of the Crown or other person under any other Act or regulation, or any rule or bylaw, or any instrument, in respect of fire control may, in accordance with and to the extent of such agreements or arrangements as may be entered into from time to time, be exercised by any Fire Authority and its Fire Officers, or by any agent, representative, or nominee of such Minister or other person:

Provided that this section shall not preclude any Fire Officer from exercising the powers conferred on him by section 20 (2) or section 21 of this Act:

Provided also that where any fire has spread or may spread into or from any district, the Fire Authority for that district may exercise or continue to exercise outside of its district, in respect of that fire, all fire control measures it considers necessary pending their being taken over by another Authority or other person having due jurisdiction; and the first-mentioned Authority shall to that extent be deemed to have acted as agent under this section for that other Authority or person.

(3) Any dispute or difference in respect of any terms, conditions, agreements, or arrangements made or sought pursuant to this section for the exercise of fire control powers provided by this Act shall on application by any party thereto be decided in the public interest by a Rural Fire Mediator

(4) The exercise of any power purporting to have been conferred pursuant to this section shall not be questioned or avoided on the grounds solely that such power was not conferred or exercised by writing or under seal:

Provided that this subsection shall not apply to any levy under any of sections 45, 46, . . . and 48 of this Act.

(5) Except to the extent otherwise declared from time to time by the [National Rural Fire Authority by notice in the *Gazette*],—



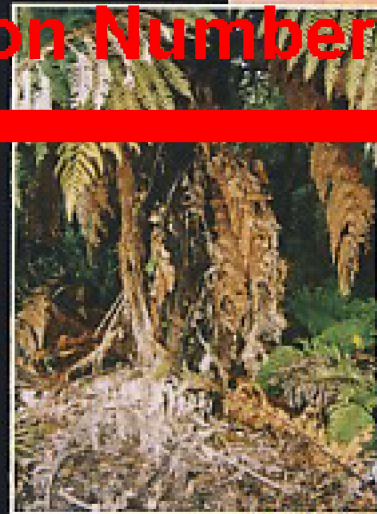
Members of the surf club and local bach owners help Pihā's volunteer firefighters battle a hitcock fire. Thankfully, it's not a major threat to the Ranges because of the dampness of the bush. Still, scrub fires do happen during the long hot summers.

Flammability of Native Plant Species



A guide to reducing fire hazard around your home

Many householders living in rural areas or on the rural/urban fringe face dangers from wildfires; they can reduce these dangers by managing the vegetation around their homes.



Why plant LESS

- The best way to protect your house is to reduce the intensity of the fire as it approaches; this can be achieved by creating an area around your house where all flammable material such as scrub vegetation, long, rank grass, leaves and twigs has been removed.
- The flammability of vegetation affects fire intensity, which has a major influence on fire control and the chance of homes being damaged or destroyed by fire.
- High flammability fuels have characteristics which greatly assist fire spread; for example, heavy fuel loads, continuous structure, volatile oils, or low moisture contents.

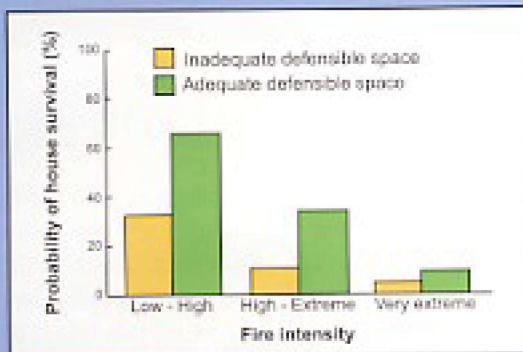


Defensible Space

POC - Submission Number - 138

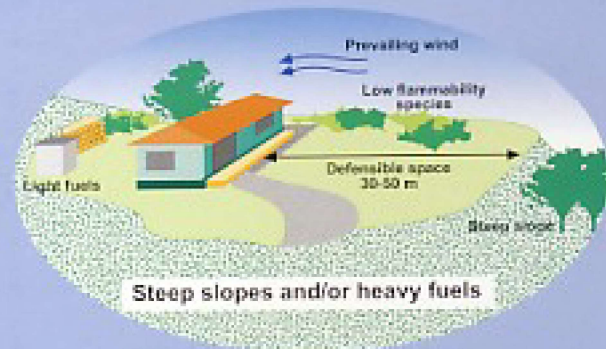
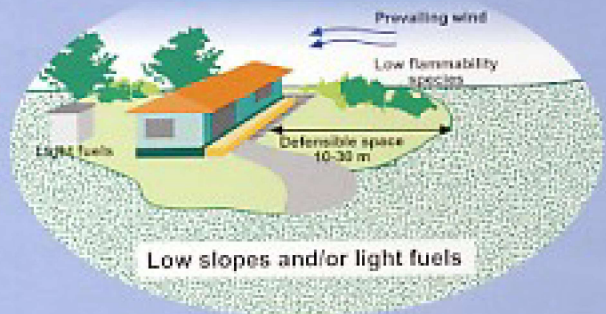
How do you develop defensible space?

- Defensible space may be created by removing vegetation, and/or by selecting low flammability species for planting in green breaks or replacement planting.
- The size and shape of your defensible space depends on factors such as slope, prevailing wind strength and direction, and nature of the surrounding fuel.
- Overseas experience has shown that the preferred option is for this area to extend for 100 m; this is difficult for homeowners to achieve, but a zone of at least 30-50 m of defensible space is recommended.
- Creating defensible space does not mean that all trees and shrubs need to be removed — well-kept lawns and gardens provide little fuel for wildfires.



Adequate defensible space greatly increases the probability of a house surviving a wildfire.

- The removal of trees and scrub may be restricted by council bylaws, or a "bush" setting may be preferred; in these instances, highly flammable fuels should be replaced by plantings of less flammable species.
- A combination of lawns/gardens and scattered low-flammability shrubs often provides the best solution.
- Whatever option is adopted, the defensible areas should be kept clear of rubbish, dead vegetation, and heavy fuels such as wood piles.



The replacement of exotic weed species with New Zealand natives is one option for the homeowner.

The Research

The following flammability classes are based on a series of surveys conducted by staff from Ensis's rural fire research programme.

Experienced fire managers throughout New Zealand were asked to rank a list of native species in terms of flammability in the light of their observations at wildfires and prescribed burns under different fire danger conditions. The responses were subjected to statistical procedures, to produce a final list of 42 species in 5 flammability classes.

Classes:

- **Low:**

Suitable for green breaks or defensible space, but when in the immediate vicinity of structures, there should be at least a 3-4 m break between the crowns to reduce fuel continuity.

- **Low/Moderate:**

Not recommended for planting in green breaks. If planted in defensible space, elevated dead material and litter should be removed regularly, greater than 4 m should be left between tree crowns, and trees or shrubs in this category should not be within 10 m of structures.

- **Moderate:**

Most of these species produce heavy accumulations of flammable litter and elevated dead material, and/or have flammable green foliage. Not recommended for green breaks or for planting in defensible space.

- **Moderate/High:**

Species may have flammable green foliage and/or produce high levels of litter and elevated fuel. Not recommended for green breaks or defensible space.

- **High:**

Burn readily at Low/Moderate forest fire danger conditions.

Low flammability species

<i>Fuchsia excorticata</i>	Kotukutuku
<i>Pseudopanax crassifolius</i>	Horoeka/Lancewood
<i>Pseudopanax arboreus</i>	Five finger
<i>Coprosma robusta</i>	Karamu
<i>Coprosma grandifolia</i>	Raurekau/Kanono
<i>Geniostoma ligustrifolium</i>	Hangehange
<i>Coprosma australis</i>	Raurekau
<i>Coprosma repens</i>	Taupata
<i>Carpodetus serratus</i>	Putaputaweta
<i>Corynocarpus laevigatus</i>	Karaka
<i>Griselinia littoralis</i>	Papauma/Broadleaf
<i>Griselinia lucida</i>	Puka
<i>Macropiper excelsum</i>	Kawakawa/Peppertree
<i>Solanum aviculare</i>	Poroporo

Low/moderate flammability species

<i>Hebe salicifolia</i> and <i>H. stricta</i>	Koromiko
<i>Meliclytus lanceolatus</i>	Mahoe wao
<i>Meliclytus ramiflorus</i>	Mahoe/Whiteywood
<i>Aristotelia serrata</i>	Mako-mako/Wineberry
<i>Coriaria arborea</i>	Tutu
<i>Myoporum laetum</i>	Ngaio
<i>Pittosporum crassifolium</i>	Karo
<i>Pittosporum eugenioides</i>	Tarata/Lemonwood
<i>Hoheria</i> spp.	Hoheria/Lacebark
<i>Knightia excelsa</i>	Rewarewa
<i>Nothofagus menziesii</i>	Tawhai/Silver beech
<i>Phyllocladus glaucus</i>	Toatoa
<i>Plagianthus regius</i>	Manatu/Ribbonwood
<i>Weinmannia racemosa</i>	Kamahi

Moderate flammability species

<i>Beilschmiedia tawa</i>	Tawa
<i>Cordyline australis</i>	Ti kouka/Cabbage tree
<i>Pittosporum tenuifolium</i>	Kohuhu
<i>Dacrydium cupressinum</i>	Rimu
<i>Metrosideros umbellata</i>	Southern rata
<i>Agathis australis</i>	Kauri
<i>Phormium</i> spp.	Flax
<i>Podocarpus dacrydioides</i>	Kahikatea/White pine
<i>Weinmannia silvicola</i>	Tawhero/Towhai

Moderate/high flammability species

<i>Podocarpus totara</i>	Totara
<i>Dodonaea viscosa</i>	Ako-ako
<i>Cyathea</i> and <i>Dicksonia</i> spp.	Tree ferns
<i>Cyathodes fasciculata</i>	Mingimingi

High flammability species

<i>Kunzea ericoides</i>	Kanuka
<i>Leptospermum scoparium</i>	Manuka

For further information on species which grow best in your area, contact your local nursery. For further information on protecting your property from fire, contact your local Fire Authority.

PCC - Submission Number - 138

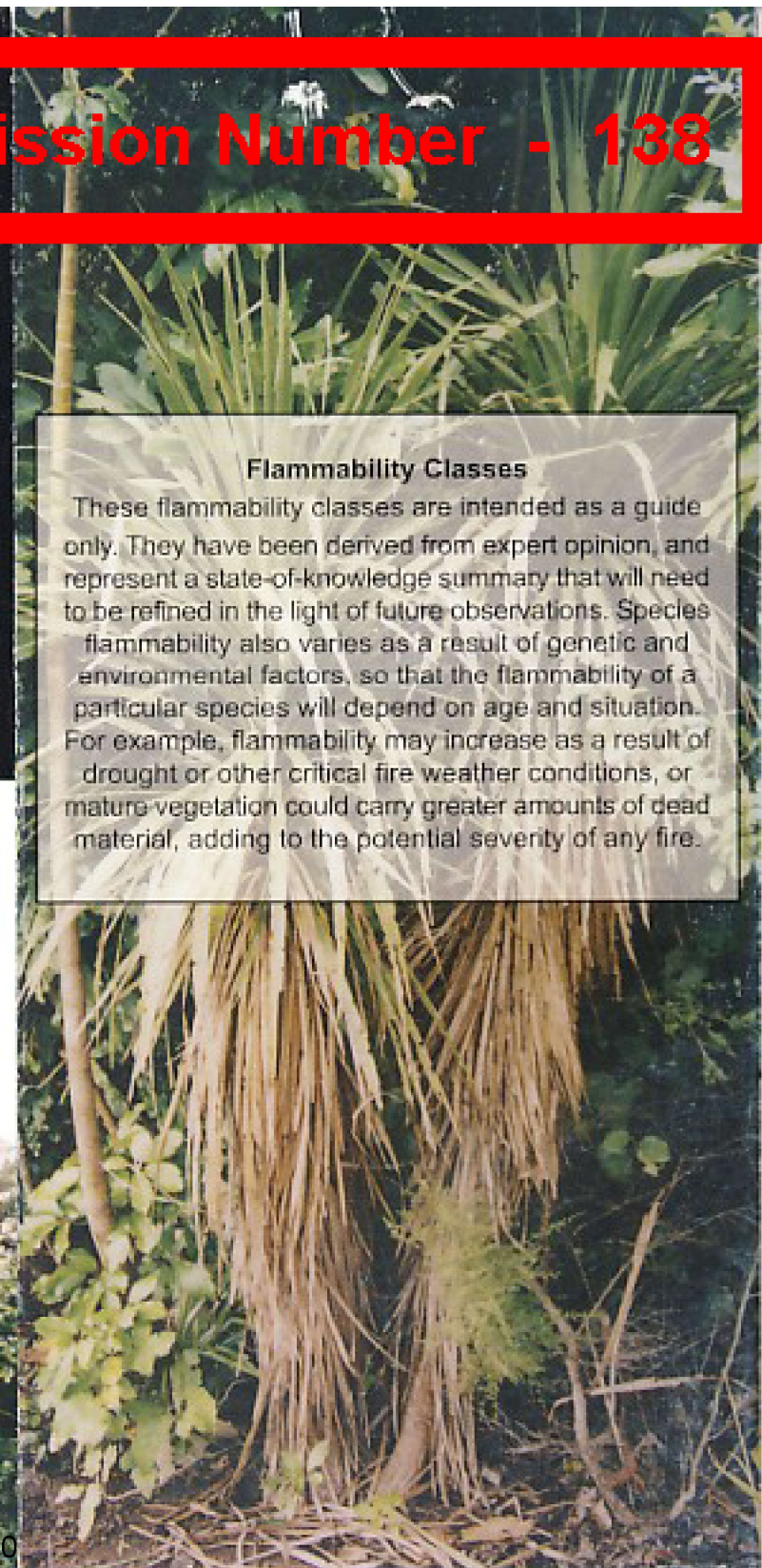


Flammability Classes

These flammability classes are intended as a guide only. They have been derived from expert opinion, and represent a state-of-knowledge summary that will need to be refined in the light of future observations. Species flammability also varies as a result of genetic and environmental factors, so that the flammability of a particular species will depend on age and situation. For example, flammability may increase as a result of drought or other critical fire weather conditions, or mature vegetation could carry greater amounts of dead material, adding to the potential severity of any fire.

flammable species?

- Fuel is the only component of a fire environment that can be altered to reduce the probability of damage from wildfires — we cannot control the weather, and topography is more or less fixed.
- The replacement of high flammability species with lower flammability species can reduce fire hazard and help create a **DEFENSIBLE SPACE** around your home that allows heat and embers to dissipate.
- Low flammability species can also be used in **GREEN BREAKS**, positioned to break up flammable landscapes, provide a buffer zone bordering urban areas, or to reduce fire hazard in the immediate vicinity of individual properties.



REDUCING FIRE HAZARD AROUND YOUR PROPERTY



Is your property at fire risk from fire spreading from highly flammable plants like gorse and broom.

Property owners are responsible for maintaining vegetation on their land to ensure it's not a fire hazard.

What you should do:

- Remove flammable vegetation like gorse and broom
- Replace these with low flammable native plants
- Stack woodpiles & pallets away from the house
- Clear dead leaves from your roof and gutters
- Cut or prune dead branches hanging over your roof

Keep your family, home and your neighbourhood safe!

Gary Simpson
CHIEF EXECUTIVE

*Kapiti - Mana News
10th Sept 2013*

PO Box 50218, Porirua 5240, New Zealand PH: +64 4 237 5089 FAX: +64 4 237 6384



PCC - Submission Number - 138

www.pcc.govt.nz