

27 November 2003

Felicity Steel
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Dear Felicity

SUBMISSION ON PROPOSED NEW FOREST AND RURAL FIRE REGULATIONS

Please find below the submission from the New Zealand Forest Owners Association referenced by the numbers and headers from the proposals document you forwarded for “New Forest and Rural Fire Regulations”.

Interpretation

- (b) include with a green crop to read:- “with a green crop or grazed or mown pasture”.
- (c) delete this reference of a fire break; (Top dressed and over sown pasture, whilst green for a period will also dry off in summer conditions negating any fire break benefit.)
- Add a new definition of (h) - a burnt crop

1. Committees of Rural Fire Districts

We support the proposed draft, yet should be sufficiently described to ensure that authority of RFD Committees is proof against legal challenge.

2. Fire Plans

Reduction of Fire Risk (section)

“• *the number of permits issued during the preceding 2 years.*”

This is a reporting function and should be deleted from this section as it can be incorporated in annual returns, not the Fire Plan.

Review of Fire Plan (section)

Civil Defence and Emergency have a five yearly term, would this be more in line and appropriate.

Readiness (section)

“• a record of all arrangements or agreements under section 14 and 16 of the Act ...”

Include reference to section 15.

Response to a Fire Incident (section)

“• the deployment of additional fire fighting forces if extended action is required.”

Replace the word forces with resources.

“• the command and control at fire that complies with current operational suppression systems.”

Replace current operational suppression systems with CIMS.

3. Warrant of Appointment for Fire Officers

We support the proposed draft, however base qualifications for PRFO and RFO should be stipulated.

4. Forest Area

We support the proposed draft.

5. Permits

Reference Page 18 “Notes for Information of Permit Holder”

“Open Air” - “in relation to fires, means not in a fireplace, incinerator ...”

To the word fireplace add within a building.

6. **Forests**

“• *require persons entering a forest during the months of October through April to obtain a permit.*”

Change April to June; with climate change the fire season in recent years has extended into late autumn, and in April / prior to significant rainfalls the forests are still very dry.

“• *no permit is to be refused on any basis unrelated to fire risk.*”

Delete this point. OSH safety issues of roading, heavy equipment working, other spraying programmes, poisoning programmes, and other hunting groups are all other key reasons to deny entry along with private land ownership rights. This point is irrelevant here.

7. **Testing and Approval of Spark Hazardous Engines**

“*Section point (a) in vehicles powered by diesel oil*”

Sub point (iii) change wording to read:

A side delivery pipe, to go to the right side of the vehicle only or a rear delivery pipe extending at the rear of the vehicle, fitted with a wire mesh envelope, to be used for a limited period at the discretion of the fire officer.

Note: A lot of modern diesel vehicles tail pipes extend to the rear.

“*Section point (c) in the case of vehicles with solid wood stoves*”

Solid wood stoves should be replaced with only liquid or gas fuelled cookers are permitted.

8. **Portable Timber Processing Plant**

Change heading to “Portable Processing Plant”. Delete the word Timber to allow for large chipper machine / shingle crusher plants, etc.

Redraft all with removal of the word “timber”.

After the word relation to fire risk add and may include specific conditions.

We agree with the Department that if these changes above are made the regulations will capture potential issues of processing plants within a forest etc, and specific conditions relevant to the operation can be placed on the safety clearance prior to commencement of the operation.

9. **Fire Signs**

Redraft to state as is, yet include that in an open fire season advice via signs is not required.

Fire Suppression

Delete this section completely. Health and Safety really overrules this and the world has moved on. We agree with the Department.

10. **Annual Return of Fires**

The updated draft form at NRFA should be used. The proposed form is outdated.

11. **Offences**

We consider the penalties are far too light.

We recommend individual fine of \$2,000 and body corporate fine not exceeding \$10,000. At \$400 even poachers will take the risk as it is one animal etc.

We trust this clarifies our views and we are happy to discuss in more detail any aspects of our submission. Please do not hesitate to contact me directly.

Thank you.

Yours sincerely

**Kerry Ellem
Chairman
NZFOA Fire Committee**