

Hon Dr Megan Woods

MP for Wigram

Minister of Housing

Minister for Infrastructure

Minister of Energy and Resources

Minister for Building and Construction

Associate Minister of Finance



12 JUL 2023

Phil Pennington

RNZ Reporter

phil.pennington@rnz.co.nz

OIA23-086

Dear Phil

Thank you for your email of 7 June 2023 requesting the following information under the Official Information Act 1982 (the Act):

"The OIA relates to fire protection and fire safety in medium density housing

RNZ requests release in full and in fully searchable and copyable format:

- 1. In preparing to bring in the MDRS last year, the govt would have sought advice on the impacts of more medium density housing on fire protection and fire safety. We request a list of the titles of any and all written records in whatever form at all, that related to this or touched on this*
- 2. From that list, pls release copies of any written records in any format at all that provide a comprehensive and accurate picture of all the substantive advice, including but not limited to:*
- 3. The 3 most comprehensive briefings, memos or similar from any agency to the Minister/'s office*
- 4. The most comprehensive and up-to-date written record/s of what was decided re fire protection*
- 5. More official advice may have come in AFTER the MDRS came in. Pls release copies as above, of the most substantive of this advice*
- 6. For the pre-MDRS and post-MDRS periods, a list of all communications between/from building control and/or territorial authorities and the Minister/'s office focused on this issue*
- 7. The single most comprehensive such communication that sums up the issues*
- 8. Any and all comms between FENZ and the Minister/'s office on this, pre-MDRS and post-MDRS coming in*
- 9. If any meetings involving the Minister have focused on this issue, pls release a record of what went on at them*

If any of the above has previously been publicly released, pls provide links to that forthwith. If any of the above has previously been released under the OIA, pls release it now to RNZ as per the OIA regs and SOP.

Pls redact names of junior staff but include those of senior ones

Pls get back to me with any queries within 7 working days; pls advise of any need to transfer any of these questions anywhere, within 7 working days."

In response to parts one and two of your request "In preparing to bring in the MDRS last year, the govt would have sought advice on the impacts of more medium density housing on fire protection and fire safety. We request a list of the titles of any and all written records in whatever form at all, that related to this or touched on this" Two documents have been found to be within scope:

- *BRF20/21050957 Proposed addition to the Cabinet paper: Bringing forward upzoning of land for housing to remove minimum floor area and balcony requirements (May 2021)*

This paper contains one reference to fire safety which can be found in the footnote on page 4. Some information has been withheld under the following section of the Act:

Section of Act	Reason to withhold
9(2)(a)	To protect the privacy of natural persons.

- *Departmental Report on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill*

The Environment Select Committee received a small number of submissions on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill (RMA Bill) that mentioned matters relating to emergency services. This is noted in the Departmental report (see page 24) which is publicly available here:

www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN_ADV_116288_EN9352/ministry-for-the-environment-departmental-report.

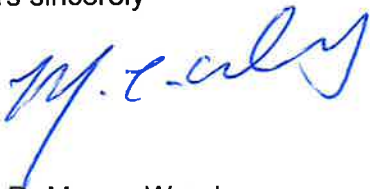
The Departmental report responds to these submissions by noting that the scope of intensification plan changes needed "to be broadened, so councils could use them...to amend or develop provisions (including objectives, policies, standards, rules and zones) that are consequential or complementary to the MDRS and NPS-UD". This expanded scope was subsequently included in the drafting of the amendments to the RMA Bill and is now law. I note that the above document is already in the public domain, however I provide it to you as it may be of interest.

Parts three through to nine of your request are declined under section 18(g)(i) that the information requested is not held by the department or venture or Minister of the Crown or organisation and the person dealing with the request has no grounds for believing that the information is either held by another department.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the decision to withhold information under section 9 of the Act is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review of my response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman's website at: www.ombudsman.parliament.nz.

Yours sincerely



Hon Dr Megan Woods
Minister of Housing

Annex 1: Document schedule

Documents released – OIA23-086			
	Date	Document	Section of the Act applied
1	May 2021	Proposed addition to the Cabinet paper: Bringing forward upzoning of land for housing to remove minimum floor area and balcony requirements	9(2)(a)

We are also providing you with a link to the Departmental Report that is already in the public domain at: [www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN ADV 116288 EN9352/ministry-for-the-environment-departmental-report](http://www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN_ADV_116288_EN9352/ministry-for-the-environment-departmental-report)