

ERRATA MEMO

21 February 2022

Subject: Amendment to 'Key Issue 6 – Emergency Service Activities and Firefighting Supply Requirements in the 'Large Lot Residential Zone' (LLRZ)' in the Section 42A Report – Coastal Environment (including Coastal Settlements)

Fire and Emergency New Zealand (FENZ) – submission points S57.116 and S57.117 – seek inclusion of a new 'Servicing' Standard and accompanying 'Servicing' Assessment Matter in the LLRZ – Large Lot Residential Zone, as follows:

<u>LLRZ-SXX Servicing</u>	
<u>All</u>	<ol style="list-style-type: none"> <u>All new developments that will require a water supply must be connected to a public reticulated water supply, where one is available.</u> <u>Where the new development will not be connected to a public reticulated water supply, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the developer must demonstrate how an alternative and satisfactory water supply can be provided to each lot.</u> <p><u>Note: The above does not replace regional rules which control the taking and use of groundwater and surface water. These rules must be complied with prior to the activity proceeding.</u></p> <p><u>Further advice and information about how an alternative and satisfactory firefighting water supply can be provided to a development can be obtained from Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.</u></p>

LLRZ-AMXX Servicing

1. The provisions of the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.

In the light of further consideration of the same request from FENZ in respect of the urban zones (GRZ, COMZ, GIZ & SETZ zones), I have reconsidered and have arrived at a different position from that expressed in my original report.

As I have not recommended inclusion of the new 'Servicing' Standard sought, I now consider there is similarly no basis for inclusion of a new 'Servicing' Assessment Matter, given the matters for which discretion is restricted are specifically related to infringed standard(s). Without a corresponding standard, there is nothing to trigger the consideration of such an assessment matter.

For this reason, I have amended my analysis and subsequent recommendations in the Section 42A Report, as follows:

Water Supply Servicing Requirements

- 9.3.7 The submitter has sought the introduction of a new servicing standard and accompanying assessment matter, specific to the provision of a satisfactory water supply to developments where they may not involve subdivision.
- 9.3.8 In my view, connection to a public water supply is more a technical matter, best dealt with through building/engineering approval processes than through a rule in the District Plan. In Central Hawke's Bay, connection to the Council water supply system is covered by the 'Water Supply Bylaw' (2018, and draft bylaw dated May 2021), including connections to Council's supply at Kairakau and Pourerere. And if seeking to include a 'Servicing' standard, then water supply is only one of the 'Three Waters' services – the proposed 'Servicing' standard does not address provision for wastewater or stormwater services.
- 9.3.9 Further, a standard in a Plan should be certain, effective, and enforceable. Plan users need to be able to determine if they meet a standard or not, and a standard that requires them to '*demonstrate how an alternative and satisfactory supply can be provided to each lot*' introduces a level of discretion when determining whether an activity is permitted or not, and therefore considerable uncertainty. I consider the wording is more suited to a subdivision standard, which can be considered through the subdivision consent process.
- 9.3.10 On this basis, while I accept that provision of a satisfactory water supply is important, including for firefighting purposes, I do not support the inclusion of a servicing standard in the zone provisions as proposed. As such, there is no need to include a new servicing assessment matter as requested by the submitter.

9.4 Recommendations

- 9.4.1 For the reasons outlined above, I recommend that that provisions in the LLRZ – Large Lot Residential Zone chapter be amended (as outlined in Recommended Amendments below).
- 9.4.2 I recommend that the following submission(s) be **accepted**:
- FENZ, S57.99, S57.100, S57.101, S57.102, S57.113, S57.114, S57.115
- 9.4.3 I recommend that the following submission(s) be **accepted in part**:
- FENZ, S57.108
- 9.4.4 I recommend that the following submission(s) be **rejected**:
- FENZ, S57.103, S57.104, S57.105, S57.106, S57.107, S57.109, S57.110, S57.111, S57.112, S57.116, S57.117.

I also note that a 'tracked changes version' of the LLRZ – Large Lot Residential Zone chapter was not attached in Appendix A to the Section 42A Report.

An amended Section 42A Report has been uploaded to the Hearings Portal, accordingly.

Prepared by:



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Approved by:



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