

# Corporate Services



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Our Ref: SUB021 21

Central Hawke's Bay District Council  
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## **Proposed District Plan**

Thank you for the opportunity to comment on the proposed District Plan.

The Hawke's Bay District Health Board (HBDHB) has a responsibility under the New Zealand Public Health and Disability Act 2000 to advocate for environmental conditions that contribute to the health of the community. Medical Officers of Health and Health Protection Officers also have responsibilities for the safety of drinking water under the Health Act 1956.

We acknowledge Tangata Whenua, Central Hawkes Bay community and stakeholder consultation that is evident throughout the timeframe of this proposed District Plan and support the overarching objectives and planning provisions to manage land use in Central Hawke's Bay District.

We provide comment and recommendations on:

### **PAPAKĀINGA AND KAUMĀTUA HOUSING, AND ASSOCIATED MARAE-BASED DEVELOPMENT**

**Comment:** We fully support Council's progressive approach towards enabling the development of papakāinga and kaumātua housing in the District. Updating the District Plan to set clear rules and criteria is a significant step in helping to create certainty amongst tangata whenua in developing their lands and for housing their people.

**Recommendation:** Under Rule "PKH-S2 Residential Units" that section (e) is reworded from:

"Domestic Water Storage Tank (where public water reticulation is not available)" to:

"Domestic Water Storage Tank (where public water reticulation is not available), and if drinking water is supplied to more than 1 dwelling then includes installation of a water treatment device that meets the "Acceptable Solution and verification methods for drinking water" as advised by the Drinking Water regulator Taumata Arowai.

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## HEALTH IMPROVEMENT & EQUITY DIRECTORATE

**Rationale:** Section 49 of the Water Services Bill<sup>1</sup> once signed into statute will enable the Drinking Water regulator to establish “Acceptable Solution and verification methods for drinking water” for water supplied to Papakāinga and Kaumātua Housing developments. This will likely see minimum standards for water treatment to ensure drinking water supplied to these properties is biologically and chemically safe. While these Acceptable Solutions are yet to be set, Papakāinga and Kaumātua Housing with no water treatment will not be accepted and so therefore it is prudent that this wording change be made.

**Comment:** We are concerned that detailed policies and methods within planning provisions do not always give effect to objectives. For example, PKH-AER2 states that policies and methods included under papakāinga and kaumātua housing will ensure that these, and associated marae-based development is undertaken in a sustainable manner.

However, PKH-S2 requires 30m squared of land be set aside for parking for each residential unit. In our view this requirement does enable development that reduces dependence on cars.

**Rationale:** The purpose of the Resource Management Act (section 5), is to promote sustainable management of natural and physical resources and this is explained more in Section 5(2,) (c) which mandates managing the use, development and protection of natural and physical resources:

‘Avoiding, remedying, or mitigating any adverse effects of activities on the environment’ Also Section 7 which sets out ‘Other Matters’ that the Council must have particular regard to including: (i) the effects of climate change. The provision of parking requirements need to be considered as a factor that can influence transition from motor vehicle use.

**Recommendation:** review requirements for parking provisions throughout proposed District Plan.

### **Ecosystems and Indigenous Biodiversity**

**Comment:** We fully support Council’s inclusion of Ecosystem and Indigenous Biodiversity Policies and Rules in the District Plan. While this section of the District Plan is effective at promoting and protecting against the removal of indigenous biodiversity, however it does not fully consider the impact that land use and in particular water use has on the survivability of these natural systems.

**What we recommend:** That the District Plan rules be broadened to ensure that land use and water takes do not impact negatively on Indigenous Vegetation including the creation of conditions that lead to these natural systems being diminished and or threatened. We believe the rules should be broadened to prevent against the impact on natural systems such as wetlands and Indigenous vegetation. This includes strengthening rules to protect wetlands from being drained for the purposes of land to be freed up for grazing or cropping etc. We also believe rules should be broadened to ensure water use does not threaten indigenous vegetation by either taking too much water out of the system, or the diversion of water away from remnant indigenous vegetation through the alteration of drainage systems.

An example of what we’re advocating to prevent occurring is at Inglis Bush<sup>2</sup> where water extraction for agriculture is the cause of the death of these ancient Kahikatea trees.

**Rationale:** The protection of natural systems is critical for both ecological health and principally human health. These systems are vital for acting as carbon sinks and by providing an environment for the ecological life they sustain. The United Nations Sustainable Development goals<sup>3</sup> of which New Zealand is a signatory aims to ensure the conservation, restoration and sustainable use of terrestrial and inland freshwater ecosystems and their services, in particular forests, wetlands, mountains and drylands, in line with obligations under international agreements. If your District Plan is to be “Sustainable” as defined by

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<sup>1</sup> <https://legislation.govt.nz/bill/government/2020/0314/latest/LMS374730.html>

<sup>2</sup> <https://www.nzherald.co.nz/hawkes-bay-today/news/native-trees-in-hawkes-bay-reserve-dying-from-lack-of-water-as-irrigator-sprays-road-forest-and-bird/TZJBNOHTTJP6EKWXCKKDESX7UM/>

<sup>3</sup> <https://www.un.org/sustainabledevelopment/biodiversity/>

the UN then it needs to consider the wider factors of water supply and allocation to ensure natural systems are not affected by unsuitable irrigation and drainage.

## **EARTHWORKS**

**Comment:** We support Council's inclusion of sediment control provisions when earthworks are undertaken. However we believe the District Plan could be strengthened by requiring sites to develop and have available erosion and sediment control plans in place for whenever earthworks are being undertaken.

These plans should include basic information such as methods for sediment and erosion control both in the immediate term i.e. trenching, sediment traps, bunding etc, through until the medium to long term i.e. re-establishment of grassed areas etc.

**What we recommend:** That the District Plan Rules require the site manager or person in control of the site has available erosion and sediment control plans in place for whenever earthworks are being undertaken. And that erosion and sediment control plans are included as part of the resource consent documentation requirements to Council when works under the Building Act or other legislation involving construction i.e. roading etc. is being undertaken.

**Rationale:** Poorly controlled erosion and discharge of sediment into waterways significantly affects ecosystem health and can lead to degraded water quality that has the potential to impact on human health. For example from the proliferation of algal blooms, to the increased survivability of pathogens in recreational water such as Lakes and Rivers.

We are happy to present our submission at an oral hearing.

For further information please contact:

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Yours sincerely,



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