

From: [Chantal Pagel](#)
To: [District Plan Review](#)
Subject: Further feedback on Earthworks and Protecting Biodiversity
Date: Tuesday, 10 December 2024 09:42:41

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Hi Nicola,

As requested, I'll forward you our feedback on the earthworks evidence and our view regarding s31 of the RMA and protecting biodiversity.

We would support HBRC approach which amends the rule to smaller quantities however, our original point in our submission/statement still stands:

The earthworks chapter should include other specific rules for managing earthworks in the coastal environment. The Coastal Environment chapter relies on the other chapters in the plan to give effect to the CE objectives and policies. As it stands, the earthworks rules do not provide for specific management in the coastal environment – which we'd expect from giving effect to the CE objectives and policies – Instead, the earthworks chapter includes various earthworks rules that do not apply any differently within or outside of the coastal environment.

S31:

- Section 72 says they must prepare and change their plans in accordance with part 2 of the act, which includes:
 - recognising and providing for protection of areas of significant Indigenous vegetation and significant habitats of Indigenous fauna
 - having particular regard to intrinsic values of ecosystems and maintenance and enhancement of the quality of the environment
- Section 72/75 also requires councils to prepare/change in accordance with and to give effect to national policy and coastal policy statements – the NPS-IB, NZCPS and we're certain the HBRC policy statement all contain direction applicable to council.

In summary, all scope for protecting and preserving.

We'll be working on the feedback for the ECO chapter variation and let you know our thoughts.

Meri Kirihimete,

Chantal

Dr Chantal Pagel

**REGIONAL CONSERVATION MANAGER - TE MOANA A TOI TE HUATAHI BAY OF PLENTY | TE TAI RĀWHITI
GISBORNE | TE MATAU A MĀUI HAWKE'S BAY**

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