

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /Issues / EW-I1: Disturbance of ecosystems, waterways, and productive soils	Wayne Ormsby	63.3	Amend	Considers that EW-I1 must recognise the impacts of network utility operators clearing waterways on eels, and that District Plan provisions must include provisions to protect taonga species (eels) in these circumstances.	Amend EW-I1 so that it acknowledges the impacts network utility operators can have on taonga species (eels) when clearing drains. It is inferred that the submitter also wishes to include provision within the Earthworks chapter that address this issue.	Open Submission
EW - Earthworks / /	Rebecca Eng	99.72	Amend	Seeks a specific submission rule within the Network Utilities chapter to manage earthwork activities within the National Grid Yard. Should the submission point be rejected, Transpower seeks the rule within the Earthworks Chapter.	Seeks a specific submission rule within the Network Utilities chapter to manage earthwork activities within the National Grid Yard. Should the submission point be rejected, Transpower seeks the rule within the Earthworks Chapter. Appropriate cross reference would be required in the introduction to the Network Utilities Chapter to make the existence and linkage of the rule evident to plan users.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R5: Earthworks or land disturbance for network utilities by a network utility operator, including vehicle access tracks for network utilities	Rebecca Eng	99.74	Amend	Transpower supports the centralisation of all network utilities provisions into the Network Utilities chapter rather than being scattered through the Proposed District Plan. Standard 7(30) of the National Planning Standards states that The Earthworks chapter must include cross-references to any relevant earthworks provisions under Energy, Infrastructure, and Transport heading. In addition to the above relocation issue, Rule EW-R5 requires compliance with Standards S2-S11 but not all are relevant to network utilities: - S2 The cut and fill requirements may unintentionally apply to underground infrastructure when the focus should be on the finished ground level, not the depth of cut or fill which is undertaken in the process of undergrounding. As underground infrastructure spans multiple titles, S2(2) which required setbacks from boundaries is not relevant for network utilities. - S4 For network utility projects it is likely that earthworks will be removed offsite, and this is an unreasonably small limit.	Relocate Rule EW-R5 and the relevant standards into the Network Utilities chapter, and amend remove reference to standards S2 and S4.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table	Sera Chambers	150.115	Oppose	opposes on the basis that any sections of the PDP that reference Site of Significance to Māori, Indigenous Biodiversity, or Natural Hazards, will need to be consulted on again as the information in the current version of the PDP may not be fit for purpose based on the Plan Variation.	seeks for any sections of the PDP that reference Site of Significance to Māori, Indigenous Biodiversity, or Natural Hazards, will need to be consulted on again as the information in the current version of the PDP may not be fit for purpose based on the Plan Variation.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /All zones	Sera Chambers	150.116	Amend	considers that notification should not be precluded for applications under this rule. The adjoining landowner should be notified and be able to have their say on this, to allow their enjoyment of property rights as a guiding principle and the option to have the impact mitigated by the entity impacting the enjoyment.	seeks to amend to require notification under this rule so that adjoining landowners are notified and able to have their say.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /All zones	Sera Chambers	150.117	Amend	considers that the rule should be amended to extend to adjoining buildings/land on the basis that adjoining landowners should be notified and be able to have their say on this, to allow their enjoyment of property rights as a guiding principle and the option to have the impact mitigated by the entity impacting the enjoyment. This includes being informed of the works and how long they will be going for.	amend the rule to extend it to cover adjoining buildings/land on the basis that adjoining landowners should be notified and be able to have their say.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S7: Control of dust	Sera Chambers	150.307	Amend	considers that the standard should be amended to extend to adjoining buildings/land on the basis that adjoining landowners should be notified and be able to have their say on this, to allow their enjoyment of property rights as a guiding principle and the option to have the impact mitigated by the entity impacting the enjoyment. This includes being informed of the works and how long they will be going for.	amend the standard to extend it to cover adjoining buildings/land on the basis that adjoining landowners should be notified and be able to have their say.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table	Tom Anderson	151.67	Amend	Considers that the zone rules should not apply to network utilities	Amend as follows  Zone rules apply in addition to the activities below ( <u>noting these do not apply to district-wide matters</u> ). Earthworks rules are also found in the following chapters:  ...	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /EW - Earthworks - Rules Table /EW-R5: Earthworks or land disturbance for network utilities by a network utility operator, including vehicle access tracks for network utilities	Tom Anderson	151.68	Support	Supports specific earthworks rule for network utilities, but should be located in the NU Chapter.	Retain the rule as drafted but amend to locate it in the NU chapter.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /All zones	Tom Anderson	151.69	Amend	Considers that earthworks which do not alter the ground level, such as trenching, should not require the same setbacks from streams and overland flow areas. Further, they should be located in the NU chapter.	Amend the standard as follows, and place it in the NU Chapter: ... 1. Cut and fill does not exceed 2.5 m vertically. 2. The cut and fill depth, <u>where at the completion of the earthworks result in a change to the ground level</u> , does not exceed the distance from the nearest site boundary as measured on a horizontal plane. 3. The cut and fill depth does not exceed 1 m vertically where the top of the excavation is within 10 m of buildings or surcharge loads. 4. The cut or fill, <u>where at the completion of the earthworks result in a change to the ground level</u> , is no closer than (measured on a horizontal plane):	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	James Witham	165.30	Oppose	Opposes the inclusion of the note as it is unclear, particularly that not all building activities that require earthworks are required to obtain building consent and, whether regulatory compliance is required, and subsequently if non-compliance is enforceable by way of resource consent. Considers the installation of fences, equipment and machinery should be exempted as the effects of those day to day activities are less than minor. Considers that requiring these activities to comply does not meet the National Policy Statement for Highly Productive Land.	Delete note, clarify the provisions for supplying earthworks details is not required for buildings and structures that do not require building consents Exempt the installation of fencing, machinery and equipment for land based primary production activities from the provisions of the Earthworks chapter follows or alternative and any consequential relief required to address the matters raised in the submission	Open Submission
EW - Earthworks /Policies /EW-P1: Allow for earthworks	Sheena McGuire	168.79	Support	Supports policy that seeks to provide for earthworks if the scale, volume and effects are appropriately managed.	Retain as proposed.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	Sheena McGuire	168.80	Support	Supports the Permitted Activity status of earthworks for building activities, subject to standards.	Retain as proposed.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R3: Earthworks associated with the replacement and/or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011	Sheena McGuire	168.81	Support	Supports the Permitted Activity status of earthworks for network utilities, including access tracks, by a network utility operator. Submitter requires access roads to maintain and upgrade the rail network.	Retain as proposed.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S1: Extent of Earthworks	Sheena McGuire	168.82	Support	Supports these standards for earthworks extents in different zones and cut/fill requirements.	Retain as proposed.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S2: Earthworks - cut and fill	Sheena McGuire	168.83	Support	Supports these standards for earthworks extents in different zones and cut/fill requirements.	Retain as proposed.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S3: Slope stability	Sheena McGuire	168.84	Support	Support this standard to ensure earthworks don't result in land instability at or beyond a site.	Retain as proposed.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S5: Control of silt and sediment	Sheena McGuire	168.85	Amend	Supports this standard however, seeks inclusion of the rail corridor. Considers that lineside development can result in uncontrolled silt and sediment entering the rail corridor which can compromise the rail network and threaten the safe operation of trains.	Amend as follows:  1. For the duration of earthworks, measures must be implemented to prevent silt or sediment from entering the stormwater system, overland flow paths, <u>rail corridor</u> or roads.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S6: Site reinstatement	Sheena McGuire	168.86	Support	Supports site reinstatement following earthworks to control sediment.	Retain as proposed.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R5: Earthworks or land disturbance for network utilities by a network utility operator, including vehicle access tracks for network utilities	Powerco Limited - Gary Scholfield	172.49	Support	It is appropriate that there is a network utilities rule provided within the earthworks chapter.	Retain as drafted.	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /EW - Earthworks - Standards Table /EW-S8: Proximity to gas lines	Powerco Limited - Gary Scholfield	172.50	Support	It is appropriate that this standard refers to gas distribution works.	Retain as drafted.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	Fleur Lincoln Napier City Council	196.39	Amend	EW-R1A Open Space Zones in the PDP include Open Space and Recreation Zones. Consistent terminology should be used for clarity in plan implementation.	Change reference in clause (c) to 'Open Space Zones' to 'Open Space and Recreation Zones'.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	Fleur Lincoln Napier City Council	196.78	Amend	<p>EW-R1(2)</p> <p>Rule EW-R1(2) relates to earthworks over 12-month/per hectare rate for just building works (building platform, foundations). If you have a standard 800m<sup>2</sup> residential site the rule allows less than 10m<sup>3</sup> which would trigger a resource consent for earthworks for most building activities. Standard EW-S1 (extent of earthworks) specifies a flat threshold of 50m<sup>3</sup> per site. It would therefore be beneficial to apply EW-R7 in most cases for building on residential sites as it is more permissive; however, EW-R7 does not apply to earthworks for building activities as that is already provided for in the table. The earthworks for building activities threshold (EW-R1(2)) is more restrictive than the general earthworks standard (EW-S1). The different thresholds do not appear to be effects-based nor supported by the policy direction.</p> <p>Consider amending the earthworks for building activities thresholds to be per hectare per site for rural zones, and just per site for the urban zones. This will meet the intent of being more enabling for building activities than the general zone thresholds, however will recognise that for smaller sites a per hectare ratio doesn't work. Also reconsider the application of thresholds for the Settlement and Ahuriri Estuary Special Zones to ensure they're consistent with the nature of development anticipated in the zone.</p>	<p>Amend as follows (or similar relief):</p> <p>The extent of earthworks for building activities for any 12-month period (<del>per hectare per site</del>) is:</p> <p>a) Rural Production Zone, Rural Lifestyle, Airport Zone, Mission Precincts (all), <del>Settlement Zone</del>, Jervois town Precinct, Rural Special Control Area, Tertiary Education Zone, and Wastewater Treatment Specific Control Area – 200 m<sup>3</sup> <u>per hectare per site</u>.</p> <p>b) All Residential Zones and Precincts, <u>the Settlement Zone</u>, all Development Areas, all Commercial and Mixed Use Zones and Precincts, all Industrial Zones and Precincts, Boat Harbour Zone, Maori Purpose Zone, Port Zone, <del>and Ahuriri Estuary Special Zone</del> – 100 m<sup>3</sup> <u>per site</u>.</p> <p>c) Open Space Zones <u>and Te Whanganui a Orotu (Ahuriri Estuary) Stormwater and Ecology Zone</u> – 2000 m<sup>3</sup> <u>per hectare per site</u>.</p>	Open Submission
EW - Earthworks /General /General	Ellen Robotham	198.46	Support	Generally supportive of the Earthworks chapter.	Retain as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /General	Ellen Robotham	198.47	Support	Generally supportive of the Earthworks Chapter and supports provisions which require the management of dust effects across all zones. It is critical to the safety and operation of the Airport that earthworks are appropriately managed. This is due to the potential for earthworks to give rise to dust effects, which can reduce visibility for pilots, and can also be drawn into the engines causing gradual damage. Poorly managed earthworks that result in standing pools of water can also act as a bird attractant which can increase the potential for bird strike. Accordingly, HBAL submits that controls to this effect should be included in the Proposed Plan.	Retain as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S6: Site reinstatement	Ellen Robotham	198.48	Amend	Generally supportive of the Earthworks Chapter and supports provisions which require the management of dust effects across all zones. It is critical to the safety and operation of the Airport that earthworks are appropriately managed. This is due to the potential for earthworks to give rise to dust effects, which can reduce visibility for pilots, and can also be drawn into the engines causing gradual damage. Poorly managed earthworks that result in standing pools of water can also act as a bird attractant which can increase the potential for bird strike. Accordingly, HBAL submits that controls to this effect should be included in the Proposed Plan.	<p>Amend EW-S6 as follows:</p> <p>As soon as practicable, but no later than six months from the commencement of earthworks:</p> <p>a) The earthworks area shall be stabilised, filled and/or recontoured in a manner consistent with the surrounding land <u>and to remediate any standing pools of water;</u></p>	Open Submission
EW - Earthworks /Objectives /EW-O1: Environment (soils, ecosystems, waterways)	Georgina McPherson	215.98	Support	The Fuel Companies support EW-O1 as notified.	Retain EW-O1 as notified.	Open Submission
EW - Earthworks /Objectives /EW-O3: Hazards and health and safety	Georgina McPherson	215.99	Support	The Fuel Companies support EW-O3 as notified.	Retain EW-O3 as notified.	Open Submission
EW - Earthworks /Policies /EW-P1: Allow for earthworks	Georgina McPherson	215.100	Support	The Fuel Companies particularly support earthworks being a permitted activity where effects are appropriately managed.	Retain EW-P1 as notified.	Open Submission
EW - Earthworks /Policies /EW-P2: Environment	Georgina McPherson	215.101	Support	The Fuel Companies support EW-P2 as notified	Retain EW-P2 as notified.	Open Submission
EW - Earthworks /Policies /EW-P6: Cultural and heritage values	Georgina McPherson	215.102	Support	The Fuel Companies support EW-P6 as notified.	Retain EW-P6 as notified	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	Georgina McPherson	215.103	Support	The Fuel Companies support EW-R1A provided that the changes sought to the Earthworks standards that seek to avoid conflict with the NESCS, are accepted.	Retain EW-R1A as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	Georgina McPherson	215.104	Amend	The Fuel Companies generally support the intent of EW-R1B but seek a new matter of discretion that accounts for benefits associated with earthworks activities.	Amend EW-R1B as follows:  Matters of discretion are:  1. The matters of discretion of the effects standard infringed; 2. .... 6. Natural hazards,, and 7. Health and safety., and 8. <u>Benefits associated with the earthworks.</u>	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R3: Earthworks associated with the replacement and/or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011	Georgina McPherson	215.105	Amend	Generally support, with the exception of the requirement for earthworks associated with fuel tank replacement and/or removal to comply with EW-S4 relating to the removal of soil from a site, as this matter is specifically controlled under the NESCS.	Amend EW-R3 to remove the requirement for replacement or removal of a fuel storage system to comply with standard EW-S4, as follows:  EW-R3: Earthworks associated with the replacement and/or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011  All zones EW-R3A  Activity status: Permitted Where:  Compliance with the Earthworks effects standardsEW- S3 and EW-S5– EW-S8.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R5: Earthworks or land disturbance for network utilities by a network utility operator, including vehicle access tracks for network utilities	Georgina McPherson	215.106	Support	The Fuel Companies support the permitted activity status for network utilities. The Fuel Companies also support that EW-S1 is not required to be met under this rule.The default to RD status is also supported.	Retain EW-R5 as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R7: Earthworks not otherwise provided for in this table	Georgina McPherson	215.107	Support	The Fuel Companies support the permissive approach to earthworks not otherwise provided for, together with the default to RD status where compliance with the earthworks standards is not achieved	Retain EW-R7 as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table / EW-S1: Extent of Earthworks	Georgina McPherson	215.108	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S1 as follows:  Matters of discretion are:  1. Sediment control for the protection of waterways; 2. ... 5. Natural hazards,, and 6. Health and safety., and 7. <u>Benefits associated with the earthworks.</u>	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S2: Earthworks - cut and fill	Georgina McPherson	215.109	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S2 as follows:  Matters of discretion are:  1. Purpose of the standard; 2. ... 6. Natural hazards,, and 7. Health and safety., and 8. <u>Benefits associated with the earthworks.</u>	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /EW - Earthworks - Standards Table /EW-S3: Slope stability	Georgina McPherson	215.110	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	<p>Amend EW-S3 as follows:</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>Purpose of the standard;</li> <li>...</li> <li>Natural hazards,; and</li> <li>Health and safety., and</li> <li><u>8. Benefits associated with the earthworks.</u></li> </ol>	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S4: Removal off site	Georgina McPherson	215.111	Amend	The Fuel Companies seek that EW-S4 is amended to include an exemption for activities which are regulated under the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS). This will avoid conflict with the NESCS, which allows for 5m3 per 500m2 to be taken away per year and soil to be taken for the purpose of laboratory analysis as a permitted activity.The Fuel Companies also seek an additional matter of discretion that accounts for any benefits associated with the earthworks activity.	<p>Amend EW-S4 as follows:</p> <p>Rural Productive Zone</p> <ol style="list-style-type: none"> <li>Earthworks result in the removal off site of no more than 25 m3 of earth materials per 12 month period.</li> </ol> <p>All other zones</p> <ol style="list-style-type: none"> <li>Earthworks result in the removal off site of no more than 100 m3 of earth materials per 12 month period.</li> </ol> <p><u>Except that this standard does not apply to activities regulated under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.</u></p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The purpose of the standard, and</li> <li>Protection of productive soils,; and</li> <li><u>3. Benefits associated with the earthworks.</u></li> </ol>	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S5: Control of silt and sediment	Georgina McPherson	215.112	Amend	The intent of this standard is generally supported. However, the requirement to entirely prevent silt or sediment from entering the stormwater system is considered too absolute and unlikely to be able to be achieved in all situations. As suggested approach would be to require implementation of best practice silt and sediment control measures to reduce the risk of silt and sediment becoming entrained in stormwater. Further, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	<p>Amend EW-S5 as follows:</p> <p>EW-S5: Control of silt and sediment</p> <ol style="list-style-type: none"> <li>For the duration of earthworks, <u>best practice silt and sediment control</u> measures must be implemented to <u>reduce the risk of prevent</u> silt or sediment from entering the stormwater system, overland flow paths, or roads.</li> </ol> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>Purpose of the standard;</li> <li>Sediment control for the protection of waterways;</li> <li>Natural hazards,; <del>and</del></li> <li>Health and Safety, <u>and</u></li> <li><u>5. Benefits associated with the earthworks.</u></li> </ol>	Open Submission

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /EW - Earthworks - Standards Table /EW-S6: Site reinstatement	Georgina McPherson	215.113	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S6 as follows:  Matters of discretion are:  1. Purpose of the standard;  2. ...  5. Natural hazards; <del>and</del>  6. Health and safety, <u>and</u>  7. <u>Benefits associated with the earthworks.</u>	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S7: Control of dust	Georgina McPherson	215.114	Amend	The intent of this standard is generally supported. However, the Fuel Companies seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Amend EW-S6 as follows:  Matters of discretion are:  1. Purpose of the standard;  2. ...  4. Natural hazards; <del>and</del>  5. Health and safety, <u>and</u>  6. <u>Benefits associated with the earthworks.</u>	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S8: Proximity to gas lines	Georgina McPherson	215.115	Support	The intent of this standard is supported.The Fuel Companies also seek an additional matter of discretion that accounts for any benefits associated with an earthwork activity.	Retain EW-S8. Add a new assessment criteria that accounts for the benefits associated with earthworks.	Open Submission
EW - Earthworks /Assessment criteria /General	Georgina McPherson	215.116	Support	The intent of the general information requirements and EW-AC1 are supported.	Retain the general information requirements and EW-AC1.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table / EW-S1: Extent of Earthworks	Sam Goddard	238.4	Oppose	Opposes the proposed maximum of 50m <sup>3</sup> of earthworks for business and industrial zones. Considers that this limit does not reflect the generally larger scale of sites and required earthworks to enable business and industrial activities	Amend to enable a larger volume of earthworks as a permitted activity within business and industrial zones, up to 2,500m <sup>3</sup> per site, per 12 month period.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S3: Slope stability	Sam Goddard	238.5	Oppose	Opposes the inclusion of site stability as a standard to be complied with within EW – S3. It is considered more appropriate for potential stability effects to be assessed as a matter of discretion for earthworks with a slope greater than 22 degrees	Amend EW – S3 as below:  1. Earthworks shall not be undertaken on land with a slope greater than 22 degrees 2. Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where earthworks occur.  Matters of discretion are:  1. Purpose of the standard; 2. Sediment control for the protection of waterways; 3. Visual impacts and landscape values; 4. Heritage and cultural values; 5. Ecological values; 6. Natural hazards, and 7. Health and safety, and 8. Stability of surrounding land and structures	Open Submission
EW - Earthworks /Objectives /EW-O1: Environment (soils, ecosystems, waterways)	Ella Shields Carmen Taylor	246.58	Support	Supports EW - Earthworks Objective EW-O1: Environment (soils, ecosystems, waterways) as providing for, or enabling earthworks, given that they are more often than not associated with all development activities is supported. It is also agreed that earthworks should not put at risk the life-supporting capacity soils, nor the health and well-being of ecosystems and waterways.	Retain Objective EW-O1 as notified.	Open Submission
EW - Earthworks /Objectives /EW-O3: Hazards and health and safety	Ella Shields Carmen Taylor	246.59	Support	Supports Objective EW-O3: Hazards and health and safety as it is appropriate to ensure that earthworks do not exacerbate any natural hazard risks or put the health and safety of people and property at risk.	Retain Objective EW-O3 as notified.	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /Policies /EW-P1: Allow for earthworks	Ella Shields Carmen Taylor	246.60	Support	Supports Policy EW-P1: Allow for earthworks as providing for, or allowing, earthworks provided appropriate controls are in place appropriately avoids unnecessary regulatory control of development activities.	Retain Policy EW-P1 as notified.	Open Submission
EW - Earthworks /Policies /EW-P2: Environment	Ella Shields Carmen Taylor	246.61	Support	Supports EW-P2: Environment as although this policy restates and expands on aspects of Policy EW-P1, it is appropriate to ensure that the potential effects of earthworks are appropriately managed. It is considered that the management mechanisms identified within this policy reflect the matters to be considered when setting regulatory controls for earthworks.	Retain Policy EW-P2 as notified.	Open Submission
EW - Earthworks /Policies /EW-P5: Natural hazards	Ella Shields Carmen Taylor	246.62	Support	Supports EW-P5: Natural hazards as it is appropriate to require earthworks to be designed and carried out in a manner that does not undermine the stability of land, buildings and structures, and does not exacerbate any natural hazard risks.	Retain Policy EW-P5 as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	Ella Shields Carmen Taylor	246.63	Amend	Considers EW- Earthworks Rule EW-R1: Earthworks for building activities should be amended as the volume limits are too restrictive. The volume limit of 100m <sup>3</sup> in industrial zones does not reflect the nature of large-scale building development that can establish in the industrial zones (i.e., 100m <sup>3</sup> could only provide for a small building of around 10m by 10m, with 1m depth of earthworks for foundations). In addition, the limit does not recognise the controls that will be in place through compliance with the Standards.Given the issues associated with the volume limit that applies to industrial zones and following a review of volume limits in other district plans that have become operative relatively recently, a 2,500m <sup>3</sup> volume limit is being requested by Ravensdown. This is consistent with the district level earthworks rules in industrial zones in the Auckland Unitary Plan Operative in part.	Amend Rule EW-R1A by increasing the volume limit, that applies to all industrial zones, from 100m <sup>3</sup> to 2,500m <sup>3</sup> .	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R7: Earthworks not otherwise provided for in this table	Ella Shields Carmen Taylor	246.64	Support	Supports Rule EW-R7: Earthworks not otherwise provided for in the table as providing a permitted activity pathway for all other earthworks, provided the controls contained in the standards are met (subject to the various amendments sought through this submission), is considered appropriate and is consistent with the relevant EW objectives and policies. Restricted discretionary activity is also appropriate in circumstances where the EW standards are not complied with.	Retain Rule EW-R7 as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R7: Earthworks not otherwise provided for in this table	Ella Shields Carmen Taylor	246.65	Oppose			Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S2: Earthworks - cut and fill	Ella Shields Carmen Taylor	246.66	Support	Supports EW - Earthworks - Standards Table EW-S2: Earthworks - cut and fill as this standard specifies maximum vertical and horizontal cut and fill depth/heights and setbacks.These standards represent appropriate controls on earthworks cut and fill activities and are consistent with relevant EW objectives and policies.	Retain Standard EW-S2 as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S4: Removal off site	Ella Shields Carmen Taylor	246.67	Oppose	Opposes Standard EW-S1 4: Removal off site as discussed above in relation to Rule EW-R1 and Standard EW-S1, as it is considered that this volume is potentially too restrictive. A revised volume limit of 2,500m <sup>3</sup> is requested, as this volume is consistent with the increased volume restrictions requested for Rule EW-R1 and Standard EW-S1.(Inferred relief requested)	Amend Standard EW-S4 by increasing the volume limit, that applies to all industrial zones, from 100m <sup>3</sup> per 12-month period to 2,500m <sup>3</sup> per 12-month period.  (Inferred relief requested)	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S5: Control of silt and sediment	Ella Shields Carmen Taylor	246.68	Support	Supports EW - Earthworks Standard EW-S5: Control of silt and sediment as this standard, which applies to all zones, requires control measures to be put in place so silt and sediment does not enter stormwater systems, overland flow paths or roads.This standard represents best practice control measures for earthworks and is therefore supported.	Retain Standard EW-S5 as notified.	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /EW - Earthworks - Standards Table /EW-S6: Site reinstatement	Ella Shields Carmen Taylor	246.69	Amend	Considers that Standard EW-S6: Site reinstatement should be amended as the requirement to reinstate the site six-months after commencement, rather than after completion, seems illogical. That is, the earthworks may not have been completed within six-months of the earthworks commencing, particularly for larger-scale developments. On this basis, it is considered that the standard should require reinstatement of earthwork sites within six-months of the completion of the earthworks.	Amend Standard EW-S6 as follows:  1. As soon as practicable, but no later than six months <del>from the commencement</del> <u>after the completion</u> of earthworks: ...	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table /EW-S7: Control of dust	Ella Shields Carmen Taylor	246.70	Support	Supports Standard EW-S7: Control of dust as this standard, which applies to all zones, requires control measures to be put in place to manage and minimise potential dust generation.This standard represents best practice control measures for earthworks and is therefore supported.	Retain Standard EW-S7 as notified in its entirety.	Open Submission
EW - Earthworks /Policies /General	Leanne Roberts	257.45	Amend	Seeks that a policy, which recognises the beneficial outcomes of earthworks (including ancillary rural earthworks) is provided.	Seeks to include new policy:  <u>EW-PX - Enable earthworks to provide for people and communities social, economic and cultural well-being, and their health and safety, including ancillary rural earthworks, where adverse effects are appropriately managed.</u>	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /General	Leanne Roberts	257.46	Amend	Seek a permitted activity rule be included for ancillary rural earthworks to provide for rural activities.	Seeks to include new rule:  <u>EW-RX Ancillary Rural Earthworks</u> <u>Rural Lifestyle Zone</u> <u>Rural Production Zone</u> <u>Activity Status: Permitted</u>	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /General	Leanne Roberts	257.47	Amend	Seeks a permitted activity rule be included for earthworks associated with a biosecurity response.	Seeks to include new rule:  <u>EW-RX The burying of material infected by unwanted organisms as declared by the Ministry for Primary Industries Chief Technical Officer or an emergency declared by the Minister under the Biosecurity Act 1993</u> <u>All zones</u> <u>Activity Status: Permitted</u>	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table / EW-S1: Extent of Earthworks	Nichola Nicholson	264.2	Support	Supports in principle the proposed approach to the maximum volume thresholds as opposed to a permitted activity with a percentage value.	No relief sought. Retain standard as notified (Inferred).	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R6: Earthworks associated with the renourishment of the coastal environment to mitigate the effects of coastal erosion	Nichola Nicholson	264.3	Oppose	HBRC opposes this rule, specifically in relation to the permitted activity status for earthworks associated with the renourishment of the coastal environment. These concerns arise firstly around the potential for permitted earthworks within the coastal margin, and the type of material that could be used for the renourishment. HBRC would expect that both of these at minimum would be a controlled activity.	The submitter wishes to seek clarification. Change activity status to controlled activity as a minimum (Inferred).	Open Submission
EW - Earthworks /Introduction /General	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.158	Support	Supports EW - Earthworks Introduction mention of archaeological sites and the Heritage New Zealand Pouhere Taonga Act 2014.	Retain EW - Earthworks Introduction as notified.	Open Submission
EW - Earthworks /Issues /EW-I3: Cultural, natural, heritage values	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.159	Oppose	Opposes Issues EW-I3: Cultural, natural, heritage values as text under this issue refers to 'provisions that control earthworks' in areas containing cultural, natural and heritage values, as being found in area specific chapters.This is incorrect in relation to earthworks within sites containing scheduled heritage items, archaeological items or heritage precincts. Earthworks have the potential to create adverse effects on heritage values and district plan should contain rules to control earthworks in these areas. The provisions can be included either in earthworks chapter or heritage section at present such provisions are lacking from PDP.	Seeks to retain EW-I3: Cultural, natural, heritage values but include rules relating to the effects of earthworks on heritage values in either the earthworks or heritage section of the district plan.	Open Submission
EW - Earthworks /Objectives /EW-O2: Landscapes, significant natural areas, cultural and heritage value	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.160	Support	Supports Objective EW-O2: Landscapes, significant natural areas, cultural and heritage values as it refers to protecting heritage values.	Retain Objective EW-O2: Landscapes, significant natural areas, cultural and heritage values as notified.	Open Submission



# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /Policies /EW-P6: Cultural and heritage values	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.161	Amend	Considers Policy EW-P6: Cultural and heritage values is supported and should also include a clause to address heritage values of scheduled places.	Amend Policy EW-P6: Cultural and heritage values as follows:  <u>d. controlling earthworks on sites containing scheduled heritage items.</u>	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.162	Oppose	Opposes EW-R1: Earthworks for building activities as this Rule is not considered to provide for the appropriate protection and management of heritage values on sites containing scheduled heritage items or archaeological sites, as referred to in EW-O2. It is possible that earthworks could directly or indirectly have an effect on scheduled heritage items. Earthworks near heritage items containing buildings / structures pre-dating 1900 have higher potential of encountering archaeology.	Seeks to amend EW-R1: Earthworks for building activities Permitted Activity as follows:  <u>3. the site does not include a heritage item identified in SCHED-03</u>	Open Submission
EW - Earthworks /Assessment criteria / EW-AC1: All earthworks not meeting permitted activity standards or rule conditions	Heritage New Zealand Pouhere Taonga - Dean Raymond	273.163	Amend	HNZPT considers implicit consideration of an Accidental Discovery Protocol is supported with an amendment preferable to highlight this provision through a heading titled: Accidental Discovery of Sensitive Material. Regarding point (c) under Recommencement of work, the only archaeological sites that are not covered by the Heritage New Zealand Pouhere Act 2014 are post-1900 sites which have been recorded in the New Zealand Archaeological Association database, except for those for which a declaration was made pursuant to s43(1) of the HNZPTA. This should be clarified in this clause. Including the definition of archaeological sites in the District Plan would also serve to clarify the meanings in this section.	Amend EW-AC1: All earthworks not meeting permitted activity standards or rule conditions Recommencement of Work as follows:  Highlight this provision through a heading titled: <u>Accidental Discovery of Sensitive Material</u>  Amend point c. to read:  There are no requirements in the case of <u>post-1900 recorded archaeological sites that are ...</u>	Open Submission
EW - Earthworks /General /General	NZ Transport Agency Waka Kotahi Kelsey Watson	277.74	Amend	Acknowledges that Council seeks to balance the adverse effects of earthworks with the need to undertake construction however, considers the permitted volumes are too low for construction and maintenance works.	Increase the permitted volumes of earthworks to reflect the scale of construction and maintenance requirements of network utilities outside of their corridor designations to 700m3.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table / EW-S1: Extent of Earthworks	NZ Transport Agency Waka Kotahi Kelsey Watson	277.75	Amend	Acknowledges that Council seeks to balance the adverse effects of earthworks with the need to undertake construction, however considers that the permitted volumes are too low for construction and maintenance works.	Increase the permitted volumes of earthworks to reflect the scale of construction and maintenance requirements of network utilities outside of their corridor designations to 700m3	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /EW-R1: Earthworks for building activities	NZ Transport Agency Waka Kotahi Kelsey Watson	277.76	Support	Supports R1 as it allows for earthworks as a permitted activity where the scale, volume and effects are appropriately managed. Considers that this would allow us to undertake earthworks in accordance with our designation.	Retain as notified.	Open Submission
EW - Earthworks /EW - Earthworks - Standards Table / EW-S1: Extent of Earthworks	Kainga Ora - Brendon Liggett	285.22	Oppose	Opposes the proposed Earthworks standards limiting the permitted volume of earthworks to 50m3 per site, for any 12-month period, across all residential zones and precincts (EW-S1). Submitter acknowledges this is reflective of the operative provisions, however seeks that this be increased to 250m3, to ensure that a level of land disturbance, consistent with the level of development anticipated through the PDP, is provided for as a permitted activity.	Increase to 250m3, to ensure that a level of land disturbance, consistent with the level of development anticipated through the PDP, is provided for as a permitted activity.	Open Submission
EW - Earthworks /Introduction /	Dr. Chantal Page Natasha Sitarz	289.164	Amend	Considers earthworks can also have impacts on indigenous biodiversity. This chapter lacks a section in the Introduction alerting the plan user to other relevant chapters.	Amend as follows:  - Adverse effects on natural features and landscapes, <u>indigenous biodiversity</u> , and amenity and cultural values  Amend to include reference to all other relevant chapters that may apply.	Open Submission
EW - Earthworks /Objectives /EW-O1: Environment (soils, ecosystems, waterways)	Dr. Chantal Page Natasha Sitarz	289.165	Amend	Considers the reference to 'reasonable development opportunities' is unclear.	Amend as follows:  Enable earthworks necessary to support <u>appropriate reasonable</u> development <del>opportunities</del> while ensuring that the life-supporting capacity of soils, ecosystems, and waterways are protected.	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /Objectives /EW-O2: Landscapes, significant natural areas, cultural and heritage values	Dr. Chantal Pagel Natasha Sitarz	289.166	Amend	Considers the objective refers to significant landscapes, which does not correspond with the terms used in the plan.The objective should refer to all sensitive environments that need protection from the effects of earthworks.	Amend to include all areas of natural and other value that need protection, e.g.:  Landscapes <u>and features,the coastal environment</u> , significant natural areas, cultural and heritage values  Earthworks are managed so that <u>significant outstanding and special character</u> landscapes <u>and features</u> , significant natural areas, <u>the coastal environment including areas of natural character</u> ,and cultural and heritage values are protected.	Open Submission
EW - Earthworks /Objectives /EW-O3: Hazards and health and safety	Dr. Chantal Pagel Natasha Sitarz	289.167	Support	Support	Retain	Open Submission
EW - Earthworks /Objectives /EW-O4: River control and drainage works	Dr. Chantal Pagel Natasha Sitarz	289.168	Amend	Considers this objective is not worded in a way that gives direction to decision makers.This objective should also give effect to Policy 7 NPSFM	Amend as follows:  Earthworks related to river control and drainage works and renourishment of material along the coast by a local authority <u>should be provided for where appropriate are necessary</u> to ensure flood protection duties can be exercised and risks of erosion mitigated, while avoiding the loss of river extent and values to the extent practicable.	Open Submission
EW - Earthworks /Policies /EW-P1: Allow for earthworks	Dr. Chantal Pagel Natasha Sitarz	289.169	Support	Support	Retain	Open Submission
EW - Earthworks /Policies /EW-P2: Environment	Dr. Chantal Pagel Natasha Sitarz	289.170	Amend	Considers effects on natural waterbodies should be specifically managed.The policy should also recognise that certain natural areas will need to be avoided, in order to protect their values.	Amend c: “providing adequate setbacks from site boundaries, <del>or</del> structures, <u>SNAs, areas of natural character in the coastal environment, and natural waterbodies</u> ”;  Amend e: “controlling the movement of dust and sediment beyond the area of development, particularly to avoid nuisance effects on neighbouring sites, silt and sediment entering stormwater systems <u>or natural waterbodies</u> , or impacting on overland flow paths and/or roads.”	Open Submission
EW - Earthworks /Policies /EW-P3: Natural landforms, features, drainage patterns, indigenous vegetation	Dr. Chantal Pagel Natasha Sitarz	289.171	Amend	The policy needs to avoid the listed impacts, not simply ‘consider’ them.	Amend by replacing ‘that consider’ with <u>‘that avoid’</u> .	Open Submission
EW - Earthworks /Policies /EW-P4: Visual amenity	Dr. Chantal Pagel Natasha Sitarz	289.172	Support	Support	Retain	Open Submission
EW - Earthworks /Policies /EW-P5: Natural hazards	Dr. Chantal Pagel Natasha Sitarz	289.173	Support	Support	Retain	Open Submission
EW - Earthworks /Policies /EW-P7: River control and drainage works	Dr. Chantal Pagel Natasha Sitarz	289.174	Amend	Considers this policy should give effect to Policy 7 NPSFM, and should reflect that there may be other adverse effects that need consideration. A simple ‘enable’ direction is opposed.	Amend as follows:  <del>Enable</del> <u>Provide for</u> earthworks activities associated with river control and drainage works to be carried out by local authorities <u>where appropriate, and while avoiding the loss of river extent and values to the extent practicable.</u>	Open Submission
EW - Earthworks /General /General	Dr. Chantal Pagel Natasha Sitarz	289.175	Oppose	Whole chapter, including Introduction, Objectives, Policies and RulesArising from late notification of ECO-chapter	Seeks to add: “The Ecosystems and Indigenous Biodiversity chapter includes provisions which relate to earthworks. Where there is a conflict between the Earthworks chapter and the Ecosystems and Indigenous Biodiversity chapter, the provisions that place greater or additional restrictions on activities with adverse effects on the natural environment will apply.”	Open Submission

# EW - Earthworks

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
EW - Earthworks /EW - Earthworks - Rules Table /General	Dr. Chantal Page  Natasha Sitarz	289.176	Amend	Seek exclusion from all Permitted activities for EW in SCLs, ONFs, SCFs, SNAs and the Coastal Environment. We note again that the CE chapter relies on the other chapters in the plan to give effect to the objectives and policies of the CE chapter, but the EW rules do not provide for specific management in the coastal environment.	Seek new rules making all earthworks in SCLs, SCFs, ONF, SNAs and the Coastal Environment non-complying.  Notification should not be precluded for any activity in these areas.  Should any earthworks remain as restricted discretionary, ensure that the matters of discretion include natural character in the coastal environment.	Open Submission
EW - Earthworks /EW - Earthworks - Rules Table /General	Dr. Chantal Page  Natasha Sitarz	289.177	Amend	We seek that the ECO chapter is also listed as a relevant chapter, and a statement that where there is a conflict, the more restrictive provisions applies.	Amend in line with submission point.	Open Submission