BEFORE THE INDEPENDENT HEARINGS PANEL FOR HUTT CITY COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Hutt City Council Proposed District Plan

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REPLY STATEMENT OF CATHERINE NICHOL

ON BEHALF OF HUTT CITY COUNCIL

Hearing 7 – Earthworks

12 November 2026

1.0 INTRODUCTION

1.1 My name is Catherine Anna Nichol, and I am a Planner at Boffa Miskell Limited.

1.2 This Reply Statement responds to the questions raised by the Hearings Panel through Minute 22, dated 29 October 2026, and other questions that arose through the hearing that I consider require a further response.

1.3 Except as expressly identified in this statement, all findings and recommendations contained in my original section 42A report and rebuttal evidence remain unchanged.

2.0 QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

2.1 My qualifications and experience are set out in paragraphs 12 and 13 of my Section 42A Report for Hearing 1. I repeat the confirmation given in that report that I have read and agree to comply with the Code of Conduct for Expert Witnesses.

3.0 RESPONSE TO MINUTE 22

3.1 This section responds to the questions raised by the Hearings Panel in Minute 22. Appendix 1, 2 and 3 sets out my revised and updated recommended amendments in response to submitter evidence. My Section 42A report recommended amendments are shown in red underlined or ~~strike through,~~ further amendments recommended in my rebuttal evidence are shown in blue underline or ~~strike through,~~ and amendments I am recommending in this Reply Statement are shown in green underlined or ~~strike through~~.

Alignment with RPS Change 1 Natural Hazard Provisions and NPS-NH[1]

3.2 The Panel has requested that I consider the recently settled provisions of RPS Change 1 and advise whether amendments should be made to the Earthworks Chapter to better align with the RPS and the National Policy Statement for Natural Hazards (NPS-NH), particularly in relation to the proportionate management of risk. The Panel has also requested that I liaise with Mr Davis for consistency with the Natural Hazards conferencing outcomes.

3.3 I have liaised with Mr Davis who has confirmed that the joint witness statement for the Natural Hazards chapter requires further conferencing, and will not be made available in time for this Right of Reply.

3.4 As such, I am unable to provide the Panel with a response at this time on whether consequential amendments to the Earthworks Chapter as required in response to the matters raised in the minute. Once the conferencing on the Natural Hazards chapter has finished and outcomes are available, I will provide the Panel with an addendum to this Right of Reply addressing this matter.

EW-R6 – Finished Ground Level[2]

3.5 The Panel has sought clarification in regard to rule EW-R6, and whether there are any unanticipated adverse natural hazard effects that may be contrary to the objectives of the Plan. The Panel has sought clarification on the following specific scenarios:

i the temporary diversion of Medium or High Flood Hazard Overlay flood water onto adjacent sites; and

ii how the time period between the start of the earthworks and the completion of the earthworks would account for potential temporary adverse flood effects, considering that

[1] Paragraph 24(a) of Minute 22
[2] Paragraph 24(b) of Minute 22

the beginning and end time periods for earthworks are not specified.

3.6 The intent of rule EW-R6 is to recognise that where earthworks do not result in a permanent change to ground level, the long-term effects on flood storage capacity and flood conveyance are generally limited. This approach reflects the rationale adopted in the section 42A report, which concluded that earthworks maintaining the natural ground level can appropriately be provided for as a permitted activity within flood hazard areas. The recommended amendments also clarify that the rule applies only within the Medium Flood Hazard Overlay and High Flood Hazard Overlay, with earthworks within the Low Flood Hazard Overlay managed under EW-R2. I also note the EW-R6 in the Proposed Lower Hutt District Plan is similar to the rule in the Wellington City District Plan, EW-R15.

3.7 In practice, earthworks that would be permitted under EW-R6 would generally apply to relatively small-scale earthworks where there is no lasting alteration to the finished ground levels. This aligns with the policy direction of EW-P6 which requires management of earthworks which would displace flood waters. As the works would not later the final finished ground floor there would be no change impact on flood waters. Examples of small-scale earthworks include track maintenance, minor infrastructure maintenance, replacement of existing assets, or other small-scale works requiring excavation and reinstatement.

3.8 EW-R6 does not operate as a standalone permitted activity pathway. All earthworks relying on EW-R6 must still comply with EW-R1 (minor earthworks) or EW-R2 (general earthworks) as applicable. In the case of EW-R2, compliance is also required with the standards controlling the volume, extent, location, or nature of the proposed works (EW-S1 to EW-S5). These provisions constrain the scale and extent of earthworks that may occur without resource consent and provide an important safeguard against activities that may otherwise have the potential to generate adverse effects that would be more than minor. I note that these rules do not manage

flooding effects specifically, I consider this acceptable as the rule requires permitted earthworks to have no permanent change to ground level, therefore no effect on floodwaters.

3.9 I acknowledge that temporary effects may occur during construction, including temporary stockpiling of material, excavation works, or short-term to alterations to local ground conditions for a limited period before reinstatement of the site. In theory, these activities could temporarily influence local overland flow paths or floodwater movement during the period the works are being undertaken. However, given the limited scale of activities anticipated under EW-R6 and the requirement for compliance with the broader earthworks framework (EW-R1 or EW-R2), I consider the potential for significant diversion of floodwaters onto adjoining sites is generally low.

3.10 The Panel has also queried the absence of a specified timeframe between the commencement and completion of earthworks. While EW-R6 does not prescribe a maximum construction period, earthworks are inherently temporary activities, and I consider it unlikely that works undertaken under this rule would remain incomplete for prolonged periods given the scale of activities anticipated. Furthermore, EW-S5 requires completed earthworks areas to be stabilised within three months of completion. While temporary effects may arise during construction, I do not consider the absence of a specified construction timeframe creates a material risk of adverse flood hazard effects that would justify a more restrictive activity status or additional controls.

3.11 I also note that EW-R6 sits within a broader policy framework, including EW-P6, which seeks to provide for earthworks within Flood Hazard Overlays where flood risk to neighbouring properties is reduced or not increased through the management of floodwater displacement and maintenance of flood conveyance. In my view, EW-R6 is consistent with that policy direction because it is limited to earthworks that reinstate the natural ground level and therefore generally maintain flood storage and flood conveyance functions following completion of the works.

3.12 Having considered the matter further, I remain satisfied that EW-R6 provides an appropriate permitted activity framework for earthworks that reinstate the finished ground level and that the earthworks rule framework appropriately distinguishes between minor works with limited flood effects and larger-scale earthworks that are assessed under other provisions of the Plan.

EW-R3 and EW-R5[3]

3.13 The Panel has requested clarification on the section 42A report recommendations for Rules EW-R3 and EW-R5, to ensure there is no inconsistency issue between the two rules.

3.14 In response to the Panel's query, I have liaised with the reporting officers for the Natural Hazards chapter[4] and the Infrastructure chapter[5]. Through those discussions, I have become aware of amendments recommended in those chapters relating to Natural Hazard Mitigation Works and Green Infrastructure that are relevant to EW-R5 and the recommendations made in my section 42A report.

3.15 Rules CE-R17 and NH-R19 are also relevant to the consideration of EW-R5, as they relate to Green Infrastructure. As discussed in paragraphs 798 to 805 of the Natural Hazards section 42A report, Green Infrastructure is a broad term that captures a wide range of activities, including conservation and ecological restoration activities. I agree with Mr Davis that there is generally no good resource management reason from preventing these activities within the Natural Hazard Overlays. However, the breadth of activities captured by the term means that Green Infrastructure is more appropriately addressed through the specific framework developed in the Infrastructure Chapter rather than through an earthworks rule directed towards Natural Hazard Mitigation Works in the Earthworks Chapter.

[3] Paragraph 24(c) of Minute 22
[4] Hearing Stream 5
[5] Hearing Stream 6

3.16 Consistent with the recommendations made in the Infrastructure and Natural Hazards chapters to NH-R19 and CE-R17, I consider Green Infrastructure should be dealt with under the Infrastructure Chapter rather than the Earthworks Chapter. In my view, deleting the reference to "Green Infrastructure" from EW-R5 is a consequential amendment necessary to maintain consistency across the Infrastructure, Natural Hazards and Earthworks chapters and avoid duplication or overlap between chapters. Accordingly, I recommend deleting the words "or Green Infrastructure" from EW-R5.

3.17 Turning to the Panel's question regarding consistency between EW-R3 and EW-R5, I have reviewed my recommendation to delete the Discretionary activity status in EW-R5.2 and considered comparable rules elsewhere in the Proposed District Plan. On further review, and having considered the recommendations made in the Natural Hazards chapter, I no longer support deletion of the discretionary activity status in EW-R5.2. Instead, I now consider the Discretionary activity status remains appropriate for Natural Hazard Mitigation Works undertaken by persons other than central government, local government, or their agents.

3.18 As discussed in paragraphs 789 to 793 of the Natural Hazards section 42A report, flood mitigation works can affect the nature, scale and distribution of flood risk beyond the site on which the works occur. For that reason, I agree with Mr Davis that flood mitigation should be considered in terms of wider community outcomes rather than solely private interests where third party may bear the consequences of those activities. In my view, it is therefore appropriate that Natural Hazard Mitigation Works undertaken by persons other than central government, local government, or their agents remain subject to a discretionary activity consent pathway.

3.19 Accordingly, I recommend rejecting submission point 232.22 by M Rachlin and retaining the discretionary activity status in EW-R5.2 for Natural Hazard Mitigation Works undertaken by persons other than central government, local government, or their agents. I also

recommend deleting the reference to "Green Infrastructure" from EW-R5 for the reasons outlined above.

3.20 In my view, these amendments align EW-R5 with the approach adopted in NH-R18, avoids duplication with the Infrastructure Chapter, and provide a coherent and consistent regulatory framework between EW-R3 and EW-R5, while recognising the distinct purposes of the activities addressed by those rules. I am therefore satisfied that the potential inconsistency identified by the Panel has been addressed and that no further amendments are necessary in response to the matters raised in Minute 22. The recommended amendments are set out in Appendix 1.

3.21 I have also provided an updated recommended amendments to the Proposed District Plan in Appendix 2, and an updated recommended decisions on submissions on the Earthworks chapter in Appendix 3, to include these recommendations. I note no amendments were recommended in the Rebuttal Evidence.

Other Matters

3.22 In addition to the above matters requested by the Panel, I note that Mr Jackson[6] spoke on Day 3 of Hearing 7. The submitter spoke to their submission[7] opposing EW-S1, which had requested the 1000m^2 threshold be raised to 4000m^2 in the rural zone. The submitter verbally stated they would accept an increase to 2000m^2.

3.23 The submitter raised concerns that the scale of rural lots is significantly larger than residential lots and that the permitted earthworks threshold should better reflect this distinction. The submitter also questioned why the proposed threshold in EW-S1 differs from the permitted earthworks threshold of 3000m^2 administered by Greater Wellington Regional Council.

3.24 Having considered the submitter's oral evidence, I do not recommend any amendments to EW-S1. In preparing the Section 42A Report, I considered whether a higher threshold would be

[6] Submitter #168
[7] Submission number 168.7

appropriate for the Rural Zone. However, I remain satisfied that the proposed 1,000m² threshold provides an appropriate balance between enabling anticipated rural activities and ensuring that earthworks with the potential for greater adverse effects are subject to assessment through the resource consent process.

3.25 While rural lots are generally larger than residential lots, I do not consider that site size alone justifies a higher permitted threshold. The potential adverse effects of earthworks are not solely a function of the overall area of a property. Earthworks can affect erosion, sediment generation, slope stability, overland flow paths, visual amenity and neighbouring properties regardless of the size of the underlying site. For this reason, I do not consider that a larger permitted earthworks threshold should automatically apply in the Rural Zone.

3.26 I also acknowledge the submitter's concern regarding consistency with the earthworks thresholds administered by Greater Wellington Regional Council. However, the District Plan and Regional Plan perform different functions under the Resource Management Act 1991 and address different resource management issues. The Regional Plan provisions are primarily directed toward managing effects such as erosion, sediment generation and discharges to freshwater, whereas the District Plan provisions address a broader range of local effects, including landform modification, amenity effects, natural hazards and effects on neighbouring properties. Accordingly, differences in permitted activity thresholds do not necessarily indicate an inappropriate regulatory framework.

3.27 In my view, it is therefore appropriate that the District Plan adopts a different threshold where required to achieve the objectives of the Earthworks Chapter. A proposal may require assessment under one planning instrument while remaining permitted under another.

3.28 For these reasons, I continue to support the notified 1,000m² threshold in EW-S1 and recommend that Submission 168.7 be rejected.

Catherine Anna Nichol

Hearing 7 – Earthworks

Boffa Miskell Limited (on behalf of Hutt City Council)

12 November 2026

APPENDIX 1: RECOMMENDED AMENDMENTS TO PROVISIONS

EW-R5	**Earthworks associated with Natural Hazard Mitigation Works ~~or Green Infrastructure~~ within the Flood Hazard Overlays and Coastal Hazard Overlays**
All zones	1.Activity status: Permitted Where: a. The earthworks are for the express purpose of Natural Hazard Mitigation Works ~~or Green Infrastructure~~ and are undertaken by central government, local government, or their agents.
~~All Zones~~	~~2. Activity status: Discretionary~~ ~~Where:~~ ~~a. Compliance is not achieved with EW-R5.1.~~
All Zones	2. Activity status: Discretionary Where: a. Compliance is not achieved with EW-R5.1.

APPENDIX 2: UPDATED RECOMMENDED AMENDMENTS TO THE PROPOSED DISTRICT PLAN

This section has rules that have legal effect.

EW — Earthworks

The purpose of the Earthworks chapter is to assist the Council to carry out its functions under the RMA to provide for the sustainable management through the management of earthworks.

Earthworks are an essential part in providing for new land use, subdivision, and development, including the preparation of building platforms, construction of new roads and accessways, and trenching for new services. Earthworks are also an essential part of the operation of quarries, cleanfills, and landfills.

However, if not appropriately managed, earthworks have the potential to cause adverse effects on the environment, This includes the unnecessary scarring of landscapes and unsightly cuts into natural ground levels. These can alter the natural topography of an area and detract from visual amenity values.

Earthworks also have the potential to result in sedimentation of water bodies and stormwater infrastructure and can cause or exacerbate natural hazard risk by destabilising slopes and altering overland flowpaths for stormwater.

Functions of Hutt City Council and Wellington Regional Council

Hutt City Council and Wellington Regional Council both have functions under the RMA in relation to the management of earthworks.

While Hutt City Council has general functions of controlling any actual or potential effects of the use, development or protection of land, Wellington Regional Council's functions has specific functions which include controlling the use of land for soil conservation purposes, maintenance and enhancement of water quality and ecosystems, and controlling the discharge of contaminants, including discharges of sediment to water (or land where it may enter water) and discharges of dust to air.

Other relevant legislation and planning documents

Earthworks are managed through a range of planning documents in addition to the District Plan. These include:

- The Natural Resources Plan for the Wellington Region, which applies to earthworks throughout the region, including Lower Hutt.
- The Heritage New Zealand Pouhere Taonga Act 2014 (any disturbance of land associated with human activity prior to 1900 may require an archaeological authority from Heritage New Zealand Pouhere Taonga under this Act).
- The following National Environmental Standards:
  - National Environmental Standards for Electricity Transmission Activities 2009,
  - National Environmental Standards for Assessing and Manging Contaminants in Soil to Protect Human Health 2011,
  - National Environmental Standards for Telecommunication Facilities 2016,
  - National Environmental Standards for Plantation Forestry 2017, and
  - National Environmental Standards for Freshwater 2020.

Other relevant chapters of the District Plan

This chapter includes the core objectives, policies, and rules in relation to earthworks, including earthworks provisions for all zones and overlays, with two exceptions:

1. The provisions of this chapter do not apply to quarrying activities in the Quarry Zone, and
2. All provisions relating to earthworks for infrastructure are contained in the Infrastructure chapter. However, policies and rules on earthworks within the National Grid Yard and the Gas Transmission Pipeline Corridor that are not related to providing for National Grid and Gas Transmission Pipeline are included in this chapter.

How this chapter works

This chapter includes objectives, policies, and rules that relate to earthworks in general as well as for earthworks in specific zones, overlays, and sites and areas with other planning notations.

The general earthworks policies (EW-P1: Minor earthworks and EW-P2: Appropriate earthworks) and rules (EW-R1: Minor earthworks and EW-R2: ~~General earthworks~~ Earthworks not otherwise provided for) apply to all earthworks, including earthworks on land with more specific policies and rules due to the zone, overlays or other planning notations. *The only exception* to this is that EW-R2: General earthworks does not apply to earthworks covered by EW-R3: Earthworks for the purposes of maintaining or constructing public walking and cycling tracks in conjunction.

The zone-specific and topic-specific policies (EW-P3 to EW-P15) and related rules (EW-R3 to EW-R16) apply to earthworks on land subject to specified overlays and other planning notations. These policies and rules apply *in addition to* the general earthworks provisions.

For the avoidance of doubt, earthworks on land subject to an overlay or other planning notation must comply with the relevant general rules as well as the specific rules for the overlay or other planning notation, and where there is a conflict between standards and rules, the more onerous provisions shall prevail.

Objective

EW-O1	Earthworks

Earthworks are undertaken in a manner that:

1. Is consistent with the anticipated scale and form of development in the underlying zone,
2. ~~Minimises adverse effects~~ Avoids, remedies or mitigates adverse effects on the natural environment, including changes to natural landforms,
3. ~~Minimises adverse effects~~ Avoids, remedies or mitigates adverse effects on visual amenity values,
4. ~~Minimises adverse effects on cultural and historic heritage values,~~
4. Minimises erosion, dust, and sediment effects beyond the site boundary,
5. Does not cause or exacerbate risks from natural hazards,
6. Minimises risks associated with slope instability, and

Commented [CN1]: The Wainuiomata Rural Community Association (364.9), Federated Farmers (410.46, supported by Royal Forest and Bird Protection Society of New Zealand Inc, F23.2 and 410.47) and D and P Innes (416.7a)

Commented [PM2]: Withdrawn

7. Protects the safety of people and property.

Policies

General Earthworks	
EW-P1	**Minor earthworks**

Enable minor earthworks where:

1. The stability and structural integrity of land, infrastructure, and buildings are not compromised,
2. Erosion, dust, and sedimentation effects on land and water bodies are minimised, and
3. Effects on visual amenity are insignificant.

EW-P2	Appropriate earthworks

Enable earthworks associated with subdivision, land use, and development where:

1. The earthworks are coordinated and integrated with the associated subdivision, land use, and development to ensure the finished landforms are fit for the future intended purpose, including ensuring future land use and development for development sites is feasible,
2. The scale of the earthworks is consistent with the scale and form of development anticipated within the underlying zone,
3. The stability of land is maintained, including the stability of land on adjoining sites,
4. The structural integrity of infrastructure, buildings, and structures on the site and on adjoining sites is not compromised,
5. The area, height or depth, location, and slope of the earthworks ensure that:
    a. Adverse effects on visual amenity resulting from cut or fill faces, retaining structures, and alterations of natural landforms and features are minimised, and
    b. Effective measures are adopted to manage the potential for erosion and the movement of dust, silt, and sediment beyond the site,
6. The transport of earth and cleanfill material to and from any site is undertaken in a way that:
    a. Minimises adverse effects on amenity values,
    b. Minimises the deposition of sediment on footpaths, roads, and into stormwater systems, and
    c. Ensures the safe and efficient operation of the transport network,
7. The area where earthworks have occurred is reinstated to a condition which minimises adverse effects on land stability, erosion, and the visual amenity in a timely manner.

EW-P3	Earthworks for Public Walking and Cycling Tracks

Recognise the benefits of, and enable earthworks required for, the development, repair, and maintenance of public walking and cycling tracks.

EW-P4	Earthworks for Farming Tracks

Enable earthworks for the purpose of maintaining and constructing farming tracks where the earthworks are of a scale that:

1. Does not compromise the stability and structural integrity of land, infrastructure and buildings,
2. Minimises erosion, dust, and sedimentation effects on land and water bodies, and
3. Minimises effects on visual amenity.

EW-P5	Earthworks associated with Natural Hazard Mitigation Works

Earthworks associated with Natural Hazard Mitigation Works are managed as follows:

1. Enable earthworks associated with Natural Hazard Mitigation Works where:
    a. They provide a natural hazard risk reduction benefit at a community scale,
    b. They are part of a planned Natural Hazard Mitigation Works programme by central government, local government, or their agents, and will be maintained at the completion of the works,
    c. They do not result in an increase in natural hazard risk to any other property,
    d. They are constructed in accordance with approved engineering practices, and
    e. There is a maintenance programme for the Natural Hazard Mitigation Works to ensure on-going effectiveness of the works.
2. Enable earthworks associated with green Infrastructure where:
    a. They are part of a planned natural hazard mitigation works programme by central government, local government, or their agents, and will be maintained by one or more of these parties at the completion of the works,
    b. They do not result in an increase in natural hazard risk to any other property, and
    c. There is a maintenance program for the green infrastructure to ensure on-going effectiveness of the infrastructure.
3. Only allow for earthworks on Community Scale Natural Hazard Mitigation Structures where:
    a. The Community Scale Natural Hazard Mitigation Structures are fully reinstated to how they were prior to the commencement of the earthworks,
    b. The earthworks do not compromise the short-term or long-term integrity of the Community Scale Natural Hazard Mitigation Structures, and
    c. Earthworks to reinstate the Community Scale Natural Hazard Mitigation Structures are undertaken in accordance with accepted engineering practices.

Earthworks in Overlays and Other Specified Locations

EW-P6	Earthworks within Flood Hazard Overlays

Provide for earthworks in Flood Hazard Overlays where ~~any increase in~~ flooding risk for neighbouring properties is ~~minimised when compared to the existing situation~~ reduced or not increased by:

1. Managing the displacement of flood waters, and
2. Ensuring the earthworks do not impede floodwaters from being conveyed along ~~*Overland Flowpaths*~~ *Medium Flood Hazard Overlays* *or* ~~*Stream Corridors*~~ *High Flood Hazard Overlays*.

EW-P7	Earthworks on slopes

On slopes greater than 34 degrees, where the 34 degree slope angle is sustained over a distance of at least 3m, measured horizontally, provide for earthworks where a geotechnical assessment confirms that:

1. The proposed earthworks will ~~minimise~~ not increase the risk from slope instability to people and buildings, and
2. The proposed earthworks will not increase the risk of slope failure on adjacent sites.

EW-P8	Earthworks in the Slope Assessment Overlay

Commented [CN3]: The Policy Planning team of HCC (440.49) and Natural Hazards Commission Toka Tū Ake (327.81)

Commented [CN4]: Natural Hazards Commission (327.082)

Provide for earthworks in the Slope Assessment Overlay, where a geotechnical assessment confirms that:

1. The earthworks will ~~minimise~~ not increase the risk from slope instability to people and buildings, and
2. The earthworks will not increase the risk of slope failure on adjacent sites.

~~EW-P9~~	~~Earthworks on sites with Heritage Buildings or Heritage Structures, or within Heritage Areas~~

~~Provide for earthworks on sites with heritage buildings or heritage structures, or within heritage areas where:~~

1. ~~They are of a scale and are designed to have regard to the significant historic heritage values of the heritage building, heritage structure, or heritage area,~~
2. ~~They do not detract from the significant historic heritage values and setting of the heritage building, heritage structure, or heritage area, and~~
3. ~~They do not alter the significance of the heritage building, heritage structure or heritage area.~~

~~EW-P10~~	~~Earthworks on Sites and in Areas of Significance to Māori~~

~~Earthworks on sites and in areas of significance to Māori are managed as follows:~~

1. ~~Enable small-scale earthworks for burials within existing sites or areas of significance to Māori that are urupā.~~
2. ~~Provide for other earthworks on sites and areas of significance in SCHED6 – Sites and Areas of Significance to Māori where it can be demonstrated that the identified values will be protected, having regard to:~~
    a. ~~The extent of the earthworks,~~
    b. ~~The manner in which the earthworks are undertaken,~~
    c. ~~The monitoring of earthworks, and~~
    d. ~~The avoidance of archaeological sites.~~

EW-P11	Earthworks within the Root Protection Area of Notable Trees

Only allow for earthworks within the root protection area of notable trees where:

1. The earthworks will not compromise the long-term health of the scheduled notable tree, and
2. The earthworks will not compromise the values associated with the notable tree.

~~EW-P12~~	~~Earthworks within Outstanding Natural Features and Landscapes~~

~~Earthworks within identified Outstanding Natural Features and Landscapes are managed as follows:~~

1. ~~Allow for earthworks within Outstanding Natural Features and Landscapes where:~~
    a. ~~The earthworks are minor in scale, or~~
    b. ~~The earthworks are for public cycling and walking tracks and the identified values described in SCHED4 are maintained, or~~
    c. ~~The earthworks are for farming tracks for an established working farm and the identified values described in SCHED4 are maintained.~~
2. ~~Provide for any other earthworks within Outstanding Natural Features and Landscapes where they are of a scale that protects the identified values described in SCHED4.~~
3. ~~Only allow for larger scale earthworks within Outstanding Natural Features and Landscapes where:~~
    a. ~~If located outside the coastal environment, earthworks are undertaken in a way that avoids any significant adverse effects and avoids, remedies, or~~

Commented [CN5]: Natural Hazards Commission (327.083)

Commented [CN6]: Withdrawn

Commented [CN7]: Withdrawn

mitigates any other adverse effects on the identified values described in SCHED4, or

b. If located within the coastal environment, earthworks are undertaken in a way that avoids any adverse effects on the identified values described in SCHED4.

4. Measures are incorporated into earthworks within Outstanding Natural Features and Landscapes that:

a. Restore or rehabilitate disturbed areas, and

b. Minimise changes to the landform.

EW-P13	Earthworks within coastal margins and riparian margins

Commented [CN8]: Withdrawn

Earthworks within coastal margins and riparian margins are managed as follows:

1. Allow for earthworks within coastal Margins and riparian Margins where:

a. The earthworks are minor in scale, or

b. The earthworks are associated with the ongoing maintenance and repair of existing public cycling and walking tracks and the natural character of the coastal margins and riparian margins is maintained, or

c. The earthworks are associated with the ongoing maintenance and repair of existing farming tracks for an established working farm and the natural character of the coastal margins and riparian margins maintained.

2. Provide for earthworks in coastal margins and riparian margins where:

a. The earthworks are located within a highly modified location, or

b. The earthworks are for new public walking or cycling tracks and the natural character of the coastal margins and riparian margins is maintained, or

c. The earthworks are for new farming tracks for an established working farm and the natural character of the coastal margins and riparian margins is maintained, or

d. The earthworks are of a small scale and maintain:

i. The natural character values of the coastal margins and riparian margins,

ii. Public access, and

iii. Any natural hazard mitigation provided by the margin.

3. Only allow for other earthworks within coastal margins and riparian margins where:

a. The earthworks are of a scale and for a purpose that is compatible with the natural character of the coastal margin or riparian margin,

b. If located within the coastal environment, the earthworks are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal margins and riparian margins,

c. There is a functional need or operational need for the earthworks to be undertaken within a coastal margin or riparian margin, and

d. Measures are incorporated to restore and rehabilitate disturbed areas.

EW-P14	Earthworks within High, Very High and Outstanding Coastal Natural Character Areas

Commented [CN9]: Withdrawn

Earthworks within areas of High, Very High and Outstanding Coastal Natural Character are managed as follows:

1. Allow for earthworks within High and Very High Coastal Natural Character areas where:

a. The earthworks are minor in scale,

b. The earthworks are for public cycling and walking tracks and the identified values described in SCHED5 are maintained, or

c. ~~The earthworks are for farming tracks for an established working farm and the identified values described in SCHED5 are maintained.~~

2. ~~Provide for earthworks within High and Very High Coastal Natural Character areas where the earthworks are of a scale and for a purpose that is compatible with the identified values described in SCHED5, including for restoration and conservation activities.~~
3. ~~Only allow for any other earthworks within High and Very High Coastal Natural Character areas where:~~
   a. ~~Earthworks are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the identified values described in SCHED5,~~
   b. ~~There is a functional need or operational need for the earthworks to be undertaken within the area, and~~
   c. ~~Measures are incorporated to restore and rehabilitate disturbed areas.~~
4. ~~Avoid earthworks within Outstanding Coastal Natural Character areas unless:~~
   a. ~~The earthworks are undertaken in a manner that avoids any adverse effects on the identified values described in SCHED5.~~
5. ~~Require earthworks within High, Very High and Outstanding Coastal Natural Character areas to incorporate measures that:~~
   a. ~~Restore or rehabilitate disturbed areas, and~~
   b. ~~Minimise changes to the landform.~~

EW-P15	**Minor earthworks, Earthworks and vertical holes within the National Grid Yard ~~not associated with infrastructure~~**

Commented [PM10]: Transpower (504.54)

Only allow minor earthworks, earthworks and vertical holes within the National Grid Yard where:

1. The earthworks are of a scale and nature that will not compromise the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid, or
2. It can be demonstrated that the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid will not be compromised, taking into account:
   a. The extent to which the minor earthworks, earthworks and vertical holes may compromise the safe access to and operation, maintenance and repair, upgrading and development of the National Grid,
   b. The stability of land within and adjacent to the National Grid,
   c. The risk to the structural integrity of the affected National Grid support structures,
   d. Risks to health or public safety, including the risk of property damage, and
   e. Technical advice provided by the owner and operator of the National Grid.

EW-P16	**Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure**

Only allow earthworks within the Gas Transmission Pipeline Corridor where:

1. The earthworks are of a scale and nature that will not compromise the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the Gas Transmission Network, or
2. It can be demonstrated that the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the Gas Transmission Network will not be compromised, taking into account:
   a. The extent to which the earthworks may compromise the safe access to and operation, maintenance and repair, upgrading and development of the Gas Transmission Pipeline,

b. The stability of land within and adjacent to the Gas Transmission Pipeline Corridor, c. Risks to health or public safety, including the risk of property damage, and d. Technical advice provided by the owner and operator of the Gas Transmission Network.

Rules

General earthworks

EW-R1	Minor earthworks
All Zones	1. **Activity status:** Permitted Where: a. Compliance is achieved with EW-S5.
All Zones	**2. Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-S5. **Matters of discretion are restricted to:** 1. The matters of discretion of any infringed standard. 2. The matters in EW-P1: Minor Earthworks
EW-R2	**~~General earthworks~~ Earthworks not otherwise provided for**
All Zones	1. **Activity status:** Permitted Where: a. Compliance is achieved with: i. EW-S1: Area of earthworks, ii. EW-S2: Cut height and fill depth, iii. EW-S3: Existing slope angle ~~(where located outside of the Slope Assessment Overlay)~~, iv. EW-S4: Transport of cut and fill material, and v. EW-S5: Site reinstatement.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R2.1. **Matters of discretion are restricted to:** 1. The matters of discretion of any infringed standard. 2. The matters in EW-P2: Appropriate earthworks. 3. The matters in EW-P7: Slope Stability (where compliance is not achieved with EW-S3). **Notification:** • Where located in a Medium Density Residential Zone or High Density Residential Zone, applications under this rule are precluded

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	from being publicly notified or limited notified where compliance is not achieved with EW-S1: Area of earthworks. • Applications under this rule are precluded from being publicly or limited notified where compliance is not achieved with EW-S4: Transport of cut and fill material.
EW-R3	**Earthworks for maintaining or constructing public walking and cycling tracks** ~~***This rule overrides Rule EW-R2 in relation to earthworks for the purposes of maintaining or constructing public walking and cycling tracks***~~
All Zones	1. **Activity status:** Permitted Where: a. The work is undertaken by central government, local government, or their agents, and b. Compliance is achieved with EW-S7: Earthworks for public walking and cycling tracks.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R3.1. **Matters of discretion are restricted to:** 1. The matters of discretion of the infringed standard. 2. The matters in EW-P3: Earthworks for public walking and cycling tracks. **Notification:** Public notification and limited notification are precluded for applications under this rule where the work is undertaken by central government, local government, or their agents.
EW-R4	**Earthworks for maintaining or constructing farming tracks**
All Zones	1. **Activity status:** Permitted Where: a. The track is associated with a rural activity, and b. Compliance is achieved with EW-S6: Earthworks for farming tracks.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R4.1. **Matters of discretion are restricted to:** 1. The matters of discretion of the infringed standard. 2. The matters in EW-P4: Earthworks for farming tracks. **Notification:** Public notification is precluded for applications under this rule.
EW-R5	**Earthworks associated with Natural Hazard Mitigation Works ~~or Green Infrastructure~~ within the Flood Hazard Overlays and Coastal Hazard Overlays**

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All Zones	1. **Activity status:** Permitted Where: a. The earthworks are for the express purpose of Natural Hazard Mitigation Works ~~or Green Infrastructure~~ and are undertaken by central government, local government, or their agents.
~~All Zones~~	~~2. **Activity status:** Discretionary~~ ~~Where:~~ ~~a. Compliance is not achieved with EW-R5.1.~~
All Zones	2. **Activity status:** Discretionary Where: **a.** Compliance is not achieved with EW-R5.1.

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Earthworks in overlays and other specified locations

EW-R6	**Earthworks within ~~Flood Hazard Overlays~~ the Medium Flood Hazard Overlay and High Flood Hazard Overlay**
All Zones	1. **Activity status:** Permitted Where: ~~a. The earthworks are located within the low hazard area of the Flood Hazard Overlay, or~~ b. ~~The earthworks are located within a medium hazard area, or high hazard area of the Flood Hazard Overlay and,~~ tThe finished ground level upon the completion of the earthworks ~~are~~ is the same as the natural ground level at the start of the earthworks.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R6.1. **Matters of discretion are restricted to:** 1. The matters in EW-P6: Earthworks within Flood Hazard Overlays.
EW-R7	**Earthworks on Community Scale Natural Hazard Mitigation Structures**
All Zones	1. **Activity status:** Permitted Where: a. The earthworks are undertaken by central government, local government, or their agents.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R7.1. **Matters of discretion are restricted to:**

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	1. The matters in EW-P5: Earthworks associated with natural hazard mitigation works.
EW-R8	**Earthworks for a building platform in the Slope Assessment Overlay**
All Zones	1. **Activity status:** Restricted discretionary Where: a. The earthworks are for a building platform for activities potentially sensitive to natural hazards or activities most sensitive to natural hazards in the Slope Assessment Overlay. **Matters of discretion are restricted to:** 1. The matters of discretion in EW-P8: Earthworks in the Slope Assessment Overlay.
~~**EW-R9**~~	~~**Earthworks on sites with heritage buildings or heritage structures, or within heritage areas**~~
~~All Zones~~	~~1. **Activity status:** Permitted~~ ~~Where:~~ ~~a. Compliance is achieved with EW-S8: Earthworks on sites with heritage buildings or heritage structures, or within heritage areas.~~
~~All Zones~~	~~2. **Activity status:** Restricted discretionary~~ ~~Where:~~ ~~a. Compliance is not achieved with EW-R9.1.~~ ~~**Matters of discretion are restricted to:**~~ ~~1. The matters of discretion of any infringed standard.~~ ~~2. The matters in EW-P9: Earthworks on sites with heritage buildings or heritage structures, or within heritage areas.~~
~~**EW-R10**~~	~~**Earthworks on Sites and in Areas of Significance to Māori**~~
~~All Zones~~	~~1. **Activity status:** Permitted~~ ~~Where:~~ ~~a. The earthworks are associated with burials within an existing urupā, or~~ ~~b. Compliance is achieved with EW-S9: Earthworks on Sites and in Areas of Significance to Māori.~~
~~All Zones~~	~~2. **Activity status:** Restricted discretionary~~ ~~Where:~~ ~~a. Compliance is not achieved with EW-R10.1.~~ ~~**Matters of discretion are restricted to:**~~ ~~1. The matters in EW-P10: Earthworks on Sites and in Areas of Significance to Māori.~~
EW-R11	**Earthworks within the Root Protection Area of Notable Trees**
All Zones	1. **Activity status:** Discretionary

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EW-R12	Earthworks within Outstanding Natural Features and Landscapes
All Zones	1. **Activity status:** Permitted Where: a. The earthworks are for the maintenance of existing public walking and cycling tracks, b. The earthworks are for the maintenance of existing farm tracks required for rural activities, or c. The earthworks are minor earthworks.
All Zones	2. **Activity status:** Controlled Where: a. The earthworks are for new farm tracks required for permitted rural activities, and b. Compliance is achieved with EW-S6: Earthworks for farming tracks. **Matters of discretion are restricted to:** 1. The location and design of the new farm track. 2. The degree to which the effects of the earthworks on the identified values can be remedied or mitigated. 3. The matters in: a. EW-P12: Earthworks within Outstanding Natural Features and Landscapes, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
All Zones	3. **Activity status:** Controlled Where: a. The earthworks are for new public walking and cycling tracks, and b. Compliance is achieved with EW-S7: Earthworks for public walking and cycling tracks. **Matters of control:** 1. The location and design of the new public walking or cycling track. 2. The degree to which the effects of the earthworks on the identified values can be remedied or mitigated. 3. The matters in: a. EW-P12: Earthworks within Outstanding Natural Features and Landscapes, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
All Zones	4. **Activity status:** Restricted discretionary Where:

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		a. Compliance is not achieved with EW-R12.1, EW-R12.2, and EW-R12.3, and b. Compliance is achieved with EW-S10: Earthworks within Outstanding Natural Features and Outstanding Natural Landscapes. **Matters of discretion are restricted to:** 1. The matters of discretion of any infringed standard. 2. The matters in: a. EW-P12: Earthworks within Outstanding Natural Features and Landscapes, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
-	All Zones	5. **Activity status:** Discretionary Where: a. Compliance is not achieved with EW-R12.4.
EW-R13	**Earthworks within coastal margins and riparian margins**	
-	All Zones	1. **Activity status:** Permitted Where: a. The earthworks are for the maintenance of existing public walking and cycling tracks, b. The earthworks are for the maintenance of existing farm tracks required for rural activities, or c. The earthworks are minor earthworks.
-	All Zones	2. **Activity status:** Controlled Where: a. The earthworks are for new farm tracks required for permitted rural activities, and b. Compliance is achieved with EW-S6: Earthworks for farming tracks. **Matters of control:** 1. The design of the new farm track and its location in relation to the waterbody or coastline. 2. The degree to which the effects of the earthworks on the natural character can be remedied or mitigated. 3. The matters in: a. EW-P13: Earthworks within coastal margins and riparian margins, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.

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All Zones	3. **Activity status:** Controlled Where: a. The earthworks are for new public walking and cycling tracks, and b. Compliance is achieved with EW-S7: Earthworks for public walking and cycling tracks. **Matters of control:** 1. The design of the new public walking or cycling track and its location in relation to the waterbody or coastline. 2. The degree to which the effects of the earthworks on the natural character can be remedied or mitigated. 3. The matters in: a. EW-P13: Earthworks within coastal margins and riparian margins, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
All Zones	4. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R13.1, EW-R13.2, and EW-R13.3, and b. Compliance is achieved with EW-S11: Earthworks within coastal margins and riparian margins. **Matters of discretion are restricted to:** 1. The matters of discretion of any infringed standard. 2. The matters in: a. EW-P13: Earthworks within coastal margins and riparian margins, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
All Zones	5. **Activity status:** Discretionary Where: a. Compliance is not achieved with EW-R13.4.
EW-R14	**Earthworks within High and Very High Coastal Natural Character Areas**
All Zones	1. **Activity status:** Permitted Where: a. The earthworks are for the maintenance of existing public walking and cycling tracks, b. The earthworks are for the maintenance of existing farm tracks required for permitted rural activities, or c. The earthworks are minor earthworks.

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-	All Zones	2. **Activity status:** Controlled Where: a. The earthworks are for new farm tracks required for permitted rural activities, and b. Compliance is achieved with EW-S6: Earthworks for farming tracks. **Matters of control:** 1. The location and design of the new farm track. 2. The degree to which the effects of the earthworks on the identified values in SCHED5 can be remedied or mitigated. 3. The matters in: a. EW-P14: Earthworks within High, Very High and Outstanding Coastal Natural Character Areas, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
-	All Zones	3. **Activity status:** Controlled Where: a. The earthworks are for new public walking and cycling tracks, and b. Compliance is achieved with EW-S7: Earthworks for public walking and cycling tracks. **Matters of control:** 1. The location and design of the new walking or cycling track. 2. The degree to which the effects of the earthworks on the identified values in SCHED5 can be remedied or mitigated. 3. The matters in: a. EW-P14: Earthworks within High, Very High and Outstanding Coastal Natural Character Areas, b. PA-P1: Appropriate activities within coastal margins and riparian margins, c. PA-P2: Maintenance and enhancement of public access, and d. PA-P3: Restriction of public access.
-	All Zones	4. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R14.1, EW-R14.2, and EW-R14.3, and b. Compliance is achieved with EW-S12: Earthworks within High, Very High and Outstanding Coastal Natural Character Areas. **Matters of discretion are restricted to:** 1. The matters of discretion of any infringed standard. 2. The matters in:

	~~a. EW-P14: Earthworks within High, Very High and Outstanding Coastal Natural Character Areas,~~ ~~b. PA-P1: Appropriate activities within coastal margins and riparian margins,~~ ~~c. PA-P2: Maintenance and enhancement of public access, and~~ ~~d. PA-P3: Restriction of public access.~~
~~All Zones~~	~~5. **Activity status:** Discretionary~~ ~~Where:~~ ~~a. Compliance is not achieved with EW-R14.4.~~
~~**EW-R15**~~	~~**Earthworks within Outstanding Coastal Natural Character Areas**~~
~~All Zones~~	~~1. **Activity status:** Discretionary~~ ~~Where:~~ ~~a. The earthworks are:~~ ~~i. For the maintenance of existing public walking and cycling tracks, or~~ ~~ii. Minor earthworks, and~~ ~~b. Compliance is achieved with EW-S12: Earthworks within High, Very High and Outstanding Coastal Natural Character Areas.~~
~~All Zones~~	~~2. **Activity status:** Non-complying~~ ~~Where:~~ ~~a. Compliance is not achieved with EW-R15.1.~~ ~~**Information requirements:**~~ ~~Applications under this rule must provide the following information in addition to the standard information requirements under s88(3) of the RMA:~~ ~~• An assessment by a suitably qualified landscape architect of the proposal against the values identified in SCHED5 - Coastal Natural Character Areas.~~
EW-R16	Minor earthworks, **Earthworks and vertical holes within the National Grid Yard** ~~**not associated with infrastructure**~~
All Zones	1. **Activity status:** Permitted Where: a. Compliance is achieved with EW-S13: Minor earthworks, Earthworks and vertical holes within the National Grid Yard ~~not associated with infrastructure~~.
All Zones	2. **Activity status:** ~~Restricted discretionary~~ Non-complying Where: a. Compliance is not achieved with EW-R16.1. ~~**Matters of discretion are restricted to:**~~ ~~1. The matters of discretion of any infringed standard.~~

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	~~2. The matters in EW-P15: Earthworks and vertical holes within the National Grid Yard not associated with infrastructure.~~ **Notification:** Public notification is precluded for applications under this rule. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited.
EW-R17	**Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure**
All Zones	1. **Activity status:** Permitted Where: a. Compliance is achieved with EW-S14: Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure.
All Zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with EW-R17.1. **Matters of discretion are restricted to:** 1. The matters of discretion of any infringed standard. 2. The matters in EW-P16: Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure. **Notification:** Public notification is precluded for applications under this rule. Notice of any application for resource consent under this rule must be served on the owner and operator of the Gas Transmission Pipeline.

Standards

EW-S1	Area of earthworks
Residential Zones **Neighbourhood Centre Zones** **Tertiary Education Zone**	1. The area of earthworks must not exceed 250m^2 per site in any 12-month period. **Matters of discretion if the standard is breached:** 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area. 3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 4. The retention of silt and sediment on the site and the control of dust. 5. The staging of earthworks. 6. The total area of exposed soils at any point in time.

Local Centre Zone **Mixed Use Zone** **Town Centre Zone** **Metropolitan Centre Zone** **City Centre Zone** **Industrial Zones** **Open Space and Recreation Zones** **Hospital Zone** **Seaview Marina Zone**	2. The area of earthworks must not exceed 500m^2 per site in any 12-month period. **Matters of discretion if the standard is breached:** 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area. 3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 4. The retention of silt and sediment on the site and the control of dust. 5. The staging of earthworks. 6. The total area of exposed soils at any point in time.
Rural Zones **Marae Zone**	3. The area of earthworks must not exceed 1,000m^2 per site in any 12-month period. **Matters of discretion if the standard is breached:** 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area. 3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 4. The retention of silt and sediment on the site and the control of dust. 5. The staging of earthworks. 6. The total area of exposed soils at any point in time.
EW-S2	**Cut height and fill depth**
All Zones	1. The cut height or fill depth (measured vertically) must not exceed: a. 0.5m where located within 1m of the site boundary, measured on a horizontal plane, b. 1.5m for the remainder of the site, or c. 2.5m where any cut or fill is retained by a building or structure authorised by a building consent obtained prior to any earthworks commencing. **Matters of discretion if the standard is breached:** 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area.

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	3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 4. The retention of silt and sediment on the site and the control of dust. 5. The location of any publicly-owned three water assets, and the potential effects on these assets. 6. The staging of earthworks. 7. The total area of exposed soils at any point in time.
EW-S3	**Existing slope angle~~, where outside the Slope Assessment Overlay~~**
All Zones	1. Earthworks must not be undertaken on land with an existing slope angle of 34 degrees or greater, where the 34 degree slope angle is sustained over a distance of at least 3m, measured horizontally. The following are exempt from the existing slope standard: 1. Earthworks associated with the repair, maintenance or upgrading of existing buildings or structures used to retain or stabilise earthworks. **Matters of discretion if the standard is breached:** 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area. 3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 4. The retention of silt and sediment on the site and the control of dust. 5. The staging of earthworks. 6. The total area of exposed soils at any point in time.
EW-S4	**Transport of cut and fill material**
Residential Zones **Neighbourhood Centre Zone** **Tertiary Education Zone**	1. The combined volume of cut material resulting from earthworks (including cleanfill material) transported off the site and cleanfill material required for earthworks transported onto the site must not exceed 200m^3. **Matters of discretion if the standard is breached:** 1. The safe and efficient operation of the transport network. 2. Any nuisance effects. 3. The retention of silt and sediment on site.
Local Centre Zone **Mixed Use Zone** **Town Centre Zone** **Metropolitan Centre Zone** **City Centre Zone**	2. The combined volume of cut material (including cleanfill material) resulting from earthworks transported off the site and cleanfill material required for earthworks transported onto the site must not exceed 400m^3. **Matters of discretion if the standard is breached:** 1. The safe and efficient operation of the transport network. 2. Any nuisance effects. 3. The retention of silt and sediment on site.

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Industrial Zones **Open Space and Recreation Zones** **Rural Zones** **Hospital Zone** **Marae Zone** **Seaview Marina Zone**	
EW-S5	**Site reinstatement**
All Zones	1. As soon as practical, but no later than three months after the completion of the minor earthworks, earthworks or stages of earthworks, the earthworks area must be stabilised with vegetation or sealed, paved, metalled or built over. **Matters of discretion if the standard is breached:** 1. The timing and duration of the works. 2. The retention of silt and sediment on the site and the control of dust. 3. Land stability. 4. The visual amenity of the surrounding area.
EW-S6	**Earthworks for farming tracks**
All Zones	1. The cut height or fill depth for the farming track (measured vertically) must not exceed: a. 0.5m where located within 1m of the site boundary, measured on a horizontal plane, or b. 2.5m for the remainder of the site. **Matters of discretion if the standard is breached:** 1. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 2. The retention of silt and sediment on the site and the control of dust.
EW-S7	**Earthworks for public walking and cycling tracks**
All Zones	1. The width of the walking or cycling track surface must not exceed 1.5m at any point. **Matters of discretion if the standard is breached:** 1. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 2. The effectiveness of measures to retain dust, silt and sediment on site during the course of earthworks.
~~**EW-S8**~~	~~**Earthworks on sites with heritage buildings or heritage structures, or within heritage areas**~~

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All Zones	1. Earthworks must not exceed: a. A total area of 50m^2 per site within any 12-month period, and b. A maximum cut height or fill depth greater than 0.5m (measured vertically). **Matters of discretion if the standard is breached:** 1. The effect of the earthworks on the historic heritage values.
EW-S9	**Earthworks on Sites and in Areas of Significance to Māori**
All Zones	1. Earthworks must not exceed: a. A total area of 50m^2 per site within any 12-month period, and b. A maximum cut height or fill depth greater than 0.5m (measured vertically). **Matters of discretion if the standard is breached:** 1. The effect of the earthworks on the identified Sites and Areas of Significance to Māori.
EW-S10	**Earthworks within Outstanding Natural Features and Outstanding Natural Landscapes**
All Zones	1. Earthworks within Outstanding Natural Features and Landscapes located outside the coastal environment must not exceed: a. A total area of: i. 50m^2 per site within an identified Outstanding Natural Feature, or ii. 100m^2 per site within an identified Outstanding Natural Landscape, within any 12-month period. b. A maximum cut height or fill depth greater than 1m (measured vertically). 2. Earthworks within Outstanding Natural Features and Landscapes located within the coastal environment must not exceed: a. A total area of: i. 25m^2 per site within an identified Outstanding Natural Feature, or ii. 50m^2 per site within an identified Outstanding Natural Landscape, within any 12-month period. b. A maximum cut height or fill depth greater than 0.5m (measured vertically). **Matters of discretion if the standard is breached:** 1. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 2. The retention of silt and sediment on the site and the control of dust. 3. The degree to which the effects of the earthworks can be remedied or mitigated.
EW-S11	**Earthworks within coastal margins and riparian margins**
All Zones	1. Earthworks must not exceed:

	~~a. A total area of 25m^2 per site within any 12-month period, and~~ ~~b. A maximum cut height or fill depth greater than 0.5m (measured vertically).~~ **~~Matters of discretion if the standard is breached:~~** ~~1. The effect of the earthworks on the natural character of the coastal margin or riparian margin.~~ ~~2. The ability to integrate the proposed earthworks and be sympathetic with the surrounding landform.~~ ~~3. The degree to which the effects of the earthworks can be remedied or mitigated.~~
~~EW-S12~~	**~~Earthworks within High, Very High and Outstanding Coastal Natural Character Areas~~**
~~All Zones~~	~~1. Earthworks within High and Very High Coastal Natural Character Areas must not exceed:~~ ~~a. A total area of 100m^2 per site within any 12-month period, and~~ ~~b. A maximum cut height or fill depth greater than 1m (measured vertically).~~ ~~2. Earthworks within Outstanding Coastal Natural Character Areas must not exceed:~~ ~~a. A total area of 25m^2 per site within any 12-month period, and~~ ~~b. A maximum cut height or fill depth greater than 0.5m (measured vertically).~~ **~~Matters of discretion if the standard is breached:~~** ~~1. The effect of the earthworks on the identified coastal natural character values in the area.~~ ~~2. The ability to integrate the proposed earthworks and be sympathetic with the surrounding landform.~~ ~~3. The degree to which the effects of the earthworks can be remedied or mitigated.~~
EW-S13	**Minor earthworks, Earthworks and vertical holes within the National Grid Yard ~~not associated with infrastructure~~**
All Zones	1. The depth of minor earthworks, earthworks and vertical holes in the National Grid Yard must be no greater (measured vertically) than: a. 300 millimetres within 6 metres of the outer visible edge of a foundation of any National Grid support structure, or b. 3 metres between 6 metres and 12 metres from the outer visible edge of a foundation of any National Grid support structure. 2. Minor earthworks, Earthworks and vertical holes must not: a. Result in a reduction in the ground to conductor clearance distances as required in Table 4 of the {File, 50, New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663. b. Compromise the stability of any National Grid Support Structure. c. Permanently physically impede vehicular access to a National Grid support structure.

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	3. The following are exempt from this standard: a. Minor earthworks, Earthworks and vertical holes that are undertaken by the operator of the National Grid. b. Minor earthworks, Earthworks and vertical holes for the repair, sealing or resealing of a footpath, driveway or farm track. c. Minor earthworks, Earthworks and Vertical holes not exceeding 500 millimetres in diameter that: i. Are more than 1.5 metres from the outer edge of the pole support structure or stay wire, or ii. Are a post hole for a farm fence or horticulture structure more than 6 metres from the visible outer edge of a tower or support structure foundation. d. Minor Earthworks, Earthworks and vertical holes subject to a dispensation from Transpower under {File, 50, New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663. **Matters of discretion if the standard is breached:** 1. Impacts on the operation, maintenance, upgrading and development of the National Grid. 2. The risk to the structural integrity of the affected National Grid support structures. 3. Any impact on the ability of Transpower to access the National Grid. 4. The risk of electrical hazards affecting public or individual safety, and the risk of property. 5. Technical advice provided by Transpower. 6. Any effects on National Grid support structures including the creation of an unstable batter.
EW-S14	**Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure**
All Zones	1. The depth of earthworks in the Gas Transmission Pipeline Corridor must not exceed 0.4m. 2. Earthworks, excluding mining and quarrying, that are undertaken by the owner and operator of the gas transmission pipeline are exempt from this standard. **Matters of discretion if the standard is breached:** 1. The extent to which the earthworks may compromise the ongoing efficient operation, maintenance and upgrading of the gas transmission pipeline, including the ability for continued reasonable access for inspections, maintenance and upgrading. 2. Effects on the stability or integrity of the gas transmission pipeline. 3. The risk of hazards affecting public or individual safety and the risk of property damage. 4. Measures proposed to avoid or mitigate potential adverse effects on the gas transmission pipeline. 5. The outcome of any consultation with the owner and operator of the gas transmission pipeline.

APPENDIX 3: UPDATED RECOMMENDED DECISIONS ON SUBMISSIONS ON THE EARTHWORKS CHAPTER

Submitter	Sub #	SP #	Provision	Support/oppose	Requested Relief	Recommendation
Friends of Waiwhetū Stream	302	4	Definition - Riparian margin	Amend	Increase riparian margin distance from 10 metres to 20 metres	No recommendation
The Fuel Companies	471	208	Chapter Introduction	Support	Retain as notified	Accept
Enviro NZ	323	6	Definition - Cleanfill material	Support	Retain definition as notified [inferred]	Accept
The Fuel Companies	471	61	Definition - Cleanfill material	Support in part	Amend the definition of "cleanfill material" as follows: "means virgin excavated natural materials including clay, gravel, sand, soil and rock, and other inert materials such as concrete or brick that are free of: ..."	Reject
Go Architecture Ltd	331	2	Definition - Earthworks	Support in part	Seeks amendments to make clear what works related to gardening require resource consent (i.e., raised garden beds, garden retaining walls). (Refer to original submission)	Reject
Wainuiomata Rural Community Association Incorporated	364	8	Definition - Earthworks	Support	Retain the definition as notified	Accept
NZ Transport Agency Waka Kotahi	385	7	Definition - Earthworks	Support in part	Amend the definition as follows: "Means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock), but excludes gardening, cultivation, sealing or resealing of a road or	Reject

					footpath, and disturbance of land for the installation of fence posts”	
Federated Farmers of New Zealand	410	54	Definition - Earthworks	Support	Retain definition as notified	Accept
David and Pauline Innes	416	6	Definition - Earthworks	Support	Retain definition as notified	Accept
Wellington Regional Council	452	6	Definition - Earthworks	Support	Retain as notified.	Accept
Z Energy Limited	468	13	Definition - Earthworks	Oppose in part	Amend definition as follows: "means the ~~alteration or disturbance~~ modification of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes land disturbance, minor earthworks, gardening, cultivation, and disturbance of land for the installation of fence posts."	Reject
The Fuel Companies	471	63	Definition - Earthworks	Oppose	Amend the definition of “earthworks” definition as follows: "means the ~~alteration or disturbance~~ modification of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes land disturbance, minor earthworks, gardening, cultivation, and disturbance of land for the installation of fence posts."	Reject
Transpower New Zealand Limited	504	3	Definition - Earthworks	Support	Retain definition as notified	Accept

Winstone Aggregates	444	32	EW Chapter	Support	Retain as notified to the extent that the chapter relates to Quarry Zone and or Quarry Activities	Accept in part
Federated Farmers of New Zealand	410	47	EW-O1 (Earthworks)	Support	Retain clause 1 of the objective as notified	Accept in part
Heritage New Zealand Pouhere Taonga	248	59	EW-O1 (Earthworks)	Support	Retain objective as notified	Accept in part
Natural Hazards Commission Toka Tū Ake	327	77	EW-O1 (Earthworks)	Support	Retain as notified	Accept in part
Federated Farmers of New Zealand	410	46	EW-O1 (Earthworks)	Support	Amend so that "minimises adverse effects" is replaced with "avoids, remedies or mitigates adverse effects".	Accept
Royal Forest and Bird Protection Society of New Zealand Inc.	F23	2		Support	Allow	Accept
David and Pauline Innes	416	7a	EW-O1 (Earthworks)	Amend	Amend so that "minimises adverse effects" is replaced with "avoids, remedies or mitigates adverse effects".	Accept
David and Pauline Innes	416	7b	EW-O1 (Earthworks)	Support	Retain clause 1 of the objective as notified (refer to original submission)	Accept in part
The Fuel Companies	471	209	EW-O1 Earthworks	Support	Retain as notified	Accept in part
Wellington Regional Council	452	172	EW-O1.6 and 7 (Earthworks)	Support	Retain as notified.	Accept in part
Natural Hazards Commission Toka Tū Ake	327	78	EW-P1 (Minor earthworks)	Support	Retain as notified	Accept
Transpower New Zealand Limited	504	52	EW-P1 (Minor earthworks)	Neutral	Retain policy, conditional (subject to acceptance of relief requested in submission points 504.56 and 504.57)	Accept

Wellington Fish and Game Council	509	16	EW-P1 (Minor earthworks)	Support in part	Amend clause (2) of policy as follows: "2. Erosion, dust, and sedimentation effects on land and water bodies are avoided or minimised, and..."	Reject
The Fuel Companies	471	210	EW-P1 Minor earthworks	Support	Retain as notified	Accept
NZ Transport Agency Waka Kotahi	385	65	EW-P1, EW-P2, EW-P3	Support	Retain as notified	Accept
Te Ruunanganui O Te Atiawa	503	44	EW-P10 (Earthworks on SASM)	Support	Retain as notified	No recommendation
Heritage New Zealand Pouhere Taonga	248	61	EW-P10 (Earthworks on Sites and in Areas of Significance to Māori)	Support	Retain policy as notified, subject to any feedback from Mana Whenua	No recommendation
Michael William Norman Lee	418	9	EW-P10 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Delete all aspects that affect private property until such time as these aspects have specific evidence supporting them under statutory requirements, along with ratification by a qualified legal expert who is approved by the majority of qualified respondents who have challenged the Proposed Plan.	No recommendation
Michael William Norman Lee	418	9	EW-P10 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Seeks removal of all aspects of these provisions that affect private property until such time as these aspects have specific evidence supporting them under statutory requirements, along with ratification by a qualified legal expert who is approved by the majority of the qualified respondents who have challenged the Proposed Plan	No recommendation

My Land Group	426	20	EW-P10 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Delete policy OR Amend the policy so that its application is confined to category 1 sites (as defined in submission point 426.2a)	No recommendation
The Fuel Companies	471	213	EW-P10 Earthworks on Sites and in Areas of Significance to Māori	Support in part	Amend EW-P10 as follows: Earthworks on sites and in areas of significance to Māori are managed as follows: 1. Enable small-scale earthworks for burials within existing sites or areas of significance to Māori that are urupā. 2. Provide for other earthworks on sites and areas of significance in SCHED6 - Sites and Areas of Significance to Māori where it can be demonstrated that the identified values will be protected <u>or maintained</u>, having regard to: a. The extent of the earthworks, b. The manner in which the earthworks are undertaken, c. The monitoring of earthworks, ~~and~~ d. The avoidance of archaeological sites~~.~~<u>,</u> <u>e. the operational need or functional need for the activity to locate on a site or area of significance to Māori, and</u> <u>f. the extent to which the site is already affected by existing development.</u>	No recommendation
Troy Tarrent	286	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 286.1a. Refer to original submission.	No recommendation
Neil Prichard	296	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined	No recommendation

					in a way consistent with submission point 296.1a. Refer to original submission.	
Simon Caudwell	298	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 298.1a. Refer to original submission.	No recommendation
Roger Fairclough and Dr. Anna de Raadt	299	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 299.1a. Refer to original submission.	No recommendation
Neil Carr	310	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 310.1a. Refer to original submission.	No recommendation
John Francis Burrell	312	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 312.1a. Refer to original submission.	No recommendation
Rupert Sutherland, Helen Sutherland and Sarah Gilbert	318	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 318.1a. Refer to original submission.	No recommendation
Philip Morris	338	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 338.1a. Refer to original submission.	No recommendation
Sam Barnett	339	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 339.1a. Refer to original submission.	No recommendation
Derek Locke	358	23	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined	No recommendation

					in a way consistent with submission point 358.2b. Refer to original submission.	
Warren Bolger	360	23	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 360.2a. Refer to original submission.	No recommendation
Sarita Von Afehlt	378	20	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs "provided these sites are defined as described in my submission on Schedule 6". Refer to original submission.	No recommendation
Andrew Swan	379	23	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 379.2a. Refer to original submission.	No recommendation
Susan Brown	395	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 395.1a. Refer to original submission.	No recommendation
John Griffin	396	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 396.1a. Refer to original submission.	No recommendation
Rachel Laurent	409	23	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 409.2a. Refer to original submission.	No recommendation
Ian and Raylene Caddis	433	28	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 433.6 Refer to original submission.	No recommendation
Jan Huppert and Tomas Huppert	435	20	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, "provided these sites are defined as	No recommendation

					described in my submission on Schedule 6". Refer to original submission.	
Mark Blackham	450	23	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 450.2a. Refer to original submission.	No recommendation
Warren Owen	490	22	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 490.1a. Refer to original submission.	No recommendation
Christine Reuhman	511	23	EW-P10, EW-R10 and EW-S9	Oppose in part	Seeks that these provisions only apply to category 1 SASMs, provided that category 1 sites are defined in a way consistent with submission point 511.2a. Refer to original submission.	No recommendation
Wellington Regional Council	452	179	EW-P12 (Earthworks within Outstanding Natural Features and Landscapes)	Support	Retain as notified.	No recommendation
Wellington Regional Council	452	180	EW-P13 (Earthworks within coastal margins and riparian margins)	Support	Retain as notified.	No recommendation
Wellington Fish and Game Council	509	17	EW-P13 (Earthworks within coastal margins and riparian margins)	Support	Retain policy as notified	No recommendation
The Fuel Companies	471	214	EW-P13 Earthworks within coastal margins and riparian margins	Support	Retain as notified	No recommendation
Wellington Regional Council	452	181	EW-P14 (Earthworks within High, Very High and Outstanding Coastal Natural Character Areas)	Support	Retain as notified.	No recommendation
Winstone Aggregates	444	33	EW-P15 (Earthworks and vertical holes within the National	Support	Retain as notified.	Reject in part

			Grid Yard not associated with infrastructure)			
Transpower New Zealand Limited	504	54	EW-P15 (Earthworks and vertical holes within the National Grid Yard not associated with infrastructure)	Amend	Amend policy as follows: "EW-P15: Minor earthworks, Earthworks and vertical holes within the National Grid Yard ~~not associated with infrastructure~~ Only allow minor earthworks, earthworks and vertical holes within the National Grid Yard where: 1. The minor earthworks, earthworks and vertical holes are of a scale and nature that will not compromise the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid, or 2. It can be demonstrated that the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid will not be compromised, taking into account: a. The extent to which the minor earthworks, earthworks and vertical holes may compromise the safe access to and operation, maintenance and repair, upgrading and development of the National Grid, ..."	Accept
Clarus	474	64	EW-P16 (Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure)	Support	Retain policy as notified	Accept
Natural Hazards Commission Toka Tū Ake	327	79	EW-P2 (Appropriate earthworks)	Support	Retain as notified	Accept

Transpower New Zealand Limited	504	53	EW-P2 (Appropriate earthworks)	Support	Retain policy as notified	Accept
The Fuel Companies	471	211	EW-P2 Appropriate earthworks	Support	Retain as notified	Accept
Wellington Regional Council	452	173	EW-P2.3, 4 and 5.b (Appropriate earthworks)	Support	Retain as notified.	Accept
Wellington Regional Council	452	174	EW-P4.1 and 2 (Earthworks for Farming Tracks)	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	327	80	EW-P5 (Earthworks associated with Natural Hazard Mitigation Works)	Support	Retain as notified	Accept
Wellington Regional Council	452	175	EW-P5.1, 2 and 3 (Earthworks associated with Natural Hazard Mitigation Works)	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	F15	79		Support	Allow	Accept
Michael Rachlin	232	21	EW-P6 (Earthworks within Flood Hazard Overlays)	Oppose in part	Amend by replacing with risk-based policies that address the hydraulic differences between overland flowpaths, stream corridors, and ponding/inundation areas (Relates to relief requested in submission point 232.5. Refer to original submission)	Accept in part
Natural Hazards Commission Toka Tū Ake	327	81	EW-P6 (Earthworks within Flood Hazard Overlays)	Amend	Amend "Provide for earthworks in Flood Hazard Overlays where ~~any increase in~~ flooding risk for neighbouring properties is ~~minimised when compared to the existing situation~~ reduced or not increased by: ... "	Accept
Policy Planning team of the Hutt City Council	440	49	EW-P6 (Earthworks within Flood Hazard Overlays)	Oppose in part	Amend to replace references to 'Stream Corridors' and 'Overland Flowpaths' to areas in 'High Flood Hazard Overlays' and 'Medium Flood Hazard Overlays', respectively.	Accept

Wellington Regional Council	452	176	EW-P6 (Earthworks within Flood Hazard Overlays)	Support in part	Amend policy as follows: Provide for earthworks in Flood Hazard Overlays where there is no increase in existing risk to neighbouring properties by...	Accept in part
Natural Hazards Commission Toka Tū Ake	F15	80		Support in part	Allow submission with amendment (refer to further submission for details)	Accept in part
The Fuel Companies	471	212	EW-P6 Earthworks within Flood Hazard Overlays	Support	Retain as notified	Accept in part
Natural Hazards Commission Toka Tū Ake	327	82	EW-P7 (Earthworks on slopes)	Amend	Amend "On slopes greater than 34 degrees, where the 34 degree slope angle is sustained over a distance of at least 3m, measured horizontally, provide for earthworks where a geotechnical assessment confirms that: 1. The proposed earthworks will ~~minimise~~ reduce or not increase the risk from slope instability to people and buildings, and 2. The proposed earthworks will reduce or not increase the risk of slope failure on adjacent sites"	Accept in part
Go Architecture Ltd	331	11	EW-P7 (Earthworks on slopes)	Support	Retain policy as notified (inferred)	Accept in part
Wellington Regional Council	452	177	EW-P7 (Earthworks on slopes)	Support in part	Amend as follows: On slopes greater than 34 degrees, where the 34 degree slope angle is sustained over a distance of at least 3m, measured horizontally, provide for earthworks that have a functional use or functional need where a geotechnical assessment confirms that: 1. The proposed earthworks will minimise the risk from slope instability to people and buildings, and 2. The proposed earthworks will not increase the risk of slope failure on adjacent sites.	Reject

Natural Hazards Commission Toka Tū Ake	F15	81		Support in part	Allow submission with amendment (refer to further submission for details)	Reject
Jarred Gustafson and Paula Gentle	6	6a	EW-P8	Oppose	Delete policy	Reject
Jo-Ella Sarich	91	2b	EW-P8 (Earthworks in the Slope Assessment Overlay)	Oppose	Remove provision	Reject
Cheow Khong Chng	104	2	EW-P8 (Earthworks in the Slope Assessment Overlay)	Oppose	Delete policy	Reject
Natural Hazards Commission Toka Tū Ake	327	83	EW-P8 (Earthworks in the Slope Assessment Overlay)	Amend	Amend "Provide for earthworks in the Slope Assessment Overlay, where a geotechnical assessment confirms that: 1. The earthworks will ~~minimise~~ reduce or not increase the risk from slope instability to people and buildings, and 2. The earthworks will reduce or not increase the risk of slope failure on adjacent sites."	Accept in part
Go Architecture Ltd	331	12	EW-P8 (Earthworks in the Slope Assessment Overlay)	Oppose	Delete policy (inferred)	Reject
Wellington Regional Council	452	178	EW-P8 (Earthworks in the Slope Assessment Overlay)	Support	Retain as notified.	Accept in part
Natural Hazards Commission Toka Tū Ake	F15	82		Support in part	Allow submission with amendment (refer to further submission for details)	Accept in part
Heritage New Zealand Pouhere Taonga	248	60	EW-P9 (Earthworks on sites with Heritage Buildings or Heritage Structures, or within Heritage Areas)	Support	Retain policy as notified	No recommendation
Transpower New Zealand Limited	504	55	EW-R1 (Minor earthworks)	Neutral	Retain rule, conditional (subject to acceptance of relief requested in submission points 504.56 and 504.57)	Accept

The Fuel Companies	471	215	EW-R1 Minor earthworks	Support in part	Amend Rule EW-R1 as follows: **Minor Earthworks, except as provided by EW-R15** *All Zones* 1. Activity status: Permitted Where: a. Compliance is achieved with EW-S5. All Zones 2. Activity status: Restricted discretionary Where: a. Compliance is not achieved with EW-S5. Matters of discretion are restricted to: 1. The matters of discretion of any infringed standard. 2. The matters in EW-P1: Minor Earthworks	Accept in part
Shayne Hodge	346	4d	EW-R10 (Earthworks on Sites and in Areas of Significance to Māori)	Amend	Seeks that if submission point 346.1 is not accepted, then special land use protections which apply to category 2 and 3 Sites and Areas of Significance to Māori, are removed	No recommendation
Heritage New Zealand Pouhere Taonga	248	63	EW-R10 (Earthworks on Sites and in Areas of Significance to Māori)	Support	Retain provision as notified, subject to any feedback from Mana Whenua	No recommendation
Michael William Norman Lee	418	10	EW-R10 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Delete all aspects that affect private property untill such time as these aspects have specific evidence supporting them under statutory requiremens, along with ratification by a qualified legal expert who is approved by the majority of qualified respondents who have challenged the Proposed Plan.	No recommendation
Michael William Norman Lee	418	10	EW-R10 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Seeks removal of all aspects of these provisions that affect private property until such time as these aspects have specific evidence supporting them	No recommendation

					under statutory requirements, along with ratification by a qualified legal expert who is approved by the majority of the qualified respondents who have challenged the Proposed Plan	
My Land Group	426	21	EW-R10 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Delete rule OR Amend the rule so that is application is confined to category 1 sites (as defined in submission point 426.2a)	No recommendation
Policy Planning team of the Hutt City Council	440	55	EW-R10 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose in part	Amend the rule title as follows: "Earthworks ~~on~~ in Sites and ~~in~~ Areas of Significance to Māori"	No recommendation
The Fuel Companies	471	217	EW-R10 Earthworks on Sites and in Areas of Significance to Māori	Support in part	Amend Rule EW-R10.1 as follows: *All Zones* 1. Activity status: Permitted Where: a. The earthworks are associated with burials within an existing urupā, or b. Compliance is achieved with EW-S9: Earthworks on Sites and in Areas of Significance to Māori~~.~~, or c. The earthworks are minor earthworks in accordance with EW-R1.1.	No recommendation
Wellington Regional Council	452	185	EW-R12 (Earthworks within Outstanding Natural Features and Landscapes)	Support	Retain as notified.	No recommendation
The Fuel Companies	471	218	EW-R12 Earthworks within Outstanding Natural Features and Landscapes	Support in part	Amend Rule EW-R12.1 as follows: *All Zones* 1. Activity status: Permitted Where:	No recommendation

					[...] c. The earthworks are minor earthworks in accordance with EW-R1.1.	
Director-General of Conservation	405	69	EW-R13 (Earthworks within coastal margins and riparian margins)	Support	Retain as notified.	No recommendation
Wellington Regional Council	452	186	EW-R13 (Earthworks within coastal margins and riparian margins)	Support	Retain as notified.	No recommendation
The Fuel Companies	471	219	EW-R13 Earthworks within coastal margins and riparian margins	Support in part	Amend Rule EW-R13.1 as follows: *All Zones* 1. Activity status: Permitted Where: [...] c. The earthworks are minor earthworks in accordance with EW-R1.1.	No recommendation
Director-General of Conservation	405	70	EW-R14 (Earthworks within High and Very High Coastal Natural Character Areas)	Support	Retain as notified.	No recommendation
Wellington Regional Council	452	187	EW-R14 (Earthworks within High and Very High Coastal Natural Character Areas)	Support	Retain as notified.	No recommendation
The Fuel Companies	471	220	EW-R14 Earthworks within High and Very High Coastal Natural Character Areas	Support in part	Amend Rule EW-R14.1 as follows: *All Zones* 1. Activity status: Permitted Where: [...] c. The earthworks are minor earthworks in accordance with EW-R1.1.	No recommendation

Director-General of Conservation	405	71	EW-R15 (Earthworks within Outstanding Coastal Natural Character Areas)	Support	Retain as notified.	No recommendation
Transpower New Zealand Limited	504	56	EW-R16 (Earthworks and vertical holes within the National Grid Yard not associated with infrastructure)	Amend	Amend rule as follows: "EW-R16: Minor earthworks, Earthworks and vertical holes within the National Grid Yard ~~not associated with infrastructure~~ "1. Activity status: Permitted Where: a. Compliance is achieved with EW-S13: Minor earthworks, Earthworks and vertical holes within the National Grid Yard not associated with infrastructure. 2. Activity status: ~~Restricted discretionary~~ Non-complying Where: a. Compliance is not achieved with EW-R16.1. ~~Matters of discretion are restricted to:~~ ~~1. The matters of discretion of any infringed standard.~~ ~~2. The matters in EW-P15: Minor earthworks, Earthworks and vertical holes within the National Grid Yard not associated with infrastructure.~~"	Accept
Clarus	474	65	EW-R17 (Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure)	Support	Retain rule as notified	Accept

New Zealand Defence Force	404	19	EW-R2 (General earthworks)	Support in part	Seeks to "Retain rule providing for earthworks as a permitted activity district wide."	Accept in part
Policy Planning team of the Hutt City Council	440	52	EW-R2 (General earthworks)	Oppose in part	Amend the rule title to: "Earthworks not otherwise provided for"	Accept
NZ Transport Agency Waka Kotahi	385	66	EW-R3 (Earthworks for maintaining or constructing public walking and cycling tracks)	Support	Retain rule as notified	Accept in part
Policy Planning team of the Hutt City Council	440	53	EW-R3 (Earthworks for maintaining or constructing public walking and cycling tracks)	Oppose in part	Remove the note within the rule title as follows: "~~This rule overrides Rule EW-R2 in relation to earthworks for the purposes of maintaining or constructing public walking and cycling tracks~~"	Accept
Wainuiomata Rural Community Association Incorporated	364	10a	EW-R4 (Earthworks for maintaining or constructing farming tracks)	Support in part	Seeks that permitted activity status of farm tracks is retained (inferred - refer to original submission).	Accept
Wainuiomata Rural Community Association Incorporated	364	10b	EW-R4 (Earthworks for maintaining or constructing farming tracks)	Support in part	Seeks that tracks associated with QEII covenants are permitted along with all necessary work on those tracks and any replacement tracks that may be required in the situation where a track might be washed out or otherwise be inaccessible	Reject
Federated Farmers of New Zealand	410	48	EW-R4 (Earthworks for maintaining or constructing farming tracks)	Support	Seeks that permitted activity status of farm tracks is retained (inferred - refer to original submission).	Accept
David and Pauline Innes	416	8a	EW-R4 (Earthworks for maintaining or constructing farming tracks)	Support	Seeks that the permitted activity status of farm tracks is retained.	Accept
David and Pauline Innes	416	8b	EW-R4 (Earthworks for maintaining or	Amend	Seeks that tracks associated with QEII covenants to be permitted along with all necessary work on	Reject

			constructing farming tracks)		those tracks and any replacement tracks that may be required in the situation where a track might be washed out or otherwise be inaccessible.	
Michael Rachlin	232	22	EW-R5 (Earthworks associated with Natural Hazard Mitigation Works or Green Infrastructure within the Flood Hazard Overlays and Coastal Hazard Overlays)	Oppose in part	Amend rule to delete clause 2, and rely on remainder of earthwork rules to manage earthworks that are not for Natural Hazard Mitigation Works or Green Infrastructure and undertaken by central government, local government, or their agents	~~Accept~~ Reject
Michael Rachlin	232	23	EW-R6 (Earthworks within Flood Hazard Overlays)	Support	Retain provision as notified	Accept in part
Natural Hazards Commission Toka Tū Ake	327	84	EW-R6 (Earthworks within Flood Hazard Overlays)	Amend	Amend "1. Activity status: Permitted Where: a. The risk from flooding is not increased in adjacent properties; and either b. ~~a~~. The earthworks are located within the low hazard area of the Flood Hazard Overlay, or c. ~~b~~. The earthworks are located within a medium hazard area, or high hazard area of the Flood Hazard Overlay and, the finished ground level upon the completion of the earthworks are the same as the natural ground level at the start of the earthworks."	Reject
Wellington Regional Council	F38	6		Support	Allow	Reject
Michael Rachlin	F04	5		Disallow		Accept
Federated Farmers of New Zealand	410	49	EW-R6 (Earthworks within Flood Hazard Overlays)	Oppose in part	Seeks that farming earthworks are considered appropriate for flood hazard overlay areas, because they enable farming land use to occur and are low-risk compared to urban land uses and earthworks.	Reject

Policy Planning team of the Hutt City Council	440	50	EW-R6 (Earthworks within Flood Hazard Overlays)	Oppose in part	Amend clause 1(a) of the rule as follows: "The earthworks are located within the ~~low hazard area of the~~ Low Flood Hazard Overlay, or"	Accept
Policy Planning team of the Hutt City Council	440	51	EW-R6 (Earthworks within Flood Hazard Overlays)	Oppose in part	Amend clause 1(b) of the rule as follows: "The earthworks are located within a ~~medium hazard area, or high hazard area of the Flood Hazard Overlay~~ the Medium Flood Hazard Overlay or High Flood Hazard Overlay and the finished ground level upon the completion of the earthworks are the same as the natural ground level at the start of the earthworks."	Accept
Policy Planning team of the Hutt City Council	440	54	EW-R6 (Earthworks within Flood Hazard Overlays)	Oppose in part	Amend the rule title as follows: "Earthworks within ~~Flood Hazard Overlays~~ the Medium Flood Hazard Overlay and High Flood Hazard Overlay" and the rule body in arm EW-R6.1: "Where: a. ~~The earthworks are located within the low hazard area of the Flood Hazard Overlay, or~~ ~~b. The earthworks are located within a medium hazard area, or high hazard area of the Flood Hazard Overlay and,~~ the finished ground level upon the completion of the earthworks ~~are~~ is the same as the natural ground level at the start of the earthworks.	Accept
Wellington Regional Council	452	182	EW-R6 (Earthworks within Flood Hazard Overlays)	Support in part	Retain as notified.	Accept in part

Natural Hazards Commission Toka Tū Ake	F15	83		Support in part	Allow submission with amendment (refer to further submission for details)	Accept in part
The Fuel Companies	471	216	EW-R6 Earthworks within Flood Hazard Overlays	Support	Retain as notified	Accept in part
Natural Hazards Commission Toka Tū Ake	327	85	EW-R7 (Earthworks on community scale natural hazard mitigation structures)	Support	Retain as notified	Accept
Wellington Regional Council	452	183	EW-R7 (Earthworks on Community Scale Natural Hazard mitigation Structures)	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	F15	85		Support	Allow	Accept
Jarred Gustafson and Paula Gentle	6	6b	EW-R8	Oppose	Delete rule	Reject
Jo-Ella Sarich	91	2c	EW-R8 (Earthworks for a building platform in the Slope Assessment Overlay)	Oppose	Remove provision	Reject
Natural Hazards Commission Toka Tū Ake	327	86	EW-R8 (Earthworks for a building platform in the Slope Assessment Overlay)	Support in part	Retain as notified [conditional, see original submission]	Accept
Wellington Regional Council	452	184	EW-R8 (Earthworks for a building platform in the Slope Assessment Overlay)	Support	Retain as notified.	Accept
Natural Hazards Commission Toka Tū Ake	F15	85		Support	Allow	Accept
Heritage New Zealand Pouhere Taonga	248	62	EW-R9 (Earthworks on sites with heritage buildings or heritage	Support	Retain provision as notified	No recommendation

			structures, or within heritage areas)			
Claire Jackson	319	7	EW-S1 (Area of earthworks)	Amend	Seeks that "1,000-square-foot area" is "extended to 2,000 square feet in rural areas for soil disturbance"	Reject
Foodstuffs North Island	239	10	EW-S1 (Area of earthworks)	Oppose in part	enable a larger volume of earthworks as a permitted activity within commercial and industrial zones, up to 3,000m^2 per site, per 12-month period.	Reject
Enviro NZ	323	040	EW-S1 (Area of earthworks)	Oppose	Amend to increase threshold from 500m^2 to 1000m^2 for Industrial Zones.	Reject
Natural Hazards Commission Toka Tū Ake	327	87	EW-S1 (Area of earthworks)	Support	Retain as notified	Accept
Ken Jackson	168	7	EW-S1 (Area of earthworks)	Oppose in part	Amend standard to increase threshold for soil disturbance in general rural areas from 1,000m2 to at least 4,000m2, or 2,000m2 per each 4 hectares of land in general rural	Reject
McDonald's Restaurants (NZ) Limited	174	6	EW-S1 (Area of earthworks)	Oppose in part	Amend clause (2) of the rule as follows: "2. The area of earthworks must not exceed ~~2500m2~~ 500m2 per site in any 12-month period."	Reject
Foodstuffs North Island	F17	3		Support	Allow	Reject
Bunnings Ltd	F18	2		Support	Allow	Reject
Donald McCreary	196	6	EW-S1 (Area of earthworks)	Oppose	Amend standard to increase threshold for soil disturbance in rural areas from 1,000m2 to at least 2,000m2, or 1,000m2 per each 4 ha of land in general rural	Reject
Seaview Marina Ltd	343	55	EW-S1 (Area of earthworks)	Oppose	Seeks that the Seaview Marina Zone is included in the list of zones where an earthworks area threshold of 500m^2 applies	Accept

Wainuiomata Rural Community Association Incorporated	364	6	EW-S1 (Area of earthworks)	Amend	Seeks that the earthworks volume limit for rural zones is increased to 2,000m^2 per 12 months.	Reject
Steve Full and Andrea Bason	365	9	EW-S1 (Area of earthworks)	Oppose in part	Amend standard to increase threshold for soil disturbance in general rural areas from 1,000m2 to at least 4,000m2, or 2,000m2 per each 4 hectares of land in general rural	Reject
Kāinga Ora - Homes and Communities	386	14	EW-S1 (Area of earthworks)	Oppose in part	Amend standard as follows: Residential zones: "The area of earthworks must not exceed ~~250m2~~ 500m^2 per site in any 12-month period."	Reject
Federated Farmers of New Zealand	410	50	EW-S1 (Area of earthworks)	Support in part	Amend to increase the earthworks area limit for rural zones to 2,000m2 per 12 months.	Reject
Wellington Regional Council	F38	37		Oppose	Disallow	Allow
David and Pauline Innes	416	4	EW-S1 (Area of earthworks)	Amend	Amend to increase the earthworks area limit for rural zones to 2,000m^2 per 12 months.	Reject
The Fuel Companies	471	221	EW-S1 Area of earthworks	Support in part	Amend EW-S1 as follows: Matters of discretion if the standard is breached: 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area. 3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 4. The retention of silt and sediment on the site and the control of dust. 5. The staging of earthworks.	Reject

					6. The total area of exposed soils at any point in time. <u>7. Benefits associated with the earthworks.</u>	
Bunnings Ltd	173	4	EW-S1.2	Oppose in part	Amend EW-S1.2 as follows for Commercial and industrial Zones: 1. The area of earthworks must not exceed <u>3000m2</u> ~~500m2~~ per site in any 12-month period.	Reject
McDonald's Restaurants (NZ) Limited	F11	2		Support	Allow	Reject
Foodstuffs North Island	F17	21		Support	Allow	Reject
Claire Jackson	319	9	EW-S10 (Earthworks within Outstanding Natural Features and Outstanding Natural Landscapes)	Oppose	Seeks that standard is excluded from applying to private land	No recommendation
Ken Jackson	168	9	EW-S10 (Earthworks within Outstanding Natural Features and Outstanding Natural Landscapes)	Oppose	Seeks that requirements within standard pertaining to Outstanding Natural Landscapes are deleted (inferred - refer to original submission)	No recommendation
Donald McCreary	196	8	EW-S10 (Earthworks within Outstanding Natural Features and Outstanding Natural Landscapes)	Oppose	Seeks that soil disturbance thresholds in ONLs of 100m2 area and 1.0m height are not be included in the standard	No recommendation
Steve Full and Andrea Bason	365	11	EW-S10 (Earthworks within Outstanding Natural Features and Outstanding Natural Landscapes)	Oppose	Seeks that requirements within standard pertaining to Outstanding Natural Landscapes are deleted (inferred - refer to original submission)	No recommendation
The Fuel Companies	471	226	EW-S11 Earthworks within coastal margins and riparian margins	Support in part	Amend EW-S11 as follows: [...]	No recommendation

					Matters of discretion if the standard is breached: 1. The effect of the earthworks on the natural character of the coastal margin or riparian margin. 2. The ability to integrate the proposed earthworks and be sympathetic with the surrounding landform. 3. The degree to which the effects of the earthworks can be remedied or mitigated. 4. The operational need or functional need for the earthworks to occur.	
Wellington Regional Council	F38	87		Oppose	Disallow	No recommendation
Transpower New Zealand Limited	504	57	EW-S13 (Earthworks and vertical holes within the National Grid Yard not associated with infrastructure)	Amend	Amend standard as follows: "EW-S13 Minor earthworks, Earthworks and vertical holes within the National Grid Yard ~~not associated with infrastructure~~ 1. The depth of minor earthworks, earthworks and vertical holes in the National Grid Yard must be no greater (measured vertically) than: ... 2. Minor earthworks, Earthworks and vertical holes must not: ... 3. The following are exempt from 1.a., and b., and 2.b. and c. above ~~this standard~~: a. Minor earthworks, Earthworks and vertical holes that are undertaken by the operator of the National Grid, or excluding mining and quarrying, are undertaken by a network utility operator as defined by the Resource Management Act 1991. b. Minor earthworks, Earthworks and vertical holes for the repair, sealing or resealing of a footpath,	Accept in part

					driveway or farm track. c. Minor earthworks, Earthworks and Vertical holes not exceeding 500 millimetres in diameter that: ~~i. Are more than 1.5 metres from the outer edge of the pole support structure or stay wire, or~~ ii. ~~Are~~ are a post hole for a farm fence or horticulture structure more than 6 metres from the visible outer edge of a tower or support structure foundation. iii. d. ~~Earthworks and vertical holes~~ Minor earthworks, Earthworks and Vertical holes: i. S~~s~~ubject to a dispensation from Transpower under the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663; or iv. In relation to rule EW-S13.2.c., written approval is provided by Transpower."	
Clarus	474	66	EW-S14 (Earthworks within the Gas Transmission Pipeline Corridor not associated with infrastructure)	Support	Retain standard as notified	Accept
Claire Jackson	319	8	EW-S2 (Cut height and fill depth)	Support	Retain provision (inferred - refer to original submission)	Accept
Ken Jackson	168	8	EW-S2 (Cut height and fill depth)	Oppose in part	Amend clause 1(b) to increase standard from 1.5m to 2.0m in General Rural Zone (refer to original submission)	Reject
Donald McCreary	196	7	EW-S2 (Cut height and fill depth)	Support	Retain provision (inferred - refer to original submission)	Accept
Steve Full and Andrea Bason	365	10	EW-S2 (Cut height and fill depth)	Oppose in part	Amend clause 1(b) to increase standard from 1.5m to 2.0m in General Rural Zone (refer to original submission)	Reject

The Fuel Companies	471	222	EW-S2 Cut height and fill depth	Support in part	Amend EW-S2 as follows: Matters of discretion if the standard is breached: 1. The stability of land or structures in or on the site or adjacent sites. 2. The visual amenity values and character of the surrounding area. 3. The natural landform and the extent to which the finished site will reflect and be sympathetic to the surrounding landform. 4. The retention of silt and sediment on the site and the control of dust. 5. The staging of earthworks. 6. The total area of exposed soils at any point in time. 7. Benefits associated with the earthworks.	Reject
Natural Hazards Commission Toka Tū Ake	327	88	EW-S3 (Existing slope angle, where outside the Slope Assessment Overlay)	Support	Retain as notified	Accept in part
Go Architecture Ltd	331	13	EW-S3 (Existing slope angle, where outside the Slope Assessment Overlay)	Oppose in part	Amend policy as follows: Title: "EW-S3: Existing slope angle~~, where outside the Slop Assessment Overlay~~" "1. Earthworks must not be undertaken on land with an existing slope angle of 34 degrees or greater, where the 34 degree slope angle is sustained over a distance of at least 3m, measured horizontally. Unless: The area is within the Slope assessment overlay and is not for a building footprint. In which case Earthworks must not be undertaken without a	Accept in part

					geotechnical report, unless the earthworks are on an area with a slope less than 10° for more than 5m measured horizontally and not within 3m of any slopes of 34 degrees or greater." Or add a new standard	
Policy Planning team of the Hutt City Council	440	56	EW-S3, EW-R2	Oppose in part	Amend the standard title of EW-S3 as follows: "Existing slope angle, ~~where outside the Slope Assessment Overlay~~" Amend rule EW-R2.1.iii. as follows: "iii. EW-S3: Existing slope angle (~~where located outside of the Slope Assessment Overlay~~),"	Accept
Claire Jackson	319	6	EW-S4 (Transport of cut and fill material)	Support	Retain provision (inferred - refer to original submission)	Accept in part
Ken Jackson	168	6	EW-S4 (Transport of cut and fill material)	Support	Retain provision	Accept in part
Donald McCreary	196	5	EW-S4 (Transport of cut and fill material)	Support	Retain provision (inferred - refer to original submission)	Accept in part
Seaview Marina Ltd	343	56	EW-S4 (Transport of cut and fill material)	Oppose	Seeks that the Seaview Marina Zone is included in the list of zones where a 400m^3 threshold applies	Accept
Steve Full and Andrea Bason	365	8	EW-S4 (Transport of cut and fill material)	Support	Retain provision	Accept in part
Kāinga Ora - Homes and Communities	386	15	EW-S4 (Transport of cut and fill material)	Oppose	Delete standard	Reject
The Fuel Companies	471	223	EW-S4 Transport of cut and fill material	Support in part	Amend EW-S4 as follows: Matters of discretion if the standard is breached: 1. The safe and efficient operation of the transport	Reject

					network. 2. Any nuisance effects. 3. The retention of silt and sediment on site. 4. Benefits associated with the earthworks.	
The Fuel Companies	471	224	EW-S5 Site reinstatement	Support in part	Amend EW-S5 as follows: 1. As soon as practical, but no later than three months after the completion of the minor earthworks, earthworks or stages of ~~earth~~works, the earthworks area must be stabilised with vegetation or sealed, paved, metalled or built over.	Accept in part
Wainuiomata Rural Community Association Incorporated	364	7a	EW-S6 (Earthworks for farming tracks)	Support	Seeks that a volume limit is not applicable to earthworks for farming tracks.	Accept
Federated Farmers of New Zealand	410	51	EW-S6 (Earthworks for farming tracks)	Support	Seeks that the standard for farming tracks does not have a volume lime	Accept
Wellington Regional Council	F38	38		Oppose	Disallow	Reject
Federated Farmers of New Zealand	410	52	EW-S6 (Earthworks for farming tracks)	Oppose in part	Amend to increase the cut-fill face limit to 3.5m.	Reject
Wellington Regional Council	F38	39		Oppose	Disallow	Accept
David and Pauline Innes	416	5a	EW-S6 (Earthworks for farming tracks)	Support in part	Seeks that the non-inclusion in the standard of volume limits for farming tracks is retained (inferred - refer to original submission)	Accept
David and Pauline Innes	416	5b	EW-S6 (Earthworks for farming tracks)	Amend	Amend to increase the cut-fill face limit to 3.5m.	Reject
Heritage New Zealand Pouhere Taonga	248	64a	EW-S8 (Earthworks on sites with heritage buildings or heritage	Support	Retain provision as notified	No recommendation

			structures, or within heritage areas)			
Heritage New Zealand Pouhere Taonga	248	64b	EW-S9 (Earthworks on Sites and in Areas of Significance to Māori)	Support	Retain provision as notified	No recommendation
Wainuiomata Rural Community Association Incorporated	364	26a	EW-S9 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose in part	Seeks that the standard is amended to provide a higher area threshold for farming activities than the 50m^2 area limit (inferred - refer to original submission)	No recommendation
Wainuiomata Rural Community Association Incorporated	364	26b	EW-S9 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose in part	Seeks that earthworks restrictions on Sites and Areas of Significance to Māori, are limited to known and long-defined area of land disturbance or other long identified features, for instance known pā site earthworks (inferred - refer to original submission)	No recommendation
Federated Farmers of New Zealand	410	53	EW-S9 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose in part	Seeks that the standard is amended to provide a higher area threshold for farming activities than the 50m^2 area limit (inferred - refer to original submission)	No recommendation
Michael William Norman Lee	418	11	EW-S9 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Delete all aspects that affect private property untill such time as these aspects have specific evidence supporting them under statutory requiremens, along with ratification by a qualified legal expert who is approved by the majority of qualified respondents who have challenged the Proposed Plan.	No recommendation
Michael William Norman Lee	418	11	EW-S9 (Earthworks on Sites and in Areas of Significance to Māori)	Oppose	Seeks removal of all aspects of these provisions that affect private property until such time as these aspects have specific evidence supporting them under statutory requirements, along with ratification by a qualified legal expert who is approved by the majority of the qualified respondents who have challenged the Proposed Plan	No recommendation

The Fuel Companies	471	225	EW-S9 Earthworks on Sites and in Areas of Significance to Māori	Support in part	Amend EW-S9 as follows: [...] Matters of discretion if the standard is breached: 1. The effect of the earthworks on the identified Sites and Areas of Significance to Māori. 2. the operational need or functional need for the earthworks to occur.	No recommendation
Aggregate and Quarry Association	202	2	Introduction	Support	Seeks that the clarification in the introduction that the provisions of EW chapter do not apply to quarrying, are retained (inferred - refer to original submission)	Accept
Transpower New Zealand Limited	504	51	Introduction	Support	Retain introduction as notified	Accept
Wellington Water Limited	422	19	Introduction	Support	Seeks the retention of the statement that the provisions that relate to earthworks for infrastructure are contained in the Infrastructure chapter	Accept
Heritage New Zealand Pouhere Taonga	248	58	Introduction - Other relevant legislation and planning documents	Support	Retain introduction as notified	Accept
Z Energy Limited	468	14	Definition - Land disturbance	Support	Retain definition as notified	Accept
The Fuel Companies	471	64	Definition - Land disturbance	Support	Retain as notified	Accept
Go Architecture Ltd	331	3	Definition - Minor earthworks	Support in part	Seeks definition is amended to include gardening and garden beds (e.g. raised garden beds of up to 500mm in height, with no alteration to the underlying ground)	Reject
Z Energy Limited	468	15	Definition - Minor earthworks	Oppose in part	Amend definition as follows: "means earthworks for the purposes of piling, trenching, geotechnical investigations,	Reject

					contaminated land investigations, interments within existing cemeteries or urupā, soakpits, stormwater detention tanks, rainwater tanks, wastewater mitigation tanks, and the replacement or removal of underground petroleum storage systems and stormwater treatment devices."	
The Fuel Companies	471	65	Definition - Minor earthworks	Support in part	Amend the definition of "minor earthworks" as follows: "means earthworks for the purposes of piling, trenching, geotechnical investigations, contaminated land investigations, interments within existing cemeteries or urupā, soakpits, stormwater detention tanks, rainwater tanks, wastewater mitigation tanks, and the replacement or removal of underground petroleum storage systems and stormwater treatment devices."	Reject
Transpower New Zealand Limited	504	5a	Definition - Minor earthworks	Support	Retain definition as notified	Accept
Michael Rachlin	232	24	New definition - Community Scale Natural Hazard Mitigation Structure	Oppose (requesting new provision)	Add a definition for Community Scale Natural Hazard Mitigation Structure	Reject
Kāinga Ora - Homes and Communities	386	16	New definition - Stabilised	Oppose (requesting new provision)	Add definition of "Stabilised": "means the process of making an area of disturbed soil or site of earthworks resistant to erosion, achieved by paving, metaling, building over or revegetating. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is stabilised once 80% vegetative ground cover has been established over the entire area."	Reject

Wainuiomata Rural Community Association Incorporated	364	9	Objective EW-O1 (Earthworks)	Support in part	Amend so that "minimises adverse effects" is replaced with "avoids, remedies or mitigates adverse effects".	Accept
David Surrey	427	13b	Slope Assessment Overlay provisions	Oppose in part	Seeks that a different policy and rule framework applies for properties in the Slope Assessment Overlay which are at the base of hills as opposed to those properties on hills. The rule framework could be tied to buildings rather than earthworks, and a controlled activity status to allow for works, providing there is a geotechnical report	Reject
Wainuiomata Rural Community Association Incorporated	364	7b	Standard (EW-S6 Earthworks for farming tracks)	Amend	Amend to increase the cut-fill face limit to 3.5m.	Reject
Petone Historical Society Inc	496	40	Whole chapter	Support	Retain as notified	Accept in part
Wellington Fish and Game Council	509	1b	Definition - Riparian margins	Support	Retain definition as notified	No recommendation