EW – Earthworks

The relevant area specific zone chapter provisions apply in addition to this chapter.

Objectives

- EW-O1 Earthworks in all zones except the MRZ Medium density residential zone.
 - Earthworks facilitate subdivision, use and development.
- EW-O2 Earthworks in the MRZ Medium density residential zone.

Earthworks facilitate subdivision, use and development while avoiding, mitigating or remedying potential adverse effects.

Policies

- EW-PI Earthworks in the GRZ General residential zone, MRZ Medium density residential zone, LLRZ Large lot residential zone, SETZ Settlement zone or OSZ Open space zone.
- (1) Manage the effects of earthworks to ensure that:
 - (a) Erosion and sediment loss is avoided or mitigated;
 - (b) Changes to natural water flows and established drainage paths are mitigated;
 - (c) Adjoining properties and public services are protected;
 - (d) The importation of cleanfill is avoided in the zone; and
 - (e) Adverse effects on historic heritage are avoided.
- (2) Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.
- (3) Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, dust, lighting and traffic effects.
- (4) Subdivision and development occur in a manner that maintains fundamental shape, contour and landscape characteristics.
- (5) Manage the geotechnical risks to ensure the ground remains sound, safe and stable for the intended land use.
- EW-P2 Earthworks in the GRUZ General rural zone, FUZ Future urban zone, CORZ Corrections zone or TTZ TaTa Valley zone.
- (1) Enable earthworks associated with rural or conservation activities including:
 - (a) Ancillary rural earthworks;
 - (b) Farm quarries;
 - (c) The importation of controlled cleanfill material to a site; and
 - (d) Indigenous biodiversity restoration.
- (2) Manage earthworks to ensure that:
 - (a) Erosion and sediment loss is avoided or mitigated;

- (b) The ground is geotechnically sound and remains safe and stable for the duration of the intended land use;
- (c) Changes to natural water flows and established drainage paths are avoided or mitigated;
- (d) Adjoining properties and infrastructure are protected;
- (e) Historic heritage and cultural values are recognised and protected; and
- (f) Ecosystem protection, restoration, rehabilitation or enhancement works are encouraged.

EW-P3 Earthworks in the RLZ – Rural lifestyle zone.

- (I) Manage the effects of earthworks to ensure that:
 - (a) Erosion and sediment loss is avoided or mitigated;
 - (b) The ground is geotechnically sound and remains safe and stable for the duration of the intended land use;
 - (c) Changes to natural water flows and established drainage paths is avoided or mitigated.
- (2) Manage the importation of fill material to a site.
- (3) Appropriately manage the importation of cleanfill to a site.
- (4) Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, odour, dust, lighting and traffic effects.
- (5) Subdivision and development occur in a manner that maintains shape, contour and landscape characteristics.
- EW-P4 Earthworks in the LCZ Local centre zone, COM Commercial zone or TCZ Town centre zone.
- (1) Manage earthworks in the zone to minimise:
 - (a) The adverse effects and of sediment, of dust and stormwater runoff; and
 - (b) Adverse effects on heritage.
- EW-P5 Earthworks in the MAZ Mercer Airport zone.

Provide for the unique operational requirements of an airport whilst at the same time achieving appropriate levels of amenity for surrounding properties.

Rules

Land use – effects (zones specified in the first column)

EW-RI	Gardening or disturbance of land for the installation of fence posts	
All zones	(I) Activity status: PER (2) Activity status where	
	Activity specific conditions:	compliance not achieved: n/a
	Nil.	
EW-R2	Earthworks activities within the National Grid Yard	
All zones	(1) Activity status: PER (2) Activity status: RDIS	

Activity specific conditions:

- (a) Earthworks within the National Grid Yard that comply with all of the following standards:
 - (i) Do not exceed a depth (measured vertically) of 300mm within 12m of the outer visible edge of any National Grid support structure foundation.
 - (ii) Do not compromise the stability of a National Grid support structure;
 - (iii) Do not result in the loss of access to any National Grid support structure; and
 - (iv) Do not result in a reduction in the ground to conductor clearance distances of less than 6.5m (measured vertically) from a 110kV National Grid transmission line, or 7.5m (measured vertically) from a 220kV National Grid transmission line.
- (b) The following earthworks activities are exempt from Rules EW-R2(1)(a):
 - (i) Earthworks that are undertaken by a network utility operator (other than for the reticulation and storage of water for irrigation purposes) as defined by the Resource Management Act 1991;
 - (ii) Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track;
 - (iii) Vertical holes not exceeding 500mm in diameter that:
 - (I) Are more than I.5m from the outer edge of the pole support structure or stay wire; or
 - (2) Are a post hole for a farm fence or horticulture structure more than 6m

Where:

(a) Earthworks within the National Grid Yard that do not comply with Standard EW-R2(1)(a)(i) but complies with Standards EW-R2(1)(a)(ii) – (iv).

Council's discretion is restricted to the following matters:

- (b) Impacts on the operation, maintenance, upgrading and development of the National Grid;
- (c) The risk to the structural integrity of the affected National Grid support structure(s);
- (d) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid;
- (e) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
- (f) Technical advice provided by the National Grid owner (Transpower); and
- (g) Any effects on National Grid support structures including the creation of an unstable batter.

(3) Activity status: NC

Where:

(a) Earthworks within the National Grid Yard that is not a permitted activity under Rule EW-R2(I) or a restricted discretionary activity under Rule EW-R2(2)

from the visible outer edge of a tower support	
structure foundation.	

EW-R3	Earthworks – general	
	_	(2) Activity status where
lot residential		compliance not achieved: RDIS
LLRZ – Large	(1) Activity status: PER Where: (a) Earthworks (excluding the importation of fill material) within a site must meet all of the following standards: (i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) Not exceed a volume of more than 350m³; (iii) Not exceed an area of more than 1,000m² over any single consecutive 12 month period; (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (I vertical to 2 horizontal); (vi) Earthworks are set back at least 1.5m from all boundaries: (vii) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
	(ix) Do not divert or change the nature of natural water flows,	

EW-R4 LLRZ – Large lot residential zone; and SETZ – Settlement zone	water bodies or established drainage paths; and (x) Provided they are not within a kauri root zone Earthworks – general (I) Activity status: PER Where: (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported cleanfill material, must meet the following standards: (b) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and (c) Provided they are not within a kauri root zone	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (g) Volume and depth of fill material; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and
		(I) Provided they are not within a kauri root zone
EW-R5	Earthworks – general	
LLRZ – Large lot residential zone; and	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted
SETZ – Settlement zone	 (a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material, must meet all of the following standards: (i) Not exceed a total volume of 20m³; (ii) Not exceed a depth of 1.5m; (iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); 	to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area;

	(iv) Fill material is setback at least 1.5m from all boundaries; (v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and (vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (viii) Provided they are not within a kauri root zone.
EW-R6	Earthworks including the importation of cleanfill to a site
LLRZ – Large	(I) Activity status: NC
lot residential	Where:
zone; and SETZ –	(a) Earthworks including the importation of cleanfill to a site.
Settlement	
zone	

GRZ – General residential zone

EW-R7	Earthworks – general	
GRZ – General	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
residential zone	(a) Earthworks (excluding the use of cleanfill material or fill material) within a site must meet	Council's discretion is restricted to the following matters: (a) Amenity values and landscape
	all of the following standards: (b) Be located more than 1.5m horizontally from any waterway, open drain or overland flow path; (c) Not exceed a volume of 250m³ and an area of not more than 1,000m² over any consecutive 12 month period; (d) The total depth of any excavation or filling does not exceed 1.5m above or below	effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material;

- (f) Earthworks are set back at least 1.5m from all boundaries:
- (g) Areas exposed by earthworks are stabilised to avoid runoff within I month and re-vegetated to achieve 80% ground cover within 6 months of cessation of the earthworks;
- (h) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
- (i) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and
- (j) Provided they are not within a kauri root zone

- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths;
- (k) Land instability, erosion and sedimentation; and
- (I) The risk of earthworks exacerbating Kauri dieback disease.

Earthworks – general

GRZ – General residential zone

(I) Activity status: PER

Where:

- (a) Earthworks for the purpose of creating a building platform and accessway for residential purposes within a site, including the use of imported cleanfill material or imported fill material, must meet the following standards:
 - (i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and
 - (ii) Provided they are not within a kauri root zone

(2) Activity status where compliance not achieved: RDIS

Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks:
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths;

		(k) Land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
EW-R9	Earthworks – general	
GRZ –	(I) Activity status: PER	(2) Activity status where
General	Where:	compliance not achieved: RDIS
residential	(a) Earthworks for purposes other	Council's discretion is restricted
zone	than creating a building platform	to the following matters:
	for residential purposes within a	(i) Amenity values and landscape
	site, using imported fill material	effects;
	must meet all of the following	(ii) Volume, extent and depth of
	standards:	earthworks;
	(i) Not exceed a total volume of	(iii) Nature of fill material;
	20m³;	(iv) Contamination of fill
	(ii) Not exceed a depth of Im;	material;
	(iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2	(v) Location of the earthworks in relation to waterways, significant indigenous
	horizontal);	vegetation and habitat;
	(iv) Fill material is setback at	(vi) Compaction of the fill material;
	least 1.5m from all	(vii) Volume and depth of fill
	boundaries;	material;
	(v) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;	(viii) Protection of the HaurakiGulf Catchment Area;(ix) Geotechnical stability;(x) Flood risk, including natural
	(vi) Sediment resulting from the	water flows and established
	filling is retained on the site	drainage paths;
	through implementation and	(xi) Land instability, erosion and sedimentation; and
	maintenance of erosion and sediment controls and does	(xii) The risk of earthworks
	not enter waterways, open	exacerbating Kauri dieback
	drains or overland flow paths;	disease.
	(vii) Do not divert or change the	
	nature of natural water flows,	
	water bodies or established	
	drainage paths; and	
	(viii) Provided they are not	
	within a kauri root zone.	
EW-RIO	Earthworks involving the importation of	controlled fill material to a site
GRZ –	(I) Activity status: NC	
General residential zone	Where: (a) Earthworks involving the important	tion of controlled fill material to a site
EW-RII	Earthworks – general in PREC31- Lakesi	de Te Kauwhata precinct

PREC31-Lakeside Te Kauwhata precinct in the GRZ – General residential zone

(I) Activity status: PER

Where:

- (a) Earthworks (excluding the importation of fill, or a CLDC), including earthworks necessary for the construction and maintenance of existing public roads or for construction of new roads in accordance with the Te Kauwhata Lakeside Precinct Plan, must meet all the following standards:
 - (i) do not disturb or move more than 200m² within an individual site in a single calendar year except where the maximum area at any one time shall not exceed 400m², and
 - (ii) in relation to the height of any cut or batter face do not exceed 2m, or
 - (iii) are necessary for building works authorised by a building consent and:
 - (1) The area of earthworks is no more than 150% of the area of those building works, or
 - (2) The earthworks occur on land with an average gradient no steeper than I:8, or
 - (3) Any trenching for network utilities, or on or offsite utilities within PREC31 Lakeside Te Kauwhata precinct area are backfilled or reinstated to original ground level; or
 - (4) Traffic associated with the works is managed in accordance with a Construction Traffic Management Plan approved by the Waikato District Council as the road controlling authority;
 - (5) Including any cut and batter faces or filled

(2) Activity status where compliance not achieved: CON Council control shall be reserved over the following matters:

- (a) Effects on amenity values;
- (b) Visual effects;
- (c) Mitigation measures including sediment control;
- (d) Effects on land utilization;
- (e) Effects on erosion;
- (f) Effects on cultural values;
- (g) Effects on heritage values;
- (h) Effects on the Lake Waikare flood plain; and
- (i) The risk of earthworks exacerbating Kauri dieback disease.

- areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced; and
- (6) Retain sediment within the construction area through the implementation and maintenance of sediment controls:
- (7) Provided they are not within a kauri root zone.
- (b) Rules EW-R7 EW-R10 and SASM-R4 do not apply to earthworks within PREC31-Lakeside Te Kauwhata precinct; and

Advice note: The Waikato Pest Management Plan addresses the management of identified pest species, including alligator weed. It includes enforceable controls relating to subdivision and land development in infected areas.

EW-RI2

PREC31-Lakeside Te Kauwhata precinct in the GRZ -General residential zone

Earthworks – general in PREC31- Lakeside Te Kauwhata precinct

(I) Activity status: PER Where:

(a) Earthworks involving imported fill material (other than

- earthworks approved as part of a CLDC) meets all of the following standards:
 - (i) All material for filling is cleanfill, and
 - (ii) Filling that is not part of building work, or construction of roads, or installation of infrastructure:
 - (I) Does not exceed a volume of 20m² and a depth of Im, and
 - (2) Does not include a building platform, and
 - (3) Does not include placing fill into an area of significant indigenous vegetation or habitat, or
 - (iii) Is for minor upgrading of existing electricity lines and does not exceed 50m², and

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted

to the following matters: (a) Effects on amenity values;

- (b) Visual effects;
- (c) Effects on indigenous vegetation and habitat:
- (d) Mitigation measures including replacement planting where vegetation removal is involved;
- (e) Effects on cultural values;
- (f) Effects on heritage values; and
- (g) The risk of earthworks exacerbating Kauri dieback disease

(iv) Where traffic associated with the work uses public roads, is managed in accordance with an approved Construction Traffic Management Plan or authorised in writing by Waikato District Council as the road controlling authority; and
(v) Provided they are not within

- (v) Provided they are not within a kauri root zone.
- (b) Rules EW-R7 EW-R10 and SASM-R4 do not apply to earthworks within PREC31-Lakeside Te Kauwhata precinct.

Advice note: The Waikato Pest Management Plan addresses the management of identified pest species, including alligator weed. It includes enforceable controls relating to subdivision and land development in infected areas.

MRZ – Medium density residential zone

EW-R13	Earthworks – general	
MRZ – Medium	(1) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
density residential zone	 (a) Earthworks (excluding the importation of fill material) within a site must meet all of the following standards: (i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) Not exceed a volume of 1000m³; (iii) Not exceed an area of 1ha over any consecutive 12 month period; (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); 	Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitats; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Geotechnical stability; (i) Flood risk, including natural water flows and established drainage paths; (j) Land instability, erosion and sedimentation; and

	(vi) Earthworks must not result in any instability of land or	(k) The risk of earthworks exacerbating Kauri dieback
	structures at, or beyond, the boundary of the site where the land disturbance occurs;	disease.
	(vii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;	
	(viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and	
	(ix) Do not divert or change the nature of natural water flows, water bodies or stablished drainage paths; and	
	(x) Provided they are not within a kauri root zone	
EW-RI4	Earthworks – general	
MRZ – Medium	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
	Where: (a) Earthworks for the purpose of	compliance not achieved: RDIS Council's discretion is restricted
Medium density	Where: (a) Earthworks for the purpose of creating a building platform for residential purposes within a	compliance not achieved: RDIS Council's discretion is restricted to the following matters: (i) Amenity values and landscape
Medium density residential	Where: (a) Earthworks for the purpose of creating a building platform for	compliance not achieved: RDIS Council's discretion is restricted to the following matters:
Medium density residential	Where: (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, including the use of imported cleanfill material and imported fill material, must meet the following standards: (i) Be carried out in accordance	compliance not achieved: RDIS Council's discretion is restricted to the following matters: (i) Amenity values and landscape effects; (ii) Volume, extent and depth of
Medium density residential	Where: (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, including the use of imported cleanfill material and imported fill material, must meet the following standards:	compliance not achieved: RDIS Council's discretion is restricted to the following matters: (i) Amenity values and landscape effects; (ii) Volume, extent and depth of earthworks; (iii) Nature of fill material;
Medium density residential	Where: (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, including the use of imported cleanfill material and imported fill material, must meet the following standards: (i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and (ii) Provided they are not within	compliance not achieved: RDIS Council's discretion is restricted to the following matters: (i) Amenity values and landscape effects; (ii) Volume, extent and depth of earthworks; (iii) Nature of fill material; (iv) Contamination of fill material; (v) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitats; (vi) Compaction of the fill
Medium density residential	Where: (a) Earthworks for the purpose of creating a building platform for residential purposes within a site, including the use of imported cleanfill material and imported fill material, must meet the following standards: (i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and (ii) Provided they are not within	compliance not achieved: RDIS Council's discretion is restricted to the following matters: (i) Amenity values and landscape effects; (ii) Volume, extent and depth of earthworks; (iii) Nature of fill material; (iv) Contamination of fill material; (v) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitats; (vi) Compaction of the fill material; (vii) Volume and depth of fill

		(xi) The risk of earthworks exacerbating Kauri dieback disease
EW-RI5	Earthworks – general	
EW-R15 MRZ – Medium density residential zone	Earthworks – general (I) Activity status: PER Where: (a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material must meet all of the following standards: (i) Not exceed a total volume of 50m³; (ii) Not exceed a depth of 1.5m; (iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (I vertical to 2 horizontal); (iv) Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where the land disturbance occurs; (v) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vii) Do not divert or change the nature of natural water flows, water bodies or established	
	drainage paths; and (viii) Provided they are not within a kauri root zone	
EW-RI6		
MRZ –	Earthworks – general	
MRZ – Medium density residential zone	(I) Activity status: NC Where: (a) Earthworks involving the important	tion of controlled fill material to a site.

GRUZ – General rural zone

Advice note: the National Environmental Standards for Freshwater 2020 also contain rules relating to earthworks and apply in addition to the District Plan rules.

EW-RI7	Ancillary rural earthworks	
GRUZ –	(I) Activity status: PER	(2) Activity status where
General rural	Activity specific conditions:	compliance not achieved: RDIS
zone; CORZ –	(a) Provided they are not within a kauri root zone	Council's discretion is restricted to the following matters:
Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone	Radiff Got Zone	(a) The risk of earthworks exacerbating Kauri dieback disease
EW-R18	A farm quarry	
GRUZ – General rural	(I) Activity status: PER Activity specific conditions:	(2) Activity status where compliance not achieved: RDIS
CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone	 (a) Where the volume of aggregate extracted does not exceed 1000m³ in any single consecutive 12 month period; (b) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path; and (c) Provided they are not within a kauri root zone. 	to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material or cleanfill; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf
		Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease.
EW-RI9	Earthworks required to form a building p	platform

GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone

(1) Activity status: PER Activity specific conditions:

- (a) Earthworks required to form a building platform that will be subject to a building consent where undertaken in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development; and
- (b) Provided they are not within a kauri root zone.

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks:
- (c) Nature of fill material;
- (d) Contamination of fill material or cleanfill;
- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Protection of the Hauraki Gulf Catchment Area:
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths;
- (k) Land instability, erosion and sedimentation;
- (I) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and
- (m) The risk of earthworks exacerbating Kauri dieback disease.

EW-R20

Earthworks ancillary to a conservation activity

GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone

(1) Activity status: PER Activity specific conditions:

- (a) Shall meet the following standards:
 - (i) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and
 - (ii) Provided they are not within a kauri root zone

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material or cleanfill;
- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;

(h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (I) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease. EW-R2I Earthworks - general GRUZ -(I) Activity status: PER (2) Activity status where General rural compliance not achieved: RDIS Where: zone: Council's discretion is restricted (a) With the exception of CORZ to the following matters: earthworks for the activities Corrections listed in EW-R16 - EW-R20 (a) Amenity values and landscape Zone: earthworks within a site must effects; FUZ – Future meet all of the following (b) Volume, extent and depth of urban zone; standards: earthworks; and TTZ -(i) Do not exceed a volume of (c) Nature of fill material; TaTa Valley more than 1000m³ and an (d) Contamination of fill material or zone area of more than 2000m² cleanfill: over in any single consecutive (e) Location of the earthworks to 12 month period; waterways, significant indigenous (ii) The total combined depth of vegetation and habitat; any excavation (excluding (f) Compaction of the fill material; drilling) or filling does not (g) Volume and depth of fill exceed 3m above or below material; natural ground level; (h) Protection of the Hauraki Gulf (iii) Take place on land with a Catchment Area; maximum slope of 1:2 (1 (i) Geotechnical stability; vertical to 2 horizontal); (i) Flood risk, including natural (iv) Earthworks are setback a water flows and established minimum of 1.5m from all drainage paths; boundaries: (k) Land instability, erosion and (v) Areas exposed by sedimentation; and earthworks are stabilised on (I) Effects on the safe, effective and completion and any efficient operation, maintenance remaining bare ground and upgrade of infrastructure, re-vegetated to achieve 80% ground cover within 2 including access; and months of the completion of (m) The risk of earthworks the earthworks: exacerbating Kauri dieback disease. (vi) Sediment resulting from the earthworks is managed on

the site through implementation and

EW-R22 GRUZ – General rural zone; CORZ – Corrections Zone; FUZ – Future urban zone; and TTZ – TaTa Valley zone	not enter waterways, open drains or overland flow paths; and (vii) Provided they are not within a kauri root zone. Earthworks – general (1) Activity status: PER Where: (a) With the exception of earthworks for the activities listed in EW-R16 – EW-R20 using imported cleanfill material, concrete or brick must meet all of the following standards; (i) Do not exceed a total volume of 500m³ in any single consecutive 12 month period; (ii) Do not exceed a depth of Im above natural ground level; (iii) The slope of the resulting filled area in stable ground does not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Fill material is setback a minimum of 1.5m from all boundaries; (v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 2 months of the completion of the filling; (vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and (vii) Provided they are not within a kauri root zone. Earthworks within a Whaanga Coast deventer waterways water and waterways waterways waterways waterways waterways waterways waterways waterways waterways waterw	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material or cleanfill; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease.
DDFCF	PREC5 – Whaanga Coast development precinct	
PREC5 - Whaanga Coast	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: DIS

development	(-) F	
precinct	(a) Earthworks within a Whaanga	
precinct	Coast development specific	
	control area that complies with	
	all of the following standards:	
	(i) Do not exceed a volume of	
	more than 500m³ and an area	
	of more than 1000m ² ;	
	(ii) The total depth of any	
	excavation or filling does not	
	exceed 1.5m above or below	
	ground level with a maximum	
	slope of 1:2 (1 vertical to 2	
	horizontal);	
	(iii) Areas exposed by	
	earthworks are re-vegetated	
	to achieve 80% ground cover	
	within 2 months of the	
	completion of the	
	earthworks;	
	(iv) Sediment resulting from the	
	earthworks is retained on the	
	site through implementation	
	and maintenance of erosion	
	and sediment controls and	
	does not enter waterways,	
	open drains or overland flow	
	paths;	
	(v) Do not divert or change the	
	nature of natural water flows,	
	water bodies or established	
	drainage; and	
	(vi) Provided they are not within a kauri root zone	
	(b) Rules EW-R17 to EW-R22 do	
	not apply to earthworks within	
	PREC5 – Whaanga Coast	
	development precinct.	

RLZ – Rural lifestyle zone

EW-R24	Earthworks – general	
RLZ – Rural lifestyle zone	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
	(a) Earthworks within a site for: (i) Ancillary rural earthworks; or	Council's discretion is restricted to the following matters:
	(ii) Construction and/or maintenance of tracks, fences	(a) Amenity values and landscape effects;
	or drains; or (iii) A building platform for a	(b) Volume, extent and depth of earthworks;
	residential activity including an accessory building.	(c) Nature of fill material;(d) Contamination of fill material;

	1 4	T , ,
	(b) Provided they are not within a kauri root zone.	 (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks
		exacerbating Kauri dieback
		disease.
EW-R25	Earthworks – general	
RLZ – Rural	(I) Activity status: PER	(2) Activity status where
lifestyle zone	Where:	compliance not achieved: RDIS
	(a) Earthworks within a site for	Council's discretion is restricted
	purposes other those contained in EW-R24 (excluding the importation of fill material) must meet all of the following standards: (i) Do not exceed a volume of more than 500m³ and an area of more than 1000m² within a site over any single consecutive 12 month period; (ii) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; (iii) Earthworks are set back at least 1.5m from any boundary; (iv) Areas exposed by earthworks are re-vegetated or otherwise stabilised to achieve 80% ground cover within 2 months of the completion of the earthworks;	to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and

	 (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (vii) Provided they are not within a kauri root zone. 	(m) The risk of earthworks exacerbating Kauri dieback disease.
EW-R26	Earthworks – general	
RLZ – Rural lifestyle zone	(I) Activity status: PER	(2) Activity status where compliance not achieved: RDIS
	Where: (a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material must meet all of the following standards: (i) Not exceed a total volume of 50m³; (ii) Not exceed a depth of 1.5m; (iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (I vertical to 2 horizontal); (iv) Fill material is set back 1.5m from all boundaries; (v) Areas exposed by filling are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (viii) Provided they are not	Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and (m) The risk of earthworks exacerbating Kauri dieback disease.

within a kauri root zone.

EW-R27	Earthworks including the importation of cleanfill to a site	
RLZ – Rural	(I) Activity status: NC	
lifestyle zone	Where:	
	(a) Earthworks including the importation of cleanfill to a site.	

LCZ – Local centre zone and COMZ – Commercial zone

EW-R28	Earthworks – general	
LCZ – Local	(I) Activity status: PER	(2) Activity status where
centre zone;	Where:	compliance not achieved: RDIS
LCZ – Local	•	, · ·

EW-R29 LCZ – Local centre zone; COMZ – Commercial zone	water bodies or established drainage paths; and (viii) Provided they are not within a kauri root zone Earthworks – general (I) Activity status: PER Where: (a) Earthworks for the purpose of creating a building platform within a site (including the use of imported fill material) that is: (i) Subject to an approved building consent; and (ii) The earthworks occur wholly within the footprint of the building. (b) For the purposes of this rule, the footprint of the building extends I.8m from the outer edge of the outside wall. (c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building; and (d) Provided they are not within a kauri root zone.	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths (k) Land instability, erosion and sedimentation;
		(I) Proximity to underground services and service connections; and (m) The risk of earthworks exacerbating Kauri dieback
		disease.
EW-R30	Earthworks – general	(0) 4 (1)
LCZ – Local centre zone; COMZ – Commercial	(I) Activity status: PER Where: (a) Earthworks using the	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted
zone	importation of fill material to a site must meet all of the following standards:	to the following matters: (a) Amenity values and landscape effects;
	 (i) Must not exceed a total volume of 500m³ per site and a depth of Im (excluding backfill) (ii) The slope of the resulting filled area in stable ground must not exceed a maximum 	 (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material;

slope of 1:2 (Im vertical to (g) Volume and depth of fill 2m horizontal); material; (iii) Fill material is setback at (h) Protection of the Hauraki Gulf least 1.5m from all Catchment Area; boundaries: (i) Geotechnical stability; (iv) Areas exposed by (j) Flood risk, including natural earthworks are stabilised to water flows and established avoid runoff within I month drainage paths and revegetated to achieve (k) Land instability, erosion and 80% ground cover within 6 sedimentation; and months of the cessation of (I) Proximity to underground the earthworks; services and service (v) Sediment resulting from the connections; and earthworks is retained on the (m) The risk of earthworks site through implementation exacerbating Kauri dieback and maintenance of erosion disease. and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Do not divert or change the

nature of natural water flows, water bodies or established

drainage paths; and (vii) Provided they are not within a kauri root zone.

TCZ - Town centre zone

EW-R31	Earthworks – general	
EW-R31 TCZ – Town centre zone	Earthworks – general (I) Activity status: PER Where: (a) Earthworks within a site must meet all of the following standards: (i) Earthworks must be located more than I.5m from infrastructure including a public sewer, open drain, overland flow path or other public service pipe;	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in
	(ii) Earthworks must not exceed a volume of more than 250m ³ and an area of more than 1,000m ² within a site over any single consecutive	(e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;(f) Compaction of the fill material;
	I2 month period; (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, , does not exceed 1.5m, with a	 (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability;

- maximum slope of 1:2 (1 vertical to 2 horizontal);
- (iv) Earthworks are set back at least 1.5m from all boundaries:
- (v) Areas exposed by earthworks are stabilised to avoid runoff within I month and re-vegetated to achieve 80% ground cover within 2 months of completion of the earthworks or finished with a hardstand surface:
- (vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
- (vii) Earthworks must not divert or change the nature of natural water flows, waterbodies or established drainage paths;
- (viii) Earthworks must not result in the site being unable to be serviced by gravity sewers; and
- (ix) Provided they are not within a kauri root zone.

- (j) Flood risk, including natural water flows and established drainage paths
- (k) Land instability, erosion and sedimentation;
- (I) Proximity to underground services and service connections: and
- (m) The risk of earthworks exacerbating Kauri dieback disease.

Earthworks - general

TCZ - Town centre zone

(I) Activity status: PER Where:

- (a) Earthworks for the purpose of creating a building platform within a site (including the use of imported fill material) that is:
 - (i) Subject to an approved building consent; and
 - (ii) The earthworks occur wholly within the footprint of the building.
- (b) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall.
- (c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;

are not required for the
structural support of the
building; and

- (d) Provided they are not within a kauri root zone.
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths
- (k) Land instability, erosion and sedimentation;
- (I) Proximity to underground services and service connections: and
- (m) The risk of earthworks exacerbating Kauri dieback disease.

Earthworks – general

TCZ – Town centre zone

(I) Activity status: PER

Where:

- (a) Earthworks using the importation of fill material to a site must meet all of the following standards:
 - (i) Must not exceed a total volume of 500m³ per site and a depth of Im (excluding backfill);
 - (ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (Im vertical to 2m horizontal);
 - (iii) Fill material is set back at least 1.5m from all boundaries;
 - (iv) Areas exposed by earthworks are stabilised to avoid runoff within I month and revegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks:
 - (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
 - (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material:
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths
- (k) Land instability, erosion and sedimentation;
- (I) Proximity to underground services and service connections; and
- (m) The risk of earthworks exacerbating Kauri dieback disease.

(vii) Provided they are not	
within a kauri root zone.	

GIZ – General industrial zone

EW-R34	Earthworks – general	
GIZ – General	(I) Activity status: PER	(2) Activity status where
industrial zone	Where:	compliance not achieved: RDIS
industrial zone		compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths;
	retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vii) Do not result in any change to natural water flows, any water body or established	 (k) land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
	drainage path; and	
	(viii) Provided they are not within a kauri root zone.	
EW-R35	Earthworks – general	
GIZ – General	(I) Activity status: PER	(2) Activity status where
industrial zone	Where:	compliance not achieved: RDIS
	(a) Earthworks within a site that may, or may not, involve	Council's discretion is restricted to the following matters:
	imported cleanfill material, for the purpose of creating a	(a) Amenity values and landscape effects;

building platform and/or ancillary hardstand area:

- (i) Provided they are not within a kauri root zone.
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material:
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths;
- (k) land instability, erosion and sedimentation; and
- The risk of earthworks exacerbating Kauri dieback disease.

EW-R36

Earthworks - general

GIZ – General industrial zone

(I) Activity status: PER

Where:

- (a) Earthworks involving imported fill material (excluding cleanfill material) for purposes other than creating a building platform for residential purposes within a site, that:
 - (i) Are located at least 1.5 metres from any water body, open drain or overland flow path;
 - (ii) Do not exceed a volume of 10,000m³;
 - (iii) Do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal);
 - (iv) Result in exposed areas being re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface;
 - (v) Result in sediment being retained on the site through implementation and maintenance of erosion and

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted

to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths;
- (k) land instability, erosion and sedimentation; and

sediment controls and does	(I) The risk of earthworks
not enter waterways, open drains or overland flow	exacerbating Kauri dieback
paths;	disease.
(vi) Do not result in any change to natural water flows, any water body or established drainage path; and	
(vii) Provided they are not within a kauri root zone.	

HIZ – Heavy industrial zone

EW-R37	Earthworks – general	
HIZ – Heavy industrial zone	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
EW-R38	(a) Earthworks (excluding the importation of fill material) within a site that: (i) Are located at least 1.5 m from any water body, open drain or overland flow path; (ii) Do not exceed a volume of 10,000m³; (iii) Do not exceed an area of more than 10,000m² within a 12 month period; (iv) Do not exceed a slope in stable ground of 1:2 (I metre vertical to 2 metre horizontal); (v) Result in exposed areas being re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface; (vi) Result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vii) Do not result in any change to natural water flows, any water body or established drainage path; and (viii) Provided they are not within a kauri root zone.	Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; and (l) The risk of earthworks exacerbating Kauri dieback disease.
EW-R38	Earthworks – general	

HIZ – Heavy industrial zone

(I) Activity status: PER

Where:

- (a) Earthworks within a site that may, or may not, involve imported cleanfill material, for the purpose of creating a building platform and/or ancillary hardstand area:
 - (i) Provided they are not within a kauri root zone.

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks:
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths;
- (k) Land instability, erosion and sedimentation; and
- (I) The risk of earthworks exacerbating Kauri dieback disease.

EW-R39

Earthworks – general

HIZ – Heavy industrial zone

(I) Activity status: PER

Where:

- (a) Earthworks involving imported fill material (excluding cleanfill material) for purposes other than creating a building platform for residential purposes within a site, that:
 - (i) Are located at least 1.5 metres from any water body, open drain or overland flow path
 - (ii) Do not exceed a volume of 10,000m³;
 - (iii) Do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal);
 - (iv) Result in exposed areas being re-vegetated to achieve 80% ground cover within 2 months of the completion of

(2) Activity status where compliance not achieved: RDIS

Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects:
- (b) Volume, extent and depth of earthworks:
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths;

the earthworks, or finished
with a hardstand surface;
Result in sediment being

- (v) Result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
- (vi) Do not result in any change to natural water flows, any water body or established drainage path; and
- (vii) Provided they are not within a kauri root zone.

- (k) Land instability, erosion and sedimentation; and
- (I) The risk of earthworks exacerbating Kauri dieback disease.

OSZ – Open space zone

EW-R40	Earthworks – general	
OSZ – Open	(I) Activity status: PER	(2) Activity status where
space zone	Where:	compliance not achieved: RDIS
space zone	 (a) Earthworks (excluding the importation of fill material) within a site must meet all of the following standards: (i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; (ii) Not exceed a volume of more than 250m³ and an area of more than 1,000m² over a single consecutive 12-month period; (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, does not exceed 1.5m, with a maximum slope of 1:2 (I vertical to 2 horizontal); (iv) Areas exposed by earthworks are re-vegetated or otherwise stabilised to achieve 80% ground cover within 2 months of the completion of the earthworks; (v) Earthworks are set back at least 1.5m from all boundaries; 	Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenou vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Proximity to underground services and service connections; and (m) The risk of earthworks exacerbating Kauri dieback disease.

Т		T
	(vi) Sediment resulting from the	
	earthworks is retained on the	
	site through implementation	
	and maintenance of erosion	
	and sediment controls and	
	does not enter waterways,	
	open drains or overland flow	
	paths;	
	(vii) Does not divert or change	
	the nature of natural water	
	flows, water bodies or	
	established drainage paths;	
	and	
	(viii) Provided they are not	
	within a kauri root zone.	
EW-R4I	Earthworks – general	
OSZ – Open	(I) Activity status: PER	(2) Activity status where
space zone	Where:	compliance not achieved: RDIS
'		Council's discretion is restricted
	(a) Earthworks for purposes of	to the following matters:
	creating a building platform	_
	within a site, using imported fill material:	(a) Amenity values and landscape effects;
	(i) Provided they are not within a kauri root zone.	(b) Volume, extent and depth of earthworks;
	# · ## · * * * * * * * * * * * * * * * *	(c) Nature of fill material;
		(d) Contamination of fill material;
		l , ,
		(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
		_
		(f) Compaction of the fill material;
		(g) Volume and depth of fill material;
		(h) Protection of the Hauraki Gulf Catchment Area;
		(i) Geotechnical stability;
		(j) Flood risk, including natural water flows and established
		drainage paths;
		(k) Land instability, erosion and sedimentation;
		(I) Proximity to underground
		services and service
		connections; and
		(m) The risk of earthworks
		exacerbating Kauri dieback disease.
EW-R42	Earthworks – general	1
OSZ – Open	(I) Activity status: PER	(2) Activity status where
space zone	Where:	compliance not achieved: RDIS
		Council's discretion is restricted
	(a) Earthworks for purposes other than creating a building platform	to the following matters:

	within a site, using imported fill material (excluding cleanfill) must meet all of the following standards: (i) Must not exceed a total volume of 500m3 per site and a depth of I m; (ii) The slope of the resulting in stable ground must not exceed a maximum slope of	 (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
	boundaries; (iv) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks; (v) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (vii) Provided they are not within a kauri root zone.	Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths; (k) Land instability, erosion and sedimentation; (l) Proximity to underground services and service connections; and (m) The risk of earthworks exacerbating Kauri dieback disease.
EW-R43	Earthworks – general	
OSZ – Open	(I) Activity status: NC	
space zone	(a) Importation of cleanfill to a site.	

BTZ – Business Tamahere zone

EW-R44	Earthworks – general	
BTZ – Business	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
Tamahere zone	 (a) Earthworks within a site must meet all of the following standards: (i) Earthworks must be located more than 1.5m from infrastructure including a public sewer, open drain, 	Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material;

- overland flow path or other public service pipe;
- (ii) Earthworks must not exceed a volume of more than 5000m³ and an area of more than 1000m² within a site;
- (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, does not exceed 1.5m, with a maximum slope of 1:2 (I vertical to 2 horizontal);
- (iv) Areas exposed by earthworks are stabilised to avoid runoff within I month and re-vegetated to achieve 80% ground cover within 6 months of cessation of the earthworks:
- (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and
- (vi) Provided they are not within a kauri root zone.

- (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;
- (j) Flood risk, including natural water flows and established drainage paths
- (k) Land instability, erosion and sedimentation;
- (I) Proximity to underground services and service connections; and
- (m) The risk of earthworks exacerbating Kauri dieback disease.

Earthworks - general

Where:

BTZ – Business Tamahere zone

(I) Activity status: PER

- (a) Earthworks for the purpose of creating a building platform within a site (including the use of imported fill material) that is:
 - (i) Subject to an approved building consent;
 - (ii) The earthworks occur wholly within the footprint of the building;
 - (iii) The earthworks do not within a kauri root zone.
- (b) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall.
- (c) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects:
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Protection of the Hauraki Gulf Catchment Area;
- (i) Geotechnical stability;

	·	T () =
	structural support of the building.	 (j) Flood risk, including natural water flows and established drainage paths (k) Land instability, erosion and sedimentation; (l) Proximity to underground services and service connections; and (m) The risk of earthworks exacerbating Kauri dieback disease.
EW-R46	Earthworks – general	
BTZ –	(I) Activity status: PER	(2) Activity status where
Business	Where:	compliance not achieved: RDIS
Tamahere zone	(a) Earthworks using the	Council's discretion is restricted
ZOTIC	importation of fill material to a	to the following matters:
	site must meet all of the following standards:	(a) Amenity values and landscape effects;
	(i) Must not exceed a total volume of 500m³ per site and	(b) Volume, extent and depth of earthworks;
	a depth of Im (excluding	(c) Nature of fill material;
	backfill);	(d) Contamination of fill material;
	(ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (Im vertical to 2m horizontal); (iii) Fill material is setback at least 1.5m from all boundaries; (iv) Areas exposed by earthworks are stabilised to avoid runoff within I month and revegetated to achieve 80% ground cover within 6 months of the cessation of the earthworks; (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and (vii) Provided they are not within a kauri root zone.	 (e) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Protection of the Hauraki Gulf Catchment Area; (i) Geotechnical stability; (j) Flood risk, including natural water flows and established drainage paths (k) Land instability, erosion and sedimentation; (l) Proximity to underground services and service connections; (m) The risk of earthworks exacerbating Kauri dieback disease.

HOPZ – Hopuhopu zone

EW-R47	Earthworks – general	
HOPZ –	(I) Activity status: PER	(2) Activity status where
Hopuhopu	Where:	compliance not achieved: RDIS
zone	(a) Except as otherwise specified in Advice note 1 and 2 below:	Council's discretion is restricted to the following matters:
	(i) Ancillary rural earthworks provided they are not within	(a) Amenity values and landscape effects;
	a kauri root zone; (ii) A farm quarry where the	(b) Volume, extent and depth of earthworks;
	volume of aggregate	(c) Nature of fill material;
	extracted does not exceed 1000m³ in any single	(d) Contamination of fill material or clean fill;
	consecutive 12 month period and provided they are not within a kauri root zone.	(e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
	(b) Earthworks ancillary to a conservation activity must meet the following standards:	(f) Compaction of the fill material; (g) Volume and depth of fill
	(i) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and (ii) Provided they are not within a kauri root zone.	material; (h) Geotechnical stability; (i) Flood risk, including natural water flows and established drainage paths; (j) Land instability, erosion and sedimentation; (k) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; (l) Proximity to underground services and service connections; and (m) The risk of earthworks exacerbating Kauri dieback disease.
EW-R48	Earthworks – general	
HOPZ –	(I) Activity status: PER	(2) Activity status where
Hopuhopu	Where:	compliance not achieved: RDIS
zone	(a) With the exception of earthworks for the activities	Council's discretion is restricted to the following matters:
	listed in EW-R47 and EW-R49, earthworks across the whole of	(a) Amenity values and landscape effects;
	the HOPZ – Hopuhopu zone must meet all of the following standards:	(b) Volume, extent and depth of earthworks;
	(i) Cumulatively, do not exceed a volume of more than 2000m ³ and an area of more than 4000m ² over any single consecutive 12 month period	(c) Nature of fill material; (d) Contamination of fill material or clean fill;

- of which imported fill material or cleanfill does not exceed a total volume of 1,000m³ in any single consecutive 12 month period;
- (ii) The total combined depth of any excavation (excluding drilling) or filling does not exceed 3m above or below natural ground level;
- (iii) Take place on land with a maximum slope of 1:2 (I vertical to 2 horizontal);
- (iv) Earthworks are setback a minimum of 1.5m from all site and zone boundaries;
- (v) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path;
- (vi) Areas exposed by earthworks are stabilised to avoid runoff within I month and any remaining bare ground re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks or finished with a hardstand surface:
- (i) Sediment resulting from the earthworks is managed on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
- (ii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths;
- (iii) Earthworks must not result in the site being unable to be serviced by gravity sewers; and
- (iv) Provided they are not within a kauri root zone.

- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Geotechnical stability;
- (i) Flood risk, including natural water flows and established drainage paths;
- (j) Land instability, erosion and sedimentation;
- (k) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access;
- (I) Proximity to underground services and service connections; and
- (m) The risk of earthworks exacerbating Kauri dieback disease.

Earthworks - general

HOPZ – Hopuhopu zone

(I) Activity status: PER

Where:

- (a) Earthworks for the purpose of creating a building platform (including the use of imported fill material) that is:
 - (i) Subject to an approved building consent;
 - (ii) The earthworks occur wholly within the footprint of the building;
 - (iii) Provided they are not within a kauri root zone;
 - (iv) For the purposes of this rule, the footprint of the building extends 1.8m from the outer edge of the outside wall; and
 - (v) For the purposes of this rule, this exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the building.

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material or clean fill;
- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Geotechnical stability;
- (i) Flood risk, including natural water flows and established drainage paths;
- (j) Land instability, erosion and sedimentation;
- (k) Effects on the safe, effective and efficient operation, maintenance and upgrade of infrastructure, including access; and
- (I) Proximity to underground services and service connections; and
- (m) The risk of earthworks exacerbating Kauri dieback disease.

Advice Note 1: The Hopuhopu Archaeological Site map below (Figure 19) indicates an area which contains Maaori-made soils and possible borrow pits. Heritage New Zealand Pouhere Taonga should be contacted regarding development in this area and an archaeological assessment to determine the need for an archaeological authority. The Heritage New Zealand Pouhere Taonga Act 2014 protects both recorded and unrecorded archaeological sites.

Advice Note 2: The 'Indicative Borrow Pit and Maaori-Made Soils' area also coincides with an area known to have contained alligator weed. The Waikato Regional Pest Management Plan 2014-2024 contains rules which relate to the management of alligator weed.

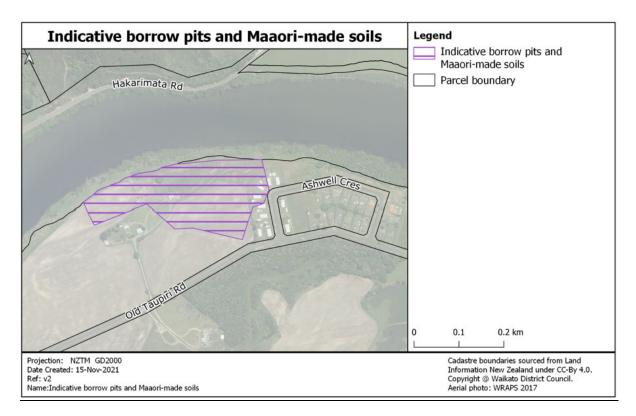


Figure 19 - Indicative borrow pits and Maaori-made soils

KLZ – Kimihia lakes zone

EW-R50	Earthwork – general	
KLZ – Kimihia lakes zone	(1) Activity status: PER Where: (a) Areas exposed by earthworks are re-vegetated must achieve 80% ground cover within 2 months of the completion of the earthworks except where earthworks are for the purposes of creating infrastructure or facilities for recreation, events and access, no re-vegetation is required; (b) Sediment resulting from the earthworks must be retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; (c) The importation of fill material to site must meet the following conditions: (d) Does not restrict the ability for land to drain;	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Contamination of fill material; (b) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (c) Flood risk, including natural water flows and established drainage paths; (d) Land instability, erosion and sedimentation; and (e) Proximity to underground services and service connections; and (f) The risk of earthworks exacerbating Kauri dieback disease.

(e) Is not located within I.5m of public sewers, utility services or manholes;	
(f) The sediment from fill material is retained on the site; and	
(g) Provided they are not within a kauri root zone.	

MAZ – Mercer airport zone

EW-R5I	Farthworks general	
MAZ –	Earthworks – general (I) Activity status: PER	(2) Activity status where
Mercer airport		compliance not achieved: RDIS
zone	Where:	•
20110	(a) Earthworks within the MAZ –	Council's discretion is restricted
	Mercer Airport zone must meet	to the following matters:
	all of the following standards:	(a) Amenity values and landscape
	(i) Earthworks must not exceed	effects;
	a volume of more than	(b) Volume, extent and depth of
	1,000m³ in a single calendar	earthworks;
	year;	(c) Nature of fill material;
	(ii) Earthworks must not exceed	(d) Contamination of fill material;
	an area of more than	(e) Location of earthworks relative
	1,000m² in a single calendar	to waterways;
	year;	(f) Compaction of fill material;
	(iii) The height of the resulting	(g) Volume and depth of fill
	cut or batter face does not	material;
	exceed 1.5 m with a	(h) Geotechnical stability of fill
	maximum slope of 1:2 (1	material;
	metre vertical to 2 m	(i) Flood risk;
	horizontal;	
	(iv) Areas exposed by the	(j) Land instability, erosion and sedimentation; and
	earthworks not covered by	,
	buildings or other impervious	(k) The risk of earthworks
	surfaces are revegetated to	exacerbating Kauri dieback disease.
	achieve 80% ground cover within 2 months of the	disease.
	completion of the earthworks;	
	, and the second	
	(v) Sediment is retained on site	
	through implementation and maintenance of erosion and	
	sediment controls and does	
	not enter waterways, open	
	drains or overland flow	
	paths;	
	(vi) Earthworks must not divert	
	or change natural water	
	flows or established drainage	
	paths; and	
	(vii) Provided they are not	
	within a kauri root zone.	
EW-R52	Earthworks – general	
L VV-NJZ	Lai uiwoiks – general	

MAZ -(I) Activity status: PER (2) Activity status where Mercer airport compliance not achieved: RDIS Where: zone Council's discretion is restricted (a) The importation of fill material to the following matters: to the site must meet all of the following standards, in addition (a) Amenity values and landscape to the standards in Rule EWeffects; R51: (b) Volume, extent and depth of (v) Earthworks do not exceed a earthworks; total volume of 500m³ per (c) Nature of fill material; site and a depth of I metre; (d) Contamination of fill material; (vi) Earthworks must be fit for (e) Location of earthworks relative compaction; to waterways; (vii) The height of the resulting (f) Compaction of fill material; batter face in stable ground (g) Volume and depth of fill must not exceed 1.5 metres material; with a maximum slope of 1:2 (h) Geotechnical stability of fill (Im vertical to 2m material; horizontal); (i) Flood risk; (viii) Earthworks do not restrict (j) Land instability, erosion and the ability of the land to sedimentation; and drain; (k) The risk of earthworks (ix) The sediment from fill exacerbating Kauri dieback material is retained on the disease. site; and (x) Provided they are not within a kauri root zone.

MSRZ – Motorsport and recreation zone

EW-R53	Earthworks – all precincts	
MSRZ – Motorsport	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
and recreation zone	(a) Earthworks within a site must meet all of the following	Council's discretion is restricted to the following matters:
	standards: (i) Do not exceed a volume of more than 1000m³ and an area of more than 2000m² over any single consecutive 12-month period; (ii) The total depth of any excavation or filling does not exceed 3m above or below ground level with a maximum slope of 1:2 (1 vertical to 2 horizontal); (iii) Earthworks are setback 1.5m from all boundaries; (iv) Areas exposed by earthworks are re-vegetated	 (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Geotechnical stability; (i) Flood risk, including natural water flows and established drainage paths

within 2 months of the completion of the earthworks;

- (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
- (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and
- (vii) Provided they are not within a kauri root zone.

- (j) Land instability, erosion and sedimentation;
- (k) Proximity to underground services and service connections; and
- (I) The risk of earthworks exacerbating Kauri dieback disease.

EW-R54

Earthworks – all precincts

MSRZ – Motorsport and recreation zone

(I) Activity status: PER

Where:

- (a) The importation of fill material to a site shall meet all of the following standards in addition to Rule EW-R53:
 - (i) Does not exceed a total volume of 500m³ per site and a depth of Im;
 - (ii) Is fit for compaction;
 - (iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (Im vertical to 2m horizontal);
 - (iv) Does not restrict the ability for land to drain;
 - (v) Is not located within 1.5m of public sewers, utility services or manholes;
 - (vi) The sediment from fill material is retained on the site; and
 - (vii) Provided they are not within a kauri root zone.

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Geotechnical stability;
- (i) Flood risk, including natural water flows and established drainage paths
- (j) Land instability, erosion and sedimentation:
- (k) Proximity to underground services and service connections; and
- (I) The risk of earthworks exacerbating Kauri dieback disease.

MTZ – Matangi zone

EW-R55	Earthworks – general

MTZ – (I) Activity status: PER (2) Activity status where Matangi zone compliance not achieved: RDIS Where: Council's discretion is restricted (a) Earthworks within a site must to the following matters: meet the following standards: (a) Amenity values and landscape (i) Not exceed a volume of more than 2,500m³; effects; (b) Volume, extent and depth of (ii) Not exceed an area of more earthworks: than 10,000m² within a 12 month period; (c) Nature of fill material; (iii) Earthworks associated with (d) Effects on waterbodies, and significant indigenous vegetation any activity requiring building consent (including associated and habitat; site works) shall not exceed (e) Compaction of the fill material; 500m3; (f) Volume and depth of fill material; (iv) any excavation or filling does (g) Geotechnical stability; not exceed a maximum slope (h) Flood risk, including natural of I:2 (I vertical to 2 water flows and established horizontal); drainage paths; (v) Not be located within 1.5m (i) Land instability, erosion and of the KiwiRail designated sedimentation; corridor: (j) Proximity to underground (vi) Areas exposed by services and service earthworks are re-vegetated connections; to achieve 80% ground cover (k) Effects on onsite disposal within 2 months of the systems for wastewater and completion of the stormwater: and earthworks, or finished with (I) The risk of earthworks a hardstand surface; exacerbating Kauri dieback (vii) Sediment resulting from the disease. earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths; and (viii) Do not divert or change the nature of natural water flows, water bodies or onsite disposal systems for wastewater and stormwater; and (ix) Provided they are not within a kauri root zone. EW-R56 Earthworks – general MTZ -(I) Activity status: PER (2) Activity status where compliance not achieved: RDIS Matangi zone Where: Council's discretion is restricted (a) Earthworks for the purpose of to the following matters: creating a building platform within a site, using imported fill (a) Amenity values and landscape material (excluding cleanfill), effects:

must meet the following standards:

- (i) Must not exceed a total volume of 500m³;
- (ii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal);
- (iii) Areas exposed by filling are revegetated to achieve 80% ground cover within 2 months of the completion of the earthworks, or finished with a hardstand surface;
- (iv) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
- (v) Do not divert or change the nature of natural water flows, water bodies or established drainage paths, or onsite disposal systems for wastewater and stormwater; and
- (vi) Provided they are not within a kauri root zone.

- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Effects on waterbodies, and significant indigenous vegetation and habitat;
- (e) Compaction of the fill material;
- (f) Volume and depth of fill material;
- (g) Geotechnical stability;
- (h) Flood risk, including natural water flows and established drainage paths;
- (i) Land instability, erosion and sedimentation;
- (j) Proximity to underground services and service connections; and
- (k) Effects on onsite disposal systems for wastewater and stormwater;
- (I) The risk of earthworks exacerbating Kauri dieback disease.

RPZ – Rangitahi Peninsula zone

EW-R57	Earthworks – general	
RPZ – Rangitahi	(I) Activity status: PER Where:	(2) Activity status where compliance not achieved: RDIS
Peninsula zone	(a) Earthworks within a site must meet all of the following	Council's discretion is restricted to the following matters:
	standards: (i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; (ii) Not exceed a volume of more than 250m³ and an area of more than 1,000m2 within a site; (iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not	 (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material;

- including any surcharge, does not exceed 2m, with a maximum slope of 1:2 (I vertical to 2 horizontal);
- (iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 2 months of the completion of the earthworks;
- (v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls and does not enter waterways, open drains or overland flow paths;
- (vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths;
- (vii) Do no result in the site being unable to be serviced by gravity sewers; and
- (viii) Provided they are not within a kauri root zone.

- (g) Volume and depth of fill material;
- (h) Geotechnical stability;
- (i) Flood risk, including natural water flows and established drainage paths
- (j) Land instability, erosion and sedimentation;
- (k) Proximity to underground services and service connections;
- (I) Traffic movements to and from the site; and
- (m) Consistency with the Rangitahi Peninsula Structure Plan; and
- (n) The risk of earthworks exacerbating Kauri dieback disease.

Earthworks – general

RPZ – Rangitahi Peninsula zone

(I) Activity status: PER

Where:

- (a) The importation of fill material to a site must meet the following conditions standards, in addition to the standards in EW-R57:
 - (i) Does not exceed a total volume of 500m³ per site and a depth of Im;
 - (ii) Is fit for compaction;
 - (iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (Im vertical to 2m horizontal);
 - (iv) Does not restrict the ability for land to drain;
 - (v) Is not located within 1.5m of public sewers, utility services or manholes; and
 - (vi) The sediment from fill material is retained on the site; and

(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters:

- (a) Amenity values and landscape effects;
- (b) Volume, extent and depth of earthworks;
- (c) Nature of fill material;
- (d) Contamination of fill material;
- (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat;
- (f) Compaction of the fill material;
- (g) Volume and depth of fill material;
- (h) Geotechnical stability;
- (i) Flood risk, including natural water flows and established drainage paths
- (j) Land instability, erosion and sedimentation;

(vii) Provided they are not within a kauri root zone.	(k) Proximity to underground services and service connections; (I) Traffic movements to and from
	the site; and (m) Consistency with the Rangitahi Peninsula Structure Plan; and
	(n) The risk of earthworks exacerbating Kauri dieback disease.

TKAZ – Te Kowhai airþark zone

EW-R59	Earthworks – all precincts	
TKAZ – Te	(I) Activity status: PER	(2) Activity status where
Kowhai	Where:	compliance not achieved: RDIS
airpark zone	(a) In all precincts, earthworks	Council's discretion is restricted
	within a site must meet all of the	to the following matters:
	following standards:	(a) Amenity values and landscape
	(i) Earthworks must be located	effects;
	more than 1.5m either side of	(b) Volume, extent and depth of
	a public sewer, open drain,	earthworks;
	overland flowpath or other	(c) Nature of fill material;
	service pipe;	(d) Contamination of fill material;
	(ii) Earthworks must not exceed	(e) Location of the earthworks to
	a volume of more than	waterways, significant indigenous
	1,000m³ in a single calendar	vegetation and habitat;
	year;	(f) Compaction of the fill material;
	(iii) Earthworks must not exceed	(g) Volume and depth of fill
	an area of more than	material;
	I,000m ² in a single calendar	(h) Geotechnical stability;
	year;	(i) Flood risk, including natural
	(iv) The height of the resulting cut or batter face does not	water flows and established
	exceed 1.5m with a	drainage paths;
	maximum slope of 1:2 (Im	(j) Land instability, erosion and
	vertical to 2m horizontal);	sedimentation;
	(v) Areas exposed by the	(k) Proximity to underground
	earthworks not covered by	services and service
	buildings or other impervious	connections; and.
	surfaces are re-vegetated to	(I) Effects on the safe, effective and
	achieve 80% ground cover	efficient operation, maintenance
	within 2 months of the	and upgrade of infrastructure,
	completion of the	including access; and
	earthworks;	(m) The risk of earthworks
	(vi) Sediment is retained on the	exacerbating Kauri dieback
	site through implementation	disease.
	and maintenance of erosion	
	and sediment controls and	
	does not enter waterways, open drains or overland flow	
	paths; and	

EW-R60 TKAZ – Te Kowhai airpark zone	(vii) Earthworks must not divert or change natural water flows or established drainage paths; and (viii) Provided they are not within a kauri root zone. Earthworks – all precincts (I) Activity status: PER Where: (a) In all precincts, the importation of fill material to a site must meet all of the following standards, in addition to the standards in EW-R59: (i) Earthworks do not exceed a total volume of 20m³ per site and a depth of Im; (ii) Earthworks must be fit for compaction; (iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (Im vertical to 2m horizontal); (iv) Earthworks do not restrict the ability for land to drain; (v) Earthworks are not located within 1.5m of public sewers,	(2) Activity status where compliance not achieved: RDIS Council's discretion is restricted to the following matters: (a) Amenity values and landscape effects; (b) Volume, extent and depth of earthworks; (c) Nature of fill material; (d) Contamination of fill material; (e) Location of the earthworks to waterways, significant indigenous vegetation and habitat; (f) Compaction of the fill material; (g) Volume and depth of fill material; (h) Geotechnical stability; (i) Flood risk, including natural water flows and established drainage paths; (i) Land instability crossion and
	maximum slope of 1:2 (1m vertical to 2m horizontal); (iv) Earthworks do not restrict the ability for land to drain; (v) Earthworks are not located	(g) Volume and depth of fill material;(h) Geotechnical stability;(i) Flood risk, including natural water flows and established