

Appendix: 2 Recommendations to the Earthworks Rule

It has been established that there are no Maaori sites or areas identified within the zones below, therefore no changes have been made to the following zone chapters:

- **Chapter 19 Business Zone Tamahere**
- **Chapter 20 Industrial Zone**
- **Chapter 21 Industrial Zone Heavy**
- **Chapter 26 Hampton Downs Motor Sport and Recreation Zone**
- **Chapter 27 Te Kowhai Airpark Zone**

Amendments

This rule is to replace the rule in the following zones on Earthworks – Maaori Sites and Maaori Areas of Significance:

- Chapter 16 Residential Zone
- Chapter 17 Business Zone
- Chapter 18 Business Town centre
- Chapter 22 Rural Zone
- Chapter 23 Country Living Zone
- Chapter 24 Village Zone
- Chapter 25 Reserve Zone

Earthworks – Maaori Sites and Maaori Areas of Significance

<u>RDI – Earthworks within a significant Maaori site or area of significance</u>	<p>(a) <u>Earthworks within a significant Maaori site or area of significance as identified in Schedule 30.3 and 30.4.</u></p> <p>(b) <u>The Council's discretion is restricted to the following matter:</u></p> <ul style="list-style-type: none">(i) <u>Location of earthworks in relation to the Maaori site or area of significance;</u>(ii) <u>Effects on heritage and cultural values.¹</u>
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Advice note: The Maaori Sites and Areas of Significance are also recorded archaeological sites and may also contain unrecorded archaeological sites. These sites are subject to the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Heritage New Zealand Pouhere Taonga must be contacted regarding development on or in proximity to these sites and the need to undertake 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.

¹ [697.107, 697.108, 697.182, 697.264, 697.771 and 697.1028]

16.2.4.2 Earthworks – Maaori Sites and Maaori Areas of Significance

RD1	<p>(a) Earthworks within a Maaori Site of Significance as identified in Schedule 30.3 (Maaori Site of Significance) and shown on the planning maps.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p style="padding-left: 20px;">(i) location of activity in relation to the site;</p> <p style="padding-left: 20px;">(ii) effects on heritage and cultural values.</p>
RD2	<p>(a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori Area of Significance) and shown on the planning maps.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p style="padding-left: 20px;">(i) location of activity in relation to the site;</p> <p style="padding-left: 20px;">(ii) effects on heritage and cultural values.</p>

17.2.5.2 Earthworks - Maaori Sites and Maaori Areas of Significance

RD1	<p>(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori site of Significance) as shown on the planning maps.</p> <p>(b) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori area of Significance) as shown on the planning maps.</p> <p>(c) Council's discretion is limited to the following matters:</p> <p style="padding-left: 20px;">(i) Location of earthworks in relation to the site;</p> <p style="padding-left: 20px;">(ii) Effects on heritage and cultural values.</p>
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18.2.4.2 Earthworks - Maaori Sites and Maaori Areas of Significance

RD1	<p>(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori Site of Significance) as shown on the planning maps.</p> <p>(b) The Council's discretion is limited to the following matters:</p> <p style="padding-left: 20px;">(i) Location of earthworks in relation to the site;</p> <p style="padding-left: 20px;">(ii) Effects on heritage and cultural values.</p>
RD2	<p>(a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori Area of Significance) as shown on the planning maps.</p> <p>(b) The Council's discretion is limited to the following matters:</p> <p style="padding-left: 20px;">(i) Location of earthworks in relation to the site;</p> <p style="padding-left: 20px;">(ii) Effects on heritage and cultural values.</p>

22.2.3.2 Earthworks - Maaori Sites and Maaori Areas of Significance

RD1	<p>(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p style="padding-left: 20px;">(i) location of activity in relation to the site;</p> <p style="padding-left: 20px;">(ii) effects on heritage and cultural values.</p>
RD2	<p>(a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori areas of Significance) and shown on the planning maps.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p style="padding-left: 20px;">(i) location of activity in relation to the site;</p> <p style="padding-left: 20px;">(ii) effects on heritage and cultural values.</p>

23.2.3.2 Earthworks - Maaori Sites and Maaori Areas of Significance

RD1	<p>(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori Sites of Significance) as shown on the planning maps;</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.
RD2	<p>(a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori Areas of Significance) as shown on the planning maps;</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.

24.2.4.2 Earthworks for Maaori Sites and Maaori Areas of Significance

PI	<p>(a) Earthworks within 100m of a Maaori site of significance as identified in Schedule 30.2 (Maaori site of Significance) must submit to Council:</p> <ul style="list-style-type: none"> (i) A cultural assessment from the appropriate mana whenua representative/s that demonstrates that there will be no adverse effects on cultural values. <p>(b) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori area of Significance) must submit to Council:</p> <ul style="list-style-type: none"> (ii) A cultural assessment from the appropriate mana whenua representative/s that demonstrates that there will be no adverse effects on cultural values.
RD1	<p>(a) Earthworks that do not comply with a condition of Rule 24.2.4.2 PI</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.

25.2.4.2 Earthworks - Maaori Sites and Maaori Areas of Significance

RD1	<p>(a) Earthworks within a Maaori site of significance as identified in Schedule 30.3 (Maaori sites of Significance) and shown on the planning maps;</p> <p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.
RD2	<p>(a) Earthworks within a Maaori area of significance as identified in Schedule 30.4 (Maaori areas of Significance) and shown on the planning maps;</p> <p>(b) The Council's discretion shall be limited to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.

28.2.4.2 Earthworks - Maaori Sites and Maaori Areas of Significance

RD1	<p>(a) Earthworks within a Maaori Site of Significance as identified in Schedule 30.2 (Maaori Site of Significance) and shown on the planning maps;</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.
RD2	<p>(a) Earthworks within a Maaori area of significance as identified in Schedule 30.3 (Maaori Area of Significance) and shown on the planning maps;</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) location of activity in relation to the site; (ii) effects on heritage and cultural values.