

Appendix 2 Recommended  
amendments in response to  
submissions shown in red  
underline/strikeout

Rebuttal is shown in blue

## Chapter 3: Natural Environment

Proposed Waikato District Plan

Stage 1

(Notified version)



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## Chapter 3: Natural Environment

### 3.1 Indigenous Vegetation and Habitats

#### 3.1.1 Objective – Biodiversity and ecosystems

- (a) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced: to work towards achieving a no net loss of biodiversity

#### 3.1.2 Policies

- (a) Enable activities that maintain or enhance indigenous biodiversity including:
- (i) Planting using indigenous species suitable to the habitat and eco-sourcing these <sup>2</sup>where practical;
  - (ii) the removal or management of pest plant and animal species;
  - (iii) biosecurity works.
- (b) ~~Consider the following when~~ avoiding, remedying or mitigating adverse effects on indigenous biodiversity, including by considering:
- (i) the required range of natural food sources;
  - (ii) habitats of threatened and at risk species;
  - (iii) ecological processes and corridors;
  - (iv) ecological sequences;
  - (v) migratory pathways;
  - (vi) pest plants and pest animals;
  - (vii) the Waikato river and its catchment;
  - (viii) natural character and landscape values of the area;
  - (ix) natural waterway habitats and hydrology;
  - (x) ecological corridors, natural processes and buffer areas;
  - (xi) legal and physical protection of existing habitat;
  - (xii) the effects of earthworks on Agathis australis (Kauri)
- (c) Provide for the removal of manuka or kanuka on a sustainable basis.

#### <sup>3</sup>3.1.2 A Policy -Management hierarchy

(a) Recognise and protect indigenous biodiversity outside Significant Natural Areas using the following hierarchy by

- (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats in the first instance;
- (ii)remedying any effects that cannot be avoided; then
- (iii)mitigating any effects that cannot be remedied; and
- (iv)after remediation or mitigation has been undertaken, offset any significant residual adverse effects in accordance with Policy 3.1.2B

#### <sup>4</sup>3.1.2B Policies-Biodiversity Offsetting

<sup>1</sup> Waikato Regional Council [81.93]

<sup>2</sup> Department of Conservation [585.40]

<sup>3</sup> Waikato Regional Council [81.94]

<sup>4</sup> Waikato Regional Council [81.92]

(a) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in significant residual adverse effects to indigenous vegetation or habitat outside a Significant Natural Area, where

- (i) the biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting;
- (ii) alternative habitat supporting similar ecological aspects is enabled or enhanced.

### 3.1.2C Non- Regulatory Policy

The Council will work with landowners to promote the use of non-regulatory methods, including assistance with the establishment of protective covenants, service delivery, education, and other incentives in protecting and enhancing ecological sites,

### 3.1.2D Significant Natural Area Assessment Funding Policy

#### Significant Natural Area Assessment Funding Policy

- (1) Council in joint responsibility with Waikato Regional Council will meet the costs of an ecological assessment that shows the area meets one or more of the criteria in Appendix 2: Criteria for Determining the Significance of Indigenous Biodiversity

#### Guidance Note

<sup>5</sup>Guidance on Kauri Die Back can be found in the Protecting Kauri: A Rural Landowner's Guide produced by Waikato Regional Council and endorsed by Ministry for Primary Industries

## **3.2 Significant Natural Areas**

### **3.2.1 Objective – Significant Natural Areas**

- (a) Indigenous biodiversity in Significant Natural Areas is protected ~~and~~ or enhanced.

### **~~3.2.2 Policy – Identify and Recognise~~**

- ~~(a) Identify significant indigenous vegetation and habitats of indigenous fauna in accordance with the Waikato Regional Policy Statement and identify as Significant Natural Areas~~

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<sup>5</sup> Waikato Regional Council [81.23] Department of Conservation [585.33], [585.5] and [585.7]

- ~~(b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.~~

### Policy 3.2.3 Functional Requirement

- (a) Recognise that activities may have a functional requirement to traverse or locate within a Significant Natural Area where no reasonably practicable alternative location exists.

### **3.2.3 Policy - Management hierarchy**

- (a) Recognise and protect the values of indigenous biodiversity within Significant Natural Areas by:
- (i) avoiding ~~the~~ <sup>6</sup>significant adverse effects of vegetation clearance and the disturbance of habitats in the first instance as far as practicable ~~unless specific activities need to be enabled~~
  - (ii) remedying and/or mitigating any effects that cannot be avoided; then
  - ~~(iii) mitigating any effects that cannot be remedied; and~~
  - (iv) after remediation or mitigation has been undertaken, offset any significant more than minor residual adverse effects in accordance with Policy 3.2.4.
- ~~(v) If offsetting of any significant residual adverse effects in accordance with Policy 3.2.4. is not feasible then economic environmental compensation may be considered.~~

### **3.2.4 Policy – Biodiversity Offsetting**

- (a) Allow ~~for a~~ biodiversity offsetting ~~to be offered by a resource consent applicant~~ where an activity will result in <sup>8</sup>significant residual adverse effects on a Significant Natural Area<sup>9</sup>, ~~or on indigenous biodiversity outside such Significant Natural Areas.~~
- (b) Within a Significant Natural Area, a biodiversity offset will only be considered appropriate where adverse effects have been avoided, to the extent practicable, and then remedied or mitigated in accordance with the hierarchy established in Policy 3.2.3; and
- (i) the biodiversity offset is consistent with the framework detailed in Appendix 6 Biodiversity Offsetting; and
  - (ii) the biodiversity offset can achieve no net loss, and preferably a net gain, of indigenous biodiversity:
    - A. preferably in the affected area of Significant Natural Area; or
    - B. where that is not practicable, in the ecological district in which the affected area of Significant Natural Area is located.
- (iii) recognising that there are limits to the appropriate use of biodiversity offsetting, including because of the irreplaceability or vulnerability of the biodiversity affected.

### **3.2.5 Policy - Biodiversity in the coastal environment**

- (a) Avoid the adverse effects of subdivision use and development within Significant Natural Areas of the coastal environment on:
- (i) indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists
  - (ii) habitats of indigenous species where the species are listed as threatened or at risk, are at the limit of their natural range, or are naturally rare
  - (iii) areas containing nationally-significant examples of indigenous community types

<sup>6</sup> Department of Conservation [585.46], Waikato Regional Council [81.102]

<sup>7</sup> Genesis Energy Limited [924.8], Meridian Energy Limited [580.13]

<sup>8</sup> Waikato Regional Council [81.249]

<sup>9</sup> Waikato Regional Council [81.96]

- (iv) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, and
- (v) areas set aside for full or partial protection of indigenous biological diversity under legislation.

### 3.2.6 Policy-Providing for vegetation clearance

- (a) Provide for the clearance of indigenous vegetation in Significant Natural Areas when:
  - (i) maintaining tracks, fences and farm drains
  - (ii) avoiding loss of life injury or damage to property
  - (iii) collecting material to maintain traditional Maaori cultural practices
  - (iv) collecting firewood for domestic use
  - (v) [\(iv\) operating, maintaining or upgrading existing infrastructure](#)
- (b) Provide for the clearance of indigenous vegetation in Significant Natural Areas for the construction of building platforms, services, access, vehicle parking and on-site manoeuvring and **for** the development of Maaori Freehold Land by:
  - (i) using any existing cleared areas on a site that are suitable to accommodate new development in the first instance;
  - (ii) using any practicable alternative locations that would reduce the need for vegetation removal;
  - (iii) retaining indigenous vegetation which contributes to the ecological significance of a site, taking into account any loss that may be unavoidable to create a building platform, services, access, vehicle parking and manoeuvring on a site;

~~(iv)<sup>49</sup>Firewood.~~

[\(iv\) operating, maintaining or upgrading existing infrastructure](#)

### 3.2.7 Policy - Managing Significant Natural Areas

- (a) Promote the management of Significant Natural Areas in a way that protects their long-term ecological functioning and indigenous biodiversity values, through such means as:
  - (i) permanently excluding stock through voluntary covenants and conservation subdivisions
  - (ii) undertaking plant and animal pest control
  - (iii) retaining and enhancing indigenous vegetation cover
  - (iv) maintaining and restoring natural wetland hydrology
  - (v) avoiding physical and legal fragmentation
  - (vi) legal protection of Significant Natural Areas through conservation covenants or similar mechanisms
  - (vii) providing for the role of Mana Whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing areas.

### 3.2.8 Policy – Incentivise subdivision

- (a) Incentivise subdivision in the Rural Zone ~~when there is~~ [that provides for](#) the legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a functioning ecosystem.

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<sup>10</sup> Waikato District Council [697.360]

## Chapter 13: Definitions

### Indigenous vegetation

Means vegetation that occurs naturally in New Zealand or arrived in New Zealand without human assistance. For the purposes of this plan, domestic or ornamental ~~landscaping~~ landscape planting or planted shelter belts comprising indigenous species are not included

### Significant Natural Area

Means an area of significant indigenous biodiversity that is identified as a Significant Natural Area on the planning maps or that meets one or more of the criteria in Appendix 2 Criteria for Determining Significance of Indigenous Biodiversity.

### Biodiversity offsetting

Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate prevention and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferable a net gain of biodiversity on the ground.

### Environmental Compensation

Environmental compensation comprises actions offered as a means to address residual adverse effects on the environment arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground.

### The Hamilton Basin Ecological Management Area

The Hamilton Basin Ecological Management Area is a spatial overlay which forms part of the management of ecological areas within the Waikato Region. The purpose of the inclusion of this overlay within the proposed district plan is that it provides a spatial representation of where the rules for Conservation lot subdivision applies.

## Rules

Recommended amendments to earthworks rules for Significant Natural Areas in Chapters 16, 18, 20, 21, 22, 23, 24, 25 and 28 shown in red strikeout/underline

### 11 Advice Note

The Waikato Regional Council has a Waikato Pest Management Plan that provides guidance when undertaking activities such as earthworks.

## 16 Residential Zone

### Rule 16.2.4.1 Earthworks-General

P1	<p>(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;</li> <li>(ii) Not exceed a volume of 250m<sup>3</sup>;</li> <li>(iii) Not exceed an area of 1000m<sup>2</sup> over any consecutive 12 month period;</li> <li>(iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level;</li> <li>(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);</li> <li>(vi) Earthworks are set back 1.5m from all boundaries;</li> <li>(vii) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</li> <li>(ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> <li>(x) <u>Where they are not within a kauri a root zone</u></li> </ul>
P2	<p>Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material must meet the following condition:</p> <ul style="list-style-type: none"> <li>(a) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.</li> <li>(b) <u>Where they are not within a kauri a root zone</u></li> </ul>
P3	<p>(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 conditions:</p> <ul style="list-style-type: none"> <li>(i) Not exceed a total volume of 20m<sup>3</sup>;</li> <li>(ii) Not exceed a depth of 1m;</li> <li>(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);</li> <li>(iv) Fill material is setback 1.5m from all boundaries;</li> <li>(v) Areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> </ul>

<sup>11</sup> Waikato Regional Council [81.21]

	<p>(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</p> <p>(viii) <u>Where they are not within a kauri a root zone</u></p>
<u>P4</u>	<u>(a) Earthworks for the maintenance of existing tracks, fences or drains within a Significant Natural Area</u>
<u>P5</u>	<p><u>(a) On Maaori Freehold Land or Maaori Customary land within a Significant Natural Area, earthworks for a Marae Complex or Papakaainga housing where:</u></p> <p><u>(i) there is no alternative development area on the site outside of the significant natural area; and</u></p> <p><u>(ii) The earthworks do not exceed a volume of 500m<sup>3</sup> in a single consecutive 12 month period; and</u></p> <p><u>(iii) The earthworks do not exceed an area of 1500m<sup>2</sup> in a single consecutive 12 month period; and</u></p> <p><u>(iv) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</u></p> <p><u>(v) The nature of natural water flows, water bodies or established drainage paths is not diverted or changed.</u></p> <p><u>(vi) Where they are not within a kauri a root zone</u></p>
RD1	<p>(i) Earthworks that do not comply with Rule P1, P2, P3, or P4</p> <p>(ii) The Council's discretion shall be restricted to the following matters:</p> <p>(iii) Amenity values and landscape effects;</p> <p>(iv) Volume, extent and depth of earthworks;</p> <p>(v) Nature of fill material;</p> <p>(vi) Contamination of fill material;</p> <p>(vii) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(viii) Compaction of the fill material;</p> <p>(ix) Volume and depth of fill material;</p> <p>(x) Protection of the Hauraki Gulf Catchment Area;</p> <p>(xi) Geotechnical stability;</p> <p>(xii) Flood risk, including natural water flows and established drainage paths; and</p> <p>(xiii) Land instability, erosion and sedimentation.</p> <p><u>(xiv) The effects on any kauri tree</u></p>
<u>RD2</u>	<p><u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) The functional and operational need for the earthworks</u></p> <p><u>(iv) Volume, extent and depth of earthworks</u></p>

RD3	<p><u>Earthworks on Maori Freehold Land or Maori Customary land that does not comply with Rule 16.2.4.1 P5</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) Volume, extent and depth of earthworks</u></p>
NC1	Earthworks including the importation of cleanfill to a site.

#### **16.2.4.3 Earthworks – Significant Natural Areas**

P1	<p><del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</del></p> <p><del>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</del></p> <p><del>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</del></p> <p><del>(iii) Not include importing any fill material</del></p>
RD1	<p><del>(a) Earthworks that do not comply with Rule 16.2.4.3 P1.</del></p> <p><del>(b) Council's discretion is restricted to the following matters:</del></p> <p><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></p> <p><del>(ii) The effects on the Significant Natural Area</del></p>
D1	<del>Earthworks within an identified Significant Natural Area not provided for in Rule 16.2.4.3 P1 or RD1.</del>

#### **16.2.8 Indigenous vegetation clearance inside a Significant Natural Area**

P1	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p> <p>(ii) Conservation fencing to exclude stock or pests;</p> <p>(iii) Maintaining existing farm drains;</p> <p>(iv) Maintaining existing tracks and fences;</p> <p>(v) Gathering plants in accordance with Maori customs and values;</p> <p>(vi) <u>Conservation activities</u></p>
P2	Removal of <del>up to 5m<sup>3</sup></del> manuka and/or kanuka outside of the Coastal Environment <u>or a wetland</u> per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant
P3	<p>(a) Indigenous vegetation clearance <u>outside of the Coastal Environment</u> for building, access, parking and manoeuvring areas in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:</p> <p>(i) There is no <u>practicable</u> alternative development area on the site outside the Significant Natural Area; and</p> <p>(ii) The total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</p> <p>(iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u></p>
P4	<p>(a) On Maori Freehold Land or Maori Customary Land, <u>outside of the Coastal Environment</u> indigenous vegetation clearance in a Significant Natural Area <u>for the purposes of development identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</u> where:</p> <p>(i) There is no alternative development area on the site outside the Significant Natural Area;</p> <p>(ii) The following total areas are not exceeded:</p>

	<p>A. 1500m<sup>2</sup> for a Marae complex, including areas associated with access parking and manoeuvring;</p> <p>B. 500m<sup>2</sup> per dwelling, including areas associated with access parking and manoeuvring; and</p> <p>C. 500m<sup>2</sup> for a papakainga building including areas associated with access parking and manoeuvring.</p>
P5	<p><del>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</del></p> <p><del>(i) Removing vegetation that endangers human life or existing buildings or structures;</del></p> <p><del>(ii) Conservation fencing to exclude stock or pests;</del></p> <p><del>(iii) Maintaining existing farm drains;</del></p> <p><del>(iv) Maintaining existing tracks and fences; or</del></p> <p><del>(v) Gathering plants in accordance with Maaori customs and values.</del></p>
P6	<p><del>Removal of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</del></p>
P4	<p><del>(a) <u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u></del></p>
P5	<p><u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u></p>
P6	<p><u>Vegetation clearance outside a Significant Natural Area</u></p>
D1	<p>Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 16.2.8 P1, P2, P3, P4, <del>P5 or P6.</del></p>
D2	<p><u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P4.</u></p>
D3	<p><u>Indigenous vegetation clearance within a Significant Natural Area within the coastal environment</u></p>

## 17 Business Zone

### Rule 17.2.5.1 Earthworks-General

P1	<p>(a) Earthworks within a site must meet the following conditions:</p> <p>(i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;</p> <p>(ii) Not exceed a volume of more than 250m<sup>3</sup> and an area of more than 1,000m<sup>2</sup> within a site;</p> <p>(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</p>
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	(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths. ;
P2	<p>(a) The importation of fill material to a site must meet all of the following conditions in addition to Rule 17.2.4 P1:</p> <ul style="list-style-type: none"> <li>(i) Does not exceed a total volume of 500m<sup>3</sup> per site and a depth of 1m;</li> <li>(ii) Is fit for compaction;</li> <li>(iii) The height of the resulting batter face in stable ground must not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</li> <li>(iv) Does not restrict the ability for land to drain;</li> <li>(v) Is not located within 1.5m of public sewers, utility services or manholes;</li> <li>(vi) The sediment from fill material is retained on the site.</li> </ul>
<u>P3</u>	<u>(a) Earthworks for the maintenance of existing tracks, fences or drains within Significant Natural Areas</u>
<u>P4</u>	<p><u>(a) On Maaori Freehold Land or Maaori Customary land within a Significant Natural Area earthworks for a Marae Complex or Papakaainga housing where:</u></p> <ul style="list-style-type: none"> <li><u>(i) there is no alternative development area on the site outside of the significant natural area; and</u></li> <li><u>(ii) The earthworks do not exceed a volume of 500m<sup>3</sup> in a single consecutive 12 month period; and</u></li> <li><u>(iii) The earthworks do not exceed an area of 1500m<sup>2</sup> in a single consecutive 12 month period; and</u></li> <li><u>(iv) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</u></li> <li><u>(v) The nature of natural water flows, water bodies or established drainage paths is not diverted or changed.</u></li> </ul>
RD1	<p>(a) Earthworks that do not comply with Rule 17.2.4.1 P1,P2,or P3</p> <p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Amenity values and landscape effects;</li> <li>(ii) Volume, extent and depth of earthworks;</li> <li>(iii) Nature of fill material;</li> <li>(iv) Contamination of fill material;</li> <li>(v) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</li> <li>(vi) Compaction of the fill material;</li> <li>(vii) Volume and depth of fill material;</li> <li>(viii) Protection of the Hauraki Gulf Catchment Area;</li> <li>(ix) Geotechnical stability;</li> <li>(x) Flood risk, including natural water flows and established drainage paths</li> <li>(xi) Land instability, erosion and sedimentation; and</li> <li>(xii) Proximity to underground services and service connections.</li> </ul>
<u>RD2</u>	<u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u>

	<p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) The functional and operational need for the earthworks</u></p> <p><u>(iv) Volume, extent and depth of earthworks</u></p>
<u>RD3</u>	<p><u>Earthworks on Maaori Freehold Land or Maaori Customary land that does not comply with Rule 17.2.5.1 P4</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) Volume, extent and depth of earthworks</u></p>

### **~~17.2.5.3 Earthworks – Significant Natural Areas~~**

<del>P1</del>	<p><del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</del></p> <p><del>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</del></p> <p><del>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</del></p> <p><del>(iii) Not include importing any fill material</del></p>
<del>RD1</del>	<p><del>(a) Earthworks that do not comply with Rule 17.2.5.3 P1.</del></p> <p><del>(b) Council's discretion is restricted to the following matters:</del></p> <p><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></p> <p><del>(ii) The effects on the Significant Natural Area</del></p>
<del>D1</del>	<p><del>Earthworks within an identified Significant Natural Area not provided for in Rule 17.2.5.3 P1 or RD1.</del></p>

### **17.2.9 Indigenous vegetation clearance inside a Significant Natural Area**

P1	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p> <p>(ii) Conservation fencing to exclude stock or pests;</p> <p>(iii) Maintaining existing farm drains;</p> <p>(iv) Maintaining existing tracks and fences;</p> <p>(v) Gathering plants in accordance with Maaori customs and values;</p> <p>(vi) <u>Conservation activities</u></p>
P2	<p>Removal of <del>up to 5m<sup>3</sup></del> of manuka and/or kanuka outside of the Coastal Environment <u>or a wetland</u> per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</p>
P3	<p>(a) Indigenous vegetation clearance <u>outside of the Coastal Environment</u> for building, access, parking and manoeuvring areas in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:</p> <p>(i) There is no <u>practicable</u> alternative development area on the site outside the Significant Natural Area; and</p> <p>(ii) The total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</p> <p>(iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u></p>

P4	(a) On Maaori Freehold Land or Maaori Customary Land <u>outside the coastal environment</u> , indigenous vegetation clearance in a Significant Natural Area identified on the planning maps <u>for the purposes of development or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</u> where: <ul style="list-style-type: none"> <li>(i) There is no alternative development area on the site outside the Significant Natural Area;</li> <li>(ii) The following total areas are not exceeded: <ul style="list-style-type: none"> <li>A. 1500m<sup>2</sup> for a Marae complex, including areas associated with access parking and manoeuvring;</li> <li>B. 500m<sup>2</sup> per dwelling, including areas associated with access parking and manoeuvring; and</li> <li>C. 500m<sup>2</sup> for a papakainga building including areas associated with access parking and manoeuvring.</li> </ul> </li> </ul>
P5	<del>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</del> <ul style="list-style-type: none"> <li><del>(i) Removing vegetation that endangers human life or existing buildings or structures;</del></li> <li><del>(ii) Conservation fencing to exclude stock or pests;</del></li> <li><del>(iii) Maintaining existing farm drains;</del></li> <li><del>(iv) Maintaining existing tracks and fences; or</del></li> <li><del>(v) Gathering plants in accordance with Maaori customs and values.</del></li> </ul>
P6	<del>Removal of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</del>
P5	<del>(a) The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</del>
P6	<u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u>
P7	<u>Vegetation clearance outside a Significant Natural Area</u>
D1	Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 21.2.9 P1, P2, P3, P4, <del>PXX P5 or P6.</del>
D2	<u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P4.</u>
D3	<u>Indigenous vegetation clearance within a Significant Natural Area within the coastal environment</u>

## 20 Industrial Zone

### 20.2.5.1 Earthworks – General

P1	(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions: <ul style="list-style-type: none"> <li>(i) be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;</li> <li>(ii) not exceed a volume of more than 250m<sup>3</sup>;</li> <li>(iii) not exceed an area of more than 1000m<sup>2</sup> over any consecutive 12 month period;</li> </ul>
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	<ul style="list-style-type: none"> <li>(iv) the total depth of any excavation or filling does not exceed 1.5m above or below ground level;</li> <li>(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);</li> <li>(vi) earthworks are set back 1.5m from all boundaries;</li> <li>(vii) areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(viii) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and</li> <li>(ix) do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> </ul>
P2	<ul style="list-style-type: none"> <li>(a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material must meet the following condition:</li> <li>(c) be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.</li> </ul>
P3	<ul style="list-style-type: none"> <li>(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions: <ul style="list-style-type: none"> <li>(i) not exceed a total volume of 500m<sup>3</sup>;</li> <li>(ii) not exceed a depth of 1m;</li> <li>(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);</li> <li>(iv) fill material is setback 1.5m from all boundaries;</li> <li>(v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and</li> <li>(vii) do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> </ul> </li> </ul>
<u>P4</u>	<u>(a) Earthworks for the maintenance of existing tracks, fences or drains within Significant Natural Area</u>
RD1	<ul style="list-style-type: none"> <li>(a) Earthworks that do not comply with Rule 20.2.5.1 P1, P2 , P3 pr P4</li> <li>(b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> <li>(i) amenity values and landscape effects;</li> <li>(ii) volume, extent and depth of earthworks;</li> <li>(iii) nature of fill material;</li> <li>(iv) contamination of fill material;</li> <li>(v) location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</li> <li>(vi) compaction of the fill material;</li> <li>(vii) volume and depth of fill material;</li> <li>(viii) protection of the Hauraki Gulf Catchment Area;</li> <li>(ix) geotechnical stability;</li> <li>(x) flood risk, including natural water flows and established drainage paths; and</li> <li>(xi) land instability, erosion and sedimentation.</li> </ul> </li> </ul>
<u>RD2</u>	<p><u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li><u>(i) The effects on the Significant Natural Area</u></li> <li><u>(ii) Land instability, erosion and sedimentation.</u></li> <li><u>(iii) The functional and operational need for the earthworks</u></li> <li><u>(iv) Volume, extent and depth of earthworks</u></li> </ul>

### 20.2.5.2 Earthworks – Significant Natural Areas

P1	<p>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</li> <li>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</li> <li>(iii) Not include importing any fill material</li> </ul>
RD1	<p>(a) Earthworks that do not comply with Rule 20.2.5.2 P1.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</li> <li>(ii) The effects on the Significant Natural Area</li> </ul>
D1	Earthworks within an identified Significant Natural Area not provided for in Rule 20.2.5.2 P1 or RD1.

### 20.2.9 Indigenous vegetation clearance inside a Significant Natural Area

P1	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps</del> or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for any of the following purposes:</p> <ul style="list-style-type: none"> <li>(i) Removing vegetation that endangers human life or existing buildings or structures;</li> <li>(ii) Conservation fencing to exclude stock or pests;</li> <li>(iii) Maintaining existing farm drains;</li> <li>(iv) Maintaining existing tracks and fences;</li> <li>(v) Gathering plants in accordance with Maaori customs and values.</li> <li>(vi) <u>Conservation activities</u></li> </ul>
P2	Removal of <del>up to 5m<sup>3</sup></del> of manuka and/or kanuka outside of the Coastal Environment <u>or a wetland</u> per single consecutive year per property for domestic firewood purposes or arts and crafts, provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant
P3	<p>(a) Indigenous vegetation clearance <u>outside of the Coastal Environment</u> for building, access, parking and manoeuvring areas in a Significant Natural Area <del>identified on the planning maps</del> or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) There is no <u>practicable</u> alternative development area on the site outside the Significant Natural Area; and</li> <li>(ii) The total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</li> <li>(iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u></li> </ul>
P4	<p>(a) On Maaori Freehold Land or Maaori Customary Land <u>outside of the coastal environment</u>, indigenous vegetation clearance in a Significant Natural Area <u>for the purposes of development identified on the planning maps</u> or in Schedule 30.5 (Urban Allotment Significant Natural Areas) where:</p> <ul style="list-style-type: none"> <li>(i) There is no alternative development area on the site outside the Significant Natural Area;</li> <li>(ii) The following total areas are not exceeded: <ul style="list-style-type: none"> <li>A. 1500m<sup>2</sup> for a Marae complex, including areas associated with access, parking and manoeuvring; and</li> <li>B. 500m<sup>2</sup> per dwelling, including areas associated with access, parking and manoeuvring; and</li> <li>C. 500m<sup>2</sup> for a papakainga building including areas associated with access, parking and manoeuvring.</li> </ul> </li> </ul>

P5	<del>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes: (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Conservation fencing to exclude stock or pests; (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; (v) Gathering plants in accordance with Maaori customs and values.</del>
P6	<del>Removal of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per single consecutive year per property for domestic firewood purposes or arts and crafts, provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.</del>
P5	<u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u>
P6	<u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u>
P7	<u>Vegetation clearance outside a Significant Natural Area</u>
D1	Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rules 20.2.9 P1, P2, P3, P4, <del>P5 or P6.</del>
D2	<u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P4.</u>
D3	<u>Indigenous vegetation clearance within a Significant Natural Area within the coastal environment</u>

## 21 Industrial Heavy Zone

### 21.2.5.1 Earthworks – General

P1	(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions: (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 250m <sup>3</sup> ; (iii) not exceed an area of more than 1000m <sup>2</sup> 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); (vi) earthworks are set back 1.5m from all boundaries; (vii) areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (viii) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and (ix) do not divert or change the nature of natural water flows, water bodies or established drainage paths.
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P2	(a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material must meet the following condition: (d) be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.
P3	(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions: (i) not exceed a total volume of 500m <sup>3</sup> ; (ii) not exceed a depth of 1m; (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); (iv) fill material is setback 1.5m from all boundaries; (v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and (vii) do not divert or change the nature of natural water flows, water bodies or established drainage paths.
<u>P4</u>	<u>(a) Earthworks for the maintenance of existing tracks, fences or drains within Significant Natural Area</u>
RD1	(a) Earthworks that do not comply with Rule 21.2.5.1 P1, P2 , P3 pr P4 (b) Council's discretion shall be 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 habitat; (vi) compaction of the fill material; (vii) volume and depth of fill material; (viii) protection of the Hauraki Gulf Catchment Area; (ix) geotechnical stability; (x) flood risk, including natural water flows and established drainage paths; and (xi) land instability, erosion and sedimentation.
<u>RD2</u>	<u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u>  <u>Council's discretion is restricted to the following matters:</u> <u>(i) The effects on the Significant Natural Area</u> <u>(ii) Land instability, erosion and sedimentation.</u> <u>(iii) The functional and operational need for the earthworks</u> <u>(iv) Volume, extent and depth of earthworks</u>

### **21.2.5.2 Earthworks – Significant Natural Areas**

<del>P1</del>	<del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions: (i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and (ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period; (iii) Not include importing any fill material</del>
<del>RD1</del>	<del>(a) Earthworks that do not comply with Rule 21.2.5.2 P1. (b) Council's discretion is restricted to the following matters:</del>

	<p><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></p> <p><del>(ii) The effects on the Significant Natural Area</del></p>
D+	<del>Earthworks within an identified Significant Natural Area not provided for in Rule 21.2.5.2 P1 or RD1.</del>

### 21.2.9 Indigenous vegetation clearance inside a Significant Natural Area

P1	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) for any of the following purposes:</p> <ul style="list-style-type: none"> <li>(i) Removing vegetation that endangers human life or existing buildings or structures;</li> <li>(ii) Conservation fencing to exclude stock or pests;</li> <li>(iii) Maintaining existing farm drains;</li> <li>(iv) Maintaining existing tracks and fences;</li> <li>(v) Gathering plants in accordance with Maori customs and values.</li> <li>(vi) <u>Conservation activities</u></li> </ul>
P2	Removal of <del>up to 5m<sup>3</sup></del> of manuka and/or kanuka outside of the Coastal Environment <u>or a wetland</u> per single consecutive year per property for domestic firewood purposes or arts and crafts, provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant
P3	<p>(a) Indigenous vegetation clearance <u>outside of the Coastal Environment</u> for building, access, parking and manoeuvring areas in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:</p> <ul style="list-style-type: none"> <li>(i) There is no <u>practicable</u> alternative development area on the site outside the Significant Natural Area; and</li> <li>(ii) The total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</li> <li>(iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u></li> </ul>
P4	<p>(a) On Maaori Freehold Land or Maaori Customary Land <u>outside of the coastal environment</u>, indigenous vegetation clearance in a Significant Natural Area <u>for the purposes of development identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</u> where:</p> <ul style="list-style-type: none"> <li>(i) There is no alternative development area on the site outside the Significant Natural Area;</li> <li>(ii) The following total areas are not exceeded: <ul style="list-style-type: none"> <li>A. 1500m<sup>2</sup> for a Marae complex, including areas associated with access, parking and manoeuvring; and</li> <li>B. 500m<sup>2</sup> per dwelling, including areas associated with access, parking and manoeuvring; and</li> <li>C. 500m<sup>2</sup> for a papakainga building including areas associated with access, parking and manoeuvring.</li> </ul> </li> </ul>
P5	<p><del>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</del></p> <ul style="list-style-type: none"> <li><del>(i) Removing vegetation that endangers human life or existing buildings or structures;</del></li> <li><del>(ii) Conservation fencing to exclude stock or pests;</del></li> <li><del>(iii) Maintaining existing farm drains;</del></li> <li><del>(iv) Maintaining existing tracks and fences;</del></li> <li><del>(v) Gathering plants in accordance with Maori customs and values.</del></li> </ul>
P6	<del>Removal of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per single consecutive year per property for domestic firewood purposes or arts and crafts, provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.</del>

P4	<u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u>
P6	<u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u>
P7	<u>Vegetation clearance outside a Significant Natural Area</u>
D1	Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rules 20.2.9 P1, P2, P3, P4, <del>P5 or P6.</del>
D2	<u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P4.</u>
D3	<u>Indigenous vegetation clearance within a Significant Natural Area within the coastal environment</u>

## 22 Rural Zone

### 22.2.3.1 Earthworks – General

P1	(a) Earthworks for: <ul style="list-style-type: none"> <li>(i) Ancillary rural earthworks;</li> <li>(ii) Farm quarry where the volume of aggregate does not exceed 1000m<sup>3</sup> per single consecutive 12 month period;</li> <li>(iii) Construction and/or maintenance of tracks, fences or drains;</li> <li>(iv) A building platform for a residential activity, including accessory buildings.</li> <li>(v) <u>Where they are not within a kauri a root zone</u></li> </ul>
P2	(a) Earthworks within a site must meet all of the following conditions: <ul style="list-style-type: none"> <li>(i) Do not exceed a volume of more than 1000m<sup>3</sup> and an area of more than 2000m<sup>2</sup> over any single consecutive 12 month period;</li> <li>(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);</li> <li>(iii) Earthworks are setback 1.5m from all boundaries;</li> <li>(iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</li> <li>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> <li>(vii) <u>Where they are not within a kauri a root zone</u></li> </ul>
P3	(a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material must meet the following condition: <ul style="list-style-type: none"> <li>(i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.</li> <li>(ii) <u>Where they are not within a kauri a root zone</u></li> </ul>
P4	(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material or cleanfill must meet all of the following conditions:

	<ul style="list-style-type: none"> <li>(i) not exceed a total volume of 200m<sup>3</sup>;</li> <li>(ii) not exceed a depth of 1m;</li> <li>(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);</li> <li>(iv) fill material is setback 1.5m from all boundaries;</li> <li>(v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls;</li> <li>(vii) does not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> <li>(viii) <u>Where they are not within a kauri a root zone</u></li> </ul>
<u>P5</u>	<u>(a) Earthworks for conservation activities, water reticulation or the maintenance of existing tracks, fences or drains within a Significant Natural Area</u>
<u>P6</u>	<u>(a) On Maaori Freehold Land or Maaori Customary land within a Significant Natural Area , earthworks for a Marae Complex or Papakaainga housing where:</u> <ul style="list-style-type: none"> <li><u>(i) there is no alternative development area on the site outside of the significant natural area; and</u></li> <li><u>(ii) The earthworks do not exceed a volume of 500m<sup>3</sup> in a single consecutive 12 month period; and</u></li> <li><u>(iii) The earthworks do not exceed an area of 1500m<sup>2</sup> in a single consecutive 12 month period; and</u></li> <li><u>(iv) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</u></li> <li><u>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</u></li> <li><u>(vii) Where they are not within a kauri a root zone</u></li> </ul>
RD1	<ul style="list-style-type: none"> <li>(a) Earthworks that do not comply with Rule 22.2.3.1 P1, P2, P3 P4 or P5</li> <li>(b) Council's discretion shall be limited to the following matters: <ul style="list-style-type: none"> <li>(i) amenity values and landscape effects;</li> <li>(ii) volume, extent and depth of earthworks;</li> <li>(iii) nature of fill material;</li> <li>(iv) contamination of fill material or cleanfill;</li> <li>(v) location of the earthworks to waterways, significant indigenous vegetation and habitat;</li> <li>(vi) compaction of the fill material;</li> <li>(vii) volume and depth of fill material;</li> <li>(viii) protection of the Hauraki Gulf Catchment Area;</li> <li>(ix) geotechnical stability;</li> <li>(x) flood risk, including natural water flows and established drainage paths;</li> <li>(xi) land instability, erosion and sedimentation.</li> <li>(xii) <u>The effects on any kauri tree</u></li> </ul> </li> </ul>
<u>RD2</u>	<u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u>

	<p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) The functional and operational need for the earthworks</u></p> <p><u>(iv) Volume, extent and depth of earthworks</u></p>
RD3	<p><u>Earthworks on Maaori Freehold Land or Maaori Customary land that does not comply with Rule 22.2.3.1 P6</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) Volume, extent and depth of earthworks</u></p>

### 22.2.3.3 Earthworks – Significant Natural Areas

P1	<p><del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</del></p> <p><del>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</del></p> <p><del>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</del></p> <p><del>(iii) 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);</del></p> <p><del>(iv) Earthworks are setback 1.5m from all boundaries;</del></p> <p><del>(v) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</del></p> <p><del>(vi) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</del></p> <p><del>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths</del></p>
P2	<p><del>Filling using imported fill must not exceed a volume of 20m<sup>3</sup> and a depth of 1.5m.</del></p>
P3	<p><del>(a) Earthworks that do not comply with Rule 22.2.3.3 P1 or P2.</del></p> <p><del>(b) Council's discretion is restricted to the following matters:</del></p> <p><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></p> <p><del>(ii) The effects on the Significant Natural Area</del></p>

### 22.2.7 Indigenous vegetation clearance inside a Significant Natural Area

P1	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> for the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p> <p>(ii) Conservation fencing to exclude stock or pests;</p> <p>(iii) Maintaining existing farm drains;</p> <p>(iv) Maintaining existing tracks and fences; or</p> <p>(v) Gathering plants in accordance with Maaori customs and values.</p> <p>(vi) <u>Conservation activities</u></p>
P2	<p>Removal of <del>up to 5m<sup>3</sup></del> manuka and/or kanuka outside of the Coastal Environment <u>or a wetland</u> per single consecutive 12 month period per property for domestic firewood purposes and arts or crafts</p>

	provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.
P3	(a) Indigenous vegetation clearance <u>outside of the Coastal Environment</u> for building, access, parking and manoeuvring areas in a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> must comply with all of the following conditions: <ul style="list-style-type: none"> <li>(i) There is no <u>practicable</u> alternative development area on the site outside the Significant Natural Area; and</li> <li>(ii) The total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</li> <li>(iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u></li> </ul>
P4	(a) On Maaori Freehold Land or Maaori Customary Land <u>outside the coastal environment</u> , indigenous vegetation clearance in a Significant Natural Area <u>for the purposes of development identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</u> where: <ul style="list-style-type: none"> <li>(i) There is no alternative development area on the site outside the Significant Natural Area;</li> <li>(ii) The following total areas are not exceeded: <ul style="list-style-type: none"> <li>A. 1500m<sup>2</sup> for a Marae complex, including areas associated with access, parking and manoeuvring;</li> <li>B. 500m<sup>2</sup> per dwelling, including areas associated with access, parking and manoeuvring; and</li> <li>C. 500m<sup>2</sup> for a papakainga building including areas associated with access, parking and manoeuvring.</li> </ul> </li> </ul>
P5	<del>(a) On Maaori Freehold Land or Maaori Customary Land indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</del> <ul style="list-style-type: none"> <li><del>(i) Removing vegetation that endangers human life or existing buildings or structures;</del></li> <li><del>(ii) Conservation fencing to exclude stock or pests;</del></li> <li><del>(iii) Maintaining existing farm drains;</del></li> <li><del>(iv) Maintaining existing tracks and fences; or</del></li> <li><del>(v) Gathering plants in accordance with Maaori customs and values.</del></li> </ul>
P6	<del>Removal of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</del>
P7	<u>Removal of manuka and/or kanuka to maintaining productive pasture complying with the following:</u> <ul style="list-style-type: none"> <li><u>(i) up to 2000m<sup>2</sup> per single consecutive 12 month period; and</u></li> <li><u>(ii) plants are less than 4m in height; and</u></li> <li><u>(iii) outside of the Coastal Environment; and</u></li> <li><u>(iii) outside a wetland; and</u></li> <li><u>(iv) more than 10m from a waterbody.</u></li> </ul>
P8	<u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u>
P9	<u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u>
DI	Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or in Schedule 5 (Urban Allotment Significant Natural Areas)</del> that does not comply with one or more conditions in Rule 22.2.7 P1, P2, P3, P4, <del>P5</del> or <del>P6-7</del> .

<u>D2</u>	<u>Indigenous vegetation clearance in a Significant Natural Area other than for purposes listed in P1-P7</u>
<u>D3</u>	<u>Indigenous vegetation clearance inside a Significant Natural Area and inside the coastal environment</u>

### 22.2.8 Indigenous vegetation clearance - outside a Significant Natural Area

PI	<p>(a) Indigenous vegetation clearance outside a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> must be for the following purposes:</p> <ul style="list-style-type: none"> <li>(i) Removing vegetation that endangers human life or existing buildings or structures;</li> <li><del>(ii) Maintaining productive pasture through the removal of up to 1000m<sup>2</sup> per single consecutive 12 month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height;</del></li> <li>(iii) Maintaining existing tracks and fences;</li> <li>(iv) Maintaining existing farm drains;</li> <li>(v) Conservation fencing to exclude stock or pests;</li> <li>(vi) Gathering of plants in accordance with Maori custom and values; or</li> <li>(vii) A building platform and associated access, parking and manoeuvring up to a total of 500m<sup>2</sup> clearance of indigenous vegetation <u>and there is no practicable alternative development area on the site outside of the area of indigenous vegetation clearance.</u></li> <li>(viii) <u>In the Aggregate Extraction Areas, a maximum of 2000m<sup>2</sup> in a single consecutive 12 month period per record of title</u></li> <li>(ix) <u>Conservation activities</u></li> </ul>
P2	<p><del>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must be for the following purposes:</del></p> <ul style="list-style-type: none"> <li><del>(i) Removing vegetation that endangers human life or existing buildings or structures;</del></li> <li><del>(ii) Maintaining productive pasture through the removal of up to 1000m<sup>2</sup> per single consecutive 12 month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height;</del></li> <li><del>(iii) Maintaining existing tracks and fences;</del></li> <li><del>(iv) Maintaining existing farm drains;</del></li> <li><del>(v) Conservation fencing to exclude stock or pests; or</del></li> <li><del>(vi) Gathering of plants in accordance with Maori custom and values.</del></li> </ul>
P3	<p>(a) On Maaori Freehold Land or Maaori Customary Land, the clearance of indigenous vegetation clearance outside a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> must not exceed:</p> <ul style="list-style-type: none"> <li>(i) 1500m<sup>2</sup> for a Marae complex including associated access, parking and manoeuvring;</li> <li>(ii) 500m<sup>2</sup> per dwelling including associated access, parking and manoeuvring; and</li> <li>(iii) 500m<sup>2</sup> for a papakainga building including associated access, parking and manoeuvring.</li> <li>(iv) <u>And there is no practicable alternative development area on the site outside of the area of indigenous vegetation clearance.</u></li> </ul>
P4	<u>Indigenous vegetation clearance associated with gardening outside a Significant Natural Area</u>
P5	<u>Vegetation clearance of non-indigenous species outside a Significant Natural Area</u>
RD1	<p>(a) Indigenous Vegetation clearance outside a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> that does not comply with one or more conditions of Rule 22.2.8 P1, P2 or P3.</p> <p>(b) Council's discretion is restricted to the following matters:</p>

	<ul style="list-style-type: none"> <li>(i) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, <del>including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems;</del></li> <li>(ii) the extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;</li> <li><del>(iii) the extent to which cumulative effects of the vegetation clearance have been considered and addressed;</del></li> <li>(iv) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site;</li> <li>(v) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.</li> <li>(vi) <u>The extent to which adverse effects have been avoided, remedied, mitigated or if this is unable to be achieved, the extent of offsetting on significant residual adverse effects</u></li> </ul>
<u>RD2</u>	<p><u>Indigenous vegetation clearance outside a Significant Natural Area for any reason not specified in P1-P5</u></p> <p><u>(b) Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li><u>(i) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats;</u></li> <li><u>(ii) the extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;</u></li> <li><u>(iii) the cumulative effects of the vegetation clearance;</u></li> <li><u>(iv) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site;</u></li> <li><u>(v) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.</u></li> <li><u>(vi) The extent to which adverse effects have been avoided, remedied, mitigated or if this is unable to be achieved, the extent of offsetting on significant residual adverse effects</u></li> </ul>

## 23 Country Living Zone

### 23.2.3.1 Earthworks – General

P1	<ul style="list-style-type: none"> <li>(a) Earthworks within a site for: <ul style="list-style-type: none"> <li>(i) Ancillary rural earthworks; or</li> <li>(ii) Construction and/or maintenance of tracks, fences or drains; or</li> <li>(iii) A building platform for a residential activity including an accessory building.</li> <li>(iv) <u>Where they are not within a kauri a root zone</u></li> </ul> </li> </ul>
P2	<ul style="list-style-type: none"> <li>(a) Earthworks within a site for purposes other those contained in P1 (excluding the importation of fill material) must meet all of the following conditions: <ul style="list-style-type: none"> <li>(i) Do not exceed a volume of more than 250m<sup>3</sup> and an area of more than 1000m<sup>2</sup> within a site over any single 12 month period;</li> <li>(ii) The total depth of any excavation or filling does not exceed 1.5m above or below ground level;</li> <li>(iii) Earthworks are set back 1.5m from any boundary;</li> <li>(iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</li> <li>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> <li>(vii) <u>Where they are not within a kauri a root zone</u></li> </ul> </li> </ul>
P3	<ul style="list-style-type: none"> <li>(a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material must meet the following condition: <ul style="list-style-type: none"> <li>(i) be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.</li> <li>(ii) <u>Where they are not within a kauri a root zone</u></li> </ul> </li> </ul>

P4	(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 conditions: <ul style="list-style-type: none"> <li>(i) Not exceed a total volume of 20m<sup>3</sup>;</li> <li>(ii) Not exceed a depth of 1m;</li> <li>(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);</li> <li>(iv) Fill material is set back 1.5m from all boundaries;</li> <li>(v) Areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls;</li> <li>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</li> <li>(viii) <u>Where they are not within a kauri a root zone</u></li> </ul>
<u>P5</u>	<u>(a) Earthworks for the maintenance of existing tracks, fences or drains within Significant Natural Area</u>
RD1	<ul style="list-style-type: none"> <li>(i) Earthworks that do not comply with Rule 23.2.3.1 P1, P2, P3 ,P4 or P5</li> <li>(ii) Council's discretion is restricted to the following matters:</li> <li>(iii) Amenity values and landscape effects;</li> <li>(iv) Volume, extent and depth of earthworks;</li> <li>(v) Nature of fill material;</li> <li>(vi) Contamination of fill material;</li> <li>(vii) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</li> <li>(viii) Compaction of the fill material;</li> <li>(ix) Volume and depth of fill material;</li> <li>(x) Protection of the Hauraki Gulf Catchment Area;</li> <li>(xi) Geotechnical stability;</li> <li>(xii) Flood risk, including natural water flows and established drainage paths;</li> <li>(xiii) Land instability, erosion and sedimentation.</li> <li>(xiv) <u>The effects on any kauri tree</u></li> </ul>
<u>RD2</u>	<u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u>  <u>Council's discretion is restricted to the following matters:</u> <ul style="list-style-type: none"> <li><u>(i) The effects on the Significant Natural Area</u></li> <li><u>(ii) Land instability, erosion and sedimentation.</u></li> <li><u>(iii) The functional and operational need for the earthworks</u></li> <li><u>(iv) Volume, extent and depth of earthworks</u></li> </ul>
NC1	Earthworks including the importation of cleanfill to a site.

### **23.2.3.3 Earthworks – Significant Natural Areas**

<del>P4</del>	<del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</del> <ul style="list-style-type: none"> <li><del>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</del></li> <li><del>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</del></li> <li><del>(iii) Not include importing any fill material</del></li> </ul>
<del>RD1</del>	<del>(a) Earthworks that do not comply with Rule 22.2.3.3 P1.</del> <del>(b) Council's discretion is restricted to the following matters:</del> <ul style="list-style-type: none"> <li><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></li> <li><del>(ii) The effects on the Significant Natural Area</del></li> </ul>

<del>P1</del>	<del>Earthworks within an identified Significant Natural Area not provided for in Rule 23.2.3.3 P1 or RD1.</del>
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### 23.2.8 Indigenous vegetation clearance inside a Significant Natural Area

P1	(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> for the following purposes: <ul style="list-style-type: none"> <li>(i) Removing vegetation that endangers human life or any existing building or structure;</li> <li>(ii) Conservation fencing to exclude stock or pests;</li> <li>(iii) Maintaining existing farm drains;</li> <li>(iv) Maintaining existing tracks and fences;</li> <li>(v) Gathering plants in accordance with Maaori customs and values.</li> <li>(vi) <u>Conservation activities</u></li> </ul>
P2	Removal of <del>up to 5m<sup>3</sup></del> of manuka and/or kanuka outside of the Coastal Environment <u>or a wetland</u> per year per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant.
P3	(a) Indigenous vegetation clearance <u>outside of the Coastal Environment</u> for building, access, parking and manoeuvring areas in a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> must comply with the following conditions: <ul style="list-style-type: none"> <li>(i) there is no <u>practicable</u> alternative development area on the site outside the Significant Natural Area; and</li> <li>(ii) the total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</li> <li>(iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u></li> </ul>
P4	<del>(a) On Maaori Freehold Land or Maaori Customary Land indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) where: <ul style="list-style-type: none"> <li>(i) There is no practical development area on the site outside the Significant Natural Area;</li> <li>(ii) The following total areas are not exceeded: <ul style="list-style-type: none"> <li>A. 1500m<sup>2</sup> for a marae complex, including areas associated with access parking and manoeuvring; and</li> <li>B. 500m<sup>2</sup> per dwelling, including areas associated with access parking and manoeuvring; and</li> <li>C. 500m<sup>2</sup> for a papakaainga building including areas associated with access parking and manoeuvring.</li> </ul> </li> </ul> </del>
P5	<del>(b) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes: <ul style="list-style-type: none"> <li>(i) Removing vegetation that endangers human life or existing buildings or structures; or</li> <li>(ii) Conservation fencing to exclude stock or pests; or</li> <li>(iii) Maintaining existing farm drains; or</li> <li>(iv) Maintaining existing tracks and fences; or</li> <li>(v) Gathering plants in accordance with Maaori customs and values.</li> </ul> </del>
P6	<del>Removal of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per year per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</del>
<u>P7</u>	<u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u>
<u>P8</u>	<u>Removal of manuka and/or kanuka to maintain productive pasture through the complying with the following:</u>

	<p><u>(i) up to 2000m<sup>2</sup> per single consecutive 12 month period; and</u></p> <p><u>(ii) plants are less than 4m in height; and</u></p> <p><u>(iii) outside of the Coastal Environment; and</u></p> <p><u>(iii) outside a wetland; and</u></p> <p><u>(iv) more than 10m from a waterbody.</u></p>
<u>P9</u>	<u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u>
D1	Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with Rule 23.2.8 P1, P2, P3, P4, <del>or P8 P5 or P6.</del>
<u>D2</u>	<u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1- P8.</u>
<u>D3</u>	<u>Indigenous vegetation clearance inside a Significant Natural Area and inside the coastal environment</u>

### 23.2.9 Indigenous vegetation clearance - outside a Significant Natural Area

PI	<p>(a) Indigenous vegetation clearance outside a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> must be for the following purposes:</p> <p>(i) removing vegetation that endangers human life or any existing building or structure;</p> <p><del>(ii) maintaining productive pasture through the removal of up to 1000m<sup>2</sup> per year of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height; or</del></p> <p>(iii) maintaining existing tracks and fences; or</p> <p>(iv) maintaining existing farm drains; or</p> <p>(v) conservation fencing to exclude stock or pests; or</p> <p>(vi) gathering of plants in accordance with Maaori customs and values; or</p> <p>(vii) a building platform and associated access, parking and manoeuvring up to a total of 500m<sup>2</sup> clearance of indigenous vegetation <del>there is no practical alternative development area on the site outside of the area of indigenous vegetation clearance</del></p>
P2	<p><del>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must be for the following purposes:</del></p> <p><del>(i) removing vegetation that endangers human life or existing buildings or structures; or</del></p> <p><del>(ii) maintaining productive pasture through the removal of up to 1000m<sup>2</sup> per single consecutive 12 month period of manuka and/or kanuka that is more than 10m from a waterbody, and less than 4m in height; or</del></p> <p><del>(iii) maintaining existing tracks and fences; or</del></p> <p><del>(iv) maintaining existing farm drains; or</del></p> <p><del>(v) conservation fencing to exclude stock or pests; or</del></p> <p><del>(vi) gathering of plants in accordance with Maaori custom and values.</del></p>
P3	<p><del>(a) On Maaori Freehold Land or Maaori Customary Land, the clearance of indigenous vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must not exceed:</del></p> <p><del>(i) 1500m<sup>2</sup> for a marae complex including associated access, parking and manoeuvring; and</del></p> <p><del>(ii) 500m<sup>2</sup> per dwelling including associated access, parking and manoeuvring; and</del></p> <p><del>(iii) 500m<sup>2</sup> for a papakaainga building including associated access, parking and manoeuvring.</del></p>

P4	<u>Indigenous vegetation clearance associated with gardening outside a Significant Natural Area</u>
P5	<u>Vegetation clearance of non-indigenous species outside a Significant Natural Area</u>
RD1	<p>(a) Indigenous Vegetation clearance outside a Significant Natural Area identified on the planning maps or in Schedule 30. 5 (Urban Allotment Significant Natural Areas) that does not comply with Rule 21.2.9 P1, <del>P2 or P3.</del></p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) The extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats, <del>including the loss of corridors or connections that link indigenous ecosystems and habitat and the loss of buffering of indigenous ecosystems;</del></p> <p>(ii) The extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;</p> <p><del>(iii) The extent to which cumulative effects of the vegetation clearance have been considered and addressed;</del></p> <p>(iv) The extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site;</p> <p>(v) The extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.</p> <p><u>(vi) The extent to which adverse effects have been avoided, remedied, mitigated or if this is unable to be achieved, the extent of offsetting on significant residual adverse effects</u></p>
RD2	<p><u>Indigenous vegetation clearance outside a Significant Natural Area for any reason not specified in P1-P5</u></p> <p><u>(b) Council's discretion is restricted to the following matters:</u></p> <p><u>(i) the extent to which the clearance will result in the fragmentation and isolation of indigenous ecosystems and habitats;</u></p> <p><u>(ii) the extent to which the clearance will result in loss, damage or disruption to ecological processes, functions and ecological integrity, including ecosystem services;</u></p> <p><u>(iii) the cumulative effects of the vegetation clearance;</u></p> <p><u>(iv) the extent to which the clearance affects Tangata Whenua relationships with indigenous biodiversity on the site;</u></p> <p><u>(v) the extent to which the indigenous biodiversity contributes to natural character and landscape values, including in areas of outstanding natural character, outstanding natural features, outstanding natural landscapes and significant amenity landscapes.</u></p> <p><u>(vi) The extent to which adverse effects have been avoided, remedied, mitigated or if this is unable to be achieved, the extent of offsetting on significant residual adverse effects</u></p>

## 24 Village Zone

### Rule 24.2.4.1 Earthworks-General

P1	<p>(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:</p> <p>(i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path;</p> <p>(ii) Not exceed a volume of 250m<sup>3</sup>;</p> <p>(iii) Not exceed an area of 1000m<sup>2</sup> over any consecutive 12 month period;</p> <p>(iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level;</p> <p>(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);</p> <p>(vi) Earthworks are set back 1.5m from all boundaries:</p>
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	<p>(vii) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</p> <p>(x) <u>Where they are not within a kauri a root zone</u></p>
P2	<p>Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material must meet the following condition:</p> <p>(a) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.</p> <p>(b) <u>Where they are not within a kauri a root zone</u></p>
P3	<p>(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 conditions:</p> <p>(i) Not exceed a total volume of 20m<sup>3</sup>;</p> <p>(ii) Not exceed a depth of 1m;</p> <p>(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);</p> <p>(iv) Fill material is setback 1.5m from all boundaries;</p> <p>(v) Areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths.</p> <p>(viii) <u>Where they are not within a kauri a root zone</u></p>
<u>P4</u>	<p>(a) <u>Earthworks for the maintenance of existing tracks, fences or drains within a Significant Natural Area</u></p>
RD1	<p>(i) Earthworks that do not comply with Rule 24.2.4.1 P1, P2, P3</p> <p>(ii) The Council's discretion shall be restricted to the following matters:</p> <p>(iii) Amenity values and landscape effects;</p> <p>(iv) Volume, extent and depth of earthworks;</p> <p>(v) Nature of fill material;</p> <p>(vi) Contamination of fill material;</p> <p>(vii) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat;</p> <p>(viii) Compaction of the fill material;</p> <p>(ix) Volume and depth of fill material;</p> <p>(x) Protection of the Hauraki Gulf Catchment Area;</p> <p>(xi) Geotechnical stability;</p> <p>(xii) Flood risk, including natural water flows and established drainage paths; and</p> <p>(xiii) Land instability, erosion and sedimentation.</p> <p>(xiv) <u>The effects on any kauri tree</u></p>

RD2	<p><u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) The functional and operational need for the earthworks</u></p> <p><u>(iv) Volume, extent and depth of earthworks</u></p>
NC1	Earthworks including the importation of cleanfill to a site.

### 24.2.4.3 Earthworks – Significant Natural Areas

PI	<p><del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</del></p> <p><del>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</del></p> <p><del>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</del></p> <p><del>(iii) Not include importing any fill material</del></p>
RD1	<p><del>(a) Earthworks that do not comply with Rule 24.2.4.3 PI.</del></p> <p><del>(b) Council's discretion is restricted to the following matters:</del></p> <p><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></p> <p><del>(ii) The effects on the Significant Natural Area</del></p>

### 24.2.8 Indigenous vegetation clearance inside a Significant Natural Area

PI	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures;</p> <p>(ii) Conservation fencing to exclude stock or pests;</p> <p>(iii) Maintaining existing farm drains;</p> <p>(iv) Maintaining existing tracks and fences;</p> <p>(v) Gathering plants in accordance with Maaori customs and values;</p> <p>(vi) <u>Conservation activities</u></p>
P2	Removal of <u>up to 5m<sup>3</sup></u> manuka and/or kanuka outside of the Coastal Environment <u>or a wetland</u> per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant
P3	<p>(a) Indigenous vegetation clearance <u>outside of the Coastal Environment</u> for building, access, parking and manoeuvring areas in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:</p> <p>(i) There is no <u>practicable</u> alternative development area on the site outside the Significant Natural Area; and</p> <p>(ii) The total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</p> <p>(iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u></p>
P4	<p>(a) On Maaori Freehold Land or Maaori Customary Land <u>outside of the coastal environment</u> , indigenous vegetation clearance in a Significant Natural Area <u>for the purposes of development identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</u> where:</p> <p>(i) There is no alternative development area on the site outside the Significant Natural Area;</p> <p>(ii) The following total areas are not exceeded:</p>

	<p>A. 1500m<sup>2</sup> for a Marae complex, including areas associated with access parking and manoeuvring;</p> <p>B. 500m<sup>2</sup> per dwelling, including areas associated with access parking and manoeuvring; and</p> <p>C. 500m<sup>2</sup> for a papakainga building including areas associated with access parking and manoeuvring.</p>
P5	<p><del>(b) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</del></p> <p><del>(vi) Removing vegetation that endangers human life or existing buildings or structures;</del></p> <p><del>(vii) Conservation fencing to exclude stock or pests;</del></p> <p><del>(viii) Maintaining existing farm drains;</del></p> <p><del>(ix) Maintaining existing tracks and fences; or</del></p> <p><del>(x) Gathering plants in accordance with Maaori customs and values.</del></p>
P6	<p><del>Removal of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</del></p>
P7	<p><del>(a) <u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u></del></p>
P8	<p><del><u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u></del></p>
P9	<p><del><u>Vegetation clearance outside a Significant Natural Area</u></del></p>
D1	<p>Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 24.2.8 P1, P2, P3, P4, <del>P5 or P6.</del></p>
D2	<p><del><u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P4.</u></del></p>
D3	<p><del><u>Indigenous vegetation clearance within a Significant Natural Area within the coastal environment</u></del></p>

## 25 Reserve Zone

### 25.2.4.1 Earthworks - General

P1	<p>(a) Earthworks within a site must meet all of the following:</p> <p>(i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;</p> <p>(ii) Not exceed a volume of more than 250m<sup>3</sup> and an area of more than 1,000m<sup>2</sup> within a site;</p> <p>(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</p> <p>(iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</p>
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	<ul style="list-style-type: none"> <li>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</li> <li>(vii) Do not result in the site being unable to be serviced by gravity sewers.</li> <li>(viii) <u>Where they are not within a kauri a root zone</u></li> </ul>
P2	<ul style="list-style-type: none"> <li>(a) The importation of fill material to a site must meet all of the following conditions, in addition to the conditions in P1. <ul style="list-style-type: none"> <li>(i) Does not exceed a total volume of 500m<sup>3</sup> per site and a depth of 1m;</li> <li>(ii) Is fit for compaction;</li> <li>(iii) The height of the resulting batter face in stable ground does not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</li> <li>(iv) Does not restrict the ability for land to drain;</li> <li>(v) Is not located within 3m of a property boundary, with the exception of the following: <ul style="list-style-type: none"> <li>A. Landscaping bunds;</li> </ul> </li> <li>(vi) <u>Where they are not within a kauri a root zone</u></li> </ul> </li> <li>(b) Where a retaining wall exists, the fill is placed to the same level as the retaining wall.</li> </ul>
<u>P3</u>	<u>(a) Earthworks for the maintenance of existing tracks, fences or drains within Significant Natural Area</u>
RD1	<ul style="list-style-type: none"> <li>(i) Earthworks that do not comply with Rule 25.2.4.1 P1, P2 or P3</li> <li>(ii) Council's discretion is restricted to the following matters:</li> <li>(iii) Amenity values and landscape effects;</li> <li>(iv) Volume, extent and depth of earthworks;</li> <li>(v) Nature of fill material;</li> <li>(vi) Contamination of fill material;</li> <li>(vii) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</li> <li>(viii) Compaction of the fill material;</li> <li>(ix) Volume and depth of fill material;</li> <li>(x) Protection of the Hauraki Gulf Catchment Area;</li> <li>(xi) Geotechnical stability;</li> <li>(xii) Flood risk, including natural water flows and established drainage paths</li> <li>(xiii) Land instability, erosion and sedimentation;</li> <li>(xiv) Proximity to underground services and service connections.</li> <li>(xv) <u>The effects on any kauri tree</u></li> </ul>
<u>RD2</u>	<u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u>

	<p><u>Council's discretion is restricted to the following matters:</u></p> <p><u>(i) The effects on the Significant Natural Area</u></p> <p><u>(ii) Land instability, erosion and sedimentation.</u></p> <p><u>(iii) The functional and operational need for the earthworks</u></p> <p><u>(iv) Volume, extent and depth of earthworks</u></p>
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#### 25.2.4.2 Earthworks – Significant Natural Areas

P1	<p><del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</del></p> <p><del>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</del></p> <p><del>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</del></p> <p><del>(iii) Not include importing any fill material</del></p>
RD1	<p><del>(a) Earthworks that do not comply with Rule 25.2.4.3 P1.</del></p> <p><del>(b) Council's discretion is restricted to the following matters:</del></p> <p><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></p> <p><del>(ii) The effects on the Significant Natural Area</del></p>

#### 25.2.8 Indigenous vegetation clearance in a Significant Natural Area

P1	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps</del> for the following purposes:</p> <p>(i) Removing vegetation that endangers human life or existing buildings or structures; or</p> <p>(ii) Conservation fencing to exclude stock or pests;</p> <p>(iii) Maintaining existing farm drains;</p> <p>(iv) Maintaining existing tracks and fences;</p> <p>(v) Gathering plants in accordance with Maaori customs and values;</p> <p>(vi) <u>Conservation activities</u></p>
P2	<p>(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area <u>and outside the coastal environment</u> <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> must comply with all of the following conditions:</p> <p>(i) There is no alternative development area on the site outside the Significant Natural Area; and</p> <p>(ii) The total indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</p>
P3	<u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u>
P4	<u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u>
P5	<u>Vegetation clearance outside a Significant Natural Area</u>
D1	Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> that does not comply with one or more conditions in Rule 24.2.8 P1 or P2.
D2	<u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P2.</u>

<b>D3</b>	<u>Indigenous vegetation clearance within a Significant Natural Area within the coastal environment</u>
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## 28 Rangitahi Peninsula Zone

### 28.2.4.1 Earthworks - General

P1	<p>(a) Earthworks within a site must meet all of the following:</p> <ul style="list-style-type: none"> <li>(i) Be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe;</li> <li>(ii) Not exceed a volume of more than 250m<sup>3</sup> and an area of more than 1,000m<sup>2</sup> within a site;</li> <li>(iii) The height of the resulting cut, filled areas or fill batter face in stable ground, not including any surcharge, does not exceed 1.5m, with a maximum slope of 1:2 (1 vertical to 2 horizontal);</li> <li>(iv) Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</li> <li>(v) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls;</li> <li>(vi) Do not divert or change the nature of natural water flows, water bodies or established drainage paths; and</li> <li>(vii) Do not result in the site being unable to be serviced by gravity sewers.</li> </ul>
P2	<p>(a) The importation of fill material to a site must meet all of the following conditions, in addition to the conditions in P1.</p> <ul style="list-style-type: none"> <li>(i) Does not exceed a total volume of 500m<sup>3</sup> per site and a depth of 1m;</li> <li>(ii) Is fit for compaction;</li> <li>(iii) The height of the resulting batter face in stable ground does not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</li> <li>(iv) Does not restrict the ability for land to drain;</li> <li>(v) Is not located within 3m of a property boundary, with the exception of the following: <ul style="list-style-type: none"> <li>B. Landscaping bunds;</li> </ul> </li> </ul> <p>(b) Where a retaining wall exists, the fill is placed to the same level as the retaining wall.</p>
<u>P3</u>	<u>(a) Earthworks for the maintenance of existing tracks, fences or drains within Significant Natural Area</u>
RD1	<p>(a) Earthworks that do not comply with Rule 25.2.4.1 P1, P2 or P3</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) Amenity values and landscape effects;</li> <li>(ii) Volume, extent and depth of earthworks;</li> <li>(iii) Nature of fill material;</li> <li>(iv) Contamination of fill material;</li> <li>(v) Location of the earthworks to waterways, significant indigenous vegetation and habitat;</li> <li>(vi) Compaction of the fill material;</li> <li>(vii) Volume and depth of fill material;</li> <li>(viii) Protection of the Hauraki Gulf Catchment Area;</li> </ul>

	<ul style="list-style-type: none"> <li>(ix) Geotechnical stability;</li> <li>(x) Flood risk, including natural water flows and established drainage paths</li> <li>(xi) Land instability, erosion and sedimentation;</li> <li>(xii) Proximity to underground services and service connections.</li> </ul>
<u>RD2</u>	<p><u>Earthworks in a Significant Natural Area for purposes other than the maintenance of existing tracks, fences or drains</u></p> <p><u>Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li><u>(i) The effects on the Significant Natural Area</u></li> <li><u>(ii) Land instability, erosion and sedimentation.</u></li> <li><u>(iii) The functional and operational need for the earthworks</u></li> <li><u>(iv) Volume, extent and depth of earthworks</u></li> </ul>

### 28.2.4.3 Earthworks – Significant Natural Areas

<del>PI</del>	<p><del>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area must meet all of the following conditions:</del></p> <ul style="list-style-type: none"> <li><del>(i) The earthworks must not exceed a volume of 50m<sup>3</sup> in a single consecutive 12 month period; and</del></li> <li><del>(ii) The earthworks must not exceed an area of 250m<sup>2</sup> in a single consecutive 12 month period;</del></li> <li><del>(iii) Not include importing any fill material</del></li> </ul>
<del>RD1</del>	<p><del>(a) Earthworks that do not comply with Rule 28.2.4.3 PI.</del></p> <p><del>(b) Council's discretion is restricted to the following matters:</del></p> <ul style="list-style-type: none"> <li><del>(i) The location of earthworks, taking into account waterways, significant indigenous vegetation or habitat;</del></li> <li><del>(ii) The effects on the Significant Natural Area</del></li> </ul>
<del>D1</del>	<del>Earthworks within an identified Significant Natural Area not provided for in Rule 28.2.4.3 PI or RD1.</del>

### 28.2.8 Indigenous vegetation clearance inside a Significant Natural Area

PI	<p>(a) Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps or</del> in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> <ul style="list-style-type: none"> <li>(i) Removing vegetation that endangers human life or existing buildings or structures; or</li> <li>(ii) Conservation fencing to exclude stock or pests; or</li> <li>(iii) Maintaining existing farm drains; or</li> <li>(iv) Maintaining existing tracks and fences; or</li> <li>(v) Gathering plants in accordance with Maaori customs and values; <u>or</u></li> <li><u>(vi) Conservation activities</u></li> </ul>
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P2	Removing <del>of up to 5m<sup>3</sup></del> of manuka and/or kanuka outside of the Coastal Environment per single consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant
P3	(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area <del>outside the coastal environment identified on the planning maps</del> or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions: (i) There is no alternative development area on the site outside the Significant Natural Area; and (ii) The total indigenous vegetation clearance does not exceed 250m <sup>2</sup> . (iii) <u>The vegetation clearance is at least 10m from a natural waterbody</u>
P4	(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area <del>outside the coastal environment identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas)</del> where: (i) There is no alternative development area on the site outside the Significant Natural Area; (ii) The following total areas are not exceeded: A. 1500m <sup>2</sup> for a Marae complex, including areas associated with access parking and manoeuvring; and B. 500m <sup>2</sup> per dwelling, including areas associated with access parking and manoeuvring; and C. 500m <sup>2</sup> for a papakainga building including areas associated with access parking and manoeuvring.
P5	<del>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:  (i) Removing vegetation that endangers human life or existing buildings or structures; or  (ii) Conservation fencing to exclude stock or pests; or  (iii) Maintaining existing farm drains; or  (iv) Maintaining existing tracks and fences; or  (v) Gathering plants in accordance with Maaori customs and values.</del>
P6	<del>Removing of up to 5m<sup>3</sup> of manuka and/or kanuka outside of the Coastal Environment per consecutive 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant</del>
<u>P7</u>	<u>The trimming or pruning of indigenous vegetation in a Significant Natural Area which will not directly result in the death, destruction, or irreparable damage of the vegetation</u>
<u>P8</u>	<u>Vegetation clearance of non-indigenous species in a Significant Natural Area</u>
<u>P9</u>	<u>Vegetation clearance outside a Significant Natural Area</u>
D1	Indigenous vegetation clearance in a Significant Natural Area <del>identified on the planning maps</del> or in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with Rule 21.2.8 P1, P2, P3, P4, <del>P5 and P6</del> .
D2	<u>Indigenous vegetation clearance in a Significant Natural Area other than for the purposes listed in P1-P4.</u>
D3	<u>Indigenous vegetation clearance within a Significant Natural Area within the coastal environment</u>

## Appendix 2 Criteria for Determining Significance of Indigenous Biodiversity

Add the following:

*The Appendix does not apply to plantation forestry*

## Part 3 Mapping Amendments

Notified version of SNA mapping at 62 Bluff Road



Recommended are for removal from the SNA (shown in blue)



Notified version of SNA Mapping at 40 Cameron Road



Recommended are for removal from the SNA (shown in blue)

