

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing 2: Plan Structure and All of Plan

of the Proposed Waikato District Plan

STATEMENT OF EVIDENCE OF MARIE-LOUISE (MIFFY) FOLEY

For the Waikato Regional Council

DATED 20 SEPTEMBER 2019

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Introduction

1. My name is Marie-Louise (Miffy) Foley. I am a Senior Policy Advisor in the Integration and Infrastructure Section at the Waikato Regional Council. I have been in this role since February 2019.
2. I hold the academic qualifications of a Bachelor of Sciences from the University of Waikato and a Graduate Diploma in Urban and Regional Planning from the University of New England in New South Wales (NSW), Australia. I am an intermediate Member of the New Zealand Planning Institute.
3. My role with Waikato Regional Council has been as a member of the Policy Implementation Team which involves working with the territorial authorities of the Waikato Region and with neighbouring regional councils to assist in the development of consistent integrated regional policy. I am also involved with Future Proof and a number of the Hamilton to Auckland Corridor Plan work streams. I represent Waikato Regional Council on the Future Proof Technical Implementation Group and on the Hamilton-Waikato Metro Spatial Plan Technical Project Team.
4. I have nearly 14 years' experience working in the planning field. Prior to my role with Waikato Regional Council, I was employed as a policy and strategic planner in local government in NSW for over 13 years.
5. I confirm that I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2014. I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

6. My evidence is given on behalf of Waikato Regional Council.
7. The submission made by Waikato Regional Council addressed several aspects that relate to the whole of the proposed Waikato District Plan (PWDP). The submission sought amendments to improve consistency with regional policy documents. I was not involved in the preparation

of Waikato Regional Council's submission, dated 18 September 2018. However, I led the preparation of the further submission, dated 15 July 2019.

8. My evidence reinforces the Waikato Regional Council submission, and reflects my professional opinions as a resource management policy advisor. The focus of my evidence is on the management of activities that have the potential to affect the health and wellbeing of the Waikato River. This is a key area of interest to the Waikato Regional Council and an area that requires further strengthening in terms of alignment with the Waikato Regional Policy Statement (WRPS), particularly in relation to Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy (the Vision and Strategy) for the Waikato River.

Topic 2: Vision and Strategy/Setbacks

9. The discussion on the submission points on this topic in the Hearing 2 Section 42A Report (in paragraphs 59 to 74) appears to have confused two separate issues raised by Waikato Regional Council and by other submitters. I consider the two separate issues to be as outlined below.

- a. Minimum setbacks from waterbodies for earthworks as a permitted activity.

Waikato Regional Council's submission point 81.3 (which has not been included in the Hearing 2 Section 42A report):

Amend permitted activity standards for earthworks to provide for a minimum setback from any waterbody or overland flow path.

- b. Minimum setbacks from a perennial or intermittent stream for buildings as a permitted activity.

Waikato Regional Council's submission point 81.9:

Amend to provide a minimum 10m setbacks from a perennial or intermittent stream for buildings.

10. While Waikato Regional Council's submission point 81.3 has not been included in the Hearing 2 Section 42A Report, other similar points have been included which I consider gives me scope to discuss Waikato Regional Council's submission point. I consider that Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River is particularly relevant to both these issues raised in submission points 81.3 and 81.9.

Te Ture Whaimana o Te Awa o Waikato, Vision and Strategy for the Waikato River

11. The Vision and Strategy for the Waikato River contains a number of objectives regarding the restoration and protection of the Waikato River, including but not limited to:
 - a) *The restoration and protection of the health and wellbeing of the Waikato River, and*
 - e) *The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River.*
12. The Vision and Strategy applies beyond the Waikato River and its margins and recognises the impacts of land use within the Waikato and Waipa Catchments, and hence applies more broadly to land use. WRPS Policy 8.5 applies to the Waikato River catchment and recognises the Vision and Strategy as the primary direction-setting document for the Waikato River and the need to develop an integrated, wholistic and co-ordinated approach to implementation.
13. Further, Implementation Method 8.5.1 states that (emphasis added):

8.5.1 Regional and district plans

Regional and district plans shall:

- a) *recognise the Vision and Strategy for the Waikato River as the primary direction-setting document for the Waikato River and its catchment; and*
 - b) *ensure activities within the Waikato River catchment (refer to Map 8.2) are controlled with respect to any adverse effects on the health and wellbeing of the Waikato River, including activities which:*
 - i) *result in the destabilisation of the beds and banks of waterbodies;*
 - ii) *result in discharges of contaminants to water bodies;*
 - iii) *result in adverse effects on significant sites, fisheries, flora and fauna;*
 - iv) *result in a loss of public access; and*
 - v) *adversely affect the cultural association of Waikato-Tainui, Ngāti Tūwharetoa, Te Arawa River Iwi, Maniapoto and Raukawa with the Waikato River.*
14. To achieve the Vision and Strategy, a number of regulatory and non-regulatory steps are required, on wide-ranging issues such as weed and pest management, erosion control, and the impacts of land use in urban areas. While I agree with the author of the Hearing 2 Section 42A Report in paragraph 66 where he states that the objectives are higher order provisions; I disagree that the objectives are difficult to relate to individual or cumulative district plan

provisions, and disagree that the PWDP gives effect to the Vision and Strategy as far as practicable.

15. Water quality is a major issue across the country and the region, as evidenced by the focus of Central Government on Freshwater Management and the Waikato Regional Council's Plan Change 1 (PC1) to the Waikato Regional Plan. In my opinion, to give effect to the Vision and Strategy, the PWDP needs to ensure that provisions relating to land use will control adverse effects on the health and wellbeing of the river in order that the health and wellbeing of the river is restored.
16. PC1 to the Waikato Regional Plan is only one part of the regulatory response required to restore the water quality within the Waikato River. PC1 relates to a particular set of identified contaminants from a particular set of land uses that fall within the ambit of the Waikato Regional Council's role and responsibilities under section 30 of the Resource Management Act 1991 (the Act). Conversely, PC1 does not address the relevant functions of district councils under s31 of the Act. District councils in the Waikato Region, through their management of land uses, are responsible for improvements in water quality to 'give effect to' the Vision and Strategy.
17. The author of Hearing 2 Section 42A Report states in his high level assessment of the relationship of the PWDP provisions against the Vision and Strategy objectives (provided in Appendix 3 to the report) that in not intensifying land use in sensitive areas adjoining or adjacent to the river, many of the objectives of the Vision and Strategy are satisfied. Land use within the Waikato River Catchment has a cumulative impact on the receiving environment, being the Waikato River, and should be considered through the provisions in the plan, such as in setbacks to water bodies for permitted activities.
18. There are a range of land use activities that can be generally improved across the region which will result in improving the quality of the region's fresh water bodies. WRPS Policy 8.3 applies to all fresh water bodies and coastal water across the region and seeks to maintain or enhance the identified values of all fresh water bodies and coastal water. WRPS Policy 8.5 applies to the Waikato River catchment
19. These policies are supported by related provisions of the WRPS, notably Implementation Methods 8.3.8, and 8.3.10.

20. Waikato Regional Council's requested changes are intended to assist in the management of the effects of land use and development, and as per Objective 2.5.3 of the WRPS, specifically i) and k):

i) Encourage and foster a 'whole of river' approach to the restoration and protection of the Waikato River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River.

k) Ensure that cumulative adverse effects on the Waikato River of activities are appropriately managed in statutory planning documents at the time of their review.

21. The Waikato Stormwater Management Guidelines represent the latest expertise in the management of stormwater and is a significant step towards achieving the Vision and Strategy. It provides a good background for the issues relating to waterways in the region. The document can be viewed here:

<https://www.waikatoregion.govt.nz/assets/WRC/Services/publications/technical-reports/2018/TR201801.pdf>

22. As noted in Waikato Regional Council's Stormwater Management Guidelines:

The impacts of land development on small urban streams have been severe. Many impacts are caused by modifications to channel and riparian areas, as well as by the hydrological changes accompanying urbanisation.

Minimum setbacks from waterbodies for earthworks

23. As noted above, submission point 81.3 has not been coded to this hearings topic but submission point 642.6 from the Waikato River Authority which relates to minimum setbacks from waterbodies for earthworks has been included. The author of the Hearing 2 Section 42A Report discusses this issue in his commentary (paragraph 63), so I have included Waikato Regional Council's submission point on this issue in my evidence. Submission point 81.3 is summarised as follows:

Amend Permitted Activity standards for all zones for earthworks to provide for a minimum 5 metre distance from any waterbody or overland flow path, example of which is as follows:
P16.2.4.1 (a)(i) Be located more than ~~1.5 m~~ 5.0 m horizontally from any waterway, open drain or overland flow path

24. Submission point 81.3 explicitly references permitted activity standards (being contained in rules) and 'all zones' rather than more broadly "the district plan". Hence, Waikato Regional Council wishes that this submission be further considered alongside other submissions which also pertain to earthworks across each Section 42A report for zone chapters. This will ensure the submission point can be considered alongside others submitting on similar specific aspects of earthworks rules. It will further provide certainty for Waikato Regional Council to be involved as zone specific hearings progress.

25. The author of the Hearing 2 Section 42A report states in paragraph 60 that: '*There are no specific earthworks setback standards applying from waterways*'. However, the Residential Zone (Rule 16.2.4.1), the Industrial Zone (Rule 20.2.5.1), the Industrial Zone Heavy (Rule 21.2.5.1) and the Village Zone (Rule 24.2.4.1) all contain the following rule which is explicitly refers to waterways:

Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:

... Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path.

26. The author of the Hearing 2 Section 42A Report also states in paragraph 64 that PWDP provisions control land use activities and their associated effects. The effects of earthworks are regulated by the district plan through both general and overlay specific rules in all Zones. Earthworks have the potential have an effect on water quality through increased sedimentation, destabilisation of banks, compaction of soils increasing runoff, etc. This in turn impacts on capacity of the stormwater network and impacts on the water quality in the receiving environment.

27. Further, WRPS Implementation Method 8.3.8 states that (emphasis added):

Regional and district plans shall ensure that the natural functioning and ecological health of fresh waterbodies and coastal water is maintained, and where appropriate enhanced, by:

...h) providing for appropriate development setbacks from fresh waterbodies.

28. The term *shall* is further explained in the RPS as a clear directive as follows:

This Regional Policy Statement has adopted the following standard terminology:

‘Shall’ has been used where methods are of a directive nature, where little discretion is intended to be exercised, and where it is intended that district or regional plans shall give effect to the method.

‘Should’ has been used where it is intended that the direction should be followed, except where there are good reasons not to, as demonstrated in as32 report or other appropriate evaluation or analysis.

29. The provisions as written do not take a sufficiently precautionary approach to managing sediment loadings entering stormwater networks and waterbodies. In some zones there is only a minimal setback of 1.5 metres from a waterbody for earthworks as a permitted activity such as in the Residential Zone. There are also a number of zones that have no earthwork setbacks from waterbodies as a permitted activity such as the Business Zone.
30. I consider that a 5 metre setback for earthworks as a permitted activity is a more precautionary approach that minimises the risk of sediment entering waterbodies or stormwater. I consider a consistent approach across zones should be implemented. A 5 metre setback is suggested to be included in the permitted activity rule for earthworks which is consistent with the permitted rule in the Waikato Regional Plan relating to land disturbance and riparian vegetation disturbance (5.1.4.11).
31. Suggested amendments to the Zone chapters are included in Appendix One to introduce a standardised 5 metre setback.

Minimum setbacks from a perennial or intermittent stream for buildings

32. Submission point 81.9 has been coded to this hearings topic and summarised as follows:

All Zones: Building setbacks from waterbodies

Amend setbacks from the banks of a perennial stream or intermittent stream to provide for a minimum 10 metre setback.

33. Submission point 81.9 references ‘all zones’ rather than more broadly “the district plan”. Hence, Waikato Regional Council wishes that this submission be further considered alongside other submissions which also pertain to building setbacks across each Section 42A report for zone chapters. This will ensure the submission point can be considered alongside others submitting on similar specific aspects of building setback rules. It will further provide certainty for Waikato Regional Council to be involved as zone specific hearings progress.

34. Notwithstanding the above, given submission point 81.9 is coded to this topic, and that a recommendation has been provided by the Hearing 2 Section 42A Report author, I have chosen to address the matter of buildings setbacks within this evidence.
35. Waikato Regional Council submitted that a minimum 10 metre setback from a perennial or intermittent stream for buildings should be applied to all zones (81.9). I note that in paragraph 89 of the Hearing 2 Section 42A Report this submission point is incorrectly referred to as submission 81.8. The notified plan has a range of setbacks from waterbodies throughout the zones. This includes varied setbacks explicitly for the Waipa and Waikato River, and separately for rivers over 3 metres, lakes and wetlands. As the Hearing 2 Section 42A Report author notes at paragraph 70, I too have found no evidence within the Section 32 reports explaining this rule or further any options analysis as to why the water body setback rules are limited to waterbodies of a particular dimension.
36. The Hearing 2 Section 42A report states in paragraph 64 that setbacks should only be included in the PWDP if they have a land use function, however, Implementation method *8.3.8 Natural functioning and ecological health of fresh water bodies and coastal water* of the WRPS requires that (emphasis added):
- Regional and **district plans shall** ensure that the natural functioning and ecological health of fresh water bodies and coastal water is maintained and where appropriate enhanced, including by:*
- ...
- h) providing for appropriate development setbacks from fresh water bodies.*
37. It is therefore appropriate to include a building setback in each of the zones for the purpose of maintaining the natural functioning and ecological health of fresh water, which in turn, assists with achieving the Vision and Strategy.
38. The reasons for providing a setback from waterways for buildings are clearly articulated in the Operative Christchurch District Plan:
- a. Providing a buffer zone for natural erosion, sedimentation and land movement in the weak saturated soils that border water bodies; and minimising the risk that these processes pose to buildings or other structures.*
- b. Minimising flood risk and damage by providing flood storage capacity, dispersal and effective land drainage; and managing risk and damage from structures that transfer flood hazard.*

- c. Improving water quality and catchment-wide ecosystem health by filtering potential contaminants.*
 - d. Allowing space for riparian planting where possible in a continuous corridor to improve ecological values, and bank and slope stability.*
 - e. Providing access for the maintenance of water bodies and any associated hazard protection works.*
 - f. Maintaining or enhancing habitat for terrestrial and aquatic animals and plants.*
 - g. Encouraging the establishment, retention and maintenance of significant appropriate riparian vegetation.*
 - h. Contributing to the open space character and amenity values of the surrounding area.*
 - i. Supporting customary uses, including mahinga kai, within the water body, its margins and catchment.*
39. A number of the submissions addressed in the Hearing 2 Section 42A Report suggest setbacks from waterway for consistency with PC1. PC1 sets distances for the fencing of waterbodies for the exclusion of stock which is only relevant for specific agricultural land uses. Waikato Regional Council's submission request for a 10 metre setback was not proposed to be consistent with PC1.
40. Under the Waikato Regional Plan, the area that is roughly within 10 metres from the bank of a waterbody is considered to be an area of high erosion as per Issue 5.1.1.
- The High Risk Erosion Areas of the Region that are particularly at risk are:*
- i. Steep hill country throughout Region*
 - ii. coastal sand country on the west coast and coastal frontal dunes on the east coast*
 - iii. areas adjacent to estuaries*
 - iv. areas of high intensity rainfall or areas of light unconsolidated soils, where there is insufficient vegetative cover, insufficient surface water control, or intensive cultivation*
 - v. the banks of rivers, lakes and wetlands across the Region*
 - vi. catchments of estuaries that are areas of significant conversation value on the Coromandel Peninsula*
 - vii. karst and cave systems.*
41. Figure 1 below is from the Waikato Regional Plan and illustrates the high risk erosion area.

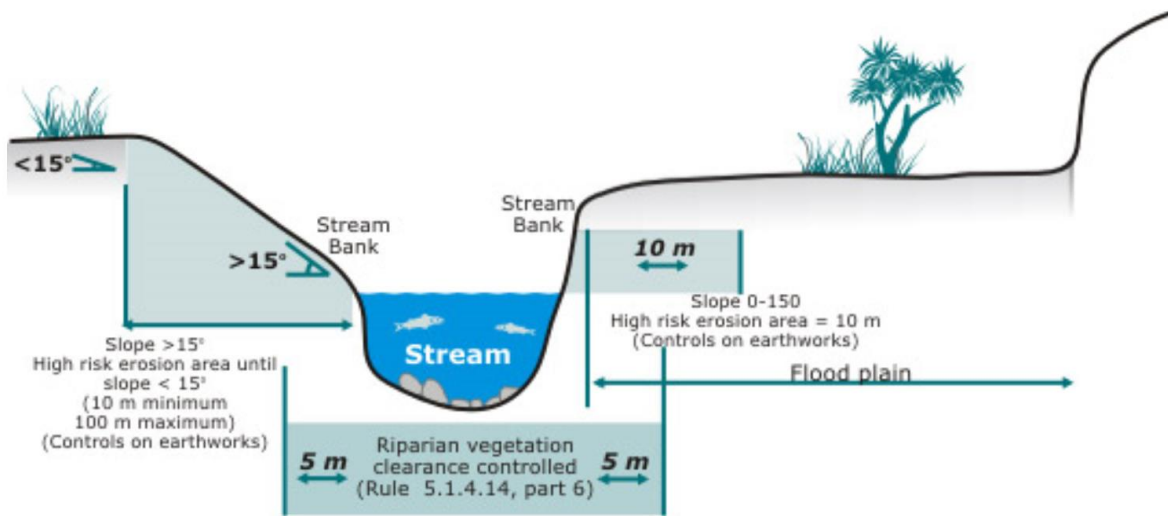


Figure 1: Extract from the Waikato Regional Plan illustrating the high risk erosion area.

42. Further, the PWDP already includes a 10 metre setback in the Village Zone, Industrial Zone, and Industrial Zone Heavy. Application of a 10 metre setback in all zones will provide consistency throughout the plan.
43. This will mean that buildings within the 10 metre setback will then require resource consent which will allow consideration of the suitability of the siting of the building in relation to the waterway. This is a precautionary approach which takes into account the high degree of variability between waterways and the level of detailed information on the properties of the waterway.
44. A smaller setback may be able to be achieved through measures such as planting, green treatments or more engineered solutions such as bank strengthening. This is best determined on a case by case basis through a resource consent, taking into account the characteristics of the waterway, the site and the proposed development.
45. I recommend, in the following zones, to include a minimum 10 minimum setback from a perennial or intermittent stream for buildings:
 - a) Residential Zone
 - b) Business Zone
 - c) Business Town Centre Zone
 - d) Rural Zone
 - e) Country Living Zone

- f) Reserves Zone
- g) Hampton Downs Motorsport and Recreation Zone
- h) Te Kowhai Airpark Zone
- i) Rangitahi Peninsula Zone

46. I have included suggested amendments in Appendix One.

Revegetation of earthworks

47. Submission point 81.4 has been coded to this hearings topic and summarised as follows:

All Zones: permitted activity earthworks

Amend Permitted Activity standards to provide for a shorter period of time for earthworks to be revegetated, such as:

“Areas exposed by earthworks are revegetated to achieve 80% ground cover within 2 months of the commencement of the earthworks”.

48. Submission point 81.4 references ‘all zones’ rather than more broadly “the district plan”. Hence, Waikato Regional Council wishes that this submission be further considered alongside other submissions which also pertain to earthworks across each Section 42A report for zone chapters. This will ensure the submission point can be considered alongside others submitting on similar specific aspects of earthworks rules. It will further provide certainty for Waikato Regional Council to be involved as zone specific hearings progress.
49. Notwithstanding the above, given submission point 81.4 is coded to this topic, and that a recommendation has been provided by the Hearing 2 Section 42A Report author, I have chosen to address the matter of revegetation of earthworks within this evidence.
50. As noted by the author of the Hearing 2 Section 42A report in paragraph 365, the provisions relating to revegetation of earthworks in the PWDP have a starting point of commencement, not completion, and that requiring revegetation of earthworks within two months of commencement is not practical.
51. I consider that it would be more practical to amend the PWDP provisions in this regard to be two months from completion. This is more practical to implement as the length of time for earthworks to be undertaken varies.
52. I have included suggested amendments in Appendix One.

Building setbacks from a perennial or intermittent stream greater than 10 metres

53. I support the position taken by the author Hearing 2 Section 42A Report in relation to submission point 81.10 which sought the retention of building setbacks that are larger than 10 metres from waterbodies.

Provision of cross references between objectives, policies and rules

54. I support the position taken by the author Hearing 2 Section 42A Report in relation to submission point 81.12 which sought formatting of the plan to provide for cross references between objectives, policies and rules.

Clarification of the environmental protection area

55. I support the position taken by the author Hearing 2 Section 42A Report in relation to submission point 81.19 which sought clarification of the role of the environmental protection area.

APPENDIX ONE

Recommended amendments to the PWDP. Additions are shown in underline and deletions shown in ~~strike through~~.

A1. Earthworks setbacks to waterways

Zone	Rule	Proposed amendment
Residential Zone	16.2.4.1	Amend P1 (a): (i) Be located more than 1.5 <u>5</u> m horizontally from any waterway, open drain or overland flow path;
Business Zone	17.2.5.1	Amend P1 (a) as follows: (i) Earthworks must be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; Insert: <u>(vii) Be located more than 5m horizontally from any waterway, open drain or overland flow path</u>
Business Town Centre Zone	18.2.4.1	Amend P1 (a) as follows: (i) Earthworks must be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; Insert: <u>(viii) Be located more than 5m horizontally from any waterway open drain or overland flow path</u>
Business Zone Tamahere	19.2.4	Amend P1 (a) as follows: (i) Earthworks must be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; Insert: <u>(vi) Be located more than 5m horizontally from any waterway, open drain or overland flow path</u>
Industrial Zone	20.2.5.1	Amend 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 <u>5</u> m horizontally from any waterway, open drain or overland flow path;
Industrial Zone Heavy	21.2.5.1	Amend 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 <u>5</u> m horizontally from any waterway, open drain or overland flow path;
Rural Zone	22.2.3.1	Include in P2: <u>(vii) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path</u>
Country Living Zone	23.2.3.1	Include in P2: <u>(vii) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path</u> Include in P4: <u>(viii) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path</u>
Village Zone	24.2.4.1	Amend 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 <u>5</u> m horizontally from any waterway, open drain or overland flow path; Insert in P3: <u>(viii) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path</u>

Zone	Rule	Proposed amendment
Reserve Zone	25.2.4.1	Amend P1 (a): (i) Be located more than 1.5 5m horizontally from any waterway, open drain or overland flow path; Insert in P3: <u>(viii) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path</u>
Hampton Downs Motor Sport and Recreation Zone	26.2.5	Amend P1(a): (i) Be located more than 1.5 5m horizontally from any waterway, open drain or overland flow path; Insert in P3: <u>(vii) Earthworks are setback 5m horizontally from any waterway, open drain or overland flow path</u>
Te Kowhai Airpark Zone	27.2.10	Amend P1 (a) as follows: (i) Earthworks must be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; Insert: <u>(viii) Be located more than 5m horizontally from any waterway open drain or overland flow path</u>
Rangitahi Peninsula Zone	28.2.4.1	Amend P1 (a) as follows: (i) Earthworks must be located more than 1.5m from a public sewer, open drain, overland flow path or other service pipe; Insert: <u>(viii) Be located more than 5m horizontally from any waterway open drain or overland flow path</u>

A2. Building Setbacks to waterways

Zone	Rule	Proposed amendment
Residential Zone	16.3.9.3	Include in P1: <u>(vi) 10m from a perennial or intermittent stream.</u>
Business Zone	17.3.4.2	Include in P1: <u>(vi) 10m from a perennial or intermittent stream.</u>
Business Town Centre Zone	18.3.7	Include in P1: <u>(vi) 10m from a perennial or intermittent stream.</u>
Rural Zone	22.3.7.5	Include in P1: <u>(vi) 10m from a perennial or intermittent stream.</u>
Country Living Zone	23.3.7.5	Include in P1: <u>(vi) 10m from a perennial or intermittent stream.</u>
Reserve Zone	25.3.5.2	Include in P1: <u>(c)(ii) 10m from a perennial or intermittent stream.</u>
Hampton Downs Motor Sport and Recreation Zone	26.3.5	Include in P1: <u>(a)(iv) 10m from a perennial or intermittent stream.</u>
Te Kowhai Airpark Zone	27.3.4	Include in P1 (a): <u>(iii) 10m from a perennial or intermittent stream.</u> Include in P2(a): <u>(iv) 10m from a perennial or intermittent stream.</u>

Zone	Rule	Proposed amendment
Rangitahi Peninsula Zone	28.3.9.3	Include in P1: <u>(ii) 10m from a perennial or intermittent stream.</u>

A3. Revegetation of earthworks

Zone	Rule	Proposed amendment
Residential Zone	16.2.4.1	Amend P1 (vii) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Business Zone	17.2.5.1	Amend P1 (iv) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Business Town Centre Zone	18.2.4.1	Amend P1 (iv) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Business Zone Tamahere	19.2.4	Amend P1 (iv) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Industrial Zone	20.2.5.1	Amend P1 (vii) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Industrial Zone Heavy	21.2.5.1	Amend P1 (vii) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Rural Zone	22.2.3.1	Amend P2 (iv) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Country Living Zone	23.2.3.1	Amend P2 (iv) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Village Zone	24.2.4.1	Amend P1 (vii) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Reserve Zone	25.2.4.1	Amend P1 (iv) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within <u>6 2</u> months of the commencement <u>completion</u> of the earthworks;
Hampton Downs Motor Sport and	26.2.5	Amend P1 (iv) as follows:

Zone	Rule	Proposed amendment
Recreation Zone		Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 <u>2</u> months of the commencement <u>completion</u> of the earthworks;
Te Kowhai Airpark Zone	27.2.10	Amend P1 (v) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 <u>2</u> months of the commencement <u>completion</u> of the earthworks;
Rangitahi Peninsula Zone	28.2.4.1	Amend P1 (iv) as follows: Areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 <u>2</u> months of the commencement completion of the earthworks;