

# Rebuttal Attachment I

Recommended amendments in response to  
submissions shown in red underline/~~strikeout~~  
and evidence shown in blue underline/~~strike-out~~

## Chapter 3: Natural Environment

### Proposed Waikato District Plan

#### Stage I

(Notified version)



## 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.

#### 3.1.2 Policies

- (a) Enable activities that maintain or enhance indigenous biodiversity including:
- (i) planting using indigenous species suitable to the habitat;
  - (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:
- (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;
- (c) Provide for the removal of manuka or kanuka on a sustainable basis.

### 3.2 Significant Natural Areas

#### 3.2.1 Objective – Significant Natural Areas

- (a) Indigenous biodiversity in Significant Natural Areas is protected and 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
- (b) Recognise and protect Significant Natural Areas by ensuring the characteristics that contribute to their significance are not adversely affected.

#### 3.2.3 Policy - Management hierarchy

- (a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:
- (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled;
  - (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 3.2.4.

#### 3.2.4 Policy – Biodiversity Offsetting

- (a) Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in significant residual adverse effects on a Significant Natural Area, 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, 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 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.

### **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
  - (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 Maori cultural practices
  - (iv) collecting firewood for domestic use
- (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 the development of Maori 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) Firewood.

### **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 the legal and physical protection of Significant Natural Areas, provided the areas are of a suitable size and quality to achieve a functioning ecosystem.

### 3.3 Outstanding Natural Features and Landscapes

#### 3.3.1 Objective – Outstanding natural features and landscapes

- (a) Outstanding natural features and outstanding natural landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.

#### 3.3.2 Policy – Recognising values and qualities

- (a) Recognise the attributes of the district's mountains, bush clad ranges and hill country identified as Outstanding Natural Features and Outstanding Natural Landscapes including:
- (i) ridgelines and valleys;
  - (ii) significant ecological values;
  - (iii) indigenous bush and the extent of this bush cover;
  - (iv) cultural heritage values associated with these areas;
  - (v) recreational attributes including walking and access tracks;
  - (vi) existing water reservoirs and dams;
  - ~~(vii) existing pastoral farming activities on the margins of these areas.~~
- (b) Recognise the attributes of the Waikato River delta and wetlands, Whangamarino Wetland and Lake Whangape identified as Outstanding Natural Features, including:
- (i) natural geomorphology, ~~and~~ hydrological processes; biodiversity and ecology;
  - (ii) significant habitat values;
  - (iii) significant indigenous vegetation;
  - (iv) cultural heritage values associated with these areas;
  - (v) recreational use of these areas; and
  - ~~(vi) existing pastoral farming activities on the margins of these areas.~~
- (c) Recognise the attributes of the west coast dunes identified as outstanding natural features, including:
- (i) natural geomorphology, patterns and processes;
  - (ii) significant habitat values;
  - (iii) significant indigenous vegetation;
  - (iv) cultural heritage values associated with these areas; and
  - ~~(v) existing pastoral farming activities on the margins of these areas.~~

### **3.3.3 Policy – Protection from inappropriate subdivision, use and development**

- (a) *Ensure that the attributes of identified Outstanding Natural Features and Outstanding Natural Landscapes are protected from inappropriate subdivision, use and development by:*

*(i) for areas within the coastal environment, avoiding adverse effects of activities on the values and characteristics of an Outstanding Natural Feature and Outstanding Natural Landscape;*

*(ii) for areas outside of the coastal environment, avoiding adverse effects of activities on the values and characteristics of an Outstanding Natural Feature and Outstanding Natural Landscape and, if avoidance is not possible, remedy or mitigate the adverse effects;*

*~~(i)(iii)~~ requiring buildings and structures to be integrated into ~~the~~ an Outstanding Natural Landscape or ~~feature~~ Outstanding Natural Feature to minimise any visual impacts;*

*~~(ii)(iii)~~ managing the adverse effects of building platforms, driveways and roads through appropriate subdivision design;*

*~~(iii)(iv)~~ requiring subdivision and development to retain views of an Outstanding Natural Landscapes and ~~features~~ Outstanding Natural Feature from public places; and*

*~~(iv)(v)~~ avoiding adverse effects of extractive industries and earthworks.*

### **3.3.4 Policy - The relationships of Maaori with natural resources and land**

- (a) Provide for the consideration of cultural and spiritual relationships of Maaori with Outstanding Natural Features and Outstanding Natural Landscapes as part of subdivision, use and development.
- (b) Provide for the development of Maaori Freehold Land, within Outstanding Natural Features and Landscapes, including within the Whaanga Coast Specific Area.
- (c) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Outstanding Natural Features and Outstanding Natural Landscapes.

## **3.4 Significant Amenity Landscapes**

### **3.4.1 Objective – Significant amenity landscapes**

- (a) The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.

### **3.4.2 Policy – Recognising Significant Amenity Landscapes**

- (a) Recognise the attributes which contribute to identified Significant Amenity Landscapes

### **3.4.3 Policy – Maintaining ~~and~~ or enhancing Significant Amenity Landscapes**

(a) Maintain ~~and~~ or enhance the attributes of identified Significant Amenity Landscapes, during subdivision, land use and development within those landscapes, in particular by:

(i) requiring buildings and structures to be integrated into the Significant Amenity Landscape to manage minimise any visual impacts on the attributes;

(ii) managing the adverse effects of building platforms, buildings, driveways and roads through appropriate subdivision design;

(iii) providing for the continuation of farming activities within hill country landscapes and volcanic features;

(iv) managing the adverse effects of earthworks; and

~~(v) promoting and encouraging maintenance and enhancement of their attributes.~~

### **3.4.4 Policy - The relationships of Maaori with their resources and land**

- (a) Provide for the cultural and spiritual relationships of Maaori with Significant Amenity Landscapes during subdivision, use and development.
- (b) Provide for the development of Maaori Freehold Land within Significant Amenity Landscapes.
- (c) Provide for Maaori cultural and customary uses of natural resources, including land, water and other natural resources as an integral part of identified Significant Amenity Landscapes.

## **3.5 Natural Character**

### **3.5.1 Objectives – Natural Character**

Preserve natural character of the coastal environment and freshwater bodies, by protecting:

- (a) ~~The high and outstanding n~~ Natural character of the coastal environment ~~is protected~~ from inappropriate subdivision, use and development.
- (b) ~~The n~~ Natural character of wetlands, and lakes and rivers and their margins ~~are protected~~ from inappropriate subdivision, use and development.

### **3.5.2 Policies – Recognising natural character**

(a) Recognise that there is a range of natural character from pristine to modified and that the following characteristics and qualities ~~natural elements, patterns, processes and experiential qualities~~ which contribute to natural character include:

- (i) natural elements, patterns and processes
- (ii) ~~(i)~~ areas or waterbodies in their natural states or close to their natural state;
- (iii) ~~(ii)~~ coastal or freshwater landforms, geology and geomorphology and landscapes;
- (iv) ~~(iii)~~ coastal or freshwater physical processes, including the natural movement of water and sediment;
- (v) ~~(iv)~~ vegetation and cover, habitat value and biodiversity;
- (vi) ~~(v)~~ biological processes and patterns;
- (vii) ~~(vi)~~ water flows and levels, and water quality; ~~and~~

- (viii) the natural darkness of the night sky
- (ix) transient and dynamic attributes
- (x) places or areas that are wild or scenic
- (xi) ~~(vii)~~ the experience of the above elements, patterns and processes–
- (xii) the context or setting.

(b) ~~Identify~~ Recognise the natural character qualities of the following areas that are within the coastal environment ~~and identified on the planning maps~~ and in a schedule to the district plan as:

- (i) an Outstanding Natural Character Area areas; and
- (ii) ~~high (and very high) natural character areas–~~ a High Natural Character Area

### 3.5.3 Policy - Protecting the natural character qualities of the coastal environment

(a) Protect natural character in the coastal environment, including the characteristics and qualities of identified outstanding and high natural character areas ~~in the coastal environment~~ from inappropriate subdivision, use and development by:

- ~~(i) managing the adverse effects of subdivision, use and development on natural character in the coastal environment;~~
  - ~~(i) avoiding subdivision, use and development within an Outstanding Natural Character Area which would result in its natural character being damaged, diminished or compromised.~~
  - ~~(ii) avoiding significant adverse effects of subdivision, use and development on natural character for an area within the coastal environment that is not identified as an Outstanding Natural Character Area.~~
- ~~(ii) avoiding significant adverse effects of subdivision, use and development;~~
- ~~(iii) avoiding subdivision, use and development within areas of outstanding natural character, where it would damage, diminish or compromise natural character;~~
- (iv) ~~(iii)~~ avoiding activities that damage the stability functioning of identified coastal dune systems;
- (v) ~~(iv)~~ requiring appropriate building setbacks from riparian and coastal margins;
- (vi) ~~(v)~~ ensuring that activities are carried out in a way that maintains or enhances water quality in the coastal environment;
- (vii) ~~(vi)~~ enabling and concentrating development within existing settlements to avoid development sprawling along the coastline;
- (viii) ~~(vii)~~ recognising historic farming operations that continue today;
- (ix) ~~(viii)~~ avoiding the establishment of new plantation forestry.

### 3.5.4 Policy - Protecting the natural character of wetlands, and lakes and rivers and their margins

(a) Protect the natural character qualities of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development by:

- (i) avoiding adverse effects on freshwater bodies and their margins that are identified as having outstanding natural character
- (ii) avoiding significant adverse effects on freshwater bodies and their margins which are not identified as having outstanding natural character
- ~~(i)(iii)~~ ensuring that location, intensity, scale and form of subdivision, use and development are appropriate;
- ~~(ii)(iv)~~ minimising, to the extent practicable, indigenous vegetation clearance and earthworks disturbance modification (including earthworks, disturbance and structures);

~~(iii)~~(v) encouraging any new activities to consolidate within, and around, existing developments or, where the natural character and landscape values have already been compromised, to avoid development sprawling; and

~~(iv)~~(vi) requiring appropriate building setbacks of activities from wetlands, lakes and rivers.

*(b) Where man-made influences are dominant, it may be appropriate that activities result in further adverse effects on natural character, though opportunities to remedy or mitigate should still be considered.*



**Recommended amendments to earthworks rules for landscape areas and natural character areas in Chapters 16, 20, 21, 22, 23, 24 and 25 shown in red ~~strikeout~~/underline**

**Chapter 16 Residential Zone**

**~~16.2.4.4 Earthworks – Landscape and Natural Character Areas~~**

<p><del>—PI</del></p>	<p>(a) <del>Earthworks</del> for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions;</p> <p>(i) <del>The earthworks</del> are undertaken within a single consecutive 12 month period;</p> <p>(ii) <del>The earthworks</del> must not exceed the following areas and volumes within a single consecutive 12 month period:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Landscape or Natural Character Area</th> <th style="text-align: center;">Area (m<sup>2</sup>)</th> <th style="text-align: center;">Volume (m<sup>3</sup>)</th> </tr> </thead> <tbody> <tr> <td>Significant Amenity Landscape (SAL) sand dune</td> <td style="text-align: center;">50</td> <td style="text-align: center;">250</td> </tr> <tr> <td>High or Outstanding Natural Character area of the coastal environment</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Feature (ONF) sand dune</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Feature (ONF)</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Landscapes (ONLs)</td> <td></td> <td></td> </tr> </tbody> </table> <p>(iii) <del>The height of the resulting cut or batter face in stable ground</del> does not exceed 1.5m;</p> <p>(iv) <del>The maximum slope of the resulting cut or batter face in stable ground</del> does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) <del>Areas exposed by the earthworks</del> are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <del>earthworks</del>;</p> <p>(vi) <del>Sediment is retained on the site</del> through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) <del>The earthworks</del> do not divert or change natural water flows, water bodies or established drainage paths.</p>	Landscape or Natural Character Area	Area (m <sup>2</sup> )	Volume (m <sup>3</sup> )	Significant Amenity Landscape (SAL) sand dune	50	250	High or Outstanding Natural Character area of the coastal environment			Outstanding Natural Feature (ONF) sand dune			Outstanding Natural Feature (ONF)			Outstanding Natural Landscapes (ONLs)		
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<p><del>D+</del></p>	<p><del>Earthworks</del> that do not comply with <u>Rule 16.2.4.4 PI</u>.</p>																		

### 16.2.4.4 Earthworks – within Landscape and Natural Character Areas

P1	Earthworks for the maintenance of existing tracks, fences or drains within an identified landscape or natural character area.										
P2	<p>Earthworks that meet all of the following conditions:</p> <p>(a) earthworks are completed within a 12 month period</p> <p>(b) earthworks do not exceed the following areas and volumes:</p> <table border="1" data-bbox="331 479 1254 1084"> <thead> <tr> <th data-bbox="339 488 636 667">Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</th> <th data-bbox="644 488 948 667">Area (m<sup>2</sup>)</th> <th data-bbox="956 488 1251 667">Volume (m<sup>3</sup>)</th> </tr> </thead> <tbody> <tr> <td data-bbox="339 678 636 757">Significant Amenity Landscape - sand dune</td> <td data-bbox="644 678 948 757" rowspan="5">250</td> <td data-bbox="956 678 1251 757" rowspan="5">50</td> </tr> <tr> <td data-bbox="339 768 636 846">High Natural Character Area</td> </tr> <tr> <td data-bbox="339 857 636 936">Outstanding Natural Character Area</td> </tr> <tr> <td data-bbox="339 947 636 1025">Outstanding Natural Feature</td> </tr> <tr> <td data-bbox="339 1037 636 1115">Outstanding Natural Landscape</td> </tr> </tbody> </table> <p>(c) the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres</p> <p>(d) the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1 metre vertical to 2 metres horizontal)</p> <p>(e) areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks</p> <p>(f) sediment is retained on the site through implementation and maintenance of erosion and sediment controls</p> <p>(g) there is no diversion or change to natural water flows, water bodies or established drainage paths.</p>	Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX	Area (m <sup>2</sup> )	Volume (m <sup>3</sup> )	Significant Amenity Landscape - sand dune	250	50	High Natural Character Area	Outstanding Natural Character Area	Outstanding Natural Feature	Outstanding Natural Landscape
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RDI	<p>(a) Earthworks that do not comply with Rule 16.2.4.4 P1 or P2.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) for areas within the coastal environment, whether avoidance of adverse effects from earthworks on the attributes of the identified landscape or natural character is achieved in the first instance, and if avoidance is not achievable, remedied or otherwise mitigated.</p> <p>(ii) for areas outside the coastal environment, the extent to which adverse effects from earthworks on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</p>										

## Chapter 20 General Industrial Zone

### 20.2.5.3 Earthworks – Landscape and Natural Character Areas

<p><del>P1</del></p>	<p><del>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area must meet all of the following conditions;</del></p> <p><del>(i) The earthworks are undertaken within a single consecutive 12-month period;</del></p> <p><del>(ii) The earthworks must not exceed the following areas and volumes within a single consecutive 12-month period:</del></p> <table border="1" data-bbox="359 548 1005 1220"> <thead> <tr> <th data-bbox="359 548 746 651"><del>Landscape or Natural Character Area</del></th> <th data-bbox="746 548 858 651"><del>Area (m<sup>2</sup>)</del></th> <th data-bbox="858 548 1005 651"><del>Volume (m<sup>3</sup>)</del></th> </tr> </thead> <tbody> <tr> <td data-bbox="359 651 746 754"><del>Significant Amenity Landscape sand dune</del></td> <td data-bbox="746 651 858 754" rowspan="5" style="text-align: center;"><del>50</del></td> <td data-bbox="858 651 1005 754" rowspan="5" style="text-align: center;"><del>250</del></td> </tr> <tr> <td data-bbox="359 754 746 929"><del>High Natural Character or Outstanding Natural Character Area of the coastal environment</del></td> </tr> <tr> <td data-bbox="359 929 746 1032"><del>Outstanding Natural Feature sand dune</del></td> </tr> <tr> <td data-bbox="359 1032 746 1111"><del>Outstanding Natural Feature</del></td> </tr> <tr> <td data-bbox="359 1111 746 1220"><del>Outstanding Natural Landscapes</del></td> </tr> </tbody> </table> <p><del>(iii) The height of the resulting cut or batter face in stable ground does not exceed 1.5m;</del></p> <p><del>(iv) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal);</del></p> <p><del>(v) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</del></p> <p><del>(vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</del></p> <p><del>(vii) The earthworks do not divert or change natural water flows, waterbodies or established drainage paths.</del></p>	<del>Landscape or Natural Character Area</del>	<del>Area (m<sup>2</sup>)</del>	<del>Volume (m<sup>3</sup>)</del>	<del>Significant Amenity Landscape sand dune</del>	<del>50</del>	<del>250</del>	<del>High Natural Character or Outstanding Natural Character Area of the coastal environment</del>	<del>Outstanding Natural Feature sand dune</del>	<del>Outstanding Natural Feature</del>	<del>Outstanding Natural Landscapes</del>
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<p><del>D1</del></p>	<p><del>Earthworks that do not comply with Rule 20.2.5.3 P1.</del></p>										

### 20.2.5.3 Earthworks – within Landscape and Natural Character Areas

<p><u>P1</u></p>	<p><u>Earthworks for the maintenance of existing tracks, fences or drains within an identified landscape or natural character area.</u></p>										
<p><u>P2</u></p>	<p><u>Earthworks that meet all of the following conditions:</u></p> <p>(a) <u>earthworks are completed within a 12 month period</u></p> <p>(b) <u>earthworks do not exceed the following areas and volumes:</u></p> <table border="1" data-bbox="331 479 1254 1084"> <thead> <tr> <th data-bbox="339 490 636 667"><u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u></th> <th data-bbox="644 490 941 667"><u>Area (m<sup>2</sup>)</u></th> <th data-bbox="949 490 1246 667"><u>Volume (m<sup>3</sup>)</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="339 678 636 757"><u>Significant Amenity Landscape - sand dune</u></td> <td data-bbox="644 678 941 757" rowspan="5" style="text-align: center; vertical-align: middle;"><u>50</u></td> <td data-bbox="949 678 1246 757" rowspan="5" style="text-align: center; vertical-align: middle;"><u>250</u></td> </tr> <tr> <td data-bbox="339 768 636 846"><u>High Natural Character Area</u></td> </tr> <tr> <td data-bbox="339 857 636 936"><u>Outstanding Natural Character Area</u></td> </tr> <tr> <td data-bbox="339 947 636 1025"><u>Outstanding Natural Feature</u></td> </tr> <tr> <td data-bbox="339 1037 636 1115"><u>Outstanding Natural Landscape</u></td> </tr> </tbody> </table> <p>(c) <u>the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres</u></p> <p>(d) <u>the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1 metre vertical to 2 metres horizontal)</u></p> <p>(e) <u>areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks</u></p> <p>(f) <u>sediment is retained on the site through implementation and maintenance of erosion and sediment controls</u></p> <p>(g) <u>there is no diversion or change to natural water flows, water bodies or established drainage paths.</u></p>	<u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u>	<u>Area (m<sup>2</sup>)</u>	<u>Volume (m<sup>3</sup>)</u>	<u>Significant Amenity Landscape - sand dune</u>	<u>50</u>	<u>250</u>	<u>High Natural Character Area</u>	<u>Outstanding Natural Character Area</u>	<u>Outstanding Natural Feature</u>	<u>Outstanding Natural Landscape</u>
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<p><u>RDI</u></p>	<p>(a) <u>Earthworks that do not comply with Rule 20.2.5.3 P1 or P2.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>for areas within the coastal environment, whether avoidance of adverse effects from earthworks on the attributes of the identified landscape or natural character is achieved in the first instance, and if avoidance is not achievable, remedied or otherwise mitigated.</u></p> <p>(ii) <u>for areas outside the coastal environment, the extent to which adverse effects from earthworks on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</u></p>										

## Chapter 21 Heavy Industrial Zone

### ~~21.2.5.3 Earthworks – Landscape and Natural Character Areas~~

<p><del>—PI</del></p>	<p><del>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions;</del></p> <p><del>i) The earthworks are undertaken within a single consecutive 12 month period;</del></p> <p><del>(iii) The earthworks must not exceed the following areas and volumes within a single consecutive 12 month period:</del></p> <table border="1" data-bbox="347 443 1225 1048"> <thead> <tr> <th data-bbox="355 443 643 566">Landscape or Natural Character Area</th> <th data-bbox="651 443 930 566">Area (m<sup>2</sup>)</th> <th data-bbox="938 443 1217 566">Volume (m<sup>3</sup>)</th> </tr> </thead> <tbody> <tr> <td data-bbox="355 566 643 645">Significant Amenity Landscape sand dune</td> <td data-bbox="651 566 930 645" rowspan="5">50</td> <td data-bbox="938 566 1217 645" rowspan="5">250</td> </tr> <tr> <td data-bbox="355 645 643 801">High Natural Character or Outstanding Natural Character area of the coastal environment</td> </tr> <tr> <td data-bbox="355 801 643 880">Outstanding Natural Feature sand dune</td> </tr> <tr> <td data-bbox="355 880 643 958">Outstanding Natural Feature</td> </tr> <tr> <td data-bbox="355 958 643 1048">Outstanding Natural Landscape</td> </tr> </tbody> </table> <p><del>(iv) The height of the resulting cut or batter face in stable ground does not exceed 1.5m;</del></p> <p><del>(v) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal);</del></p> <p><del>(vi) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</del></p> <p><del>(vii) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</del></p> <p><del>(viii) The earthworks do not divert or change natural water flows, water bodies or established drainage paths.</del></p>	Landscape or Natural Character Area	Area (m <sup>2</sup> )	Volume (m <sup>3</sup> )	Significant Amenity Landscape sand dune	50	250	High Natural Character or Outstanding Natural Character area of the coastal environment	Outstanding Natural Feature sand dune	Outstanding Natural Feature	Outstanding Natural Landscape
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<p><del>D1</del></p>	<p><del>Earthworks that do not comply with Rule 21.2.5.3 PI.</del></p>										

### 21.2.5.3 Earthworks – within Landscape and Natural Character Areas

<p><u>P1</u></p>	<p><u>Earthworks for the maintenance of existing tracks, fences or drains with an identified landscape or natural character area.</u></p>										
<p><u>P2</u></p>	<p><u>Earthworks that meet all of the following conditions:</u></p> <p>(a) <u>earthworks are completed within a 12 month period</u></p> <p>(b) <u>earthworks do not exceed the following areas and volumes:</u></p> <table border="1" data-bbox="331 479 1254 1084"> <thead> <tr> <th data-bbox="339 490 636 667"><u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u></th> <th data-bbox="644 490 941 667"><u>Area (m<sup>2</sup>)</u></th> <th data-bbox="949 490 1246 667"><u>Volume (m<sup>3</sup>)</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="339 678 636 757"><u>Significant Amenity Landscape - sand dune</u></td> <td data-bbox="644 678 941 757" rowspan="5" style="text-align: center; vertical-align: middle;"><u>50</u></td> <td data-bbox="949 678 1246 757" rowspan="5" style="text-align: center; vertical-align: middle;"><u>250</u></td> </tr> <tr> <td data-bbox="339 768 636 846"><u>High Natural Character Area</u></td> </tr> <tr> <td data-bbox="339 857 636 936"><u>Outstanding Natural Character Area</u></td> </tr> <tr> <td data-bbox="339 947 636 1025"><u>Outstanding Natural Feature</u></td> </tr> <tr> <td data-bbox="339 1037 636 1115"><u>Outstanding Natural Landscape</u></td> </tr> </tbody> </table> <p>(c) <u>the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres</u></p> <p>(d) <u>the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1 metre vertical to 2 metres horizontal)</u></p> <p>(e) <u>areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks</u></p> <p>(f) <u>sediment is retained on the site through implementation and maintenance of erosion and sediment controls</u></p> <p>(g) <u>there is no diversion or change to natural water flows, water bodies or established drainage paths.</u></p>	<u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u>	<u>Area (m<sup>2</sup>)</u>	<u>Volume (m<sup>3</sup>)</u>	<u>Significant Amenity Landscape - sand dune</u>	<u>50</u>	<u>250</u>	<u>High Natural Character Area</u>	<u>Outstanding Natural Character Area</u>	<u>Outstanding Natural Feature</u>	<u>Outstanding Natural Landscape</u>
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<u>Outstanding Natural Character Area</u>											
<u>Outstanding Natural Feature</u>											
<u>Outstanding Natural Landscape</u>											
<p><u>RDI</u></p>	<p>(a) <u>Earthworks that do not comply with Rule 21.2.5.3 P1 or P2.</u></p> <p>(b) <u>Council's discretion is restricted to the following matter:</u></p> <p>(i) <u>the extent to which adverse effects from earthworks on the visual, landscape and ecological attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</u></p>										

## Chapter 22 Rural Zone

### 22.2.3.4 Earthworks – within Landscape and Natural Character Areas

<p>Pl</p>	<p>(a) <del>Earthworks</del> are for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions:</p> <p>(i) <del>The earthworks</del> are undertaken within a single consecutive 12 month time period;</p> <p>(ii) <del>The earthworks</del> must not exceed the following areas and volumes within a single consecutive 12 month period:</p> <table border="1" data-bbox="331 495 1254 1301"> <thead> <tr> <th data-bbox="339 506 635 577">Landscape or Natural Character Area</th> <th data-bbox="643 506 946 577">Area (m<sup>2</sup>)</th> <th data-bbox="954 506 1249 577">Volume (m<sup>3</sup>)</th> </tr> </thead> <tbody> <tr> <td data-bbox="339 589 635 660"><del>Hill Country Significant Amenity Landscape</del></td> <td data-bbox="643 589 946 660">1,000</td> <td data-bbox="954 589 1249 660">500</td> </tr> <tr> <td data-bbox="339 667 635 779"><del>Significant Amenity Landscape Waikato River Margins and Lakes</del></td> <td data-bbox="643 667 946 779">500</td> <td data-bbox="954 667 1249 779">500</td> </tr> <tr> <td data-bbox="339 786 635 898"><del>Significant Amenity Landscape (SAL) sand dune</del></td> <td data-bbox="643 786 946 898" rowspan="5">50</td> <td data-bbox="954 786 1249 898" rowspan="5">250</td> </tr> <tr> <td data-bbox="339 904 635 1055"><del>High or Outstanding Natural Character area of the coastal environment</del></td> </tr> <tr> <td data-bbox="339 1061 635 1133"><del>Outstanding Natural Feature sand dune</del></td> </tr> <tr> <td data-bbox="339 1140 635 1211"><del>Outstanding Natural Feature (ONF)</del></td> </tr> <tr> <td data-bbox="339 1218 635 1290"><del>Outstanding Natural Landscapes (ONLs)</del></td> </tr> </tbody> </table> <p>(iii) <del>The height of the resulting cut or batter face in stable ground</del> does not exceed 1.5m;</p> <p>(iv) <del>The maximum slope of the resulting cut or batter face in stable ground</del> does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) <del>Areas exposed by the earthworks</del> are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <del>earthworks</del>;</p> <p>(vi) <del>Sediment is retained on the site through implementation and maintenance of erosion and sediment controls</del>;</p> <p>(vii) <del>The earthworks</del> do not divert or change natural water flows, water bodies or established drainage paths.</p>	Landscape or Natural Character Area	Area (m <sup>2</sup> )	Volume (m <sup>3</sup> )	<del>Hill Country Significant Amenity Landscape</del>	1,000	500	<del>Significant Amenity Landscape Waikato River Margins and Lakes</del>	500	500	<del>Significant Amenity Landscape (SAL) sand dune</del>	50	250	<del>High or Outstanding Natural Character area of the coastal environment</del>	<del>Outstanding Natural Feature sand dune</del>	<del>Outstanding Natural Feature (ONF)</del>	<del>Outstanding Natural Landscapes (ONLs)</del>
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<p>D+</p>	<p><del>Earthworks within an identified Landscape or Natural Character Area that do not comply with Rule 22.2.3.4 Pl.</del></p>																

### 22.2.3.4 Earthworks – within Landscape and Natural Character Areas

<p><u>P1</u></p>	<p><u>Earthworks for the maintenance of existing tracks, fences or drains within an identified landscape or natural character area.</u></p>																		
<p><u>P2</u></p>	<p><u>Earthworks that meet all of the following conditions:</u></p> <p>(a) <u>earthworks are completed within a 12 month period</u></p> <p>(b) <u>earthworks do not exceed the following areas and volumes:</u></p> <table border="1" data-bbox="331 479 1254 1290"> <thead> <tr> <th><u>Landscape or Natural Character Area identified on the planning maps in Schedules 30.XXX</u></th> <th><u>Area (m2)</u></th> <th><u>Volume (m3)</u></th> </tr> </thead> <tbody> <tr> <td><u>Significant Amenity Landscape - Hill Country</u></td> <td><u>1000</u></td> <td><u>500</u></td> </tr> <tr> <td><u>Significant Amenity Landscape - Waikato River Margins and Lakes</u></td> <td><u>500</u></td> <td><u>500</u></td> </tr> <tr> <td><u>Significant Amenity Landscape - sand dune</u></td> <td rowspan="4"><u>50</u></td> <td rowspan="4"><u>250</u></td> </tr> <tr> <td><u>High Natural Character Area</u></td> </tr> <tr> <td><u>Outstanding Natural Character Area</u></td> </tr> <tr> <td><u>Outstanding Natural Feature</u></td> </tr> <tr> <td><u>Outstanding Natural Landscape</u></td> <td></td> <td></td> </tr> </tbody> </table> <p>(c) <u>the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres</u></p> <p>(d) <u>the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1metre vertical to 2 metres horizontal)</u></p> <p>(e) <u>areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks</u></p> <p>(f) <u>sediment is retained on the site through implementation and maintenance of erosion and sediment controls</u></p> <p>(g) <u>there is no diversion or change to natural water flows, water bodies or established drainage paths.</u></p>	<u>Landscape or Natural Character Area identified on the planning maps in Schedules 30.XXX</u>	<u>Area (m2)</u>	<u>Volume (m3)</u>	<u>Significant Amenity Landscape - Hill Country</u>	<u>1000</u>	<u>500</u>	<u>Significant Amenity Landscape - Waikato River Margins and Lakes</u>	<u>500</u>	<u>500</u>	<u>Significant Amenity Landscape - sand dune</u>	<u>50</u>	<u>250</u>	<u>High Natural Character Area</u>	<u>Outstanding Natural Character Area</u>	<u>Outstanding Natural Feature</u>	<u>Outstanding Natural Landscape</u>		
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<p><u>RDI</u></p>	<p>(a) <u>Earthworks that do not comply with Rule 22.2.3.4 P1 or P2.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>for areas within the coastal environment, whether avoidance of adverse effects from earthworks on the attributes of the identified landscape or natural character is achieved in the first instance, and if avoidance is not achievable, remedied or otherwise mitigated.</u></p> <p>(ii) <u>for areas outside the coastal environment, the extent to which adverse effects from earthworks on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</u></p>																		



## Chapter 23 Country Living Zone

### 23.2.3.4 Earthworks—within Landscape and Natural Character Areas

P1	<p>(a) <del>Earthworks</del> are for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions:</p> <p>(i) <del>The earthworks</del> are undertaken within a 12 month period;</p> <p>(ii) <del>The earthworks</del> must not exceed the following areas and volumes within a 12 month period:</p> <table border="1" data-bbox="352 443 1273 1059"> <thead> <tr> <th data-bbox="352 443 659 506">Landscape or Natural Character Area</th> <th data-bbox="659 443 965 506">Area (m<sup>2</sup>)</th> <th data-bbox="965 443 1273 506">Volume (m<sup>3</sup>)</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 506 659 568">Significant Amenity Landscape Hill Country</td> <td data-bbox="659 506 965 568">1,000</td> <td data-bbox="965 506 1273 568">500</td> </tr> <tr> <td data-bbox="352 568 659 678">Significant Amenity Landscape Waikato River Margins and Lakes</td> <td data-bbox="659 568 965 678">500</td> <td data-bbox="965 568 1273 678">500</td> </tr> <tr> <td data-bbox="352 678 659 741">Significant Amenity Landscape sand dune</td> <td data-bbox="659 678 965 741" rowspan="4">50</td> <td data-bbox="965 678 1273 741" rowspan="4">250</td> </tr> <tr> <td data-bbox="352 741 659 851">High Natural Character or Outstanding Natural Character area of the coastal environment</td> </tr> <tr> <td data-bbox="352 851 659 913">Outstanding Natural Feature sand dune</td> </tr> <tr> <td data-bbox="352 913 659 976">Outstanding Natural Feature</td> </tr> <tr> <td data-bbox="352 976 659 1059">Outstanding Natural Landscape</td> <td data-bbox="659 976 965 1059"></td> <td data-bbox="965 976 1273 1059"></td> </tr> </tbody> </table> <p>(iii) <del>The height of the resulting cut or batter face in stable ground</del> does not exceed 1.5m;</p> <p>(iv) <del>The maximum slope of the resulting cut or batter face in stable ground</del> does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) <del>Areas exposed by the earthworks</del> are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <del>earthworks</del>;</p> <p>(vi) <del>Sediment is retained on the site</del> through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) <del>The earthworks</del> do not divert or change natural water flows, water bodies or established drainage paths.</p>	Landscape or Natural Character Area	Area (m <sup>2</sup> )	Volume (m <sup>3</sup> )	Significant Amenity Landscape Hill Country	1,000	500	Significant Amenity Landscape Waikato River Margins and Lakes	500	500	Significant Amenity Landscape sand dune	50	250	High Natural Character or Outstanding Natural Character area of the coastal environment	Outstanding Natural Feature sand dune	Outstanding Natural Feature	Outstanding Natural Landscape		
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D1	<p><del>Earthworks</del> within an identified Landscape or Natural Character Area that do not comply with <del>Rule 23.2.3.4 P1</del>.</p>																		

### 23.2.3.4 Earthworks – within Landscape and Natural Character Areas

<p><b>PI</b></p>	<p><u>Earthworks for the maintenance of existing tracks, fences or drains within an identified landscape or natural character area.</u></p>																		
<p><b>P2</b></p>	<p><u>Earthworks that meet all of the following conditions:</u></p> <p>(a) <u>earthworks are completed within a 12 month period</u></p> <p>(b) <u>earthworks do not exceed the following areas and volumes:</u></p> <table border="1" data-bbox="331 533 1252 1344"> <thead> <tr> <th><u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u></th> <th><u>Area (m<sup>2</sup>)</u></th> <th><u>Volume (m<sup>3</sup>)</u></th> </tr> </thead> <tbody> <tr> <td><u>Significant Amenity Landscape - Hill Country</u></td> <td><u>1000</u></td> <td><u>500</u></td> </tr> <tr> <td><u>Significant Amenity Landscape - Waikato River Margins and Lakes</u></td> <td><u>500</u></td> <td><u>500</u></td> </tr> <tr> <td><u>Significant Amenity Landscape - sand dune</u></td> <td rowspan="4"><u>50</u></td> <td rowspan="4"><u>250</u></td> </tr> <tr> <td><u>High Natural Character Area</u></td> </tr> <tr> <td><u>Outstanding Natural Character Area</u></td> </tr> <tr> <td><u>Outstanding Natural Feature</u></td> </tr> <tr> <td><u>Outstanding Natural Landscape</u></td> <td></td> <td></td> </tr> </tbody> </table> <p>(c) <u>the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres</u></p> <p>(d) <u>the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1metre vertical to 2 metres horizontal)</u></p> <p>(e) <u>areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks</u></p> <p>(f) <u>sediment is retained on the site through implementation and maintenance of erosion and sediment controls</u></p> <p>(g) <u>there is no diversion or change to natural water flows, water bodies or established drainage paths.</u></p>	<u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u>	<u>Area (m<sup>2</sup>)</u>	<u>Volume (m<sup>3</sup>)</u>	<u>Significant Amenity Landscape - Hill Country</u>	<u>1000</u>	<u>500</u>	<u>Significant Amenity Landscape - Waikato River Margins and Lakes</u>	<u>500</u>	<u>500</u>	<u>Significant Amenity Landscape - sand dune</u>	<u>50</u>	<u>250</u>	<u>High Natural Character Area</u>	<u>Outstanding Natural Character Area</u>	<u>Outstanding Natural Feature</u>	<u>Outstanding Natural Landscape</u>		
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<p><b>RDI</b></p>	<p>(a) <u>Earthworks that do not comply with Rule 23.2.3.4 PI or P2.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>for areas within the coastal environment, whether avoidance of adverse effects from earthworks on the attributes of the identified landscape or natural character is achieved in the first instance, and if avoidance is not achievable, remedied or otherwise mitigated.</u></p> <p>(ii) <u>for areas outside the coastal environment, the extent to which adverse effects from earthworks on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</u></p>																		

## Chapter 24 Village Zone

### 24.2.4.4 Earthworks—Landscape and Natural Character Areas

<p><del>PI</del></p>	<p>(a) <del>Earthworks</del> for the maintenance of existing tracks, fences or drains within an identified <del>Landscape or Natural Character Area</del> and must meet all of the following conditions;</p> <p>(i) <del>The earthworks</del> are undertaken within a single consecutive 12 month period;</p> <p>(ii) <del>The earthworks</del> must not exceed the following areas and volumes within a single consecutive 12 month period:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: left;"><del>Landscape or Natural Character Area</del></th> <th style="text-align: center;"><del>Area (m<sup>2</sup>)</del></th> <th style="text-align: center;"><del>Volume (m<sup>3</sup>)</del></th> </tr> </thead> <tbody> <tr> <td><del>Significant Amenity Landscape (SAL) sand dune</del></td> <td style="text-align: center;"><del>50</del></td> <td style="text-align: center;"><del>250</del></td> </tr> <tr> <td><del>Natural Character or Outstanding Natural Character area of the coastal environment</del></td> <td></td> <td></td> </tr> </tbody> </table> <p>(iii) <del>The height of the resulting cut or batter face in stable ground</del> does not exceed 1.5m;</p> <p>(iv) <del>The maximum slope of the resulting cut or batter face in stable ground</del> does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) <del>Areas exposed by the earthworks</del> are re vegetated to achieve 80% ground cover within 6 months of the commencement of the <del>earthworks</del>;</p> <p>(vi) <del>Sediment is retained on the site</del> through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) <del>The earthworks</del> do not divert or change natural water flows, water bodies or established drainage paths.</p>	<del>Landscape or Natural Character Area</del>	<del>Area (m<sup>2</sup>)</del>	<del>Volume (m<sup>3</sup>)</del>	<del>Significant Amenity Landscape (SAL) sand dune</del>	<del>50</del>	<del>250</del>	<del>Natural Character or Outstanding Natural Character area of the coastal environment</del>		
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<del>Natural Character or Outstanding Natural Character area of the coastal environment</del>										
<p><del>D1</del></p>	<p><del>Earthworks</del> that do not comply with <del>Rule 24.2.4.4 P1</del>.</p>									

#### 24.2.4.4 Earthworks – within Landscape and Natural Character Areas

P1	<p><u>Earthworks for the maintenance of existing tracks, fences or drains within an identified landscape or natural character area.</u></p>										
P2	<p><u>Earthworks that meet all of the following conditions:</u></p> <p>(a) <u>earthworks are completed within a 12 month period</u></p> <p>(b) <u>earthworks do not exceed the following areas and volumes:</u></p> <table border="1" data-bbox="331 533 1254 1137"> <thead> <tr> <th data-bbox="331 533 639 719"><u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u></th> <th data-bbox="639 533 948 719"><u>Area (m<sup>2</sup>)</u></th> <th data-bbox="948 533 1254 719"><u>Volume (m<sup>3</sup>)</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="331 719 639 808"><u>Significant Amenity Landscape - sand dune</u></td> <td data-bbox="639 719 948 808" rowspan="5" style="text-align: center;"><u>50</u></td> <td data-bbox="948 719 1254 808" rowspan="5" style="text-align: center;"><u>250</u></td> </tr> <tr> <td data-bbox="331 808 639 887"><u>High Natural Character Area</u></td> </tr> <tr> <td data-bbox="331 887 639 965"><u>Outstanding Natural Character Area</u></td> </tr> <tr> <td data-bbox="331 965 639 1043"><u>Outstanding Natural Feature</u></td> </tr> <tr> <td data-bbox="331 1043 639 1137"><u>Outstanding Natural Landscape</u></td> </tr> </tbody> </table> <p>(c) <u>the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres</u></p> <p>(d) <u>the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1 metre vertical to 2 metres horizontal)</u></p> <p>(e) <u>areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks</u></p> <p>(f) <u>sediment is retained on the site through implementation and maintenance of erosion and sediment controls</u></p> <p>(g) <u>there is no diversion or change to natural water flows, water bodies or established drainage paths.</u></p>	<u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u>	<u>Area (m<sup>2</sup>)</u>	<u>Volume (m<sup>3</sup>)</u>	<u>Significant Amenity Landscape - sand dune</u>	<u>50</u>	<u>250</u>	<u>High Natural Character Area</u>	<u>Outstanding Natural Character Area</u>	<u>Outstanding Natural Feature</u>	<u>Outstanding Natural Landscape</u>
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<u>Significant Amenity Landscape - sand dune</u>	<u>50</u>	<u>250</u>									
<u>High Natural Character Area</u>											
<u>Outstanding Natural Character Area</u>											
<u>Outstanding Natural Feature</u>											
<u>Outstanding Natural Landscape</u>											
RDI	<p>(a) <u>Earthworks that do not comply with Rule 24.2.4.4 P1 or P2.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>for areas within the coastal environment, whether avoidance of adverse effects from earthworks on the attributes of the identified landscape or natural character is achieved in the first instance, and if avoidance is not achievable, remedied or otherwise mitigated.</u></p> <p>(ii) <u>for areas outside the coastal environment, the extent to which adverse effects from earthworks on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</u></p>										

## Chapter 25 Reserves Zone

### 25.2.4.4 Earthworks—within Landscape and Natural Character Areas

PI	<p>(a) <del>Earthworks for the maintenance of existing tracks, fences or drains must comply with all of the following conditions:</del></p> <p><del>(i) The earthworks are undertaken within a single consecutive 12 month period;</del></p> <p><del>(ii) The earthworks do not exceed the following areas and volumes:</del></p> <table border="1" data-bbox="352 405 1273 1048"> <thead> <tr> <th data-bbox="352 405 655 465"><del>Landscape or Natural Character Area</del></th> <th data-bbox="663 405 967 465"><del>Area (m<sup>2</sup>)</del></th> <th data-bbox="975 405 1273 465"><del>Volume (m<sup>3</sup>)</del></th> </tr> </thead> <tbody> <tr> <td data-bbox="352 472 655 533"><del>Significant Amenity Landscape Hill Country</del></td> <td data-bbox="663 472 967 533">1,000</td> <td data-bbox="975 472 1273 533">500</td> </tr> <tr> <td data-bbox="352 539 655 645"><del>Significant Amenity Landscape Waikato River Margins and Lakes</del></td> <td data-bbox="663 539 967 645">500</td> <td data-bbox="975 539 1273 645">500</td> </tr> <tr> <td data-bbox="352 651 655 712"><del>Significant Amenity Landscape sand dune</del></td> <td data-bbox="663 651 967 712">50</td> <td data-bbox="975 651 1273 712">250</td> </tr> <tr> <td data-bbox="352 719 655 853"><del>High Natural Character Area or Outstanding Natural Character area of the coastal environment</del></td> <td data-bbox="663 719 967 853">50</td> <td data-bbox="975 719 1273 853">250</td> </tr> <tr> <td data-bbox="352 860 655 920"><del>Outstanding Natural Feature sand dune</del></td> <td data-bbox="663 860 967 920">50</td> <td data-bbox="975 860 1273 920">250</td> </tr> <tr> <td data-bbox="352 927 655 987"><del>Outstanding Natural Feature</del></td> <td data-bbox="663 927 967 987">50</td> <td data-bbox="975 927 1273 987">250</td> </tr> <tr> <td data-bbox="352 994 655 1048"><del>Outstanding Natural Landscapes</del></td> <td data-bbox="663 994 967 1048">50</td> <td data-bbox="975 994 1273 1048">250</td> </tr> </tbody> </table> <p><del>(iii) The height of the resulting cut or batter face in stable ground, not including any surcharge, does not exceed 1.5m with a maximum slope of 1:2 (1m vertical to 2m horizontal);</del></p> <p><del>(iv) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</del></p> <p><del>(v) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</del></p> <p><del>(vi) The earthworks do not divert or change natural water flows, water bodies or established drainage paths.</del></p>	<del>Landscape or Natural Character Area</del>	<del>Area (m<sup>2</sup>)</del>	<del>Volume (m<sup>3</sup>)</del>	<del>Significant Amenity Landscape Hill Country</del>	1,000	500	<del>Significant Amenity Landscape Waikato River Margins and Lakes</del>	500	500	<del>Significant Amenity Landscape sand dune</del>	50	250	<del>High Natural Character Area or Outstanding Natural Character area of the coastal environment</del>	50	250	<del>Outstanding Natural Feature sand dune</del>	50	250	<del>Outstanding Natural Feature</del>	50	250	<del>Outstanding Natural Landscapes</del>	50	250
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<del>Outstanding Natural Feature</del>	50	250																							
<del>Outstanding Natural Landscapes</del>	50	250																							
DI	Any activity that does not comply with <del>Rule 25.2.4.4 PI</del>																								

### 25.2.4.4 Earthworks – within Landscape and Natural Character Areas

P1	Earthworks for the maintenance of existing tracks, fences or drains within an identified landscape or natural character area.																
P2	<p>Earthworks that meet all of the following conditions:</p> <p>(a) earthworks are completed within a 12 month period</p> <p>(b) earthworks do not exceed the following areas and volumes:</p> <table border="1" data-bbox="331 479 1254 1290"> <thead> <tr> <th data-bbox="339 490 635 667"><u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u></th> <th data-bbox="643 490 946 667"><u>Area (m<sup>2</sup>)</u></th> <th data-bbox="954 490 1249 667"><u>Volume (m<sup>3</sup>)</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="339 678 635 757"><u>Significant Amenity Landscape - Hill Country</u></td> <td data-bbox="643 678 946 757" style="text-align: center;"><u>1000</u></td> <td data-bbox="954 678 1249 757" style="text-align: center;"><u>500</u></td> </tr> <tr> <td data-bbox="339 768 635 880"><u>Significant Amenity Landscape - Waikato River Margins and Lakes</u></td> <td data-bbox="643 768 946 880" style="text-align: center;"><u>500</u></td> <td data-bbox="954 768 1249 880" style="text-align: center;"><u>500</u></td> </tr> <tr> <td data-bbox="339 891 635 958"><u>Significant Amenity Landscape - sand dune</u></td> <td data-bbox="643 891 946 1290" rowspan="5" style="text-align: center; vertical-align: middle;"><u>50</u></td> <td data-bbox="954 891 1249 1290" rowspan="5" style="text-align: center; vertical-align: middle;"><u>250</u></td> </tr> <tr> <td data-bbox="339 969 635 1037"><u>High Natural Character Area</u></td> </tr> <tr> <td data-bbox="339 1048 635 1115"><u>Outstanding Natural Character Area</u></td> </tr> <tr> <td data-bbox="339 1126 635 1193"><u>Outstanding Natural Feature</u></td> </tr> <tr> <td data-bbox="339 1205 635 1283"><u>Outstanding Natural Landscape</u></td> </tr> </tbody> </table> <p>(c) the height of the resulting cut or batter face in stable ground does not exceed 1.5 metres</p> <p>(d) the maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1metre vertical to 2 metres horizontal)</p> <p>(e) areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of commencing the earthworks</p> <p>(f) sediment is retained on the site through implementation and maintenance of erosion and sediment controls</p> <p>(g) there is no diversion or change to natural water flows, water bodies or established drainage paths.</p>	<u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u>	<u>Area (m<sup>2</sup>)</u>	<u>Volume (m<sup>3</sup>)</u>	<u>Significant Amenity Landscape - Hill Country</u>	<u>1000</u>	<u>500</u>	<u>Significant Amenity Landscape - Waikato River Margins and Lakes</u>	<u>500</u>	<u>500</u>	<u>Significant Amenity Landscape - sand dune</u>	<u>50</u>	<u>250</u>	<u>High Natural Character Area</u>	<u>Outstanding Natural Character Area</u>	<u>Outstanding Natural Feature</u>	<u>Outstanding Natural Landscape</u>
<u>Landscape or Natural Character Area identified on the planning maps and in Schedules 30.XXX</u>	<u>Area (m<sup>2</sup>)</u>	<u>Volume (m<sup>3</sup>)</u>															
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RDI	<p>(a) Earthworks that do not comply with Rule 25.2.4.4 P1 or P2.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) for areas within the coastal environment, whether avoidance of adverse effects from earthworks on the attributes of the identified landscape or natural character is achieved in the first instance, and if avoidance is not achievable, remedied or otherwise mitigated.</p> <p>(ii) for areas outside the coastal environment, the extent to which adverse effects from earthworks on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</p>																

**Recommended amendments to Chapter 13 definitions shown in red underline**

**Outstanding Natural Feature** – means a feature identified as an Outstanding Natural Feature on the planning maps ~~–and described in Schedule 30.6~~

**Outstanding Natural Landscape** – means a landscape identified as an Outstanding Natural Landscape on the planning maps ~~–and described in Schedule 30.7~~

**High Natural Character Area** – means an area identified as a High Natural Character Area on the planning maps and described in Schedule 30.8

**Outstanding Natural Character Area** ~~– means an area identified as an Outstanding Natural Character Area on the planning maps and described in Schedule 30.9~~

**Significant Amenity Landscape** – means an area identified as a Significant Amenity Landscape on the planning maps ~~–and described in Schedule 30.10~~

**Chapter 22 Rural Zone - Recommended amendments to Rule 22.3.3**

**22.3.3 Buildings and structures in Landscape and Natural Character Areas**

<p><del>D1</del></p> <p><u>RD1</u></p>	<p>(a) Building or structure located within any:</p> <ul style="list-style-type: none"> <li>(i) Outstanding Natural Feature;</li> <li>(ii) Outstanding Natural Landscape;</li> <li>(iii) Outstanding Natural Character Area;</li> <li>(iv) High Natural Character Area</li> </ul> <p><u>(b) Council’s discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li><u>(i) for areas within the coastal environment, whether avoidance of adverse visual and amenity effects from any building or structure on the attributes of the identified landscape or natural character area is achieved in the first instance, and if avoidance is not achievable, remedied or otherwise mitigated.</u></li> <li><u>(ii) for areas outside the coastal environment, the extent to which adverse visual and amenity effects from any building or structure on the attributes of the identified landscape or natural character area are avoided, remedied or mitigated.</u></li> </ul>
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