

## General District wide Matters / Earthworks

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / General EW	John Tiley	142.15	Not specified	Considers that the Earthworks chapter subjugates any visual amenity and open space values to the interests of development.	Seeks that an explanation of "sustainable" management of earthworks is offered.
General District wide Matters / Earthworks / General EW	John Tiley	142.16	Amend	Considers that the Earthworks introduction should be amended as there is no reference to any obligation to avoid or even mitigate harmful effects.	Seeks that the Earthworks chapter include an obligation to mitigate or avoid harmful effects. [Inferred decision requested].
General District wide Matters / Earthworks / General EW	John Tiley	142.17	Amend	Considers that the sentence 'To a large extent, these effects can be addressed through careful design and management of physical works' is not true as any earthworks will compromise a ridgeline's community and amenity values.	Seeks that no earthworks are allowed to occur on ridgelines to ensure these remain in their undisturbed natural state. [Inferred decision requested].
General District wide Matters / Earthworks / General EW	Churton Park Community Association	189.15	Not specified	Considers that the Earthworks chapter subjugates any visual amenity and open space values to the interests of development.	Seeks that an explanation of "sustainable" management of earthworks is offered.
General District wide Matters / Earthworks / General EW	Churton Park Community Association	189.16	Amend	Considers that the Earthworks introduction should be amended as there is no reference to any obligation to avoid or even mitigate harmful effects.	Seeks that the Earthworks chapter include an obligation to mitigate or avoid harmful effects. [Inferred decision requested].
General District wide Matters / Earthworks / General EW	Churton Park Community Association	189.17	Amend	Considers that the sentence 'To a large extent, these effects can be addressed through careful design and management of physical works' is not true as any earthworks will compromise a ridgeline's community and amenity values.	Seeks that no earthworks are allowed to occur on ridgelines to ensure these remain in their undisturbed natural state. [Inferred decision requested].
General District wide Matters / Earthworks / General EW	Horokiwi Quarries Ltd	271.51	Support	Supports the clarification that the earthworks rules do not apply to quarrying activities provided for in the Quarry Zone on the basis it recognises the nature and scale of earthworks associated with quarry activities. The relevance of the Earthworks chapter to quarry activities is that technically a quarry activity would involve earthworks, and therefore outside the Quarry Zone, the earthworks chapter applies.	Retain the Earthworks Chapter Introduction as notified.
General District wide Matters / Earthworks / General EW	Kilmarston Developments Limited and Kilmarston Properties Limited	290.43	Support	Considers it is important that earthworks are managed to minimise adverse effects.	Retain objectives within Earthworks chapter as notified.
General District wide Matters / Earthworks / General EW	Kilmarston Developments Limited and Kilmarston Properties Limited	290.44	Support	Considers it is important that earthworks are managed to minimise adverse effects.	Retain policies within Earthworks chapter as notified.
General District wide Matters / Earthworks / General EW	Tawa Community Board	294.13	Amend	Considers that climate change is driving more frequent and more severe climatic events.	Seeks that Earthworks heights are amended to support more resilience.
General District wide Matters / Earthworks / General EW	Tawa Community Board	294.14	Amend	Considers that climate change is driving more frequent and more severe climatic events.	Seeks increased construction setbacks from retaining walls and embankments, including stream embankments.
General District wide Matters / Earthworks / General EW	Aggregate and Quarry Association	303.17	Support	The Earthworks chapter is supported as it specifies that Earthworks provisions do not apply to quarrying activities provided for in the Special Purpose Quarry Zone. It is important to make this clear to avoid confusion and potential duplication and inconsistency, given quarrying is a unique activity distinct from earthworks. It is right that quarrying should be specifically addressed elsewhere through the relevant zone rules separate from earthworks.	Retain the comment in the Earthworks chapter that states "the provisions in this chapter do not apply to quarrying activities provided for in the Special Purpose Quarry Zone" as notified.

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General District wide Matters / Earthworks / General EW	Transpower New Zealand Limited	315.174	Amend	<p>Considers the structure of the PDP is such that rules relating to earthworks and subdivision in proximity of the National Grid are addressed under the respective Earthworks and Subdivision chapters. Considers that while not necessarily the submitter's preference, they are not opposed to this approach subject to appropriate linkages between the chapters so that plan users can clearly understand (and find) the relevant rules and corresponding policy framework.</p> <p>Considers that for Rule EW-R22 there is no supporting policy framework and no guidance within the introductory text to the Earthworks Chapter to refer plan users to the Infrastructure Chapter. The submitter seeks specific National Grid provisions as outlined in separate submission points. [Refer to original submission for full reason]</p> <p>Submitter seeks either:</p> <ul style="list-style-type: none"> <li>• Subject to the inclusion of a specific National Grid policy within the INF chapter, cross reference to that chapter, or</li> <li>• Provision of a specific National Grid policy within the EW chapter.</li> </ul>	<p>Amend the Earthworks Chapter to provide appropriate policy recognition to managing earthworks within the National Grid Yard and provide the policy direction for EW-R22. Subject to the inclusion of a specific National Grid policy within the INF chapter, cross reference to that chapter as follows:</p> <p>Other relevant District Plan provisions</p> <p>It is important to note that in addition to the provisions in this chapter, the following Part 2: District-Wide chapters may also be of relevance, including:</p> <ul style="list-style-type: none"> <li>• Transport - The Transport Chapter contains provisions relating to transport matters.</li> <li>• Subdivision - The Subdivision Chapter contains provisions which manage subdivision of land.</li> <li>• Trees – The Notable Tree chapter contains specific provisions relating to the management of notable trees, including works within the root protection area.</li> <li>• <u>Infrastructure - the earthworks chapter includes rules to implement objectives and policies in the Infrastructure Chapter where certain types of earthworks are within the National Grid Yard.</u></li> </ul> <p>...</p> <p>or</p> <p>2. Provision of a specific National Grid policy within the Earthworks chapter as follows:  <u>Earthworks or vertical holes within the National Grid Yard</u>  <u>Avoid earthworks or vertical holes within the National Grid Yard which may compromise the safe and efficient functioning, operation, maintenance and repair, upgrading and development of the National Grid.</u></p>
General District wide Matters / Earthworks / General EW	Transpower New Zealand Limited	315.175	Support	<p>Supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPS-ET. Considers that earthworks also have the potential to restrict Transpower's ability to access the line and locate the heavy machinery required to maintain support structures around the lines and may lead to potential tower failure and significant constraints on the operation of the line. Considers the provision of a rule framework achieves Policies 2 and 10 of the NPS-ET.</p> <p>[Refer to original submission for full reason]</p>	Supports EW provisions, subject to amendments.
General District wide Matters / Earthworks / General EW	Restaurant Brands Limited	349.32	Support	Support	Retain EW – Ngā Mahi Apu Whenua – Earthworks as notified.
General District wide Matters / Earthworks / General EW	Greater Wellington Regional Council	351.227	Amend	<p>Considers that currently rules only have assessment matters regarding the extent and effect of non-compliance on identified, ecological values or amenity values or landscape values for earthworks in riparian areas. To have regard to the Proposed RPS Change 1 (policies FW.3 and 15) Greater Wellington considers an amendment is required to include matters of control or discretion which protect cultural values.</p>	Seeks to include matter of control or discretion regarding the 'potential for adverse effects on water quality of any waterbody, wahi tapu, wahi taonga and habitat of any significant indigenous species.'
General District wide Matters / Earthworks / General EW	Waka Kotahi	370.204	Support	Support that the provisions do not relate to infrastructure activities– as this enables Waka Kotahi to undertake works to infrastructure as provided for by the infrastructure chapter.	<p>Retain the following as notified:</p> <p>The provisions of this Chapter do not apply in relation to activities provided for in the Infrastructure Chapter, unless specifically stated in the rule or standard concerned'</p>
General District wide Matters / Earthworks / General EW	Wellington International Airport Ltd	406.360	Amend	<p>Opposes the earthworks provisions insofar as they relate to the Airport Zone.</p> <p>[See paragraphs 4.93 to 4.96 of original submission for full reason]</p>	Seeks that Earthworks chapter introduction is amended to delete the reference to EW-R20 (Earthworks in the Airport Zone) to EW-S14 (Earthworks in the Airport Zone) so that the chapter does not apply to the Airport Zone.

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General District wide Matters / Earthworks / General EW	Wellington International Airport Ltd	406.361	Amend	Supports the Operative District Plan application of Earthworks provisions to the Airport Zone.	Seeks that the Airport Zone is exempt from the Earthworks provisions to the same extent that it was in the Operative District Plan.
General District wide Matters / Earthworks / General EW	Wellington International Airport Ltd	406.362	Not specified	Considers that there is an explicit note in the introductory text that the provisions of the earthworks chapter “do not apply in relation to activities provided in the Airport Zone, except for the extent specified in EW-R20 and EW-S14”. The drafting of EW-R20 is such however, that the exemption establishes a more onerous, complex and uncertain consenting pathway for earthworks within the Airport Zone than other zones and the operative planning framework.	Clarify the extent to which the Earthworks chapter applies within the Airport Zone.
General District wide Matters / Earthworks / General EW	Wellington International Airport Ltd	406.363	Not specified	The starting presumption that all discretionary earthwork activities within with the Airport Zone will be publicly notified is inappropriate and unjustified.	Not specified.
General District wide Matters / Earthworks / General EW	Wellington International Airport Ltd	406.364	Amend	[No specific reason given beyond decision requested - see original submission]	Seeks that the Earthworks chapter is amended to rework how it relates to the Airport Zone, done through the Schedule 1 Resource Management Act process.
General District wide Matters / Earthworks / New EW	Heritage New Zealand Pouhere Taonga	70.21	Amend	Considers that as an alternative to the proposed HNZPT amendment of EW-P7 to cover scheduled archaeological sites and Sites of Significance to Māori, additional policies could be added to the earthworks chapter to address archaeological sites and Sites of Significance to Māori.	Add additional policies to the earthworks chapter to address archaeological sites and Sites of Significance to Māori, as an alternative to the proposed HNZPT amendment of EW-P7 (Earthworks on the site of heritage buildings and heritage structures, and within heritage areas).
General District wide Matters / Earthworks / New EW	Royal Forest and Bird Protection Society	345.361	Amend	Considers that this chapter’s provisions are silent on earthworks in wetlands and their margins. It appears that WCC still has a role in respect of works in these areas. As discussed above (in relation to the ECO chapter), we seek a suite of new earthworks provisions protecting wetlands and their margins, or amendments to the notified provisions to achieve this. In terms of rules, they should at the very least require setbacks from all natural wetlands. We note that there are rules regulating earthworks in riparian margins, but not wetland margins	Add new EW-OX, EW-PX, EW-RX, and EW-SX provisions to protect wetlands and their margins.
General District wide Matters / Earthworks / New EW	Royal Forest and Bird Protection Society	345.362	Amend	Seeks a non-complying rule for earthworks where the SNA contains matters identified in policy 11 NZCPS, replicating ECO R1.6. The section 88 requirements should be: 1. Identifying the indigenous biodiversity values and potential impacts from the proposal; and 2. Demonstrating that ECO P5 has first been met, and the effects management hierarchy at ECO-P21 has been applied to other adverse effects.	Add new rule EW-R7 (Earthworks within a significant natural area):  <u>3. Activity status: Non-complying</u> <u>Where:</u> <u>a. The Significant Natural Area includes matters identified in policy 11 of the NZ Coastal Policy statement</u> <u>Section 88 requirements:</u> <u>1. Identifying the indigenous biodiversity values and potential impacts from the proposal; and</u> <u>2. Demonstrating that ECO P5 has first been met, and the effects management hierarchy at ECO-P21 has been applied to other adverse effects.</u>
General District wide Matters / Earthworks / New EW	Greater Wellington Regional Council	351.228	Amend	Considers that the earthworks policies do not adequately recognise the potential impacts of sedimentation on tangata whenua values, particularly with regard to mahinga kai and access for mahinga kai purposes. A new policy should be inserted that recognises the potential adverse effects of earthworks on water bodies and mahinga kai and this should also be a relevant matter of discretion for restricted discretionary rules in this chapter, to have regard to Proposed RPS Change 1 (policy FW.3).	Add a new Policy to the Earthworks chapter to avoid adverse effects of earthworks on surface water bodies, Māori freshwater values, including mahinga kai and access.
General District wide Matters / Earthworks / New EW	Te Rūnanga o Toa Rangatira	488.67	Amend	Considers the potential impacts of earthworks and sedimentation on sites of significance need to be acknowledged as a separate policy.	Add new policy to EW chapter: <u>Avoid adverse effects of earthworks on Tangata Whenua freshwater values especially when they may impact on mahinga kai, kai moana and access.</u>
General District wide Matters / Earthworks / New EW	Te Rūnanga o Toa Rangatira	488.68	Amend	Considers that the Accidental Discovery Protocol and its implementation can be improved by embedding the process in the Earthworks chapter.	Add new policy to the Earthworks chapter that acknowledges the importance of Accidental Discovery to maintaining and protecting the sites and areas of significance to Māori and iwi.
General District wide Matters / Earthworks / EW-O1	Heritage New Zealand Pouhere Taonga	70.22	Support in part	Supports EW-O1 (Management of earthworks), provided an amendment is made to EW-O1.2.	Retain EW-O1 (Management of earthworks) with amendments.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-01	Heritage New Zealand Pouhere Taonga	70.23	Amend	<p>Considers that the potential adverse effects referenced in EW-01.2 are too narrow and restricted to 'adverse effects on visual amenity values'.</p> <p>Considers that EW-01 should be amended to allow for consideration of a broader range of adverse effects, and not limited to only visual amenity.</p>	<p>Amend EW-01 (Management of earthworks) as follows:</p> <p>...</p> <p>2. Minimises adverse effects on the environment, including effects on visual amenity values and, including changes to natural landforms.</p> <p>...</p>
General District wide Matters / Earthworks / EW-01	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.22	Not specified	<p>Considers that "Well functioning urban environment" does not apply to EW-01 because it does not comply with points d, f &amp; g in the definition of "Well functioning urban environment" within the PDP.</p> <p>There is no link road from the development site to Churton Park, Glenside or Tawa has been planned.</p> <p>Development area is an isolated area on steep, hilly terrain.</p> <p>The access road from Westchester Drive is flood prone.</p> <p>West Glenside at 395 Middleton Road will not be Climate Change Sustainable and Natural Hazard Resilient.</p> <p>[Refer to original submission for full reason]</p>	Not specified.
General District wide Matters / Earthworks / EW-01	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.23	Amend	<p>Considers that Marshall's Ridge should be given protection through the strengthening of the policy.</p>	Amend EW-01 (Management of earthworks) to give further protection to Marshall's Ridge and other ridgelines within the area.
General District wide Matters / Earthworks / EW-01	Greater Wellington Regional Council	351.229	Support	<p>Considers that minimising the risks associated with slope instability is consistent with hazard provisions in the RPS. Supports slope failure being incorporated into the earthworks chapter to manage impacts on slope stability</p>	Retain EW-01 (Management of earthworks) as notified.
General District wide Matters / Earthworks / EW-01	WCC Environmental Reference Group	377.283	Support	<p>EW-01 is supported as it recognises the importance of earthworks being carried out in a way that reduces the potential adverse effects, particularly from sediment runoff impacting urban streams and the harbour.</p>	Retain EW-01 (Management of earthworks) as notified.
General District wide Matters / Earthworks / EW-01	Kāinga Ora Homes and Communities	391.269	Support in part	<p>Objective EW-01 is generally supported but an amendment is sought.</p>	Retain Objective EW-01 (Management of Earthworks) with amendment.
General District wide Matters / Earthworks / EW-01	Kāinga Ora Homes and Communities	391.270	Amend	<p>Considers that Objective EW-01 should be amended to be more specific with regard to the effect being managed. Kāinga Ora consider "visual amenity values" is too vague in the context of earthworks assessment.</p>	<p>Amend Objective EW-01 (Management of Earthworks) as follows:</p> <p>Earthworks are undertaken in a manner that:</p> <ol style="list-style-type: none"> <li>1. Is consistent with the anticipated scale and form of development in the relevant zone;</li> <li>2. Minimises adverse effects on visual amenity values, including changes to the appearance of natural landforms;</li> <li>3. Minimises erosion and sediment effects beyond the site;</li> <li>4. Minimises risks associated with slope instability; and</li> <li>5. Protects the safety of people and property.</li> </ol>

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General District wide Matters / Earthworks / EW-P1	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.24	Not specified	<p>Considers that "Well functioning urban environment" does not apply to EW-P1 because it does not comply with points d, f &amp; g in the definition of "Well functioning urban environment" within the PDP.</p> <p>There is no link road from the development site to Churton Park, Glenside or Tawa has been planned.</p> <p>Development area is an isolated area on steep, hilly terrain.</p> <p>The access road from Westchester Drive is flood prone.</p> <p>West Glenside at 395 Middleton Road will not be Climate Change Sustainable and Natural Hazard Resilient.</p> <p>[Refer to original submission for full reason]</p>	Not specified.
General District wide Matters / Earthworks / EW-P2	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.25	Not specified	<p>Considers that "Well functioning urban environment" does not apply to EW-P2 because it does not comply with points d, f &amp; g in the definition of "Well functioning urban environment" within the PDP.</p> <p>There is no link road from the development site to Churton Park, Glenside or Tawa has been planned.</p> <p>Development area is an isolated area on steep, hilly terrain.</p> <p>The access road from Westchester Drive is flood prone.</p> <p>West Glenside at 395 Middleton Road will not be Climate Change Sustainable and Natural Hazard Resilient.</p> <p>[Refer to original submission for full reason]</p>	Not specified.
General District wide Matters / Earthworks / EW-P2	Greater Wellington Regional Council	351.230	Support	<p>Considers that minimising the risks associated with slope instability is consistent with hazard provisions in the RPS. Supports slope failure being incorporated into the earthworks chapter to manage impacts on slope stability</p>	Retain EW-P2 (Provision for minor earthworks) as notified.
General District wide Matters / Earthworks / EW-P2	Greater Wellington Regional Council	351.231	Amend	<p>Considers it appropriate to amend to have regard to the Objectives 19 and 20 and Policies 51 and 52 in Proposed Change 1 to RPS. Minimise is defined as "as low as reasonably practicable (ALARP)" and is in line with standard risk-based hazard management approaches. This leaves room for reduction as far as practicable but is a clearer signal than reduce or do not increase, to actively look to bring down the risk in the design and planning of the development.</p>	<p>Amend EW-P2 (Provision for minor earthworks) as follows:                      Enable the efficient use and development of land by providing for earthworks and associated structures where:                      1. The risk associated with instability is <u>minimised-not increased</u>;                      ...</p>
General District wide Matters / Earthworks / EW-P2	WCC Environmental Reference Group	377.284	Support	<p>Minor earthworks are important for many activities in the city: provision for these, within a clear expectation of 'best practice' is practical.</p>	Retain EW-P2 (Provision for minor earthworks) as notified.
General District wide Matters / Earthworks / EW-P2	Kāinga Ora Homes and Communities	391.271	Support in part	<p>EW-P2 is generally supported but an amendment is sought.</p>	Retain EW-P2 (Provision for minor earthworks) with amendment.
General District wide Matters / Earthworks / EW-P2	Kāinga Ora Homes and Communities	391.272	Amend	<p>Considers that EW-P2 should be amended to be more specific with regard to the effect being managed. Kāinga Ora consider "visual amenity" is too vague in the context of earthworks assessment.</p>	<p>Amend EW-P2 (Provision for minor earthworks) as follows:                      Enable the efficient use and development of land by providing for earthworks and associated structures where:                      1. The risk associated with instability is not increased;                      2. Erosion, dust and sedimentation effects on land and water bodies will be minimal; and                      3. <del>Effects on visual amenity.</del> The appearance of earthworks would be insignificant.</p>

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General District wide Matters / Earthworks / EW-P3	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.26	Not specified	<p>Considers that "Well functioning urban environment" does not apply to EW-P3 because it does not comply with points d, f &amp; g in the definition of "Well functioning urban environment" within the PDP.</p> <p>There is no link road from the development site to Churton Park, Glenside or Tawa has been planned.</p> <p>Development area is an isolated area on steep, hilly terrain.</p> <p>The access road from Westchester Drive is flood prone.</p> <p>West Glenside at 395 Middleton Road will not be Climate Change Sustainable and Natural Hazard Resilient.</p> <p>[Refer to original submission for full reason]</p>	Not specified.
General District wide Matters / Earthworks / EW-P3	Greater Wellington Regional Council	351.232	Support	Considers that minimising the risks associated with slope instability is consistent with hazard provisions in the RPS. Supports slope failure being incorporated into the earthworks chapter to manage impacts on slope stability	Retain EW-P3 (Maintaining stability) as notified.
General District wide Matters / Earthworks / EW-P3	Kāinga Ora Homes and Communities	391.273	Support in part	EW-P3 is generally supported but an amendment is sought.	Retain EW-P3 (Maintaining stability) with amendment.
General District wide Matters / Earthworks / EW-P3	Kāinga Ora Homes and Communities	391.274	Amend	Considers that EW-P3 should be amended to remove reference to examples to simplify the policy.	<p>Amend EW-P3 (Maintaining stability) as follows:</p> <p>Require earthworks to be designed and carried out in a manner that maintains slope stability and minimises the risk of slope failure associated with natural hazards <del>such as earthquakes and increased rainfall intensities arising from climate change.</del></p>
General District wide Matters / Earthworks / EW-P4	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.27	Not specified	<p>Considers that "Well functioning urban environment" does not apply to EW-P4 because it does not comply with points d, f &amp; g in the definition of "Well functioning urban environment" within the PDP.</p> <p>There is no link road from the development site to Churton Park, Glenside or Tawa has been planned.</p> <p>Development area is an isolated area on steep, hilly terrain.</p> <p>The access road from Westchester Drive is flood prone.</p> <p>West Glenside at 395 Middleton Road will not be Climate Change Sustainable and Natural Hazard Resilient.</p> <p>[Refer to original submission for full reason]</p>	Not specified.
General District wide Matters / Earthworks / EW-P4	Greater Wellington Regional Council	351.233	Support in part	Supports the requirement for earthworks to adopt effective erosion and sediment control measures and dust control measures for earthworks proposals	Retain EW-P4 (Erosion, dust and sediment control) with amendment.
General District wide Matters / Earthworks / EW-P4	Greater Wellington Regional Council	351.234	Amend	Considers that to have regard to Proposed RPS Change 1 (policies FW.3 and 15) and give effect to the NPS-FM, this policy should be strengthened to better protect waterways and the coastal environment. This policy should more directly require details about erosion sediment control methods that are currently incorporated as assessment matters and their provision through erosion and sediment control plans. This will aid in the understanding of requirements by plan users	Seeks to amend EW-P4 (Erosion, dust and sediment control) to require erosion and sediment control measures which are designed and will be managed in accordance the principles and methods in the GWRC's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region 2021 and which are set out in an erosion and sediment control plan.

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General District wide Matters / Earthworks / EW-P4	WCC Environmental Reference Group	377.285	Support	EW-P4 is supported as it gives a clear expectation that earthwork risks such as erosion, sediment and dust are properly managed, which is essential to improving protections for freshwater, and reducing dust nuisance, within the city.	Retain EW-P4 (Erosion, dust and sediment control) as notified.
General District wide Matters / Earthworks / EW-P5	John Tiley	142.18	Amend	Considers that once a ridgeline or hilltop is compromised to any extent, effects cannot be minimised, mitigated or remedied. This wording is misleading.	Seeks that EW-P5 (Effects on earthworks on landform and visual amenity) is rewritten.
General District wide Matters / Earthworks / EW-P5	Churton Park Community Association	189.18	Amend	Considers that once a ridgeline or hilltop is compromised to any extent, effects cannot be minimised, mitigated or remedied. This wording is misleading.	Seeks that EW-P5 (Effects on earthworks on landform and visual amenity) is rewritten.
General District wide Matters / Earthworks / EW-P5	Horokiwi Quarries Ltd	271.52	Not specified	Neutral on the policy directive to minimise adverse effects on natural landforms.	Not specified.
General District wide Matters / Earthworks / EW-P5	Horokiwi Quarries Ltd	271.53	Amend	Opposes the reference to hilltops and ridgelines, noting the Hilltops and Ridgelines are specifically addressed in NFL-P2 .	Amend EW-P5 (Effects on earthworks on landform and visual amenity) as follows:  Require earthworks and associated structures, including structures used to retain or stabilise landslips, to be designed and constructed to minimise adverse effects on natural landforms and visual amenity <del>and where located within identified ridgelines and hilltops ensure the effects are mitigated or remedied.</del>
General District wide Matters / Earthworks / EW-P5	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.28	Amend	Considers that Marshall's Ridge should be given protection through the strengthening of the policy.	Amend EW-P5 (Effects on earthworks on landform and visual amenity) to give further protection to Marshall's Ridge and other ridgelines within the area.
General District wide Matters / Earthworks / EW-P5	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.29	Not specified	Considers that "Well functioning urban environment" does not apply to EW-P5 because it does not comply with points d, f & g in the definition of "Well functioning urban environment" within the PDP.  There is no link road from the development site to Churton Park, Glenside or Tawa has been planned.  Development area is an isolated area on steep, hilly terrain.  The access road from Westchester Drive is flood prone.  West Glenside at 395 Middleton Road will not be Climate Change Sustainable and Natural Hazard Resilient.  [Refer to original submission for full reason]	Not specified
General District wide Matters / Earthworks / EW-P5	WCC Environmental Reference Group	377.286	Support	EW-P5 is supported as it gives a clear expectation that earthworks must be done in a way that does not compromise landscape values, which form an important part of Wellington's natural character.	Retain EW-P5 (Effects on earthworks on landform and visual amenity) as notified.
General District wide Matters / Earthworks / EW-P5	Kāinga Ora Homes and Communities	391.275	Support in part	EW-P5 is generally supported but an amendment is sought.	Retain EW-P5 (Effects on earthworks on landform and visual amenity) with amendment.
General District wide Matters / Earthworks / EW-P5	Kāinga Ora Homes and Communities	391.276	Amend	Considers that EW-P5 should be amended to be more specific with regard to the effect being managed. Kāinga Ora consider "visual amenity" is too vague in the context of earthworks assessment.	Amend EW-P5 (Effects on earthworks on landform and visual amenity) as follows:  Require earthworks and associated structures, including structures used to retain or stabilise landslips, to be designed and constructed to minimise adverse effects on <u>the appearance of</u> natural landforms <del>and visual amenity</del> and where located within identified ridgelines and hilltops ensure the effects are mitigated or remedied.
General District wide Matters / Earthworks / EW-P6	Waka Kotahi	370.205	Support	Supports wording of policy as notified as it provides for management of effects on the transport network	Retain EW-P6 (Earthworks and the transport network) as notified.
General District wide Matters / Earthworks / EW-P7	Heritage New Zealand Pouhere Taonga	70.24	Support in part	[No reasons given other than decision, refer to original submission]	Retain EW-P7 (Earthworks on the site of heritage buildings and heritage structures, and within heritage areas) with amendment.

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General District wide Matters / Earthworks / EW-P7	Heritage New Zealand Pouhere Taonga	70.25	Amend	Considers that for improved consistency, EW-P7 should also cover scheduled archaeological sites and Sites of Significance to Māori.	Amend EW-P7 (Earthworks on the site of heritage buildings and heritage structures, and within heritage areas) as follows:  EW-P7: Earthworks on the site of heritage buildings, <del>and</del> heritage structures, <del>and</del> within heritage areas, <u>within the extent of scheduled archaeological sites and within Sites and Areas of Significance to Māori.</u>  Manage earthworks within sites occupied by heritage buildings and heritage structures, <del>and</del> within heritage areas, <u>within the extent of scheduled archaeological sites and within Sites and Areas of Significance to Māori</u> , having regard to:  1. The identified <del>heritage</del> values of the scheduled <del>item or heritage building, heritage structure or heritage area</del> ; 2. The extent to which the earthworks would detract from those identified values and setting; and 3. Whether the earthworks can be achieved without altering the significance of the <del>item or heritage area</del> .
General District wide Matters / Earthworks / EW-P7	WCC Environmental Reference Group	377.287	Support	EW-P7 is supported as it gives a clear expectation that earthworks must be done in a way that does not compromise landscape values, which form an important part of Wellington's natural character.	Retain EW-P7 (Earthworks on the site of heritage buildings and heritage structures, and within heritage areas) as notified.
General District wide Matters / Earthworks / EW-P8	WCC Environmental Reference Group	377.288	Support	EW-P8 is supported as it provides for earthworks whilst requiring they do not risk notable trees is practical	Retain EW-P8 (Earthworks within the root protection area of notable trees) as notified.
General District wide Matters / Earthworks / EW-P9	Royal Forest and Bird Protection Society	345.363	Oppose in part	Notes that the Earthworks chapter introduction states that the Earthworks Chapter includes policies and rules that implement the objectives in the Ecosystems and Indigenous Biodiversity Chapter where earthworks proposals affect Significant Natural Areas.  This policy takes a different approach to the ECO policy dealing with appropriate uses in SNAs (ECO P2). ECO P2 lists the purposes for which vegetation clearance may be appropriate. This policy is silent on the reasons why earthworks may be acceptable. We oppose this approach, as the policy may be used in support of activities beyond those which were intended to be provided for. Seeks that the policy list the relevant activities (as the similar ECO policy does) in an exhaustive list. 'Identified values' will not necessarily protect all the relevant values.	Amend EW-P9 (Minor earthworks within significant natural areas):  <u>Consider enabling</u> Enable earthworks within Significant Natural Areas identified within SCHED8 where they are of a minor scale and nature that maintains the identified biodiversity values, <u>to provide for:</u> (list permitted activities only, in accordance with our submission below on the Permitted rules)
General District wide Matters / Earthworks / EW-P9	Royal Forest and Bird Protection Society	345.364	Oppose in part	As an alternative to the above submission point, delete this policy and rely on EW-P10.	Delete EW-P9 (Minor earthworks within significant natural areas).
General District wide Matters / Earthworks / EW-P9	Greater Wellington Regional Council	351.235	Amend	Considers the tenure of these policies is more enabling than other similar policies which 'only allow for earthworks where..'	Amend EW-P9 (Minor earthworks within significant natural areas):  <u>Enable</u> <u>Only allow for</u> earthworks within Significant Natural Areas identified within SCHED8 where they are of a minor scale and nature that maintains the identified biodiversity values.
General District wide Matters / Earthworks / EW-P9	WCC Environmental Reference Group	377.289	Support	EW-P9 is supported as it provides for earthworks in SNA areas, whilst requiring they maintain biodiversity values, is practical.	Retain EW-P9 (Minor earthworks within significant natural areas) as notified.
General District wide Matters / Earthworks / EW-P9	Director-General of Conservation	385.70	Support	Supports proposed Policy EW-P9 (Minor earthworks within significant natural areas).	Retain policy EW-P9 (Minor earthworks within significant natural areas) as notified.
General District wide Matters / Earthworks / EW-P10	Horokiwi Quarries Ltd	271.54	Not specified	Considers that the ECO policy cross references should be clarified as to whether they are correct.	Seeks that the ECO policy cross references in EW-P10 (Earthworks within significant natural areas) should be clarified as to whether they are correct.  [Inferred decision requested]



Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-P10	Horokiwi Quarries Ltd	271.55	Support	Supports that EW-10 defers to policies within the ECO Chapter.	Retain EW-P10 (Earthworks within significant natural areas) as notified.
General District wide Matters / Earthworks / EW-P10	Royal Forest and Bird Protection Society	345.365	Support in part	Considers this chapter takes a different approach to the Subdivision chapter – in the Subdivision chapter, policies from the ECO chapter are (roughly) replicated. In the Earthworks chapter however, the policy is framed with reference back to the relevant ECO policies. In our view, that is simpler approach which should be consistent across the plan’s chapters. In our alternative relief for EW-P9, we sought that that policy was deleted and instead earthworks in SNAs were managed by EW-10 only. The policy should not start from a direction to provide for earthworks. The references to ECO policies need to be updated to ensure they are accurate. We have attempted to rectify this below	Amend EW-P10 (Earthworks within significant natural areas):  Consider providing <del>Provide</del> for earthworks of a more than minor scale within Significant Natural Areas only where it can be demonstrated that any adverse effects on indigenous biodiversity values are addressed in accordance with ECO-P2 <del>1</del> and the matters in ECO-P4 <del>3</del> and ECO-P7 <del>5</del> .
General District wide Matters / Earthworks / EW-P10	Greater Wellington Regional Council	351.236	Amend	Considers the tenure of these policies is more enabling than other similar policies which ‘only allow for earthworks where..’	Amend EW-P10 (Earthworks within significant natural areas):  <del>Provide</del> Only allow for earthworks of a more than minor scale within Significant Natural Areas only where it can be demonstrated that any adverse effects on indigenous biodiversity values are addressed in accordance with ECO-P2 and the matters in ECO-P4 and ECO-P7.
General District wide Matters / Earthworks / EW-P10	WCC Environmental Reference Group	377.290	Support	EW-P10 is supported as it provides for earthworks in SNA areas, whilst requiring they maintain biodiversity values, is practical.	Retain EW-P10 (Earthworks within significant natural areas) as notified.
General District wide Matters / Earthworks / EW-P10	Director-General of Conservation	385.71	Support in part	Supports in part Policy EW-P10 (Earthworks within significant natural areas).  Policy EW-10 references ECO-P2, however it seems more likely that this point should refer to ECO-P1.	Supports policy EW-P10 (Earthworks within significant natural areas) in part, but seeks amendment.
General District wide Matters / Earthworks / EW-P10	Director-General of Conservation	385.72	Amend	Considers that policy EW-10 should be clarified. Policy EW-10 references ECO-P2, however it seems more likely that this point should refer to ECO-P1.	Seeks clarification confirm whether the correct policies are referenced under EW-P10 (Earthworks within significant natural areas).
General District wide Matters / Earthworks / EW-P10	Director-General of Conservation	385.73	Amend	Considers that policy EW-10 should be clarified. Policy EW-10 references ECO-P2, however it seems more likely that this point should refer to ECO-P1.	Seeks that after clarification of referred policies in policy EW-P10 Earthworks within significant natural areas, that the wording of policy EW-P10 be changed.
General District wide Matters / Earthworks / EW-P11	Royal Forest and Bird Protection Society	345.366	Support in part	Considers it is inconsistent with NZCPS policy 13 to only extent protection to high natural character areas. As such, this policy needs to apply to any area of natural character in the coastal environment, not only HNC areas in SCHED 12. As previously submitted, policies should not refer to identified values. Operational need is extremely broad and should be deleted.	Amend EW-P11 (Earthworks within <del>High</del> Coastal Natural Character Areas within the coastal environment):  Only allow for earthworks within <del>High</del> Coastal Natural Character Areas where: 1. They are of a scale and for a purpose that is compatible with the <del>identified values described in SCHED12</del> –including restoration and conservation activities; 2. They are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the identified values of the <del>High</del> Coastal Natural Character Areas <del>described in SCHED12</del> ; 3. There is a functional need <del>or operational need</del> for the earthworks to be undertaken within a <del>High</del> -Coastal Natural Character Area; and 4. They incorporate measures to restore and rehabilitate disturbed areas.
General District wide Matters / Earthworks / EW-P11	WCC Environmental Reference Group	377.291	Support	EW-P11 is supported as it provides for earthworks in high natural character coastal areas, whilst requiring the avoidance of adverse effects sends an important signal for particular care to be taken in such sensitive environments.	Retain EW-P11 (Earthworks within High Coastal Natural Character Areas within the coastal environment) as notified.
General District wide Matters / Earthworks / EW-P12	Royal Forest and Bird Protection Society	345.367	Support in part	Considers the policy is not clear as to whether the requirements at 1-5 also apply to the Port Zone etc. Considers those requirements do need to apply in all zones. Operational need is extremely broad and should be deleted.	Amend EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) to clarify whether requirements 1-5 apply to the Port Zone. ... 3. There is a functional need <del>or operational need</del> for the earthworks to be undertaken within a coastal or riparian margin;

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-P12	Greater Wellington Regional Council	351.237	Amend	Considers the tenure of these policies is more enabling than other similar policies which 'only allow for earthworks where.'	Amend EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) as follows:  <del>Provide</del> <u>Only allow</u> for earthworks within coastal margins and riparian margins within the coastal environment where located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone; and ...
General District wide Matters / Earthworks / EW-P12	WCC Environmental Reference Group	377.292	Support	EW-P12 is supported as it provides for earthworks in coastal and riparian margins gives an important signal for particular care to be taken in such sensitive environments where there is a real risk to water quality and habitat. The cumulative impacts from this within a city environment means that each such activity must be undertaken with a high level of care.	Retain EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) as notified.
General District wide Matters / Earthworks / EW-P12	Director-General of Conservation	385.74	Support	Supports proposed Policy EW-P12 which is in line with the NZCPS.	Retain Policy EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) as notified.
General District wide Matters / Earthworks / EW-P12	Wellington International Airport Ltd	406.365	Oppose	Opposes this policy to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.  Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning.  [See paragraphs 4.40 to 4.45 of original submission for full reason]	Opposes EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) and seeks amendment.
General District wide Matters / Earthworks / EW-P12	Wellington International Airport Ltd	406.366	Amend	Opposes this policy to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.  Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning.  [See paragraphs 4.40 to 4.45 of original submission for full reason]	Amend EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) as follows:  Provide for earthworks within coastal margins and riparian margins within the coastal environment where located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone, <u>and within the Natural Open Space Zone between Lyall Bay and Moa Point;</u> and  Only allow for earthworks within coastal and riparian margins in the coastal environment located outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or the City Centre Zone <u>or the Natural Open Space Zone between Lyall Bay and Moa Point</u> where:  ...  4. They would not significantly increase the flooding risk, when compared to the existing situation, including by compromising the effectiveness of community scale natural hazard mitigation structures; <del>and</del>  5. They incorporate measures to restore and rehabilitate disturbed areas; <u>and</u>  <u>6. They involve earthworks that support or protect regionally significant infrastructure.</u>  ... (Option A).

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-P12	Wellington International Airport Ltd	406.367	Amend	<p>Opposes this policy to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning.</p> <p>[See paragraphs 4.40 to 4.45 of original submission for full reason]</p>	<p>If EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) is not amended:</p> <p>Seeks that EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) is amended to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning. (Option B).</p>
General District wide Matters / Earthworks / EW-P12	Wellington International Airport Ltd	406.368	Oppose	<p>Opposes this policy to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning.</p> <p>[See paragraphs 4.40 to 4.45 of original submission for full reason]</p>	Delete EW-P12 (Earthworks within coastal margins and riparian margins within the coastal environment) in its entirety. (Option C).
General District wide Matters / Earthworks / EW-P13	Royal Forest and Bird Protection Society	345.368	Support in part	Seeks deletion of "operational need" as it is too broad.	<p>Amend EW-P13 (Earthworks within riparian margins outside of the coastal environment):</p> <p>...</p> <p>2. There is a functional need <del>or operational need</del> for the earthworks to be undertaken within a riparian margin;</p>
General District wide Matters / Earthworks / EW-P13	WCC Environmental Reference Group	377.293	Amend	Considers that EW-P13 needs strengthening to reflect that poor earthworks management can have negative effects on both urban streams and the harbour.	<p>Seeks a new point added to EW-P13 (Earthworks within riparian margins outside of the coastal environment). This is requested to be added after Point number 1 and read:</p> <p><u>They are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the natural character of the riparian margin;</u></p>
General District wide Matters / Earthworks / EW-P14	Horokiwi Quarries Ltd	271.56	Oppose	<p>Opposes EW-14 because of potential relevance to Horokiwi for any earthworks undertaken on the land forming part of the quarry on the eastern side of the Horokiwi Road, which do not fall within the existing use certificate. The land is within a special amenity landscape with a large portion within the coastal environment, and zoned General Rural. [Refer to original submission for full reason, including attachments]</p>	<p>Seeks that the coastal environment line as it relates to Horokiwi is amended.</p> <p>[Refer to original submission, including figure and attachments]</p>
General District wide Matters / Earthworks / EW-P14	Kilmarston Developments Limited and Kilmarston Properties Limited	290.45	Support in part	Considers that the MRZ area of their land will be subject to another layer of restrictions for earthworks to facilitate the proposed residential development of the site.	Retain EW-P14 (Earthworks within special amenity landscapes) as notified.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-P14	Royal Forest and Bird Protection Society	345.369	Support in part	Seeks deletion of references to 'identified' values.	Amend EW-P14 (Earthworks within special amenity landscapes):  Manage earthworks within <del>identified</del> special amenity landscapes as follows: 1. Provide for earthworks within special amenity landscapes outside the coastal environment only where: a. They maintain the <del>identified</del> values of the special amenity landscape; and b. They are undertaken in a way that avoids, remedies or mitigates any adverse effects on the <del>identified</del> values of the special amenity landscape. 2. Provide for earthworks within special amenity landscapes within the coastal environment only where: a. They maintain the <del>identified</del> values of the special amenity landscape; and b. They are undertaken in a way that avoids any significant adverse effects and avoids, remedies or mitigates any other adverse effects on the <del>identified</del> values of the special amenity landscape. 3. Require earthworks within special amenity landscapes to incorporate measures that: a. Restore or rehabilitate disturbed areas; b. Minimise changes to the landform; and c. Recognise and provide for Tangata Whenua cultural and spiritual values and practices.
General District wide Matters / Earthworks / EW-P14	WCC Environmental Reference Group	377.294	Support	EW-P14 is supported as it provides for earthworks in special amenity landscapes gives an important signal that ensures earthworks do not compromise landscape values, which form an important part of Wellington's natural character.	Retain EW-P14 (Earthworks within special amenity landscapes) as notified.
General District wide Matters / Earthworks / EW-P15	Royal Forest and Bird Protection Society	345.370	Support in part	Seeks deletion of references to 'identified' values.	Amend EW-P15 (Earthworks within outstanding natural features and landscapes):  Manage earthworks within <del>identified</del> outstanding natural features and landscapes as follows: 1. Only allow for earthworks within outstanding natural features and landscapes outside the coastal environment where: a. They are of a scale that protects the <del>identified</del> values of the outstanding natural features and landscapes; and b. They are undertaken in a way that avoids any significant adverse effects and avoids, remedies or mitigates any other adverse effects on the <del>identified</del> values of the outstanding natural features and landscapes. 2. Avoid earthworks within outstanding natural features and landscapes within the coastal environment unless: a. They are of a scale that protects with the <del>identified</del> values of the outstanding natural features and landscapes; and b. They are undertaken in a way that avoids any adverse effects on the <del>identified</del> values of the outstanding natural features and landscapes. 3. Require earthworks within outstanding natural landscapes to incorporate measures that: a. Restore or rehabilitate disturbed areas; b. Minimise changes to the landform; and c. Recognise and provide for Tangata Whenua cultural and spiritual values and practices.
General District wide Matters / Earthworks / EW-P15	WCC Environmental Reference Group	377.295	Support	EW-P15 is supported as it provides for earthworks in outstanding natural features and landscapes gives an important signal that ensures earthworks do not compromise these values, which form an important part of Wellington's natural character.	Retain EW-P15 (Earthworks within outstanding natural features and landscapes) as notified.
General District wide Matters / Earthworks / EW-P15	Director-General of Conservation	385.75	Support	Supports proposed Policy EW-P15 which is in line with Policies 13 & 15 of the NZCPS.	Retain Policy EW-P15 (Earthworks within outstanding natural features and landscapes) as notified.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-P16	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.30	Not specified	<p>Considers that "Well functioning urban environment" does not apply to EW-P16 because it does not comply with points d, f &amp; g in the definition of "Well functioning urban environment" within the PDP.</p> <p>There is no link road from the development site to Churton Park, Glenside or Tawa has been planned.</p> <p>Development area is an isolated area on steep, hilly terrain.</p> <p>The access road from Westchester Drive is flood prone.</p> <p>West Glenside at 395 Middleton Road will not be Climate Change Sustainable and Natural Hazard Resilient.</p> <p>[Refer to original submission for full reason]</p>	Not specified.
General District wide Matters / Earthworks / EW-P16	Greater Wellington Regional Council	351.238	Support	Considers it is essential to limit earthworks undertaken within Flood Hazard Overlays, allowing them only where the flooding risk is not increased, and the conveyance of floodwaters is not affected.	Retain EW-P16 (Earthworks within Flood Hazard Overlays) as notified.
General District wide Matters / Earthworks / EW-P17	Royal Forest and Bird Protection Society	345.371	Support	Supports the policy.	Retain EW-P17 (Earthworks on community scale natural hazard mitigation structures) as notified.
General District wide Matters / Earthworks / EW-P17	Greater Wellington Regional Council	351.239	Support	Considers it is important to restrict the earthworks undertaken on community scale natural hazard mitigation structures, only allowing these works where the form and functioning of these structures is not affected in the long term.	Retain EW-P17 (Earthworks on community scale natural hazard mitigation structures) as notified.
General District wide Matters / Earthworks / EW-P18	Royal Forest and Bird Protection Society	345.372	Support	Supports the policy.	Retain EW-P18 (Earthworks associated with natural hazard mitigation works) as notified.
General District wide Matters / Earthworks / EW-P18	Greater Wellington Regional Council	351.240	Support	Considers it is appropriate to enable earthworks associated with natural hazard mitigation works where the matters listed in the policy result, including a reduction in the risk at a community scale and are part of a planned works programme.	Retain EW-P18 (Earthworks associated with natural hazard mitigation works ) as notified.
General District wide Matters / Earthworks / EW-P18	CentrePort Limited	402.123	Support in part	Considers that CentrePort should be listed as appropriate to carry out natural hazard mitigation works. CentrePort holds considerable land that also adjoins the Coastal Marine Area and has extensive network and land transport infrastructure within these landholdings. Natural Hazard Mitigation works are required from time to time. The agencies listed do not include CentrePort as being appropriate to carry out such works.	Retain EW-P18 (Earthworks associated with natural hazard mitigation works), with amendment.
General District wide Matters / Earthworks / EW-P18	CentrePort Limited	402.124	Amend	Considers that CentrePort should be listed as appropriate to carry out natural hazard mitigation works. CentrePort holds considerable land that also adjoins the Coastal Marine Area and has extensive network and land transport infrastructure within these landholdings. Natural Hazard Mitigation works are required from time to time. The agencies listed do not include CentrePort as being appropriate to carry out such works.	<p>Amend EW-P18 (Earthworks associated with natural hazard mitigation works) as follows:</p> <p>...</p> <p>2. They are part of a planned natural hazard mitigation works programme by a central government agency, GWRC, the Council, <u>CentrePort</u> or a nominated contractor or agent and will be maintained by one or more of these parties at the completion of the works;</p> <p>...</p>
General District wide Matters / Earthworks / EW-P19	Royal Forest and Bird Protection Society	345.373	Support	Supports the policy.	Retain EW-P19 (Earthworks associated with soft engineering natural hazard mitigation works) as notified.
General District wide Matters / Earthworks / EW-P19	Greater Wellington Regional Council	351.241	Support	Considers it is appropriate to provide for earthworks associated with soft engineering natural hazard mitigation works where there is a risk reduction benefit, and do not increase the risk to another property, and have a maintenance programme in place.	Retain EW-P19 (Earthworks associated with soft engineering natural hazard mitigation works) as notified.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-P19	CentrePort Limited	402.125	Support in part	Considers that CentrePort should be listed as appropriate to carry out natural hazard mitigation works. CentrePort holds considerable land that also adjoins the Coastal Marine Area and has extensive network and land transport infrastructure within these landholdings. Natural Hazard Mitigation works are required from time to time. The agencies listed do not include CentrePort as being appropriate to carry out such works.	Retain EW-P19 (Earthworks associated with soft engineering natural hazard mitigation works), with amendment.
General District wide Matters / Earthworks / EW-P19	CentrePort Limited	402.126	Amend	Considers that CentrePort should be listed as appropriate to carry out natural hazard mitigation works. CentrePort holds considerable land that also adjoins the Coastal Marine Area and has extensive network and land transport infrastructure within these landholdings. Natural Hazard Mitigation works are required from time to time. The agencies listed do not include CentrePort as being appropriate to carry out such works.	Amend EW-P19 (Earthworks associated with soft engineering natural hazard mitigation works) as follows: ... 2. They are undertaken by a central government agency, GWRC, the Council, <u>CentrePort</u> or a nominated contractor or agent; ...
General District wide Matters / Earthworks / EW-P20	Wellington City Council	266.119	Amend	Considers amendment will clarify how EW-P20 (Earthworks in development areas) applies to the Upper Stebbings and Glenside West Development Area and ridgetop area.	Amend EW-P20 (Earthworks in development areas) as follows:  Enable earthworks associated with the development of the Lincolnshire Farm and Upper Stebbings Glenside West Development Areas where the design of those earthworks:  (...)  5. Protects <del>ridgeline and hilltop</del> ridgetop areas from inappropriate earthworks.
General District wide Matters / Earthworks / EW-P20	Greater Wellington Regional Council	351.242	Amend	Considers the tenure of these policies is more enabling than other policies. These greenfield developments have the potential for significant effects on surrounding areas in terms of compatibility and effects downstream in Porirua Stream and Onepoto Arm of Porirua Harbour.	Amend EW-P20 (Earthworks in development areas) as follows:  <u>Enable Only allow for</u> earthworks associated with the development of the Lincolnshire Farm and Upper Stebbings Glenside West Development Areas where the design of those earthworks: ...
General District wide Matters / Earthworks / EW-P20	Glenside Progressive Association Inc	374.3	Oppose in part	Opposes any earthworks in the Glenside West Area, as it is meant to be a protected area under DPC33.	EW-P20 (Earthworks in development areas) is opposed.
General District wide Matters / Earthworks / EW-P20	WCC Environmental Reference Group	377.296	Support	EW-P20 is supported as it provides for earthworks for reasons including development of water sensitive design, is useful, as this sort of design needs to be encouraged in green fields development areas.	Retain EW-P20 (Earthworks in development areas) as notified.
General District wide Matters / Earthworks / EW-P20	Te Rūnanga o Toa Rangatira	488.69	Support in part	Supports EW-P20 in part.	Amend EW-P20 (Earthworks in development areas) by adding a clause that specifies: <u>Earthworks in development areas will avoid practices that will send additional sediment to Porirua Harbour and will avoid impacts downstream of Porirua Stream.</u>
General District wide Matters / Earthworks / EW-R1	Waka Kotahi	370.206	Support	Supports earthworks as a permitted activity for the purposes of piling, trenching, and geotechnical investigations, and restricted discretionary where standards are not complied with.	Retain EW-R1 (Earthworks for the purposes of piling, trenching, maintaining sports fields, undertaking geotechnical investigations and grave digging, the replacement or removal of underground petroleum storage systems associated with service stations) as notified.
General District wide Matters / Earthworks / EW-R1	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.92	Support in part	EW-R1 is generally supported as specific pathway for the replacement or removal of underground petroleum storage systems associated with service stations as a permitted activity subject to compliance with Standards EW-S5 and EW-S6. This approach is supported in part, given this is an activity specifically addressed and managed under the NESCS, but it is considered this activity should not be limited to just service stations and should apply more broadly to other sites and activities that may necessitate the removal or replacement of underground petroleum systems.	Retain EW-R1 (Earthworks for the purposes of piling, trenching, maintaining sports fields, undertaking geotechnical investigations and grave digging, the replacement or removal of underground petroleum storage systems associated with service stations) with amendment.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R1	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.93	Amend	Considers that 'service stations' should be excluded from EW-R1. It is considered Earthworks should not be limited to just service stations and should apply more broadly to other sites and activities that may necessitate the removal or replacement of underground petroleum systems.	Amend the title of EW-R1 (Earthworks for the purposes of piling, trenching, maintaining sports fields, undertaking geotechnical investigations and grave digging, the replacement or removal of underground petroleum storage systems associated with service stations) as follows:  Earthworks for the purposes of piling, trenching, maintaining sports fields, undertaking geotechnical investigations and grave digging, the replacement or removal of underground petroleum storage systems <del>associated with service stations.</del>
General District wide Matters / Earthworks / EW-R2	WCC Environmental Reference Group	377.297	Support	EW-R2 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R2 (Earthworks for the purposes of maintaining tracks associated with permitted activities in Rural Zones) as notified.
General District wide Matters / Earthworks / EW-R2	Zealandia Te Māra a Tāne	486.7	Amend	Considers that EW-R2 should be amended with an additional clause that enables Zealandia operations to continue as per other areas in the plan.  Considers that EW-R2 may prevent maintenance and management work of bridges and associated infrastructure within Zealandia.	Amend EW-R2 (Earthworks for the purposes of maintaining tracks associated with permitted activities in Rural Zones) to list the Karori Sanctuary Trust as an approved operator.
General District wide Matters / Earthworks / EW-R3	WCC Environmental Reference Group	377.298	Support	EW-R3 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R3 (Earthworks for the purposes of constructing tracks associated with permitted activities in Rural Zones) as notified.
General District wide Matters / Earthworks / EW-R4	Waka Kotahi	370.207	Support	Supports permitted activity status for earthworks for the purposes of maintaining public walking or cycling tracks in open space zones and restricted discretionary where standards are not complied with.	Retain EW-R4 (Earthworks for the purposes of maintaining public walking or cycling tracks in Open Space Zones) as notified.
General District wide Matters / Earthworks / EW-R4	WCC Environmental Reference Group	377.299	Support	EW-R4 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R4 (Earthworks for the purposes of maintaining public walking or cycling tracks in Open Space Zones) as notified.
General District wide Matters / Earthworks / EW-R5	Waka Kotahi	370.208	Support	Supports permitted activity status for earthworks for the purposes of constructing public walking or cycling tracks in open space zones and restricted discretionary where standards are not complied with.	Retain EW-R5 (Earthworks for the purposes of constructing public walking or cycling tracks in Open Space Zones) as notified.
General District wide Matters / Earthworks / EW-R5	WCC Environmental Reference Group	377.300	Support	EW-R5 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R5 (Earthworks for the purposes of constructing public walking or cycling tracks in Open Space Zones) as notified.
General District wide Matters / Earthworks / EW-R6	WCC Environmental Reference Group	377.301	Support	EW-R6 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R6 (General earthworks) as notified.
General District wide Matters / Earthworks / EW-R6	Kāinga Ora Homes and Communities	391.277	Support	EW-R6 is supported.	Retain EW-R6 (General earthworks) as notified.
General District wide Matters / Earthworks / EW-R6	CentrePort Limited	402.127	Support in part	Support subject to resolving submission point on EW-S1. Standard S1 applies as a permitted activity condition under Rules EW-R6 (General Earthworks and R19 (relating to earthworks in the Coastal Environment) stating that the total area of earthworks must not exceed 250m2 per site in any 12-month period. For a very large landholding with large sites such as at CentrePort 250m2 is inadequate to be able to deal with the area of earthworks that are required from time to time.	Retain EW-R6 (General Earthworks), subject to amendment sought in relation to EW-S1 (Area) to exclude the Port Zone from the standard.
General District wide Matters / Earthworks / EW-R6	Survey & Spatial New Zealand Wellington Branch	439.35	Amend	Considers that limited and public notification preclusion should be broadened to include all standards EW-S1 to EW-S6	Amend EW-R6 (General earthworks) to:  Applications under this rule which result from non-compliance with EW R6.1.a.i and EW R6.1.a.iii.v are precluded from being publicly or limited notified. <del>Applications under this rule that result from non-compliance with EW R6.1.a.ii are precluded from being publicly notified.</del>
General District wide Matters / Earthworks / EW-R7	Horokiwi Quarries Ltd	271.57	Support	Supports rule EW-R7 and in particular the default restricted discretionary activity status.	Retain EW-R7 (Earthworks within a significant natural area) as notified.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R7	Royal Forest and Bird Protection Society	345.374	Oppose in part	<p>Opposes 1.a.i. and seeks that it is deleted. SNAs are usually complex ecosystems, that involve interactions between the fauna and vegetation with the landform that supports them. Allowing any earthworks wherever there is vegetation is contrary to the requirement to protect these areas under s6(c) and s31. Lizards for example often make their homes in rocky areas, which under this rule would be able to be bulldozed without consent. This permitted activity is also likely to be inconsistent with policy 11 NZCPS, given the often sparsely vegetated nature of Wellington’s coastal environment.</p> <p>ii. needs to be limited to a certain amount of earthworks, either by referencing that in the rules, or by reference to a standard. This would replicate the approach taken in the corresponding vegetation clearance rule in ECO R.1.a.vii. We seek that the permitted earthworks are subject to the same limits as the permitted vegetation clearance, being a maximum earthworks of 2.5m width in total, to accommodate the track.</p> <p>iii. no longer references the correct ECO rule.</p> <p>iv. this refers to a deleted rule in ECO R1. If residential SNAs are returned to the plan in line with our submission, we have submitted above that vegetation clearance for the installation of services must be controlled at least, so that the Council retains the ability to at least minimise the damage done to the SNA. We make the same submission here – this activity should be controlled. It should also be limited to existing residential units. New development in SNAs should have a higher consenting requirement, at least RDA.</p> <p>v. We have made submissions about the accompanying vegetation clearance rules above in the ECO chapter. We seek the same amendments here. PA status is only appropriate for the maintenance of existing fences in SNAs.</p> <p>We also seek that limits on the amounts of earthworks permitted for these activities, as per the above submission on ECO R1.2.a.i.,ii. and iv. This can either be done by reference to limits in the EW rule below, or reference to a new standard</p>	<p>Amend EW-R7 (Earthworks within a significant natural area):</p> <p>1. Activity status: Permitted Where: a. The earthworks: <del>i. do not involve the removal of any indigenous vegetation; or</del> ii. are for the maintenance of existing public walking or cycling tracks, as carried out the Council, GWRC, or their approved contractor <u>(either refer to a new standard, or include maximum earthworks of 2.5m width in total, to accommodate the track);</u> or iii. are required for the purpose of ECO-R1.1.a.iv (flood protection control); or <del>iv. required for the purpose of ECO R1.a.viii (installation of services);</del> or v. associated with the maintenance of existing fencing, farm drainage creating farm access tracks in accordance with ECO-R1.2.a.i or ECO-R1.2.a.ii or ECO-R1.2.a.iv. <u>(insert earthworks limits as sought for ECO R1.2 above, either here or by reference to a standard)</u></p>
General District wide Matters / Earthworks / EW-R7	Royal Forest and Bird Protection Society	345.375	Support in part	<p>Considers this rule should default to non-complying.</p>	<p>Amend EW-R7 (Earthworks within a significant natural area):</p> <p>2. <del>Restricted Discretionary Non-complying</del></p>
General District wide Matters / Earthworks / EW-R7	Royal Forest and Bird Protection Society	345.376	Support in part	<p>If relief sought in the above submission point is not granted:</p> <ul style="list-style-type: none"> <li>- Supports the matters of discretion referencing EW- P10. This is on the proviso that ECO-P1 is amended in the manner sought in our submission on that policy.</li> <li>- Seeks an exclusion where the SNA includes matters identified in policy 11 NZCPS. This should become non-complying (new rule sought below)</li> </ul>	<p>Amend EW-R7 (Earthworks within a significant natural area):</p> <p>2. Activity status: Restricted Discretionary Where: a. Compliance with any of the requirements of EW-R7.1 cannot be achieved <u>b. The Significant Natural Area does not include matters identified in policy 11 of the NZ Coastal Policy Statement.</u> Matters of discretion are: 1. The matters in EW-P10 <u>[provided amendments to ECO-P1 are accepted]</u></p>
General District wide Matters / Earthworks / EW-R7	WCC Environmental Reference Group	377.302	Support	<p>EW-R7 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.</p>	<p>Retain EW-R7 (Earthworks within a Significant Natural Area) as notified.</p>
General District wide Matters / Earthworks / EW-R8	Heritage New Zealand Pouhere Taonga	70.26	Support in part	<p>Considers that for improved consistency, EW-R8 should also cover scheduled archaeological sites and Sites of Significance to Māori.</p>	<p>Retain EW-R8 (Earthworks on the site of scheduled heritage buildings and structures, and within heritage areas) with amendment.</p>



# General District wide Matters / Earthworks

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R8	Heritage New Zealand Pouhere Taonga	70.27	Amend	Considers that for improved consistency, EW-R8 should be broadened to include scheduled archaeological sites.	Amend EW-R8 (Earthworks on the site of scheduled heritage buildings and structures, and within heritage areas) as follows:  EW-R8: Earthworks on the site of scheduled heritage buildings and structures, <del>and</del> within heritage areas, <u>and within scheduled archaeological sites.</u>
General District wide Matters / Earthworks / EW-R8	Wellington City Council	266.120	Amend	Considers this rule needs to be amended so that resource consent is not required for earthworks in legal road in a heritage area.	Amend EW-R8 (Earthworks on the site of scheduled heritage buildings and structures, and within heritage areas) as follows:  1. Activity status: Permitted Where: a. <u>Compliance is achieved with EW-S10; or</u> b. <u>The earthworks are located within legal road.</u>
General District wide Matters / Earthworks / EW-R8	WCC Environmental Reference Group	377.303	Support	EW-R8 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R8 (Earthworks on the site of scheduled heritage buildings and structures, and within heritage areas) as notified.
General District wide Matters / Earthworks / EW-R9	Royal Forest and Bird Protection Society	345.377	Support	Supports the rule.	Retain EW-R9 (Earthworks within the root protection area of notable trees) as notified.
General District wide Matters / Earthworks / EW-R9	WCC Environmental Reference Group	377.304	Support	EW-R9 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R9 (Earthworks within the root protection area of notable trees) as notified.
General District wide Matters / Earthworks / EW-R10	Royal Forest and Bird Protection Society	345.378	Support in part	Considers that in order to give effect to NZCPS policy 13 this rule should apply in all areas of natural character in the coastal environment.	Amend EW-R10 (Earthworks within <del>High</del> Coastal Natural Character Areas within the coastal environment)
General District wide Matters / Earthworks / EW-R10	WCC Environmental Reference Group	377.305	Support	EW-R10 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R10 (Earthworks within High Coastal Natural Character Areas within the coastal environment) as notified.
General District wide Matters / Earthworks / EW-R11	Royal Forest and Bird Protection Society	345.379	Oppose in part	Considers it is not clear that these rules give effect to the NZCPS, which must be complied with regardless of zoning. Amend to ensure this is addressed.	Amend EW-R11 (Earthworks within coastal or riparian margins within the coastal environment) to give effect to the NZ Coastal Policy Statement.
General District wide Matters / Earthworks / EW-R11	WCC Environmental Reference Group	377.306	Support	EW-R11 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R11 (Earthworks within coastal or riparian margins within the coastal environment) as notified.
General District wide Matters / Earthworks / EW-R11	CentrePort Limited	402.128	Support in part	Support subject to resolving submission point on EW-S1. Standard S1 applies as a permitted activity condition under Rules EW-R6 (General Earthworks and R19 (relating to earthworks in the Coastal Environment) stating that the total area of earthworks must not exceed 250m2 per site in any 12-month period. For a very large landholding with large sites such as at CentrePort 250m2 is inadequate to be able to deal with the area of earthworks that are required from time to time.	Retain EW-R11 (Earthworks within coastal or riparian margins within the coastal environment), subject to amendment sought in relation to EW-S1 (Area) to exclude the Port Zone from the standard.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R11	Wellington International Airport Ltd	406.369	Oppose	<p>Opposes this rule to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Considers that this rule is inefficient and does not relate to effects management within the Coastal Environment. Instead, the trigger is non-compliance with a general earthworks rule (EW-P6) and associated standards. Submitter notes that this rule is subject to the ISPP, which is inappropriate for activities that do not have a clear link to one of the mandatory outcomes.</p> <p>Considers that this rule should be entirely reworked to standalone and reflect those elements of EW-P6 that are relevant to the coastal margins.</p> <p>[See paragraphs 4.40 to 4.45, 4.32 to 4.39 of original submission for further detail.]</p>	Opposes EW-R11 (Earthworks within coastal or riparian margins within the coastal environment) and seeks amendment.
General District wide Matters / Earthworks / EW-R11	Wellington International Airport Ltd	406.370	Amend	<p>Opposes this rule to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Considers that this rule is inefficient and does not relate to effects management within the Coastal Environment. Instead, the trigger is non-compliance with a general earthworks rule (EW-P6) and associated standards. Submitter notes that this rule is subject to the ISPP, which is inappropriate for activities that do not have a clear link to one of the mandatory outcomes.</p> <p>Considers that this rule should be entirely reworked to standalone and reflect those elements of EW-P6 that are relevant to the coastal margins.</p> <p>[See paragraphs 4.40 to 4.45, 4.32 to 4.39 of original submission for further detail.]</p>	Seeks that EW-R11 (Earthworks within coastal or riparian margins within the coastal environment) is amended to include the relevant area of Natural Open Space zoned land, between Lyall Bay and Moa Point.
General District wide Matters / Earthworks / EW-R11	Wellington International Airport Ltd	406.371	Amend	<p>Opposes this rule to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Considers that this rule is inefficient and does not relate to effects management within the Coastal Environment. Instead, the trigger is non-compliance with a general earthworks rule (EW-P6) and associated standards. Submitter notes that this rule is subject to the ISPP, which is inappropriate for activities that do not have a clear link to one of the mandatory outcomes.</p> <p>Considers that this rule should be entirely reworked to standalone and reflect those elements of EW-P6 that are relevant to the coastal margins.</p> <p>[See paragraphs 4.40 to 4.45, 4.32 to 4.39 of original submission for further detail.]</p>	Seeks that EW-R11 (Earthworks within coastal or riparian margins within the coastal environment) is amended to be standalone and independent of EW-P6, which is subject to a ISPP process.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R11	Wellington International Airport Ltd	406.372	Amend	<p>Opposes this rule to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Considers that this rule is inefficient and does not relate to effects management within the Coastal Environment. Instead, the trigger is non-compliance with a general earthworks rule (EW-P6) and associated standards. Submitter notes that this rule is subject to the ISPP, which is inappropriate for activities that do not have a clear link to one of the mandatory outcomes.</p> <p>Considers that this rule should be entirely reworked to standalone and reflect those elements of EW-P6 that are relevant to the coastal margins.</p> <p>[See paragraphs 4.40 to 4.45, 4.32 to 4.39 of original submission for further detail.]</p>	Seeks that EW-R11 (Earthworks within coastal or riparian margins within the coastal environment) is amended to reflect those specific matters that require control within the coastal margins.
General District wide Matters / Earthworks / EW-R12	Royal Forest and Bird Protection Society	345.380	Oppose in part	Considers it is unclear what "Compliance is achieved with EW12" means as it appears to be a reference to this rule.	Amend EW-R12 (Earthworks within riparian margins (outside the coastal environment) reference to EW- <u>5</u> 12.
General District wide Matters / Earthworks / EW-R12	WCC Environmental Reference Group	377.307	Support	EW-R12 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R12 (Earthworks within riparian margins (outside the coastal environment) as notified.
General District wide Matters / Earthworks / EW-R13	Kilmarston Developments Limited and Kilmarston Properties Limited	290.46	Support in part	Considers that the MRZ area of the Submitters land will be subject to another layer of restrictions for earthworks to facilitate the proposed residential development of the site.	Retain EW-R13 (Earthworks within special amenity landscapes) as notified.
General District wide Matters / Earthworks / EW-R13	Royal Forest and Bird Protection Society	345.381	Oppose	Considers the rule does not appear to give effect to policy 15 NZCPS, where the SAL or ONFL is in the coastal environment.	Amend EW-R13 (Earthworks within special amenity landscapes) to give effect to policy 15 of NZ Coastal Policy Statement.
General District wide Matters / Earthworks / EW-R13	WCC Environmental Reference Group	377.308	Support	EW-R13 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R13 (Earthworks within special amenity landscapes) as notified.
General District wide Matters / Earthworks / EW-R14	Royal Forest and Bird Protection Society	345.382	Oppose	Considers the rule does not appear to give effect to policy 15 NZCPS, where the SAL or ONFL is in the coastal environment.	Amend EW-R14 (Earthworks within outstanding natural features and landscapes ) to give effect to policy 15 of NZ Coastal Policy Statement.
General District wide Matters / Earthworks / EW-R14	WCC Environmental Reference Group	377.309	Support	EW-R14 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R14 (Earthworks within outstanding natural features and landscapes) as notified.
General District wide Matters / Earthworks / EW-R14	Zealandia Te Māra a Tāne	486.8	Amend	<p>Considers that EW-R14 should be amended with an additional clause that enables Zealandia operations to continue as per other areas in the plan.</p> <p>Considers that EW-R14 may prevent maintenance and management work of bridges and associated infrastructure within Zealandia.</p>	Amend EW-R14 (Earthworks within outstanding natural features and landscapes) to list the Karori Sanctuary Trust as an approved operator.
General District wide Matters / Earthworks / EW-R15	John Tiley	142.19	Not specified	Considers that the EW-S13 assessment criteria for assessing applications made under EW-R15 are entirely subjective and offer no protection for ridgelines.	Seeks that EW-S13 (Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Area) is rewritten to offer greater control over earthworks in this area.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R15	Churton Park Community Association	189.19	Not specified	Considers that the EW-S13 assessment criteria for assessing applications made under EW-R15 are entirely subjective and offer no protection for ridgelines.	Seeks that EW-S13 (Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Area) is rewritten to offer greater control over earthworks in this area.
General District wide Matters / Earthworks / EW-R15	Wellington City Council	266.121	Amend	Considers change requested will clarify how EW-R15 (Earthworks within the ridgeline and hilltops in the Upper Stebbings Glenside West Development Area) applies to the Upper Stebbings and Glenside West Development Area and ridgetop area.	Amend EW-R15 (Earthworks within the ridgeline and hilltops in the Uber Stebbings Glenside West Development Area) as follows:  Earthworks within the ridgeline and hilltops <u>overlay or within the ridgetop area of the Upper Stebbings and Glenside West Development Area</u>  1. Activity status: Permitted Where: a. Compliance is achieved with EW-S13 <del>z</del> and b. <u>For the ridgetop area of the Upper Stebbings and Glenside West Development Area the earthworks are for the purpose of constructing public footpaths or tracks.</u>  2. Activity status: Restricted Discretionary Where:  a. Compliance with any of the requirements of EW-R15.1 <del>a</del> cannot be achieved; and b. The total area of earthworks in any 5-year period does not exceed: i. 500m2 per site <u>within the ridgeline and hilltops in the Upper Stebbings Glenside West Development Area</u> ; and c. The maximum cut height or fill depth does not exceed 1.5m above ground level measured vertically.
General District wide Matters / Earthworks / EW-R15	Wellington City Council	266.122	Amend	Considers new EW-R15.4 Non-Complying activity for earthworks that are not related to new public footpaths or tracks in the ridgetop area of the Upper Stebbings and Glenside West Development Area is necessary.	Amend EW-R15 (Earthworks within the ridgeline and hilltops in the Uber Stebbings Glenside West Development Area) to add another activity status EW-R15.4 applying to All Zones as follows:  (...)  <u>4. Activity status: Non-complying</u>  <u>Where:</u>  <u>a. Compliance with the requirements of EW-R15.1.b cannot be achieved.</u>
General District wide Matters / Earthworks / EW-R15	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.31	Amend	Considers that Marshall's Ridge should be given protection through the strengthening of the rule.	Amend EW-R15 (Earthworks within the ridgeline and hilltops in the Upper Stebbings Glenside West Development Area) to give further protection to Marshall's Ridge and other ridgelines within the area.
General District wide Matters / Earthworks / EW-R15	Glenside Progressive Association Inc	374.4	Amend	Considers that all earthworks in Lincolnshire Farm and Upper Stebbings-Glenside West should be reclassified from Restricted Discretionary to Discretionary and that the two Wellington councils enforce this activity status rigorously.  Earth working creates noise over a wide area for long periods outside of the winter months whilst the layers of soil are being laid and compressed, and involves the unnecessary use of large quantities of diesel to power the machinery required. The CO2 produced creates an unnecessary adverse climate change impact. It also creates a dust hazard affecting people's health. [Refer to original submission for full reason, including attachments]	Amend EW-R15 (Earthworks within the ridgeline and hilltops in the Upper Stebbings Glenside West Development Area) as follows: ... 2. Activity status: <del>Restricted</del> Discretionary ... 3. Activity status: <del>Restricted</del> Discretionary ...
General District wide Matters / Earthworks / EW-R15	WCC Environmental Reference Group	377.310	Support	EW-R15 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R15 (Earthworks within the ridgeline and hilltops in the Upper Stebbings Glenside West Development Area) as notified.

## General District wide Matters / Earthworks

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R16	Greater Wellington Regional Council	351.243	Amend	Considers the notified Rule EW-R16.2.1 appears to refer to the incorrect Policy as the assessment matters. The Plan incorrectly refers to EW-P14, which is the policy relating to earthworks in outstanding natural features and landscapes.	Amend EW-R16 (Earthworks within the Flood Hazard Overlay) to correct reference to EW-P16 (the specific policy relating to earthworks in Flood Hazard Overlay).
General District wide Matters / Earthworks / EW-R17	Kāinga Ora Homes and Communities	391.278	Support in part	EW-R17 is generally supported but an amendment is sought.	Retain EW-R17 (Earthworks associated with natural hazard mitigation works within the Flood Hazard Overlays and Coastal Hazard Overlays) with amendment.
General District wide Matters / Earthworks / EW-R17	Kāinga Ora Homes and Communities	391.279	Amend	Considers that EW-R17 should be amended so that the ability to undertake earthworks associated with natural hazard mitigation as a permitted activity is extended beyond the parties currently listed in this rule.	Amend EW-R17.1 (Earthworks associated with natural hazard mitigation works within the Flood Hazard Overlays and Coastal Hazard Overlays) as follows:  1. Activity Status: Permitted  Where:  The natural hazard mitigation works are undertaken by a Central Government Agency, GWRC, the Council, <u>Kāinga Ora</u> , or a nominated contractor or agent for the express purpose of natural hazard mitigation works.
General District wide Matters / Earthworks / EW-R17	CentrePort Limited	402.129	Support in part	Considers that CentrePort should be listed as appropriate to carry out natural hazard mitigation works. CentrePort holds considerable land that also adjoins the Coastal Marine Area and has extensive network and land transport infrastructure within these landholdings. Natural Hazard Mitigation works are required from time to time including soft engineering. The agencies listed do not include CentrePort as being appropriate to carry out such works.	Retain EW-R17 (Earthworks associated with natural hazard mitigation works within the Flood Hazard Overlays and Coastal Hazard Overlays), with amendment.
General District wide Matters / Earthworks / EW-R17	CentrePort Limited	402.130	Amend	Considers that CentrePort should be listed as appropriate to carry out natural hazard mitigation works. CentrePort holds considerable land that also adjoins the Coastal Marine Area and has extensive network and land transport infrastructure within these landholdings. Natural Hazard Mitigation works are required from time to time including soft engineering. The agencies listed do not include CentrePort as being appropriate to carry out such works	Amend EW-R17 (Earthworks associated with natural hazard mitigation works within the Flood Hazard Overlays and Coastal Hazard Overlays) as follows:  1. Activity Status: Permitted  Where: a. The natural hazard mitigation works are undertaken by a Central Government Agency, GWRC, the Council, <u>CentrePort</u> or a nominated contractor or agent for the express purpose of natural hazard mitigation works.
General District wide Matters / Earthworks / EW-R18	CentrePort Limited	402.131	Amend	Considers that CentrePort should be listed as appropriate to carry out natural hazard mitigation and soft engineering works. CentrePort holds considerable land that also adjoins the Coastal Marine Area and has extensive network and land transport infrastructure within these landholdings. Natural Hazard Mitigation works are required from time to time including soft engineering. The agencies listed do not include CentrePort as being appropriate to carry out such works.  It is noted that the Special Purpose Airport zone has a permitted rule EW-R20 and its own standard.	Amend EW-R18 (Earthworks associated with soft engineering natural hazard mitigation works within Flood Hazard Overlays and Coastal Hazard Overlays) as follows:  1. Activity Status: Permitted  Where:  The soft engineering natural hazard mitigation works are undertaken by a central government agency, GWRC, the Council, <u>CentrePort</u> or a nominated contractor or agent for the express purpose of soft engineering natural hazard mitigation works.
General District wide Matters / Earthworks / EW-R20	Z Energy Limited	361.13	Support	EW-R20 is supported as it enables earthworks in the Airport zone as a permitted activity where compliance with the relevant standards is achieved.	Retain EZ-R20 (Earthworks in the Airport Zone) as notified.
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.373	Oppose	[Not specified]	Opposes EW-R20 (Earthworks in the Airport Zone) and seeks amendment.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.374	Amend	[Not specified]	<p>Amend EW-R20 (Earthworks in the Airport Zone) as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance is achieved with EW-S14.1 to <u>EW-S14.4 and EW-S14.2; and</u></li> <li><del>b. Compliance is achieved with EW-S14.3; and</del></li> <li><del>c. Earthworks are for the purposes of the upgrade or maintenance of existing formed roads and public accessways; or</del></li> <li><del>d. Earthworks are for the purposes of construction, upgrade, maintenance or repair of the Airport pavement (apron and taxiway surfaces); or</del></li> <li><del>e. Earthworks permitted by any other rule.</del></li> </ul> <p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance with any of the requirements of EW-20.1a cannot be achieved; or</li> <li><u>b. Earthworks associated with the construction of new legal roads.</u></li> </ul> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> <li>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards;</li> <li>2. Relevant matters in <u>AIRPZ-P3 and AIRPZ-P4, AIRPZ-P4 and AIRPZ-P5;</u></li> <li>3. Visual appearance and mitigation; and</li> <li>4. Geomorphological impacts.</li> <li><u>5. Traffic impacts caused by transporting earth and construction fill material.</u></li> </ul> <p><del>2. Activity status: Discretionary</del></p> <p><del>Where:</del></p> <ul style="list-style-type: none"> <li><del>a. Compliance with EW-R20.1.b, c or d cannot be achieved.</del></li> </ul> <p><del>Notification Status: an application for resource consent made in respect of rule EW-R20.3 must be publicly notified.</del></p> <p>[Note reference to AIRPZ-P3 and P4 are to the Annexure B version of these provisions, not the Airport Chapter as notified]</p> <p>(Option A).</p>
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.375	Oppose	[Not specified]	Delete EW-R20 (Earthworks in the Airport Zone) in its entirety. (Option B).
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.376	Not specified	EW-R20.1 implies that only those activities listed are permitted in the zone. This includes EW-R20.1.e which notes that any earthworks permitted by any other rule are also permitted within the Airport Zone.	Not specified.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.377	Not specified	There is no clear activity status for earthworks that do not comply with the permitted activity requirements specified in subparagraph EW-R20.1.e.	Clarify the Activity Status for earthworks that do not comply with permitted activity requirements specified in subparagraph EW-R20.1.e.
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.378	Not specified	Despite the reference to earthworks within the Airport Zone being permitted where they comply with other provisions within the earthworks chapter, EW-20.3.a appears to render any earthworks that are not for the purposes of the upgrade or maintenance of existing formed roads and public accessways or for the purpose of construction, upgrade, maintenance or repair of the Airport pavement a discretionary activity.	Not specified.
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.379	Amend	A number of the rules that are relevant to the Airport Zone, by reference within EW-R20.1.e are subject to the ISPP. For the reasons discussed in paragraphs 4.32 to 4.39, this is inappropriate for earthwork activities that do not relate to the implementation of the NPSUD.	Seeks that the Earthworks chapter is amended to remove ISPP for provisions that do not relate to the implementation of the NPS-UD.
General District wide Matters / Earthworks / EW-R20	Wellington International Airport Ltd	406.380	Amend	The matters of discretion with respect to EW-R20.4. "Geomorphological impacts" is too broad. This matter of discretion should be refined to specify which aspects of the geomorphology require consideration or deleted.	Seeks that EW-R20.4 (Earthworks in the Airport Zone) is amended to specify which aspects of the geomorphology require consideration or deleted.
General District wide Matters / Earthworks / EW-R21	WCC Environmental Reference Group	377.311	Support	EW-R21 is supported as it provides for earthworks activities whilst providing discretion on potential environmental risks.	Retain EW-R21 (Earthworks within Sites and Areas of Significance Category A and Category B) as notified.
General District wide Matters / Earthworks / EW-R21	Te Rūnanga o Toa Rangatira	488.70	Support	Supports EW-R21.	Retain EW-R21 (Earthworks for the purposes of piling, trenching, maintaining sports fields, undertaking geotechnical investigations and grave digging, the replacement or removal of underground petroleum storage systems associated with service stations) as notified.
General District wide Matters / Earthworks / EW-R22	Transpower New Zealand Limited	315.176	Amend	<p>Supports the provision of standards specific to earthworks on the basis such activities can compromise the National Grid and are a form of development contemplated by the NPS-ET. Considers that earthworks also have the potential to restrict Transpower's ability to access the line and locate the heavy machinery required to maintain support structures around the lines and may lead to potential tower failure and significant constraints on the operation of the line. Considers the provision of a rule framework achieves Policies 2 and 10 of the NPS-ET.</p> <p>Seeks amendments to Rule EW-R22 to:</p> <ul style="list-style-type: none"> <li>- Move the depth standards from the standard EW-S15 to the rule to provide more clarity and provide a clear relationship to the exemptions;</li> <li>- Amend the default activity status to non-complying where permitted conditions are not complied with (and as a subsequent amendment, deletion of the discretionary matter and notification clause). A non-complying activity status is considered the most effective means of giving effect to the NPS-ET's objective of managing the adverse effects of the network and managing the adverse effects of other activities on the network.</li> </ul> <p>[Refer to original submission for full reason]</p>	<p>Amend EW-R22 (Earthworks in the national grid yard) as follows:</p> <p>EW-R22 Earthworks <u>or vertical holes</u> in the national grid yard All Zones 1. Activity status: Permitted Where: <u>a. Earthworks or vertical hole depth must be no greater (measured vertically) than:</u> <u>i. 300 millimetres within 6 metres of the outer visible edge of a foundation of any National Grid support structure; or</u> <u>ii. Between 6 metres and 12 metres from the outer visible edge of a foundation of any National Grid support structure.</u> b. Compliance is achieved with EW-S15_1</p> <p>...</p> <p>All Zones 2. Activity status: <del>Restricted Discretionary</del> <u>Non complying</u> Where: a. Compliance with any of the requirements of EW-R22.1 cannot be achieved.</p> <p><del>Matters of discretion are:-</del> <del>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards;</del> <del>2. Impacts on the operation, maintenance, upgrading and development of the National Grid;</del> <del>3. The risk to the structural integrity of the affected National Grid support structure(s);</del> <del>3. Any impact on the ability of Transpower to access the National Grid;</del> <del>4. The risk of electrical hazards affecting public or individual safety, and the risk of property;</del> <del>5. Technical advice provided by Transpower; and</del> <del>6. Any effects on National Grid support structures including the creation of an unstable batter-</del></p>

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
					<p><del>Notification Status-</del>                      An application for resource consent made in respect of rule EW-R22.2 is precluded from being publicly notified. Notice of any application for resource consent under this rule must be served on Transpower New Zealand Limited in accordance with Clause 10(2)(i) of the Resource Management (Forms, Fees, and Procedures) Regulations 2003.</p>
General District wide Matters / Earthworks / EW-R23	Firstgas Limited	304.41	Amend	<p>Considers that EW-R23 should be amended not to require a copy of a Pipeline Easement Permit to the Council. The Pipeline Easement Permit is issued by Firstgas and is a paper-based permit issued to the contractor at the time of the works taking place. It would therefore not be achievable for a copy to be provided to Council prior to the commencement of the work.</p>	<p>Amend EW-R23 (Earthworks within the gas transmission pipeline corridor) as follows:</p> <p>Activity status: Permitted</p> <p>Where:</p> <p><del>a. For any earthworks within a gas pipeline easement area, a Pipeline Easement Permit is obtained and a copy of the permit is provided to the Council prior to the commencement of the earthworks; or</del></p> <p><del>b. For any earthworks outside of a gas pipeline easement area, written advice of the work is provided to the gas transmission pipeline owner and operator at least 15 working days prior to the commencement of the earthworks; and</del></p> <p><del>a. Compliance is achieved with EW-S15.</del></p>
General District wide Matters / Earthworks / EW-S1	Phillippa O'Connor	289.11	Amend	<p>Considers that the earthworks triggers are too low and lack nuance.</p> <p>Considers that the Auckland unitary plan baseline in residential zones of 500m2 is considered more appropriate.</p>	<p>Amend EW-S1 (Area) as follows:</p> <p>EW-S1</p> <p>All zones</p> <p>1. The total area of earthworks must not exceed <del>250m2</del> <u>500m2</u> per site in any 12-month period.</p>
General District wide Matters / Earthworks / EW-S1	Phillippa O'Connor	289.12	Amend	<p>Considers that assessment criteria #5 of EW-S1 should only apply if the site is within a Significant Natural Area (SNA) or if the site has a known ecological feature (such as a stream or wetland) rather than requiring an additional report to be prepared for a consent application where there are no ecological features on a site.</p>	<p>Amend EW-S1 (Area) as follows:</p> <p>EW-S1</p> <p>All zones</p> <p>...</p> <p>Assessment criteria where the standard is infringed:</p> <p>...</p> <p>4. The extent to which the earthworks are designed and will be managed in accordance with the principles and methods in the GWRC's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region 2021, <del>and</del></p> <p><del>5. For applications involving areas of earthworks exceeding 1000m2 in any 12-month period, the results of an ecological survey conducted by a suitably qualified expert</del></p>
General District wide Matters / Earthworks / EW-S1	Phillippa O'Connor	289.13	Amend	<p>Considers that assessment criteria #5 of EW-S1 should only apply if the site is within a Significant Natural Area (SNA) or if the site has a known ecological feature (such as a stream or wetland) rather than requiring an additional report to be prepared for a consent application where there are no ecological features on a site.</p>	<p>Apply assessment criteria 5 of EW-S1 (5. For applications involving areas of earthworks exceeding 1000m2 in any 12-month period, the results of an ecological survey conducted by a suitably qualified expert) only if the site is within a Significant natural Area of where the site has a known ecological feature.</p>



Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S1	Woolworths New Zealand	359.33	Oppose in part	Opposes the inclusion of assessment criteria (5) which requires applications involving areas of earthworks exceeding 1000m <sup>2</sup> in any 12-month period to provide the results of an ecological survey conducted by a suitably qualified expert. This assessment criteria should only apply if the site is within a Significant Natural Area (SNA) or if the site has a known ecological feature (such as a stream or wetland) rather than requiring an additional report to be prepared for a consent application where there are no ecological features on a site. [Refer to original submission for full reason]	Oppose in part EW-S1 (Area) and seeks amendment as follows:  Delete assessment criteria point 5 from EW-S1 (Area).
General District wide Matters / Earthworks / EW-S1	Woolworths New Zealand	359.34	Amend	Considers that earthworks area triggers are too low and lack nuance and should be amended. The Auckland Unitary Plan baseline in CMUZ of 500m <sup>2</sup> is considered more appropriate noting that an infringement to the 250m <sup>2</sup> standard could feasibly occur with any development in CMUZ.	Amend EW-S1 (Area) as follows:  All Zones  1. The total area of earthworks must not exceed <del>250m<sup>2</sup></del> <u>500m<sup>2</sup></u> per site in any 12-month period.  Assessment criteria where the standard is infringed:  1. Whether the stability of land or buildings or structures in or on the site or adjacent sites is likely to be adversely affected; 2. The extent to which the earthworks will reflect and be sympathetic to the natural qualities of the surrounding landform; 3. The effectiveness of measures to retain dust, silt and sediment on site during the course of earthworks; 4. The extent to which the earthworks are designed and will be managed in accordance the principles and methods in the GWRC's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region 2021; and <del>5. For applications involving areas of earthworks exceeding 1000m<sup>2</sup> in any 12-month period, the results of an ecological survey conducted by a suitably qualified expert.</del>
General District wide Matters / Earthworks / EW-S1	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.94	Support in part	EW-S1 is generally supported for its intent, as it seeks to provide an upper threshold to the permitted contiguous area of earthworks. It is unclear in the s32 analysis why this area (250m <sup>2</sup> ) has been prescribed apart from being identified as 'Low-risk earthworks'5. As it stands, any development or redevelopment of most sites in the district will infringe this standard as most sites exceed 250m <sup>2</sup> in area and most developments typically require earthworks across the majority of the site.	Retain EW-S1 (Area) with amendment.
General District wide Matters / Earthworks / EW-S1	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.95	Amend	Considers that EW-S1 should be amended so that the 250m <sup>2</sup> limit is increased to a greater permitted threshold and to better relate to the permitted cut and fill volumes in Standard EW-S4.	Amend EW-S1 (Area) to increase the limit of the total area of earthworks to better relate to the permitted cut and fill volumes in EW-S4 (Transport of cut or fill material).
General District wide Matters / Earthworks / EW-S1	Kāinga Ora Homes and Communities	391.280	Support in part	EW-S1 is partially supported but an amendment is sought.	Retain EW-S1 (Area) with amendment.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S1	Kāinga Ora Homes and Communities	391.281	Amend	<p>Considers that EW-S1 should be amended to ensure the assessment criteria reflect the effects sought to be managed, and to align with the objectives and policies of the chapter. It is considered the current wording of the assessment criteria is not supported by the overarching objectives and policies.</p> <p>It is queried and requested that amendments are made to the thresholds for permitted activity earthworks across the different zone to recognise that different thresholds are appropriate across different zones.</p>	<p>Amend EW-S1 (Area) as follows:</p> <p><u>Medium Density Residential Zone, High Density Residential Zone, and Neighbourhood Centre Zone</u>                      1. The total area of earthworks must not exceed 250m2 per site in any 12 month period.</p> <p><u>Local Centre Zone, Commercial Zone, Mixed Use Zone, Metropolitan Zone, City Centre Zone, General Industrial Zone, Open Space Zone, Natural Open Space Zone, and Sport and Recreation Zone, All Special Purpose Zones</u>                      2. The total area of earthworks must not exceed 500m2 per site in any 12 month period.</p> <p><u>General Rural Zone, Large Lot Residential Zone, All Development Areas</u>                      3. The total area of earthworks must not exceed 1000m2 per site in any 12 month period.</p> <p>Assessment criteria where the standard is infringed:                      ...  <del>5. For applications involving areas of earthworks exceeding 1000m2 in any 12 month period, the results of an ecological survey conducted by a suitably qualified expert.</del></p>
General District wide Matters / Earthworks / EW-S1	CentrePort Limited	402.132	Amend	<p>Considers that for a very large landholding with large sites such as at CentrePort 250m2 is inadequate to be able to deal with the area of earthworks that are required from time to time. Standard S1 applies as a permitted activity condition under Rules EW-R6 (General Earthworks and R19 (relating to earthworks in the Coastal Environment) stating that the total area of earthworks must not exceed 250m2 per site in any 12-month period.</p>	<p>Seeks that the Special Purpose Port Zone is excluded from EW-S1 (Area).</p>
General District wide Matters / Earthworks / EW-S2	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.96	Support	<p>Supports as the standard prescribes a maximum permitted cut height and fill depth which, as per the proposed definitions, is measured upon the completion of earthworks.</p> <p>[See original submission for further details]</p>	<p>Retain EW-S2 (Cut height and fill depth) as notified.</p>
General District wide Matters / Earthworks / EW-S2	Kāinga Ora Homes and Communities	391.282	Support in part	<p>EW-S2 is partially supported but an amendment is sought.</p>	<p>Retain EW-S2 (Cut height and fill depth) with amendment.</p>

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S2	Kāinga Ora Homes and Communities	391.283	Amend	Considers that EW-S2 should be amended to align the matters of discretion more appropriately with the issue being managed by this standard, in this case stability and visual effects resulting from cut faces/retaining structures. With respect to the management of visual effects, it is considered that reference to examples can be removed to simplify this policy.	Amend EW-S2 (Cut height and fill depth) as follows: Assessment criteria where the standard is infringed: ... <del>7. The effectiveness of measures to retain dust, silt and sediment on site during the course of earthworks;</del> <del>8. The extent to which the earthworks are designed and will be managed in accordance the principles and methods in the GWRC's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region 2021;</del> <del>9.7. The need for, and effectiveness of, measures to reduce the visual prominence and particularly visual intrusiveness of the earthworks, and any buildings and other structures associated with or subsequently located on them, including:</del> <del>a. Designing and engineering to reflect natural landforms and natural features such as cliffs, escarpments, streams and wetlands;</del> <del>b. Avoiding unnatural scar faces;</del> <del>c. Favouring untreated cut faces over artificial finishes in areas where bare rock is common;</del> <del>d. Favouring alternatives to the use of sprayed concrete on cut faces, such as anchored netting;</del> <del>e. Designing and finishing retaining walls or stabilising structures to reflect existing buildings and structures, in urban settings;</del> <del>f. Designing and finishing retaining walls or stabilising structures to reduce their apparent size by, for example, employing features that break up the surface area and create patterns of light and shadow;</del> <del>g. Retaining existing vegetation above, below and at the sides of earthworks and associated structures;</del> <del>h. Integrating new landscaping and associated planting to conceal or soften the appearance of earthworks and associated structures;</del> <del>i. Concealing views of earthworks and associated structures from streets, other public places and other properties through the positioning of proposed or future buildings; and</del> <del>j. Placing pipes below ground or integrating them into earthworks and associated structures.</del>
General District wide Matters / Earthworks / EW-S3	Greater Wellington Regional Council	351.244	Support	Considers that minimising the risks associated with slope instability is consistent with hazard provisions in the RPS. Supports slope failure being incorporated into the earthworks chapter to manage impacts on slope stability	Retain EW-S3 (Existing slope angle) as notified.
General District wide Matters / Earthworks / EW-S3	Greater Wellington Regional Council	351.245	Amend	Considers the Natural Resources Plan defines erosion prone land as greater than 20 degrees. A slope of 34 degrees or higher, as drafted, is very steep. Using this slope has the potential to create more effects on the environment than the standard would anticipate. Greater Wellington also notes that 34 degrees is difficult to calculate on the ground.	Seeks for WCC to consider reducing the existing slope angle to 20 degrees for consistency with the Natural Resources Plan.
General District wide Matters / Earthworks / EW-S4	Rod Halliday	25.28	Amend	The volume of material permitted to be transported off site is too low and needs to be increased to facilitate increased volumes of material being transported as a permitted activity. 200m3 equates to around 27 movements utilising a 7.5m3 truck which is too low now for most Wellington Sites.  Most development is occurring in the outer suburbs where new roads are wide, traffic volumes are low and there is a short term expectation of truck movements associated with development. The current 200m3 appears to be arbitrary and not supported by evidence.	Amend EW-S4 (Transport of cut or fill material) as follows:  1. The combined volume of cut material resulting from earthworks transported off the site and clean fill material required for earthworks transported onto the site must not exceed:  a. 2,000m3 in the City Centre, Centres, Mixed use and General industrial zones; or b. <del>200m3 in all other Zones.</del> <u>400m3 in all other Zones.</u>

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S4	Rod Halliday	25.29	Amend	A higher level of movement should also be allowed in the Development Areas where there is expected to be development activity.	Amend EW-S4 (Transport of cut or fill material) as follows:  1. The combined volume of cut material resulting from earthworks transported off the site and clean fill material required for earthworks transported onto the site must not exceed:  a. 2,000m3 in the City Centre, Centres, Mixed use and General industrial zones, <u>and Future Urban Zone/Development Areas</u> ; or b. 200m3 in all other Zones.
General District wide Matters / Earthworks / EW-S4	Greater Wellington Regional Council	351.246	Amend	Considers that for consistency with the Natural Resources Plan, it is worth noting similar rules in the regional plan which occur for different purposes for the same activity. For example, Rule R70 of the Natural Resources Plan controls clean fills and Rule R99 controls earthworks. Note also that the limits can be different between plans and rules, so all relevant provisions should be considered.	Seeks for WCC to consider including advice note referring to similar rules in the Natural Resources Plan which may be relevant.
General District wide Matters / Earthworks / EW-S4	Waka Kotahi	370.209	Support in part	Support EW-S4 but seeks amendment.	Retain EW-S4 (Transport of cut or fill material), subject to amendments.
General District wide Matters / Earthworks / EW-S4	Waka Kotahi	370.210	Amend	Consider EW-S4 should include stabilising the material in the truck bed to prevent clean fill material from falling onto the road and should also provide direction to ensure that truck wheels do not truck mud and/or debris into the road reserve. This inclusion would be consistent with EW-P6.	Amend EW-S4 (Transport of cut or fill material) as follows:  1. The combined volume of cut material resulting from earthworks transport ted off the site and clean fill material required for earthworks transported onto the site must not exceed: a. 2,000m3 in the City Centre, Centres, Mixed use and General industrial zones; or b. 200m3 in all other Zones. <u>2. Transported material must be stabilised, and the truck wheels must be kept clean, to prevent the falling or trucking of material into the road reserve.</u>
General District wide Matters / Earthworks / EW-S4	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.97	Support in part	EW-S4 is generally supported as it prescribes a combined maximum volume of cut material transported off the site and clean fill material transported onto the sites. However, the s32 analysis indicates (but does not explicitly state) that this standard only seeks to restrict the total material transported to and from the site with no restriction on the volume of material within the site. This approach is supported in principle but better clarity on this interpretation is sought.	Retain EW-S4 (Transport of cut or fill material) with amendment.
General District wide Matters / Earthworks / EW-S4	BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.98	Amend	Considers that EW-S4 should be clarified. The s32 analysis indicates (but does not explicitly state) that this standard only seeks to restrict the total material transported to and from the site with no restriction on the volume of material within the site. This approach is supported in principle but better clarity on this interpretation is sought.	Amend EW-S4 (Transport of cut or fill material) to clarify the interpretation of restrictions on the volume of material within the site.
General District wide Matters / Earthworks / EW-S4	Ministry of Education	400.75	Support	Supports CE-S4. The submitter particularly supports assessment criteria 1(e) which considers the presence of sensitive land uses including schools along the proposed route as it manages effects associated with the transport of materials from sites.	Retain EW-S4 (Transport of cut or fill material) as notified.
General District wide Matters / Earthworks / EW-S10	Heritage New Zealand Pouhere Taonga	70.28	Support in part	Considers that for improved consistency, EW-S10 should be broadened to include scheduled archaeological sites.	Retain EW-S10 (Earthworks on the site of scheduled heritage buildings and structures, and within heritage areas) with amendment.
General District wide Matters / Earthworks / EW-S10	Heritage New Zealand Pouhere Taonga	70.29	Amend	Considers that for improved consistency, EW-S10 should be broadened to include scheduled archaeological sites.	Amend EW-S10 (Earthworks on the site of heritage building, heritage structures or on a site within a heritage area) as follows:  EW-S10: Earthworks on the site of heritage building, heritage structures or on a site within a heritage area, <u>or within a scheduled archaeological site.</u>
General District wide Matters / Earthworks / EW-S10	Donna Sherlock	384.1	Oppose	Submitter considers that this rule of only 10m2 per annum should not have blanket application on rural heritage areas such as the submitter's land. It is 9.1ha, but the heritage area footprint is <100m2.	Opposes SW-S10 (Earthworks on the site of heritage building, heritage structures or on a site within a heritage area) in its current form and seeks amendment.

Sub-part / Chapter /Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S10	Donna Sherlock	384.2	Amend	Submitter considers that this rule of only 10m2 per annum should not have blanket application pon rural heritage areas such as the submitter's land. It is 9.1ha, but the heritage area footprint is <100m2.	Seeks that SW-S10 (Earthworks on the site of heritage building, heritage structures or on a site within a heritage area) should not be a blanket provision and that rural land should be treated differently [Inferred decision requested].
General District wide Matters / Earthworks / EW-S10	Wellington Heritage Professionals	412.65	Support	Supports the exclusion of scheduled archaeological sites from this standard, and cosiders that the policies, rules and standards for earthworks within scheduled archaeological sites in the Historic heritage chapters are more appropriate to manage these	Retain EW-S10 (Earthworks on the site of heritage building, heritage structures or on a site within a heritage area) as notified.
General District wide Matters / Earthworks / EW-S13	John Tiley	142.20	Amend	Considers that the EW-S13 assessment criteria for assessing applications made under EW-R15 are entirely subjective and offer no protection for ridgelines.	Seeks that EW-S13 (Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Area) is rewritten to offer greater control over earthworks in this area.
General District wide Matters / Earthworks / EW-S13	Churton Park Community Association	189.20	Amend	Considers that the EW-S13 assessment criteria for assessing applications made under EW-R15 are entirely subjective and offer no protection for ridgelines.	Seeks that EW-S13 (Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Area) is rewritten to offer greater control over earthworks in this area.
General District wide Matters / Earthworks / EW-S13	Wellington City Council	266.123	Amend	Considers amendment necessary for consistency with other amendments in relation to the ridgetop area of the Upper Stebbings and Glenside West Development Area.	<p>Amend EW-S13 (Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Areas) as follows:</p> <p><del>Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Area</del>  <u>Earthworks within: outstanding natural features and landscapes; special amenity landscapes; ridgelines and hilltops overlay; or the ridgetop area of the Upper Stebbings and Glenside West Development Area</u></p> <p>1. Earthworks must not exceed:</p> <p>a. A maximum cut height or fill depth greater than 1.5m above ground level measured vertically; and                      b. the following within any 5-year period:                      i. 100m2 in total area per site within an identified outstanding natural feature and landscape; or                      ii. 200m2 in total area per site within identified special amenity landscapes; or                      iii. 200m2 in total area per site within <u>the ridgelines and hilltops overlay or the ridgetop area</u> in the Upper Stebbings <u>and</u> Glenside West Development Area.</p> <p>Assessment criteria where the standard is infringed:                      1. The extent and effect of non-compliance on identified values and characteristics of outstanding natural features and landscapes, special amenity landscapes, <del>and the ridgelines and hilltops, and in the ridgetop area in the</del> Upper Stebbings <u>and</u> Glenside West Development Area and the ability to integrate and be sympathetic with the surrounding landform; and                      2. The degree to which the effect of the earthworks can be remedied or mitigated.</p>
General District wide Matters / Earthworks / EW-S13	Heidi Snelson, Aman Hunt, Chia Hunt, Ela Hunt	276.32	Amend	Considers that Marshall's Ridge should be given protection through the strengthening of the standard.	Amend EW-S13 (Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Area ) to give further protection to Marshall's Ridge and other ridgelines within the area.
General District wide Matters / Earthworks / EW-S13	Kilmarston Developments Limited and Kilmarston Properties Limited	290.47	Support in part	Considers that the MRZ area of the Submitters land will be subject to another layer of restrictions for earthworks to facilitate the proposed residential development of the site.	Retain EW-S13 (Earthworks within outstanding natural features and landscapes, within special amenity landscapes and within the ridgelines and hilltops in the Upper Stebbings Glenside West Development Area) as notified.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S14	Greater Wellington Regional Council	351.247	Amend	Considers the Natural Resources Plan defines erosion prone land as greater than 20 degrees. A slope of 34 degrees or higher, as drafted, is very steep. Using this slope has the potential to create more effects on the environment than the standard would anticipate. Greater Wellington also notes that 34 degrees is difficult to calculate on the ground.	Seeks for WCC to consider reducing the existing slope angle to 20 degrees for consistency with the Natural Resources Plan.
General District wide Matters / Earthworks / EW-S14	Z Energy Limited	361.14	Support in part	EW-S14 is supported as it includes a 'catch all' standard (EW-S14(3)) for earthworks in 'all areas' which is assumed to include the Broadway Precinct where a Z Energy service station is located.	Retain EW-S14 (Earthworks in the Airport Zone) with amendment.
General District wide Matters / Earthworks / EW-S14	Z Energy Limited	361.15	Amend	EW-S14 should be clarified on whether it relates to permanent structures and aboveground structures and therefore does not relate to temporary and/or aboveground ground structures.	Amend EW-S14 (Earthworks in the Airport Zone) to clarify that it does not relate to temporary and/or aboveground ground structures.
General District wide Matters / Earthworks / EW-S14	Wellington International Airport Ltd	406.381	Oppose	Opposes EW-S14.  [See paragraphs 4.93 to 4.96 of original submission for full reason]	Opposes EW-S14 (Earthworks in the Airport Zone) and seeks amendment.
General District wide Matters / Earthworks / EW-S14	Wellington International Airport Ltd	406.382	Amend	Opposes EW-S14.  [See paragraphs 4.93 to 4.96 of original submission for full reason]	Amend EW-S14 (Earthworks in the airport zone) as follows:  1. In the Rongotai Ridge Precinct, <del>or in relation to the Hillock at the south end of the Terminal precinct</del> earthworks shall not: a. Alter the existing ground level by more than 2.5 metres measured vertically. b. Disturb more than 250m <sup>2</sup> of ground surface. c. Be undertaken on slopes of more than 34° <u>in relation to the Hillock and 45° in relation to the Rongotai Ridge Precinct.</u>  <del>2. In the Miramar South Precinct, earthworks must be undertaken in accordance with an Erosion and Sediment Control Plan prepared in accordance with the Erosion and Sediment Control Guidelines for the Wellington Region (or equivalent).</del>  <del>2.3. In all areas, a structure used to retain or stabilize a slope must be no higher than 2.5m measured vertically.</del>  Except:- a. The construction, upgrade or maintenance of:- i. Apron and taxiway surfaces. ii. Road and accessway surfaces.  <u>3. No earthwork shall create a dust nuisance.</u>  <u>4. As soon practicable, but not later than three months after the completion of earthworks or stages earthworks, the earthworks area must be stabilised with vegetation or sealed, paved, metalled or built over.</u>  (Option A).

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S14	Wellington International Airport Ltd	406.383	Amend	<p>Opposes EW-S14.</p> <p>[See paragraphs 4.93 to 4.96 of original submission for full reason]</p>	<p>Amend EW-S14 (Earthworks in the airport zone) as follows:</p> <p>Assessment criteria where the standard is <u>not met infringed</u>:</p> <p>1. Rongotai Ridge Precinct:                      a. Extent of cut faces;  <del>b. Enhancement of pedestrian and cycle networks;</del>  <del>b.e. Impact on views of, through and within the site; and</del>  <del>d. Connections to community and recreation resources.</del></p> <p><del>2. Miramar South Precinct:-</del>  <del>a. Erosion and Sediment Control Guidelines for the Wellington Region (or equivalent).</del></p> <p><del>2.3.</del> In all areas, any relevant aspect of:                      ...</p> <p><del>3. With respect to EW-S14(4):</del>  <del>a. The effectiveness of temporary measures to avoid the creation of dust nuisance.</del></p> <p><del>4. With respect to EW-S14(5):</del>  <del>a. The effectiveness of permanent measures to avoid erosion, the creation of dust nuisance, to filter silt and sediment and reduce the volume and speed of runoff from the site.</del></p> <p><del>5.4.</del> In all areas, any relevant aspect of:                      ...</p>
General District wide Matters / Earthworks / EW-S14	Wellington International Airport Ltd	406.384	Oppose	<p>Opposes EW-S14.</p> <p>[See paragraphs 4.93 to 4.96 of original submission for full reason]</p>	Delete EW-S14 (Earthworks in the airport zone) in its entirety. (Option B).
General District wide Matters / Earthworks / EW-S15	Rod Halliday	25.30	Not specified	<p>Considers that it is not clear in EW-S15 what is defined as a Gas Transmission Pipeline corridor. It is presumed it is national bulk lines but there is no clear definition. Without one, the standard may capture minor residential supply pipes down to individual stubs to dwellings.</p>	Clarify the definition of 'Gas Transmission Pipeline Corridor' in EW-S15 (Earthworks in the national grid yard and gas transmission pipeline corridor).
General District wide Matters / Earthworks / EW-S15	Firstgas Limited	304.42	Support	<p>EW-S15 is supported as it relates to the gas transmission pipeline corridor. The standards recognise the importance of the integrity and stability of the regionally significant infrastructure.</p>	Retain EW-S15 (Earthworks in the national grid yard and gas transmission pipeline corridor) as notified.

Sub-part / Chapter / Provision	Submitter Name	Sub No / Point No	Position	Summary of Submission	Decisions Requested
General District wide Matters / Earthworks / EW-S15	Transpower New Zealand Limited	315.177	Amend	<p>Related to EW-R22, seeks amendment to the standard EW-S15 for those provisions specific to the National Grid.</p> <p>Seeks an amendment to the depth standard to move the standard to the rule. Considers the depths should be amended to better reflect NZECP34 but with all support structures treated the same in respect of setbacks (thereby recognising the risks to the National Grid extend beyond those addressed by NZECP34). An additional clause is sought to ensure ongoing access is maintained to support structures. Seeks minor grammatical and wording refinements. Seeks the separating of the National Grid from the Gas Transmission pipeline to avoid confusion to plan users</p>	<p>Amend EW-S15 (Earthworks in the national grid yard and gas transmission pipeline corridor) as follows:</p> <p>EW-S15 Earthworks in the <u>N</u>ational <u>G</u>rid <u>Y</u>ard and gas transmission pipeline corridor All Zones</p> <p>1. Earthworks <u>or vertical holes</u> in the <u>N</u>ational <u>G</u>rid <u>Y</u>ard must comply with the following:</p> <p><del>a. Earthworks or vertical hole/s depth must be no greater than:</del></p> <p><del>i. 300 millimetres within 2.2 metres of any National Grid support poles or stay wires; or</del></p> <p><del>ii. 750 millimetres between 2.2 metres and 5 metres of the pole or stay wire.</del></p> <p><del>b. Earthworks or vertical hole depth must be no greater than:</del></p> <p><del>i. 300 millimetres within 6 metres of the outer visible edge of a foundation of any National Grid support tower (including any tubular steel tower that replaces a steel lattice tower); or</del></p> <p><del>ii. Between 6 metres and 12 metres from the outer visible edge of a foundation of any National Grid support tower (including any tubular steel tower that replaces a steel lattice tower).</del></p> <p><del>a. e. The earthworks must <u>Not</u> result in a reduction in the ground to conductor clearance distances as required in Table 4 of the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP 34:2001) ISSN 01140663.</del></p> <p><del>b. d. The earthworks must <u>Not</u> result in vehicular access to a National Grid support structure being permanently obstructed.</del></p> <p><del>c. Not compromise the stability of a National Grid support structure.</del></p> <p>...</p>