

<i>Plan Modification 24. Earthworks – Summary of Submissions</i>		
No.	Relief Sought	Submitter Name
1/1	The existing provisions in the operative plan to remain.	Omiha Welfare and Recreation Society Inc
1/2	Reduce earthworks volumes by half.	
2	To turn down the proposed plan change.	Cheryl Backstrom
3/1	We want to see a regime for earthworks in which developers are encouraged not to change the landscape.	Matiatia-Oneroa Ratepayers and Residents Assoc. Inc.
3/2	Oppose this modification as it stands.	
3/3	We want to see the Plan consider BOTH area/slope and volume.	
3/4	Would also like to see incentives built in to the Plan so that people are encouraged not to do earthworks, and to minimise them when they must be done. Trade offs should be considered.	
3/5	The cumulative effect of many individual earthworks should be taken into account.	
4/1	6B.1.1.5 Supports proposed clause C that maintenance of existing roads will need to comply with erosion and sediment controls and that noise levels will be introduced in relation to heavy machinery used on earthwork sites.	Peter Lumsden
4/2	6B.1.3.6 Proposed Clause E (iii) Where practical that fill from earthworks be deposited on site and subject to erosion and sediment controls. For fill that is required to be trucked away, strict controls should apply as to where it can be dumped.	*
4/3	Proposed Table 1. Standards for permitted activities. 3.6b Request with proposed earthworks on land with a slope less than 1 in 6 for all land units where it is shown $\leq 400\text{m}^2$ of earthworks will be permitted that this be reduced to $\leq 200\text{m}^2$ .	*
5	Restrict times of acceptable noise level increase (Leq and Lmax) to 8am - 5pm on Mondays to Saturdays unless: a) absolute necessity to work at increased noise levels outside those times has been proven (eg house relocation), and all affected persons have been informed in advance. or b) written consent has been obtained from all persons who would have to endure the increased noise disruption.	Inga Muller
7	Oppose the inclusion of plan change 24 Earthworks.	Tim Knight
8/1	To reject the Plan changes in their present form.	Friends of the Okahuiti Wetlands
8/2	Seek to uphold the views expressed in "Essentially Waiheke"	
8/3	Seek to re define criteria so that the plan changes suit the specific attributes of the various islands rather than applying a blanket approach.	
8/4	Council to broaden its s.32 analysis to include greater emphasis on non-economic aspects of effects.	

9	Amend Part A, item 5 of proposed Plan Change 24 to include the following explanation of how the slope is to be measured:  <i>Slope means the slope of the land surface measured by the nearest route from the bottom to the top of the area of land to be disturbed. It should have an accuracy no less than that achieved by a hand held inclinometer or abney level.</i>  Or similar wording to like effect.	Auckland City Council
10/1	Halve the 400m <sup>2</sup> chosen as a permitted activity.	Royal Forest and Bird Protection Society of NZ
10/2	Introduce rules that (a) keep the volume of earthworks down and (b) encourage the disposal of fill on the application site. If the transport of fill is unavoidable then the proposed 200m <sup>3</sup> should be a discretionary activity and beyond this point non-complying.	
10/3	Earthworks should remain discretionary, rather than non-notified restricted discretionary, as under the existing plan.	
10/4	Opposes the amendment to Policy Area 5 and Policy Area 7 that deletes reference to earthworks in the Oneroa Policy Area and the Ostend Sub-Area of the Okahuiti-Ostend-Tahi Policy Area as a controlled activity.	
10/5	Supports the amendments to Clauses 6B.1.1.3 and 6B.1.1.5.	
10/6	Supports the change to Land Unit 2 to provide for nil earthworks as a permitted activity in this land unit. Supports the retention of nil earthworks as a permitted activity in Land Units 1 and 4.	Royal Forest and Bird Protection Society of NZ
10/7	The definition of earthworks should be amended by inserting "existing man-made" so that the last bullet point at the end of the final paragraph reads: "the clearing and maintenance of existing man-made farm drainage canals."	
11	Part D: Amendments to part 6D - notification and information requirements - subclause (K). A simplified form of information be drawn up for small jobs or people will not be able to afford to apply.	George Samuel Medland
12	That a farmer can maintain and make farm tracks or roads as of right.	George Samuel Medland
13	To dig new drains as of right.	George Samuel Medland
14/1	Proposed Plan Change 24 be amended to include relevant provisions for the applicant's land at Matiatia as set out in Proposed Plan Change 38.	Waitemata Infrastructure Ltd.
14/2	Amend the Proposed Plan Change provisions so that the applicant's land at Matiatia in Land Unit 25 is distinguished from other Land Unit 25 locations by particular exclusionary provisions, exemption provisions or separate provisions.	
14/3	In Part 6B.1.3.5.v(b) - Noise (Part A.4 of the Plan Change), a new exemption provision should be inserted	

	(or similar remedy having like effect) that amends the Land Unit 25 reference by adding in brackets; <i>"These provisions do not apply to Lot 8, DP 146325 at Matiatia. In respect of that land, or any subsequent title arising from subdivision of that land, the following provisions shall apply: "Insert the relevant provisions set out in Plan Change 38, but insert provisions for the applicant's land within Land Unit 25".</i>	
14/4	Consequential amendments need to be made to all other relevant parts of the Proposed Plan Change.	*
15/1	The provisions of Proposed Plan Change 24 be amended to include earthworks and noise provisions for the applicant's land as set out in Proposed Plan Change 38.	Waitemata Infrastructure Ltd.
15/2	Consequential amendments need to be made to all other relevant parts of the Proposed Plan Change.	*
16	No relief specified.	Jill Jackson
18/1	Request that earthworks for Great Barrier Island, outside of Auckland Regional Council thresholds, be Permitted Activity with suitable rules to protect adjacent sites from sediment deposit.	Great Barrier Community Board
18/2	That proposed Part A Amendments 1, 2, 3 and 4 be deleted.	
18/3	Request 6B.1.3.6B be amended to include LU1, 2 and 4.	
18/4	Request that proposed amendment to Clause 6B.1.3.7(B) and Table 1 be deleted.	
18/5	Request ARC rules replace proposed amendments to Table 1.	
20	I oppose the relaxation of existing controls on earthworks and ask that this plan change be withdrawn.	Michael Lee: Member Auckland Regional Council
21 and 47	Part D - Information requirements. Applicants are required to submit an excessively comprehensive application. 1.K needs to be assessed by planners and experts not applicants.	Sean Deery and Waiheke Community Board
22/1	Seeks such further incidental, consequential and other amendments to the Plan Modification as may be necessary to give effect to the issues raised in this submission.	The Cathcart Family
22/2	Modify the plan change to account for integrated management principles and sustainable development in conjunction with an adequate section 32 analysis.	*
22/3	Part 6B: Vehicle Access, Roading, Noise and Earthworks. (a) The noise standards are excessive for a rural area on weekends and for the duration specified (particularly adjacent to smaller lots). (b) Soil "stockpiles" should not be left on sites exposed to wind, and stormwater discharge, for more than 48 hours etc. (c) Earthworks equipment should not be taken to areas and washed down unless that area is properly bunded and contained for sediment discharge, or for that matter left on the site to produce run off from clay laden machinery (or should be covered from the rain). (d) Mulch should be added (with appropriate diagrams)	*

	<p>to the measures which can be easily and effectively used to control sediment discharges (addition to the Annexure)</p> <p>(e) Stormwater controls that keep "clean water clean" should be added to the annexure guideline, particularly where a "roof" is added to a house with excessive lot coverage, there are no water tanks (to start), and there is still exposed soil due to earthworks and machinery at a construction site.</p> <p>(f) Where appropriate, provisions should be added to the plan that create an incentive to reuse excavated materials on site to enhance the interest of the landform (eg bank planting for additional mitigation, particularly with large lot subdivision on ridgelines)</p>	
22/4	Lower the noise standards to reflect the noise expectations in a rural environment.	*
22/5	Add/modify the earthworks controls in accordance with the comments made in the submission.	The Cathcart Family
23	Revision of plan modifications that propose to impact on vegetation currently protected. Revision working party to include experienced arborists.	Greenscene Ltd.
24	No objections to Plan Modification 24. Not opposed.	Awana Catchment Group Great Barrier Island
25 and 26	Modification should be withdrawn or varied. Should ACity proceed with this Modification we seek that the Commissioners should decline the Plan Modification in its entirety.	Gulf District Plan Association Inc and Jay Clarke
27	That the proposed plan changes be disallowed and that the Council recognises the unique environment and lifestyle of Waiheke.	Jacqui Furniss
28	That the plan change be disallowed and that Council upholds the principle of community involvement at all times.	Kanya Stewart
29/1	Excavated material should be used elsewhere on the site, except in impossible circumstances.	Eve Harrison
29/2	Allowing up to 200m <sup>3</sup> of clean fill to be transported by public road to/from the earthworks site is unreasonably excessive	
30/1	Council to reject the Plan Change in its entirety.	Thomas Dietsche
31/1	The Council reject the proposed plan change in its entirety. Refer to Essentially Waiheke, the existing HGIDP and the HGMPA.	Anne E Ripper
31/2	Supports the change from volume and slope and area	*
31/3	Opposes the introduction of a new category of restricted discretionary activity.	*
31/4	Strongly oppose quantities allowed, they should be at least halved to guarantee a sustainable management.	
31/5	A rule for disposal on site should be introduced and disposal off site generally not permitted.	
34	Retain existing controls	Liz Ross
35	Reject any proposed changes which don't fit with this submission.	Yvette Hewlett
36/1	Send specifics back for reformulating minimums having	Judith Madarasz

	added on site disposal and differentiating between land units.	
36/2	Take into account the diverse Land Units created on Waiheke in the matter of earthworks, for example the Objectives and Policies of Land Unit 9 are very much at odds with a relaxation of the 'as of right' earthworks permissible.	
36/3	Suggest that the new regulations be added to, rather than replacing, the old, so that the measure is the existing cubic meterage or a square meterage, whichever is the lesser.	*
36/4	Consideration be given to encouraging 'on site disposal' by permitting up to 30% more than the standard maximum measure if all disposal is on site.	*
37/1	Part A: Amendments to part 6B. Support proposed amendment 2. Support proposed amendment 6.	Hanne Sorenson
37/2	Oppose proposed modification 9.3.6b Earthworks up to 400m <sup>2</sup> in LU 3, 5-15, 17-25 is too much.	*
37/3	Excavated material should be disposed of on site.	*
38/1	Support the concept of determining earthworks by the square meterage of exposed ground/slope method, rather than by the cubic meterage volume method.	Robert Paul Morton
38/2	Every attempt should be made to dispose of excess material on site.	*
38/3	Suggested 400m <sup>2</sup> of exposed ground on a one-in-six slope [or less] is excessive.	*
39/1	Concern at the introduction of the Restricted Non-Notified Activity, where applicants no longer need to consult with neighbours.	Lynne Stewart
39/2	Support the concept of using slope and square metre exposed rather than the current cubic metre calculation. Question the figure of 400 sqm which seems excessive as a permitted activity.	*
39/3	All surplus soil should be re-used on site.	*
40	The current proposed changes must not be allowed.	Carol Handin and John Ball
41/1	Amount of excavation as of right should not be changed.	Carol Handin
41/2	Do not make it easier for people to significantly alter land contours, leading to erosion and ugly scarring.	*
42	Turn down these changes.	Jill Yvette Robson
43	Not allow any increase in the amount of earthworks allowed.	Rhonda and John Griffiths
44	Reject the proposed plan modifications.	Susan Washington
45	Earthworks on Great Barrier Island should be a permitted activity in particular on blocks of land used for farming purposes.	BWR Sanderson and The Workington Trust
46/1	The proposed changes should be withdrawn.	Kristin Lewis
48/1	Retain existing provisions (with amendments).	Brian and Robin Griffiths
48/2	In setting thresholds account should be taken of both the area exposed and the volume excavated.	*
48/3	ACC should retain and rigorously enforce the existing provisions. This must include especially the	*

	abandonment of the "restricted discretionary" category and overall no relaxing of the provisions for third party involvement.	
48/4	All earthworks material must be re-used on site.	*
49/1	Reject Plan Changes.	Susan Washington
49/2	Excavated material must be disposed of on site.	*
49/3	Earthworks must be notified and allow for third party involvement.	*
50/1	Retain the exemptions from the definition of earthworks for <ul style="list-style-type: none"> <li>• Cultivation associated with agriculture or horticulture.</li> <li>• The digging of holes for the erection of posts.</li> <li>• The cleaning and maintenance of farm drainage canals.</li> </ul>	Federated Farmers of New Zealand Incorporated
50/2	Include an exemption for the following from the definition of earthworks: Agricultural activities associated with good farm management practice, including but not limited to: fencing, tilling/hoeing, soil cultivation and fertilisation, the construction and maintenance of fences, shelter belts, farm roads, stock races, farm drains and water supply dams.	*
51	Higher volumes, flexibility in design, more power to the titleholder.	Mickey O'Shea
52	That this proposed amendment be deleted: "No earthworks are permitted as of right in wetland/water system yards."	Kevin Richard Burke
53/1	ARC to leave work to Council. No need for two administrators.	Sean Jeremiah Mike O'Shea
53/2	Earth movement to be a permitted activity on farms.	* Sean Jeremiah Mike O'Shea
53/3	Consents to be minimalised.	*
53/4	People shouldn't have to get consents to fill holes on properties.	*
53/5	People shouldn't have to get consents to drains wet areas or springs.	*
53/6	People shouldn't have to apply to ARC when ACC is already here. It's not rational to have two tiers of control	*
53/7	People should be allowed to clear farm drains.	*
53/8	People should be allowed to clear slips.	*
53/9	People should be allowed to drain wetlands.	*
53/10	Land Unit 9 needs a higher volume of permitted soil movement.	*
53/11	Paper roads should be allowed to be developed with less cost and control.	*
54/1	That there be higher volumes of earth work capability in land units 8 and 9.	Michael O Shea
54/2	Existing use rights to be maintained. That farmers always be able to clear and maintain farm drainage canals.	*
55/1	The title of annexure 1 be amended to read 'Guidelines for the Management and Control of Erosion and Sediment Control Measures for Earthworks'	Cory Road Family Trust
55/2	Any reference to visual assessment for earthworks specifically is not cross referenced to so-called significant ridgelines and such other changes as the authority sees	*

	fit to give effect to the submission.	
56	The Council rejects the proposed Amendments to Part 6B in proposed Plan Change No 24.	Lynette Loris Reed
57	That earthworks within Policy Area 7 remain as a controlled activity along with specific assessment criteria.	Ann Jillian Tetley
58	That the clause which makes earthworks in Policy Area 5 - Oneroa no longer a controlled activity be withdrawn.	Ann Jillian Tetley
59	That applications for permits to allow restricted discretionary activity should be notified.	Ann Jillian Tetley
60	That applications for permits to allow restricted discretionary activity shall be notified.	Stephen James Tetley
61	That the clause relating to Policy Area 5 - Oneroa be withdrawn.	Stephen James Tetley
62	That earthworks within the Ostend sub area remain as a controlled activity.	Stephen James Tetley
63	That the amendments and tables related to noise levels be disallowed.	Gordon Shirley Hodson
64	That the proposed changes be disallowed.	Gordon Shirley Hodson
65	Accept most proposed changes but add the proposed slope-and-area criteria to the current Land Unit - specific volume limits. Possibly with some relaxation for on-site disposal.	Lynnette Lawry Gilmore
66	Leave the cubic metre measures in to discourage soil removal which creates problems of disposal and add the slope and surface area.	Joan Kirk
67/1	Amend as should not be uniform regardless of land unit.	Isobel Hawley
67/2	Amend as should be "or" [current volume limit] whichever is less - possibly leeway if on-site disposal.	*
67/3	Planners should revisit the particulars of this proposal	
68	These proposed changes do not go ahead.	Vanessa Pickering
69/1	The existing provisions in the District plan be retain. ACC should retain and rigorously enforce the existing provisions in the District Plan, including the right of third party involvement. Abandonment of the "restricted discretionary" category. All earthworks material be re-used on site.	Stacey Shuck and Simon Griffiths
69/2	All large scale earthworks be notified.	*
69/3	A combination of area and volume would be much more acceptable.	*
70/1	The proposed modification rejected. The provisions in the present HG District Plan upheld.	Leith Duncan
70/2	All earthworks should be controlled more tightly and be more restricted not more liberally as envisioned by this plan change.	*
70/3	Earthworks should be minimised both in terms of area exposed and volume, and all material retained on site.	*
71/1	Withdraw the proposed plan changes.	Lyndsay Lee Meager
71/2	Restrict earthworks to an essential minimum.	*
71/3	Require all earthworks over 20m <sup>3</sup> to be notified to provide incentive for applicants to come up with low- impact designs.	*
71/4	Very actively encourage low-impact designs that do not require large earthworks.	*

71/5	Require that excavated material is disposed of on site. Transporting fill from one place to another is an admission of design incompetence.	*
71/6	Undertake a vigorous information campaign about the cumulative effect of excavating, transporting and dumping fill on the degradation of coastal waters.	Lyndsay Lee Meager
71/7	Object to the non-notified "restricted discretionary activity" category.	*
72/1	Support the proposed introduction of greater controls on erosion, and sediment and the introduction of tighter construction noise standards for earthworks.	Ann Jocelyn Kinghorn
72/2	Retain the existing provisions for cubic metre limits in addition to the proposed consideration of slope.	*
72/3	Retain the existing conditions. Do not introduce non-notified restricted discretionary activity category.	*
72/4	Introduce requirement for all fill resulting from major earthworks (more than 100 cu.m) to be disposed of on site.	*
73	That the plan be withdrawn in favour of the status quo. Preference is for a policy which encourages minimal earthworks	Janet Hunt
74	Amend Part 6 D: Addition to subclause 1K. Include a specific provision requesting that; applicants must demonstrate the sustainable reuse of fill generated from earthworks with preference for on site retention.  Part D Amendments to Part 6D – Notification and Information Requirements. Addition to subclause 1K: For earthworks applications, the description of the activity shall include the following: <ul style="list-style-type: none"> <li>- replace - the amount of fill (in cubic metres) etc</li> <li>- with - information as to how the fill will be reused on site, or explanation as to why this is not possible and subsequent information as to the amount of fill (in cubic metres) to be transported by public road and as to how the fill is to be reused on site of destination.</li> </ul>	Waiheke Native Plants
75	Freeze the process. Go back into the field. Set up meetings with the many interested parties on the island (not just a one night affair at Surfdale Hall). Do real consultation. Go out and reality check the draft ideas.	Renaissance Aotearoa Foundation
76/1	Part A: Amendments to Part 6B - Standards for Permitted Activities, item 9 of the proposed plan change insert a column for Land Unit 26 Rotoroa Island. <ul style="list-style-type: none"> <li>• Allow <math>\leq 50\text{m}^2</math> of earthworks on land with a slope <math>&gt;1</math> in 6 as a permitted activity.</li> <li>• Allow <math>\leq 400\text{m}^2</math> of earthworks on land with a slope <math>\leq 1</math> in 6 as a permitted activity.</li> </ul>	Auckland City Council
76/2	Amend plan change 24 - Earthworks to include the following standards for Rotoroa Island: Part B: Amendments to Part 6C - Standards for Discretionary Activities, item 5 of the proposed plan change, <ul style="list-style-type: none"> <li>• Insert a column; for Land Unit 26 Rotoroa Island.</li> </ul>	



	<ul style="list-style-type: none"> <li>• Provide for &gt;50m<sup>2</sup> of earthworks on land with a slope &gt; 1 in 6 as a restricted discretionary activity.</li> <li>• Provide for &gt; 400m<sup>2</sup> of earthworks on land with a slope Auckland Regional Council: Environmental Management ≤1in 6 as a restricted discretionary activity.</li> </ul>	
77	Proposed Plan Change 24 being adopted.	Auckland Regional Council
78/1	<p>A second look at all the proposed changes, bearing in mind that</p> <ol style="list-style-type: none"> <li>1) Earth displaced poses even more serious problems.</li> <li>2) The area/slope formula (better in some ways) can lead to increased volumes</li> <li>3) That early scrutiny of building location and design could help minimise earthwork (and cost)</li> </ol>	Donald Leigh Chapple
79/1	Provide for all farm tracks /roading to be a permitted activity subject to reasonable erosion and sediment control.	Martin Philip Mitchener
79/2	That all new public roading be a permitted activity, together with all realignment of existing roading.	*
80/1	Provide for the digging of new drains - making of new fence lines and maintenance of farm tracks.	Charles George Blackwell
80/2	That farmers be exempt from these earthwork controls.	*
81/1	Council accepts the proposed Plan Change 24.	Lance Dixon and Isabel Fordham
82/1	Further public consultation.	Valerie E. White