

Policies WH.P29 and P.P27: Management of earthworks sites	
Amendments proposed by C Foster for Meridian:	Ms Vivian's rebuttal further amendments:
<p>The risk-adverse effects of sediment discharges from earthworks shall be managed by:</p> <p>(a) requiring retention of uncontrolled soil and sediment on the land using good management practices for erosion and sediment control measures that are appropriate to the scale and nature of the activity.</p> <p>(e) minimising works required during the close-down period (from 1st June to 30th September each year). —ensuring appropriate management and mitigation measures are in place to manage earthworks during heavy and prolonged rainfall events, including during the period 1st June to 30th September each year.</p>	<p>The risk-adverse effects of sediment discharges from earthworks shall be managed by:</p> <p>(a) requiring maximising retention of uncontrolled disturbed soil and sediment on the land using good management practices for erosion and sediment control measures that are appropriate to the scale and nature of the activity.</p> <p>(b) limiting, to the extent practicable, the amount of land disturbed at any time, and</p> <p>(c) designing and implementing earthworks with knowledge of the existing environmental site constraints, specific engineering requirements and implementation of controls to limit the discharge of sediment to receiving environments, and</p> <p>(d) requiring erosion and sediment control measures to be installed prior to, and during earthworks and ensuring those controls remain in place and are maintained until the land is stabilised against erosion.; and</p> <p>(e) minimising works required during the close-down period (from 1st June to 30th September each year</p>

Rules WH.R24 and P.R23: Earthworks – Restricted Discretionary Activity

Amendments proposed by C Foster for Meridian:

Earthworks and the associated discharge of sediment and/or flocculant into a **surface water body** or coastal water, or onto or into land where it may enter a **surface water body** or coastal water, including via a **stormwater network**, that does not comply with Rule [WH.R23/P.R22] is a restricted discretionary activity, provided the following conditions are met:

- (a) the ~~water quality concentration of total suspended solids~~ in the discharge from the **earthworks** shall not exceed ~~.,and~~
- (b) ~~earthworks shall not occur between 1st June and 30th September in any year where works are located within a Part Freshwater Management Unit where the target attribute state for suspended fine sediment in Table 9.2 is not met.~~

Matters for discretion

1. The location, area, scale, volume, duration and staging and timing of works
2. The design and suitability of erosion of sediment control measures including consideration of hazard mitigation and the risk of accelerated soil erosion associated the staging of works and progressive stabilisation
3. The placement and treatment of stockpiled materials on the site, including requirements to remove material if it is not to be reused on the site
- ~~4. The proportion of unstabilised land in the catchment~~
4. The adequacy and efficiency of stabilisation devices for sediment control

Ms Vivian’s rebuttal further amendments:

Earthworks and the associated discharge of sediment and/or flocculant into a **surface water body** or coastal water, or onto or into land where it may enter a **surface water body** or coastal water, including via a **stormwater network**, that does not comply with Rule [WH.R23 or WH.R23A or P.R22 or P.R22A] ~~[WH.R23/P.R22]~~ is a restricted discretionary activity, provided the following conditions are met:

- (a) the ~~water quality concentration of total suspended solids~~ in the discharge from the **earthworks** shall not exceed ~~.,and~~
- (b) ~~except for those associated with quarrying and the use, development, operation, maintenance of renewable energy production,~~ **earthworks** shall not occur between 1st June and 30th September in any year ~~where works are located within a Part Freshwater Management Unit where the target attribute state for suspended fine sediment in Table 9.2 is not met.~~

Matters for discretion

1. The location, area, scale, volume, duration and staging and timing of works
2. The design and suitability of erosion of sediment control measures including consideration of hazard mitigation and the risk of accelerated soil erosion associated the staging of works and progressive stabilisation
3. The placement and treatment of stockpiled materials on the site, including requirements to remove material if it is not to be reused on the site
- ~~4. The proportion of unstabilised land in the catchment~~
4. The adequacy and efficiency of stabilisation devices for sediment control

Rules WH.R24 and P.R23: Earthworks – Restricted Discretionary Activity

Amendments proposed by C Foster for Meridian:

5. Where earthworks are proposed to occur between 1st June and 30th September in any year within a Part Freshwater Management Unit where the target attribute state for suspended fine sediment in Table 9.2 is not met:
- (i) the potential effects of discharges of sediment on suspended sediment concentrations in any surface water receiving environment; and
 - (ii) the need for restrictions on any earthworks activities during the period 1st June to 30th September to avoid or minimise adverse effects on surface water receiving environments; and
 - (iii) requirements for site preparation and mitigation measures in the period preceding 1st June to 30th September
6. Any adverse effects on:
- (i) groundwater, **surface water bodies** and their margins, particularly **surface water bodies** within sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (ecosystems and habitats with indigenous biodiversity), Schedule H (contact recreation and Māori customary use) or Schedule I (important trout fishery rivers and spawning waters)
 - (ii) **group drinking water supplies** and **community drinking water supplies**
 - (iii) **mauri**, water quality (including water quality in the coastal marine area), aquatic and marine ecosystem health, aquatic and riparian habitat quality, indigenous biodiversity values, **mahinga kai** and critical life cycle periods for indigenous aquatic species
 - (iv) the **natural character** of lakes, rivers, **natural wetlands** and their margins and the coastal environment

Ms Vivian’s rebuttal further amendments:

5. Any adverse effects on:
- (i) groundwater, **surface water bodies** and their margins, particularly **surface water bodies** within sites identified in Schedule A (outstanding water bodies), Schedule B (Ngā Taonga Nui a Kiwa), Schedule C (mana whenua), Schedule F (ecosystems and habitats with indigenous biodiversity), Schedule H (contact recreation and Māori customary use) or Schedule I (important trout fishery rivers and spawning waters)
 - (ii) **group drinking water supplies** and **community drinking water supplies**
 - (iii) **mauri**, water quality (including water quality in the coastal marine area), aquatic and marine ecosystem health, aquatic and riparian habitat quality, indigenous biodiversity values, **mahinga kai** and critical life cycle periods for indigenous aquatic species
 - (iv) the **natural character** of lakes, rivers, **natural wetlands** and their margins and the coastal environment

Rules WH.R24 and P.R23: Earthworks – Restricted Discretionary Activity	
Amendments proposed by C Foster for Meridian:	Ms Vivian’s rebuttal further amendments:
<p>(v) natural hazards, land stability, soil erosion, sedimentation and flood hazard management including the use of natural buffers</p> <p>7. <u>For earthworks associated with renewable electricity generation activities, the benefits to be derived from the use and development of renewable energy</u></p> <p>8. <u>Duration of the consent</u></p> <p>8. Preparation required for the close-down period (from 1st June to 30th September each year) and any maintenance activities required during this period</p> <p>9. <u>Monitoring and reporting requirements</u></p>	<p>(v) natural hazards, land stability, soil erosion, sedimentation and flood hazard management including the use of natural buffers</p> <p>6. <u>Duration of the consent</u></p> <p>7. <u>Preparation required for the close-down period (from 1st June to 30th September each year) and any maintenance activities required during this period</u></p> <p>8. <u>Monitoring and reporting requirements</u></p>

Rules WH.R23A and P.R22A: Minor earthworks associated with infrastructure (Permitted Activity)

Amendments proposed by C Foster for Meridian:	Ms Vivian’s rebuttal further amendments:
<p><u>Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, associated with:</u></p> <ul style="list-style-type: none"> (a) <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and</u> (b) <u>(b) the construction, repair, upgrade or maintenance of:</u> <ul style="list-style-type: none"> (i) <u>pipelines, and</u> (ii) <u>electricity lines and their support structures, including the National Grid, and</u> (iii) <u>telecommunication structures or lines, and</u> (iv) <u>radio communication structures, and</u> (v) <u>firebreaks or fence lines, and</u> (vi) a bore or geotechnical investigation bore, and (c) <u>repair or maintenance of existing roads and tracks, and airfield runways, taxiways, and parking aprons for aircraft;</u> <p><u>is a permitted activity provided the following conditions are met:</u></p> <ul style="list-style-type: none"> (a) the earthworks shall not occur within 5m of a surface water body or the coastal marine area, and (b) soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and (c) the area of earthworks must be stabilised within six months after completion of the earthworks, and (d) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a surface water body or the coastal marine area, including 	<p><u>Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, associated with:</u></p> <ul style="list-style-type: none"> (a) <u>thrusting, boring, trenching or mole ploughing associated with cable or pipe laying and maintenance, and or</u> (b) <u>(b) the construction, repair, upgrade or maintenance of:</u> <ul style="list-style-type: none"> (i) <u>pipelines, and</u> (ii) <u>electricity lines and their support structures, including the National Grid, and</u> (iii) <u>telecommunication structures or lines, and</u> (iv) <u>radio communication structures, and</u> (v) <u>firebreaks or fence lines, and or</u> (c) <u>repair or maintenance of existing roads and tracks, and airfield runways, taxiways, and parking aprons for aircraft, or</u> (d) <u>repair, sealing or resealing of a road, footpath, driveway</u> <u>is a permitted activity provided the following conditions are met:</u> <ul style="list-style-type: none"> (a) (a) <u>the earthworks shall not occur within 5m of a surface water body or the coastal marine area, and</u> (b) (b) <u>soil or debris from earthworks is not placed where it can enter a surface water body or the coastal marine area, including via a stormwater network, and</u> (c) (c) <u>the area of earthworks must be stabilised within six months after completion of the earthworks, and</u> (d) there is no discharge of sediment from earthworks and/or flocculant into a surface water body, the coastal marine area, or

Rules WH.R23A and P.R22A: Minor earthworks associated with infrastructure (Permitted Activity)	
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<p>via a stormwater network, and erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</p> <p>(e)–</p> <p>(f) (a) erosion and sediment control measures shall be used to prevent, to the extent practicable, and otherwise minimise the discharge of sediment and debris from earthworks and/or flocculant into a surface water body, the coastal marine area, or onto land that may enter a surface water body or the coastal marine area, including via a stormwater network.</p>	<p>onto land that may enter a surface water body or the coastal marine area, including via a stormwater network, and</p> <p>(d) erosion and sediment control measures shall be used to prevent a discharge of sediment where a preferential flow path connects with a surface water body or the coastal marine area, including via a stormwater network.</p>