

Part 3

Domains and topics

Topics

General matters

EW – Earthworks

Objectives

EW-O1 Earthworks, land disturbance and vegetation clearance [RP, DP]

Earthworks, land disturbance and vegetation clearance are undertaken in a manner that facilitates anticipated use and development, while:

1. conserving soil;
2. assisting in the achievement of objectives for the water quality, life-supporting capacity and natural character of freshwater bodies, and their riparian margins, and the CMA – Coastal marine area and coastal margins in Whakatū Nelson;
3. not exacerbating significant risks from natural hazards, including the effects of climate change; and
4. ensuring the stability, safety and amenity of surrounding land, buildings and structures.

Policies

EW-P1 Enabling earthworks, land disturbance and vegetation clearance [RP, DP]

Enable earthworks, land disturbance and vegetation clearance that provides for the social, economic and cultural well-being of Whakatū Nelson's residents, while avoiding and otherwise mitigating or remedying adverse effects on:

1. soil retention;
2. the erosion potential of land;
3. the mobilisation of sediment in water to freshwater and coastal water;
4. the life-supporting capacity and ecosystem health of freshwater bodies and the CMA – Coastal marine area;
5. flooding and coastal erosion hazards;
6. the stability and safety of surrounding land, buildings and structures; and
7. the character and amenity values of neighbouring properties and of the environment within which the proposed activity would be situated.

EW-P2 Minimising risks associated with earthworks [RP, DP]

Minimise the risk of instability, silt and sediment run-off, the transport of sediment to fresh and coastal water and the creation of nuisances affecting the surrounding environment, associated with earthworks, by:

1. managing the nature, scale, duration, staging, timing and location of the activity;
2. using best practicable options for erosion and sediment control;
3. ensuring excavated, filled and bare areas are stabilised during the course of works or as soon as practicable after completion; and
4. limiting earthworks within close proximity to freshwater bodies and the CMA – Coastal marine area.

EW-P3 Minimising risks associated with land disturbance [RP, DP]

Minimise the risk of accelerated soil erosion, silt and sediment run-off, and the transport of sediment to fresh and coastal water, associated with land disturbance, by:

1. encouraging good land management practices;
2. providing for low impact forms of cultivation; and
3. limiting land disturbance within close proximity to freshwater bodies and the CMA – Coastal marine area.

EW-P4 Minimising risks associated with vegetation clearance [RP, DP]

Minimise the risks of accelerated soil erosion, silt and sediment run-off, and the transport of sediment to fresh and coastal water associated with vegetation clearance by:

1. limiting vegetation clearance within close proximity to freshwater bodies and the CMA – Coastal marine area; and
2. ensuring debris does not enter freshwater bodies or the CMA – Coastal marine area.

Rules

Rule interpretation and application

EW-R1 [RP, DP]

The rules that apply to earthworks, land disturbance and vegetation activities are contained in the activity status table as follows:

1. earthworks rules in EW-R8 to EW-R12; and
2. land disturbance rules in EW-R13; and
3. vegetation clearance rules in EW-R14.

EW-R2 [RP, DP]

EW-R8 to EW-R12 **do not apply** to earthworks associated with the repair or maintenance of network utilities or service connections (refer to the definition for 'earthworks').

EW-R3 [RP, DP]

For all earthworks, with the exception of those provided for in EW-10, either EW-R8 or EW-R9 will **apply**, depending on the zone within which the activity is located. Either EW-R8 or EW-R9 **apply** where EW-R10 **applies**. EW-R12 may also **apply** where EW-10 **applies**. Either EW-R8 or EW-R9 will also **apply** where EW-R11, or EW-R12, **apply**.

EW-R4 [RP, DP]

EW-R13 **does not apply** to disturbance activities in the beds or surface water bodies or in the CMA – Coastal marine area.

EW-R5 [RP, DP]

EW-R14 **does not apply** to vegetation clearance activities in the beds or surface water bodies or in the CMA – Coastal marine area.

EW-R6 [RP, DP]

The activity status tables and standards in the following chapters **also apply** to earthworks and vegetation clearance activities:

1. NH – Natural hazards; and
2. NFL – Natural features and landscapes; and
3. NCFLC – Natural character, features and landscapes in the coastal environment; and
4. ECO – Ecosystems and indigenous biodiversity; and
5. NOSZ – Natural open space zone; and
6. LF – Land and freshwater

EW-R7 [RP, DP]

All earthworks associated with plantation forestry activities are regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

Activity status

Rule	Use/Activity
EW-R8	Earthworks in a RESZ – Residential zone, NCZ – Neighbourhood centre zone, or LCZ – Local centre zone
EW-R9	Earthworks in a zone not provided for in EW-R8
EW-R10	Earthworks associated with the installation of network utilities
EW-R11	Earthworks associated with road construction
EW-R12	Earthworks within the National Grid Yard
EW-R13	Land disturbance
EW-R14	Vegetation clearance

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
<p>EW-R8</p> <p>Earthworks in a:</p> <p>RESZ – Residential zone,</p> <p>NCZ – Neighbourhood centre zone,</p> <p>or</p> <p>LCZ – Local centre zone</p> <p>[RP, DP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Earthworks in a RESZ – Residential zone, NCZ – Neighbourhood centre zone, or LCZ – Local centre zone are a permitted activity provided that:</p> <p>a. the cumulative total extent of any earthworks per site associated with a given project in a consecutive 12 month period is:</p> <p>i. less than 750m² in area; or</p> <p>ii. less than 250m³ in</p>	<p>2. Not applicable.</p>	<p>3. Earthworks in a RESZ – Residential zone, NCZ – Neighbourhood centre zone, or LCZ – Local centre zone that contravene EW-R8.1.a., EW-R8.1.b., EW-R8.1.c., EW-R8.1.d., EW-R8.1.e. and EW-R8.1.f. are a restricted discretionary activity.</p> <p>For earthworks contravening EW-R8.1.a., EW-R8.1.b., EW-R8.1.c. and EW-R8.1.d. discretion is restricted to:</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>volume; and</p> <p>b. the cumulative total extent of any earthworks associated with a given project per site, that is not for the construction of culverts, do not exceed 5m² in area or 5m³ in volume in a consecutive 12 month period:</p> <p>i. within 20 metres of the CMA – Coastal marine area; or</p> <p>ii. within 20 metres of the banks of any part of a river or stream identified as an Īnanga spawning area on the Nelson Plan Maps, during the Īnanga spawning period 1 January to 31 July; or</p> <p>iii. within 20 metres of any natural</p>		<p>a. the loss or movement of soil; and</p> <p>b. the design and suitability of erosion and sediment control measures; and</p> <p>c. adverse effects on overland flow paths; and</p> <p>d. adverse effects on drainage and groundwater flows; and</p> <p>e. the design and suitability of dust mitigation measures; and</p> <p>f. staging of the works in areas to be disturbed; and</p> <p>g. timing and duration of the works; and</p> <p>h. visual effects, including significant changes to any natural landform; and</p> <p>i. adverse effects associated with noise, vibration, odour, or dust on the character and amenity values of:</p> <p>i. any</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>wetland; or</p> <p>iv. within 10 metres of the banks of any part of a river or stream identified as an Inanga spawning area on the Nelson Plan Maps, outside the Inanga spawning period 1 January to 31 July; or</p> <p>v. within 10 metres of the banks of any part of a river or stream not identified as an Inanga spawning area on the Nelson Plan Maps, at any time; and</p> <p>c. all areas of bare soil, including stockpiles, are managed to minimise sediment run-off or discharges of dust:</p> <p>i. through the installation of erosion and sediment</p>		<p>neighbouring properties; and</p> <p>ii. any RESZ – Residential zone within which the activity is situated (if relevant); and</p> <p>iii. any adjoining RESZ – Residential zone (if relevant); and</p> <p>j. proximity of the works to and setbacks from surface water bodies or the CMA – Coastal marine area; and</p> <p>k. adverse effects of sediment discharges on:</p> <p>i. the values of any surface water body identified in APP27 – Freshwater values, APP28 – Freshwater values by freshwater management units (FMUs), and APP25 – Esplanade</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>control measures prior to the commencement of works, and the maintenance of those measures during the course of works and until bare soils are stabilised; and</p> <p>ii. by being covered or dampened during the course of the works; and</p> <p>iii. by being stabilised, as soon as practicable, but no later than 20 working days after the completion of the works; and</p> <p>d. any associated discharges of stormwater, to the CMA – Coastal marine area or to a surface water body, either directly or via the</p>		<p>requirements; and</p> <p>ii. any ūnanga spawning areas identified on the Nelson Plan Maps; and</p> <p>iii. coastal indigenous biodiversity habitats or indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>iv. values of significance to tūngata whenua, including effects on customary access.</p> <p>For earthworks contravening EW-R8.1.e. discretion is restricted to:</p> <p>i. adverse effects on the stability and safety of</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>stormwater network, do not contain suspended sediments that will result in any of the limits in APP33 – Water quality limits and APP14 – Marine water quality standards being breached; and</p> <p>e. the maximum height or depth of any excavation or filling does not exceed 1.2 metres, and:</p> <p>i. any excavation or fill of more than 1.2 metres and not exceeding 3 metres in height or depth is immediately retained by a building or structure authorised by a building consent; and</p> <p>ii. the depth of any excavation adjacent to a site boundary</p>		<p>surrounding land, buildings, infrastructure and structures; and</p> <p>m. the design and suitability of measures to stabilise excavations or filled areas; and</p> <p>n. adverse effects on overland flow paths; and</p> <p>o. adverse effects on drainage and groundwater flow; and</p> <p>p. staging of the works in areas to be disturbed; and</p> <p>q. timing and duration of the works; and</p> <p>r. visual effects, including significant changes to any natural landform.</p> <p>For earthworks contravening EW-R8.1.f. discretion is restricted to:</p> <p>s. adverse effects on overland flow paths; and</p> <p>t. adverse effects on drainage and groundwater</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>does not exceed the distance from that boundary measured on a horizontal plane; and</p> <p>f. all formation surfaces with an inward cross fall are drained by a water table and cut-offs or culverts are formed or installed to prevent erosion of the formed surfaces; and</p> <p>g. any material used for fill is cleanfill material.</p>		<p>flows.</p> <p>4. Earthworks in a RESZ – Residential zone, NCZ – Neighbourhood centre zone, or LCZ – Local centre zone that contravene EW-R8.1.g. are a discretionary activity.</p>
<p>EW-R9</p> <p>Earthworks in a zone not provided for in EW-R8</p> <p>[RP, DP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Earthworks in a zone not provided for in EW-R8 are a permitted activity provided that:</p> <p>a. the cumulative total extent of any earthworks associated with a given project per site in a consecutive 12 month period is:</p> <p>i. less than 2000m² in area; or</p> <p>ii. less than 500m³ in</p>	<p>2. Not applicable.</p>	<p>3. Earthworks in a zone not provided for in EW-R8 that contravene EW-R9.1.a., EW-R9.1.b., EW-R9.1.c., EW-R9.1.d., EW-R9.1.e. and EW-R9.1.f. are a restricted discretionary activity.</p> <p>For earthworks contravening EW-R9.1.a., EW-R9.1.b., EW-R9.1.c. and EW-R9.1.d. discretion is</p>

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	<p>volume; and</p> <p>b. the cumulative total extent of any earthworks associated with a given project per site, that is not for the construction of culverts, do not exceed 5m² in area or 5m³ in volume in a consecutive 12 month period:</p> <p>i. within 20 metres of the CMA – Coastal marine area; or</p> <p>ii. within 20 metres of the banks of any part of a river or stream identified as an Īnanga spawning area on the Nelson Plan Maps, during the Īnanga spawning period 1 January to 31 July; or</p> <p>iii. within 20 metres of any natural wetland; or</p>		<p>restricted to:</p> <p>a. the loss or movement of soil; and</p> <p>b. the design and suitability of erosion and sediment control measures; and</p> <p>c. adverse effects on overland flow paths; and</p> <p>d. adverse effects on drainage and groundwater flows; and</p> <p>e. the design and suitability of dust mitigation measures; and</p> <p>f. staging of the works in areas to be disturbed; and</p> <p>g. timing and duration of the works; and</p> <p>h. visual effects, including significant changes to any natural landform; and</p> <p>i. adverse effects associated with noise, vibration, odour, or dust on the character and amenity</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<ul style="list-style-type: none"> iv. within 10 metres of the banks of any part of a river or stream identified as an īnanga spawning area on the Nelson Plan Maps, outside the īnanga spawning period 1 January to 31 July; or v. within 10 metres of the banks of any part of a river or stream not identified as an īnanga spawning area on the Nelson Plan Maps, at any time; and c. all areas of bare soil, including stockpiles, are managed to minimise sediment run-off or discharges of dust: <ul style="list-style-type: none"> i. through the installation of erosion and sediment control measures 		<ul style="list-style-type: none"> values of: <ul style="list-style-type: none"> i. any neighbouring properties; and ii. any adjoining RESZ – Residential zone (if relevant); and j. proximity of the works to and setbacks from surface water bodies or the CMA – Coastal marine area; and k. adverse effects of sediment discharges on: <ul style="list-style-type: none"> i. the values of any surface water body identified in APP27 – Freshwater values, APP28 – Freshwater values by freshwater management units (FMUs), and APP25 – Esplanade requirements; and ii. any īnanga spawning areas

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	<p>prior to the commencement of works, and the maintenance of those measures during the course of works and until bare soils are stabilised; and</p> <p>ii. by being covered or dampened during the course of the works; and</p> <p>iii. by being stabilised, as soon as practicable, but no later than 20 working days after the completion of the works; and</p> <p>d. any associated discharges of stormwater, to the CMA – Coastal marine area or to a surface water body, either directly or via the stormwater network, do not</p>		<p>identified on the Nelson Plan Maps; and</p> <p>iii. coastal indigenous biodiversity habitats or indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>iv. values of significance to tāngata whenua, including effects on customary access; and</p> <p>v. the special landscape values associated with the Maitahi/Mahitahi/Maitai River Valley identified in APP38 – Special landscape values</p>

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	<p>contain suspended sediments that will result in any of the limits in APP33 – Water quality limits and APP14 – Marine water quality standards being breached; and</p> <p>e. the maximum height or depth of any excavation or filling does not exceed 1.2 metres, and:</p> <p>i. any excavation or fill of more than 1.2 metres and not exceeding 3 metres in height or depth is immediately retained by a building or structure authorised by a building consent; and</p> <p>ii. the depth of any excavation adjacent to a site boundary does not exceed the</p>		<p>associated with the Maitahi/Mahitahi/Maitai River Valley and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>vi. natural character and natural features and landscapes in the Coastal environment overlay that are also in the GRZ – General rural zone or NOSZ - Natural open space zone, and not within the Outstanding coastal natural character overlay or the Outstanding natural features and landscapes</p>

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	<p>distance from that boundary measured on a horizontal plane; and</p> <p>f. all formation surfaces with an inward cross fall are drained by a water table and cut-offs or culverts are formed or installed to prevent erosion of the formed surfaces; and</p> <p>g. any material used for fill is cleanfill material.</p>		<p>overlay.</p> <p>For earthworks contravening EW-R9.1.e. discretion is restricted to:</p> <p>l. adverse effects on the stability and safety of surrounding land, buildings, infrastructure and structures; and</p> <p>m. the design and suitability of measures to stabilise excavations or filled areas; and</p> <p>n. adverse effects on overland flow paths; and</p> <p>o. adverse effects on drainage and groundwater flows; and</p> <p>p. staging of the works in areas to be disturbed; and</p> <p>q. timing and duration of the works; and</p> <p>r. visual effects, including significant changes to any natural landform; and</p> <p>s. the special</p>

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			<p>landscape values associated with the Maitahi/Mahitahi/Maitai River Valley identified in APP38 – Special landscape values associated with the Maitahi/Mahitahi/Maitai River Valley and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>t. natural character and natural features and landscapes in the Coastal environment overlay that are also in the GRZ – General rural zone or NOSZ - Natural open space zone, and not within the Outstanding coastal natural character overlay or the Outstanding natural features and landscapes</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>overlay.</p> <p>For earthworks contravening EW-R9.1.f. discretion is restricted to:</p> <ul style="list-style-type: none"> u. adverse effects on overland flow paths; and v. adverse effects on drainage and groundwater flow. <p>4. Earthworks in a zone not provided for in EW-R8 that contravene EW-R9.1.g. are a discretionary activity.</p>
<p>EW-R10</p> <p>Earthworks associated with the installation of network utilities</p> <p>[RP, DP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Earthworks associated with the installation of network utilities are a permitted activity provided that:</p> <ul style="list-style-type: none"> a. any trenches formed for the installation of network utilities: <ul style="list-style-type: none"> i. are backfilled and compacted within 10 working days of the completion of the work to which the 	<p>2. Not applicable.</p>	<p>3. Earthworks associated with the installation of network utilities that contravene EW-R10.1.a., EW-R10.1.b., EW-R10.1.c., EW-R10.1.d. and EW-R10.1.e. are a restricted discretionary activity.</p> <p>For earthworks contravening EW-R10.1.a. or EW-R10.1.b. discretion is restricted to:</p> <ul style="list-style-type: none"> a. the relevant matters within

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	<p>installation relates; and</p> <p>ii. are stabilised, as soon as practicable, but no later than 20 working days after the completion of the works; and</p> <p>b. all earthworks in the road reserve or public reserves comply with the following mandatory requirements of the Nelson Tasman Land Development Manual 2019:</p> <p>i. Chapter 8 Earthworks, Trenching and Reinstatement Management</p> <p>A. Design 8.3.1 – 8.3.2; and</p> <p>B. Construction 8.4.1 – 8.4.8.4; and</p> <p>C. Excavation 8.5.1 – 8.5.3.2; and</p> <p>D. Subsoil</p>		<p>Chapter 8 Earthworks, Trenching and Reinstatement Management of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes; and</p> <p>b. adverse effects on the stability and safety of surrounding land, buildings, infrastructure and structures; and</p> <p>c. the design and suitability of measures to stabilise excavations or filled areas; and</p> <p>d. adverse effects on overland flow paths; and</p> <p>e. adverse effects on drainage and groundwater flows; and</p> <p>f. staging of the works in areas to be disturbed; and</p> <p>g. timing and duration of the works.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>Drainage 8.6.1 – 8.6.1.12; and</p> <p>c. all formation surfaces with an inward cross fall are drained by a water table and cut-offs or culverts are formed or installed to prevent erosion of the formed surfaces; and</p> <p>d. all areas of bare soil, including stockpiles, are managed to minimise sediment run-off or discharges of dust:</p> <p>i. through the installation of erosion and sediment control measures prior to the commencement of works, and the maintenance of those measures during the course of works and until bare soils</p>		<p>For earthworks contravening EW-R10.1.c. discretion is restricted to:</p> <p>h. adverse effects on overland flow paths; and</p> <p>i. adverse effects on drainage and groundwater flows.</p> <p>For earthworks contravening EW-R10.1.d. or EW-R10.1.e. discretion is restricted to:</p> <p>j. proximity of the works to and setbacks from surface water bodies or the CMA – Coastal marine area; and</p> <p>k. adverse effects of sediment discharges on:</p> <p>i. the values of any surface water body identified in APP27 – Freshwater values, APP28 – Freshwater values by FMU, and APP25 – Esplanade requirements;</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>are stabilised; and</p> <p>ii. by being covered or dampened during the course of the works; and</p> <p>iii. by being stabilised, as soon as practicable, but no later than 20 working days after the completion of the works; and</p> <p>e. any associated discharges of stormwater, to the CMA – Coastal marine area or to a surface water body, either directly or via the stormwater network, do not contain suspended sediments that will result in any of the limits in APP33 – Water quality limits or the standards in APP14 – Marine water quality standards being</p>		<p>and</p> <p>ii. any ūnanga spawning areas identified on the Nelson Plan Maps.</p> <p>4. Earthworks associated with the installation of network utilities that contravene EW-R10.1.f. are a discretionary activity.</p>

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	<p>breached; and</p> <p>f. any material used for fill is cleanfill material.</p>		
<p>EW-R11</p> <p>Earthworks associated with road construction</p> <p>[RP, DP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Earthworks associated with road construction are a permitted activity provided that they comply with the mandatory requirements of Sections 4.16.1 to 4.16.4 within Chapter 4 Construction General in the Nelson Tasman Land Development Manual 2019.</p>	<p>2. Not applicable.</p>	<p>3. Earthworks associated with road construction that contravene EW-R11.1. are a restricted discretionary activity.</p> <p>For earthworks contravening EW-R11.1. discretion is restricted to:</p> <p>a. the relevant matters within Chapter 4 (Construction General) of the Nelson Tasman Land Development Manual 2019 including the stated performance outcomes.</p>
<p>EW-R12</p> <p>Earthworks within the National Grid Yard</p> <p>[RP, DP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Earthworks within the National Grid Yard are a permitted activity provided that:</p> <p>a. they are no deeper than 300mm when located within 12 metres of any</p>	<p>2. Not applicable.</p>	<p>3. Earthworks within the National Grid Yard that contravene EW-R12.1. are a restricted discretionary activity.</p> <p>Discretion is restricted to:</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>National Grid support structure foundation; and</p> <p>b. they do not compromise the stability of a National Grid support structure; and</p> <p>c. they will not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001; and</p> <p>d. it does not apply to:</p> <p>i. earthworks for a network utility within a road reserve, undertaken as part of an electricity transmission activity, or for electricity infrastructure; or</p> <p>ii. vertical holes not exceeding 500mm in diameter, provided they are located</p>		<p>a. impacts on the operation, maintenance, upgrade and development of the National Grid; and</p> <p>b. compliance with NZECP34:2001; and</p> <p>c. technical details of the characteristics and risks on and from the National Grid infrastructure; and</p> <p>d. the risk to the structural integrity of the National Grid; and</p> <p>e. any impact of the ability of the National Grid owner to access the National Grid; and</p> <p>f. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>more than 1.5 metres from the outer edge of a pole support structure or stay wire, or are a post hole for a fence or horticulture structure and are located more than 5 metres from the visible outer edge of a tower support structure foundation.</p>		
<p>EW-R13 Land disturbance [RP, DP] Legal effect on notification: Yes</p>	<p>1. Land disturbance is a permitted activity provided that:</p> <p>a. it does not occur:</p> <ul style="list-style-type: none"> i. within 20 metres of the CMA – Coastal marine area; or ii. within 20 metres of any natural wetland; or iii. within 20 metres of the banks of any part of a river 	<p>2. Not applicable.</p>	<p>3. Land disturbance that contravenes EW-R13.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the loss or movement of soil; and b. the design and suitability of erosion and sediment control measures; and c. staging of the activity in areas to be disturbed;

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	<p>or stream identified as an Īnanga spawning area on the Nelson Plan Maps, during the Īnanga spawning period 1 January to 31 July; or</p> <p>iv. within 10 metres of the banks of any part of a river or stream identified as an Īnanga spawning area on the Nelson Plan Maps, outside the Īnanga spawning period 1 January to 31 July; or</p> <p>v. within 10 metres of the banks of any part of a river or stream not identified as an Īnanga spawning area on the Nelson Plan Maps, at any time; and:</p> <p>b. if it involves</p>		<p>and</p> <p>d. timing and duration of the disturbance; and</p> <p>e. techniques for minimising disturbance (such as minimum tillage); and</p> <p>f. proximity of the disturbance to and setbacks from surface water bodies or the CMA – Coastal marine area; and</p> <p>g. adverse effects of sediment discharges on:</p> <p>i. the values of any surface water body identified in APP27 – Freshwater values, APP28 – Freshwater values by FMU, and APP25 – Esplanade requirements; and</p> <p>ii. any Īnanga spawning areas identified on</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
	<p>cultivation, it is undertaken along the contour of the land; and</p> <p>c. any associated discharges of stormwater, to the CMA – Coastal marine area or to a surface water body, either directly or via the stormwater network, do not contain suspended sediments that will result in any of the limits in APP33 – Water quality limits or the standards in APP14 – Marine water quality standards being breached.</p>		<p>the Nelson Plan Maps; and</p> <p>iii. coastal indigenous biodiversity habitats or indicative vulnerable species identified in APP13 – Coastal indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>iv. values of significance to tāngata whenua, including effects on customary access; and</p> <p>h. the risk of adverse effects associated with natural hazards including coastal hazards and the impact the disturbance may have in exacerbating the hazard or increasing or prolonging the need for hazard</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			protection structures.
<p>EW-R14</p> <p>Vegetation clearance</p> <p>[RP, DP]</p> <p>Legal effect on notification: Yes</p>	<p>1. Vegetation clearance is a permitted activity provided that:</p> <p>a. it does not occur:</p> <p>i. within 20 metres of the CMA – Coastal marine area; or</p> <p>ii. within 20 metres of any natural wetland; or</p> <p>iii. within 20 metres of the banks of any part of a river or stream identified as an Īnanga spawning area on the Nelson Plan Maps, during the Īnanga spawning period 1 January to 31 July; or</p> <p>iv. within 10 metres of the banks of any part of a river or stream identified as an Īnanga</p>	<p>2. Not applicable.</p>	<p>3. Vegetation clearance that contravenes EW-R14.1. is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>a. staging of the areas to be cleared; and</p> <p>b. timing and duration of clearance; and</p> <p>c. proximity of the clearance to and setbacks from surface water bodies or the CMA – Coastal marine area; and</p> <p>d. adverse effects on:</p> <p>i. amenity values of public open space, including esplanade reserves; and</p> <p>ii. the special landscape values associated with the Maitahi//Mahit</p>

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	<p>spawning area on the Nelson Plan Maps, outside the Īnanga spawning period 1 January to 31 July; or</p> <p>v. within 10 metres of the banks of any part of a river or stream not identified as an Īnanga spawning area on the Nelson Plan Maps, at any time; and</p> <p>vi. no plant debris resulting from vegetation clearance is placed where it can enter a surface water body or the CMA – Coastal marine area.</p>		<p>ahi/Maitai River Valley identified in APP38 – Special landscape values associated with the Maitahi/Mahitahi/Maitai River Valley and Tahunanui Beach identified in APP17 – Special landscape values associated with Tahunanui Beach; and</p> <p>iii. natural character and natural features and landscapes in the CE – Coastal environment that are also in the GRUZ – General rural zone or NOSZ – Natural open space zone, and not within the Outstanding coastal</p>

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			<p>natural character overlay or the Outstanding natural features and landscapes overlay; and</p> <p>iv. the values of any surface water body identified in APP27 – Freshwater values, APP28 – Freshwater values by FMU and APP25 – Esplanade requirements; and</p> <p>v. any Inanga spawning areas identified on the Nelson Plan Maps; and</p> <p>vi. coastal indigenous biodiversity habitats or indicative vulnerable species identified in APP13 – Coastal and marine</p>

Activity	Permitted	Controlled	Discretionary/ Non-complying/ Prohibited
			<p>indigenous biodiversity habitats and indicative vulnerable species; and</p> <p>vii. values of significance to tāngata whenua, including effects on customary access; and</p> <p>viii. the role of vegetation in mitigating natural hazards; and</p> <p>e. the extent to which vegetation removal or placement of debris will exacerbate any natural hazard, or prolong the need for hazard protection structures; and</p> <p>f. the potential to exacerbate soil loss or movement, or stream, river bank or coastal erosion.</p>