

Permitted Activity Assessment

1 Introduction

Consideration has been given as to whether any of the proposed works could rely on permitted activity provisions within the relevant plans. It has been determined that a number of components comply with the relevant permitted activity standards. By location, these components of the Project include:

Sutton Block Site:

- Lighting
- Noise (Mixed Rural zone area of the pit)
- Vibration (Mixed Rural zone area of the pit)
- Blasting (Mixed Rural zone area of the pit)
- Onsite offset:
 - Planting
 - Forest enhancement (pest-plant management)
 - Riparian planting

Hingaia Island Site:

- Offsite offset:
 - Planting

Tuakau Site:

- Offsite offset:
 - Riparian planting
 - Wetland habitat creation

In accordance with Schedule 5, clause 5(5)(a) of the Fast-track Approvals Act 2024 (FTAA), a permitted activity assessment under the relevant plans is provided for each of these sites.

2 Sutton Block

As stated above, the Project involves lighting, operational noise, and construction noise and vibration/blasting. A significant programme of ecological enhancement and restoration is also proposed to address the ecological effects of the project which cannot be avoided, remedied, or mitigated. The onsite ecological package includes a total of 57 ha of revegetation (involving planting of 887 relict trees) and 108 ha of native forest enhancement (involving pest-plant management).

As demonstrated below, these onsite activities are assessed as being permitted under the Auckland Unitary Plan – Operative in Part (AUP).

2.1 Auckland Unitary Plan

The zones and notations applying to the Site under the AUP are listed in Section ** of the AEE. The permitted activities that are relied upon as part of the Project are identified below in Table 2.1.

Table 2.1: Permitted activities under the Auckland Unitary Plan

Rule	Comment
E24 Lighting	
E24.4.1 (A1) – Activities that comply with all the relevant permitted activity standards	Artificial lighting will be required for the construction and operation of the proposed Sutton Block. Lighting category 3 applies to the SPQZ, but Standard E24.6.1 requires that where a development is located on a site which adjoins a different lighting category, the most sensitive classification will apply. The Sutton Block extent does not adjoin another category. However, the wider subject Site adjoins the 369 MacWhinney Drive, Drury (Lot 63 DP 374338) which is zoned Rural - Countryside Living Zone. Given the AUP defines a Site as relating to a parcel, the Sutton Block is subject to Lighting category 2. The activity has been assessed accordingly. (1) Lighting limits shall be measured and assessed in accordance with Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting. (2) All calculations for the purposes of compliance with these standards will be based on a maintenance factor of 1.0 (i.e. no depreciation). (3) As detailed above, lighting category 2 applies. (4) Measurements of illuminance will be consistent with this provision should any artificial lighting be unable to be turned off. (5) As detailed in Section 6.2.9 of the AEE 'Hours of operation', nighttime works are proposed. Both pre and post curfew standards will be complied with. (6) Illuminance at a boundary will be a maximum of 100 lux above the background level pre-curfew, and 10 lux above background level after curfew, when measured at the boundary of any adjacent site containing a lawfully established dwelling. (7) Outdoor artificial lighting operating between sunset and sunrise will not exceed 15 per cent (based on adaption luminance of 1 cd/m2) on any public road. (8) As stated in Section 6.5 of the AEE, placement and direction of lights will be designed to avoid high points which are visible outside of the Site. Light shields will also be used where necessary, and all lightings shall be down facing to minimise effects on the night sky. This approach is designed to ensure compliance with Table E24.6.1.5 Pre-curfew luminous intensity limits or Table E24.6.1.6 Curfew luminous intensity limits. (9) N/A- no building facades are proposed to be intentionally artificially lit. Accordingly, the proposed artificial lighting is a permitted activity under Rule E24.4.1 (A1). Compliance

Rule	Comment
	with this standard is also offered as a consent condition (Appendix H).
E25 Noise and vibration¹	
E25.4.1 (A1) Activities that comply with all the relevant permitted activity standards.	The construction works and operational phase of the Sutton Block located within the Mixed Rural Zoning area of the site will comply with the daytime and night-time noise limits at all receivers and relies upon the Permitted Activity standards. The area within the SPQZ is considered under the noise provisions of the SPQZ zone. A summary of the relevant standards and how they will be complied with is provided below. Specific management measures will form part of the Construction Noise and Vibration Management Plan (CNVMP) proposed as a condition of consent (Appendix I). E25.6.1. General standards (1) Noise shall be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply. (2) N/A (3) The noise from construction work shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise. (4) Emergency service sirens will not necessarily be limited to the permitted noise standards. (5) Where more than one standard applies that requires insulation of a noise-sensitive space from an external noise source, the standards must be applied cumulatively. (6) Where standards are provided for specific activities, the zone interface standards and the zone standards will not be applied to that activity. E25.6.27. Construction noise levels in all zones except the Business-City Centre Zone and the Business – Metropolitan Centre Zone (1) Noise from construction activities must not exceed the levels in Table E25.6.27.1. The construction works are proposed to be limited to weekdays and have been assessed to comply with these limits (refer to Section 4.3 of the Noise Report (Technical Report I)). (2) N/A (3) N/A (4) The proposed construction works will be for a duration of more than 20 weeks therefore a 5dB
E25.6.27 Activities that comply with all the relevant permitted activity standards.	

¹ Consent is sought for blasting activities in the SPQZ.

Rule	Comment
	decrease in construction noise limits set out in table E25.6.27.1 applies. As stated in Section 4.3 of the Noise Report (Technical Report I), construction works will comply with these lowered standards. E25.6.3. Noise levels in rural and future urban zones The quarry site is largely zoned Special Purpose – Quarry Zone in the AUP, with sections of the Year 40 and Year 50 LOQ quarry pits in Rural – Mixed Rural Zone. All neighbouring dwellings are in the Rural – Mixed Rural Zone. (1) As detailed in the Assessment of Noise Effects (Technical Report I, Volume 2), the predicted noise levels will comply with Table E25.6.3.1. (2) N/A – the zoning is not applicable to the works. (3) N/A – the works do not fall under this exception. We note that the same noise limits apply to quarrying within the Special Purpose – Quarry Zone. E25.6.5. Noise levels in the Business – Heavy Industry Zone or the Business – Light Industry Zone The properties immediately to the west of the site are zoned Light and Heavy Industry. (1) As detailed in the Assessment of Noise Effects (Technical Report I, Volume 2), the predicted noise levels will comply with Table E25.6.5.1. E25.6.30. Vibration Temporary vibration effects may occur from plant and vehicle movements during Stage 1 – which is the initial construction stages of the Sutton Block. (1) The site establishment/construction works will comply with the limits set out in DIN 4150-3 (1999) and Table E25.6.30.1 will be complied with. (2) Will comply with Table E25.6.30.2. (3) N/A – works are not proposed within existing formal roads. A consent condition is proposed requiring compliance with these noise standards (refer to Appendix I). Overall, the proposed noise and vibration associated with Stage 1 infrastructure establishment activities are permitted under E25.4.1 (A1). E25.6.31 Blasting (1) The noise created by the use of explosives for any blasting activity measured at the boundary of the site on which the explosives are used must not exceed a peak sound pressure of 120 dB (L_{zpeak}). (2) The noise created by the use of explosives for construction activities must not exceed a peak sound pressure of 120dBC measured 1m from the façade of any occupied building.
E15 Vegetation management and biodiversity	

Rule	Comment
E15.4.1 (A6) – Pest plant removal in all zones outside the Rural Urban Boundary and all riparian and coastal areas	The proposed ecological package includes a total of 62 ha of revegetation and 108 hectares of native forest enhancement on-site. Specifically, planting of 887 relict trees to replace the 130 large relict trees is proposed. The onsite pest management includes pre-planting weed control that may involve the removal of pest plants. While most of the proposed planting is intended to provide connectivity between existing SEAs some planting may be located within these overlays. Planting is also proposed within the ONL to the north of the site. Pest plant removal may occur in both SEAs and ONLs. Accordingly, an assessment against the relevant standards is provided below. E15.6.3. Conservation planting (1) The proposed planting in SEAs is for the purpose of ecological restoration. (2) Planting within ONLs, shall be indigenous species for the purpose of both ecological restoration and landscape restoration purposes (once the Northern Bund is removed). There are no specified rules for pest plants. Accordingly, the proposed planting and pest plant management within SAL Landholdings is a permitted activity under Rules E15.4.1 (A6) and (A7), as well as E15.4.2 (A36) and (A37).
E15.4.1 (A7) – Conservation planting in all zones outside the Rural Urban Boundary and all riparian and coastal areas	
E15.4.2 (A36) – Pest plant removal within an Significant Ecological Area – Terrestrial (SEA) and Outstanding Natural Landscape (ONL)	
E15.4.2 (A37) – Conservation planting within an SEA and ONL	
H19 Rural zones	
H19.8.1 (A15) – Conservation planting in the Mixed Rural Zone and Rural Production Zone	Refer above with regard to the conservation planting proposed. No applicable standards were identified. Overall, the proposed planting is a permitted activity under Rule H19.8.1 (A15).
H28 Special Purpose – Quarry Zone	
H28.4.1 (A3) – Conservation planting	Refer above with regard to the conservation planting proposed. No applicable standards were identified in Chapter H28 Special Purpose – Quarry Zone. Overall, the proposed planting is a permitted activity under H28.4.1 (A3).

The assessment above considers that the onsite activities specified above, are permitted under the relevant provisions of the Auckland Unitary Plan.

3 Hingaia Island offset site

The overall ecological offset measures also include planting at Ngā Motu o Hingaia Island within the Pahurehure Inlet of the Manukau Harbour (Hingaia Island Site). Specifically, a total of 5 ha of Kanuka Scrub/Forest (VS2) and ten groups of Totara Trees (a total of 113 trees) are to be planted at Hingaia Island. The planting of totara trees is to replace the loss of mature Totara trees proposed to be

removed as part of the Sutton Block development. The proposed planting is limited to the middle of the three islands.

This activity is assessed as being a permitted activity under the AUP as demonstrated below.

3.1 Auckland Unitary Plan

The general zoning and planning limitations that apply to the site under the AUP are set out in Table 3.1 below. The permitted activities are identified below in Table 3.2.

Table 3.1: Zoning and planning notations

Zoning / Overlay or other planning limitation	Comment
Open Space – Conservation Zone	Applies to the majority of Hingaia Island and the extent of proposed planting.
Coastal – Coastal Transition Zone	Applies to the middle of Hingaia Island on its western perimeter, outside the area of proposed planting.
Significant Ecological Areas Overlay - SEA-M2-29w1, Significant wading bird area, Marine 2	Primarily applies in the Coastal Marine Area surrounding Hingaia Island, outside the proposed planting.
Significant Ecological Areas Overlay - SEA-M2-29a, Marine 2	Primarily applies in the Coastal Marine Area surrounding Hingaia Island, outside the proposed planting.
High-Use Stream Management Areas Overlay	Applies to most of Hingaia Island, excluding the western-most extent.
Sites and Places of Significance to Mana Whenua Overlay [rcp/dp] - 100, Te Pou a Rangiwhiwhi, 1	Applies to the entire extent of Hingaia Island.
Coastal Inundation 1 per cent AEP Plus 1m Control	Applies to the majority of the site.
Stormwater Management Area Control - OIRA CREEK, Flow 1	Applies to the entire extent of Hingaia Island.
Airspace Restriction Designations - ID 1102	Applies to the northern extent of Hingaia Island.

Table 3.2: Permitted activities under the Auckland Unitary Plan

Rule	Comment
E11 Land disturbance – Regional	
E11.4.1 (A1) – Earthworks for installation of planting in the Open Space – Conservation Zone	As outlined above, approximately of 5 ha of Kanuka Scrub/Forest (VS2) and ten groups of Totara Trees (a total of 113 trees) are to be planted at Hingaia Island. An assessment against the relevant permitted standards is provided below. E11.6.1. Accidental discovery rule (1) Accidental discovery protocol to be followed and is included as a recommended condition of consent. This will be in place to address effects if sensitive material is accidentally discovered. E11.6.2. General standards

Rule	Comment
	(1) The land disturbance will be limited to hand planting, there it is not expected, after reasonable mixing, to result in any of the listed effects. (2) Any relevant GD05 guidelines for planting will be implemented as required. (3) No dewatering is proposed. (4) No trenching is proposed. (5) If required, only cleanfill material will be utilised. (6) Vehicle and equipment hygiene procedures will be adopted if works are within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Overall, the proposed planting is a permitted activity under Rule E11.4.1 (A1).
E12 Land disturbance – District	
E12.4.1 (A1) – Earthworks for installation of planting in the Open Space – Conservation Zone	An assessment against the relevant permitted standards is provided below.
E12.4.2 (19) – Earthworks for gardening or planting in the Sites and Places of Significance to Mana Whenua Overlay	E12.6.1. Accidental discovery rule (1) Accidental discovery protocol to be followed and is included as a recommended condition of consent. This will be in place to address effects if sensitive material is accidentally discovered. E12.6.2. General standards (1) Planting is not planned within the coastal protection yard. The riparian yards within the proposed planting area are limited. Moreover, given the land disturbance will be limited to hand planting it is expected that the earthworks will be limited to 5 m² or 5 m³ within riparian yards. (2) Land disturbance is minimal and will not result in any instability of land or structures. (3) Based on Auckland Council GeoMaps, there do not appear to be network utilities at the site. (4) Limited site set-up is required as the planting will be undertaken without drive-on machinery (walk-on only). Accordingly, access to the site is unlikely to be affected unless required to complete the works or prevent harm to the public. (5) The scale of works and open area at one time is not expected to result in any discharge of dust beyond the boundary of the site. (10) If required, only cleanfill material will be utilised. (11) – (12) The planting will not raise ground levels or result in a flood hazard beyond the site. (13) Any land disturbance and stockpiling of soil and other materials within the one per cent annual exceedance probability (AEP) flood plain will be limited to 28 days in a calendar year. Overall, the proposed planting is a permitted activity under Rules E12.4.1 (A1) and E12.4.2 (19).
E15 Vegetation management and biodiversity	

Rule	Comment
E15.4.1 (A6) – Pest plant removal in all zones outside the Rural Urban Boundary and all riparian and coastal areas	In addition to the proposed planting, pest plants may be removed if required.
E15.4.1 (A7) – Conservation planting in all zones outside the Rural Urban Boundary and all riparian and coastal areas	Accordingly, an assessment against the relevant permitted standards is provided below. E15.6.3. Conservation planting (1) The planting is not proposed in an SEA. (2) The planting is not proposed within the listed Outstanding/ High Natural features. There are no specified rules for pest plants. Accordingly, the proposed planting and pest plant management at Hingaia Island is a permitted activity under Rules E15.4.1 (A6) and (A7).
E16 Trees in open space zones	
E16.4.1 (A2) – Dead wood removal	Although planting is the primary activity proposed at Hingaia Island, the removal of dead wood and pest plants may be required to enable this activity.
E16.4.1 (A4) – Pest plant removal of any tree less than 4m in height and less than 400mm in girth	No applicable standards were identified. Overall, the proposed planting is a permitted activity under Rules E16.4.1 (A2) and (A3).
H7 Open Space zones	
H7.9.1. (A26) – Conservation planting in the Open Space – Conservation Zone	Refer above with regard to the conservation planting proposed. No applicable standards were identified. Overall, the proposed planting is a permitted activity under Rules E16.4.1 (A2) and (A3).

The assessment above considers that the proposed ecological offset programme at Hingaia Island is a permitted activity under the relevant provisions of the Auckland Unitary Plan.

4 Tuakau offset site

The proposed ecological offset programme for the Project includes planting, stream and wetland offset works at 86 Friedlander Road, Tuakau (Tuakau Site). The Tuakau Site is located approximately 16 km south-east of the quarry, within the Waikato Region and the Waikato District.

In terms of terrestrial offset, relict tree replacement planting of kahikatea, pukatea, and rimu is proposed at the Tuakau site with specific measures proposed to achieve the expected biodiversity outcomes. In total, 628 young trees (kahikatea, pukatea, rimu) will be planted across 1.14 ha adjacent to existing protected kahikatea forest. Indigenous tree and vegetation species will not be removed or replaced.

Residual effects for the loss of aquatic habitat that cannot be addressed on the Sutton Block site, will be addressed through offset at the Tuakau Site. Specifically, a total stream length of 740 m at the Western Stream and 1,549 m at the Tutaenui Stream is proposed to be enhanced through riparian planting at the Tuakau Site. Additionally, 4.04 ha of wetland will be restored, including the creation of new wetland habitat. This restoration and enhancement is intended to provide for a positive aquatic ecological benefit, habitat creation, biodiversity gains, and restore connectivity to existing habitats.

Overall, all offset works at the Tuakau site involve planting as the primary activity and consideration has been given below as to whether this is provided for as a permitted activity under the Waikato

District Plan – Operative in Part, Operative District Plan – Franklin Section and the Waikato Regional Plan.

4.1 Waikato District Plan – Operative in Part

Waikato District Council published the “Waikato District Plan - Operative in Part” on 30 October 2024. This version of the Waikato District Plan - Operative in Part identifies which provisions are operative, and those provisions that are subject to appeal. As a result of the latest update (on 20 March 2025), annotations have been removed where they no longer apply.

Given the number of district wide provisions subject to appeal, for the purposes of this application, all relevant district wide provisions have been included where they have legal effect under Section 86B of the RMA. Separately below the existing provisions in the Operative Plan are included also to demonstrate overall compliance with PA standards.

The general zoning and planning limitations that apply to the site are set out in Table 4.1 below. The permitted activities are identified below in Table 4.2.

Table 4.1: Zoning and planning notations under the Waikato District Plan Operative in Part

Zoning / Overlay or other planning limitation	Comment
GRUZ - General rural Zone	Applies to entire subject site.
Significant Natural Area Overlay	Applies to sections of the vegetated area to the south, partly within the area of works.
Outstanding Natural Landscape Overlay	Adjacent to the site to the south, partly within the area of works.
Flood plain management area Overlay	Applies to entire subject site.
Designation – Watercare Services Ltd (WSL-1)	Adjacent to the site to the north, outside the area of works.
Waikato River catchment – Area A	Applies to entire subject site.
Aggregate extraction area	Applies to centre of the site, outside the area of works.

Table 4.2: Relevant Permitted activities under the Waikato District Plan Operative in Part

Rule	Comment
GRUZ - General rural Zone	
GRUZ-R12 – Conservation activity*	The proposed stream and wetland restoration and enhancement is intended to provide for a positive aquatic ecological benefit, habitat creation, biodiversity gains, and restore connectivity to existing habitats. Accordingly, the proposed offset works are considered a conservation activity and are therefore permitted in the GRUZ under R12.
ECO - Ecosystems and indigenous biodiversity	
ECO-R1 – Earthworks general within a Significant Natural Area	Earthworks associated with the conservation activities are proposed. The works will not be within the kauri root zone. Accordingly, the works are expected to be a permitted activity under Rule ECO-R1, Standard 1(a).
ECO-R4 - Vegetation clearance within a Significant Natural Area (indigenous species)*	There is potential for the proposed planting to be located within the Significant Natural Area, along the

Rule	Comment
	eastern boundary of the site. The planting in this location is expected to be infill and as noted above, indigenous vegetation will not be removed. However, should relic tree replacement of indigenous vegetation be required, this would be considered a permitted activity given the clearance would be for the purpose of conservation activities. Overall, any proposed clearance within a Significant Natural Area is a permitted activity under Rule ECO-R4, Standard 1(a)(vi).
ECO-R7 - Vegetation clearance within a Significant Natural Area (non-indigenous species)*	Clearance of non-indigenous species from within a Significant Natural Area is not expected to be required. In the event that clearance is required, this would be a permitted activity under Rule ECO-R7, Standard 1(a).
ECO-R11 - Vegetation clearance outside a Significant Natural Area (indigenous species)*	Relict tree replacement planting of kahikatea, pukatea, and rimu is proposed at the Tuakau site which may require vegetation clearance outside the Significant Natural Area overlay. While clearance of indigenous vegetation is not proposed, this activity is permitted under Rule ECO-R11, Standard 1(a)(viii), as it's for the purpose of conservation activities.
ECO-R14 - Vegetation clearance of non-indigenous species outside a Significant Natural Area*	As above, relict tree replacement planting is proposed. This may require vegetation clearance of non-indigenous species outside the Significant Natural Area overlay. This activity is permitted under Rule ECO-R14.

Note: * refers to rules which are subject to appeal.

4.2 Operative Waikato District Plan

Given that applicable rules identified under the Waikato District Plan - Operative in Part are subject to appeal and are not yet operative, an assessment is required of the corresponding rules in the Operative Waikato District Plan. This assessment is provided in Table 4.5 and Table 4.5 below. For the purposes of this application, the proposed ecological offset programme is assessed against both the Franklin and Waikato Sections of the Operative Waikato District Plan. The general zoning and planning limitations under the Operative District Plan are set out in Table 4.3 below.

Table 4.3: Zoning and planning notations under the Operative Waikato District Plan

Zoning / Overlay or other planning limitation	Comment
Rural Zone (Franklin Section)	Applies to the entire site.
Environmental Enhancement Overlay Area (Franklin Section)	Adjacent to the site to the north, outside the area of works.
Identified Significant Natural Feature (Franklin Section)	Applies to sections of the site to the south and west, partly within the area of works.
Schedule 5A – Site of Special Wildlife (Franklin Section)	Applies to sections of the site to the south and west, partly within the area of works.
Designation – Watercare Services Ltd (Designation 110 – Sewage Treatment Facility)	Adjacent to the site to the north, outside the area of works.

Zoning / Overlay or other planning limitation	Comment
Designation – Waikato Regional Council (Designation 97 - River Control Purposes)	Adjacent to the north-west of the Tutaenui Stream riparian planting, outside the area of works.
Waikato River Catchment (Waikato Section)	Applies to the entire site.

Table 4.4: Permitted activities under the Operative District Plan – Waikato Section

Rule	Comment
Part 25 Rural Zone	
25.10.1 Earthworks ² is a permitted activity subject to compliance with Rule 25.25.1.	Earthworks associated with the planting of trees and vegetation are proposed. The Operative District Plan excludes the planting of trees from the definition of earthworks. However, for completeness, the works will be undertaken in accordance with the permitted activity conditions, as follows: (a) The site is located outside of Flood Risk Area or Land Stability Policy Area (aa) The site is located outside of the Huntly East Mine Subsidence Area or Hauraki Gulf Catchment Area (b) Any earthworks will comply with Appendix B (Engineering Standards). (c) Not applicable as cut and batter faces or filled areas are not proposed. (d) Material will not be removed from adjoining sites. (e) Material will not be removed from the site; therefore sediment will be retained on site. (f) Given the minor nature of potential earthworks, it is unlikely to adversely affect other land through changes in natural water flows or established drainage paths Standards (h) – (j) are not applicable as the site is located outside of the Landscape Policy Area. Standard (k) is not applicable to the proposed planting. Overall, this activity is permitted under Rule 25.10.1

² Defined in the Operative Plan – Waikato Section as ‘modification of land surfaces by blading, contouring, ripping, moving, removing, placing or replacing soil or earth, or by excavation, or by cutting or filling operations, and excludes the cultivation of land, the digging of holes for the erection of posts, the construction of fence lines, or the planting of trees, landscaped area and gardens, and the stockpiling of coal.’

Table 4.5: Permitted activities under the Operative District Plan – Franklin Section

Rule	Comment
Part 23A Rural Zone	
23A.1.1 Conservation forestry ³ is a permitted activity subject to compliance with Rule 23A.2 and other applicable rules, as outlined in the chapter.	There are no applicable standards under 23A.2 Performance and Development Standards – Rural Zone, as the general standards are all considered to be related to development of buildings/ structures. Furthermore, no specific standards are listed for Conservation forestry under 23A.2.2. No other applicable rules were identified under Parts 7, 8, 10, 11, 12, 15, 22, 50, 51, 52, 53 and 54 of the Plan. Overall, this activity is permitted under Rule 23A.1.1.
Part 24 Wetland Conservation Zone (associated with Schedule 5A: Conservation of Outstanding Natural Features)	
24.1 Wetland and wildlife habitats conservation, where wetlands and habitats are managed to protect their natural values is a permitted activity subject to compliance with Rule 24.5 and other applicable rules, as outlined in the chapter.	The proposed stream and wetland restoration and enhancement is intended to provide a positive aquatic ecological benefit, habitat creation, biodiversity gains, and restore connectivity to existing habitats. There are no applicable General Performance Standards under Rule 24.5. No other applicable rules were identified under Parts 7, 8, 10, 11, 12, 15, 22, 50, 51, 52, 53 and 54 of the Plan. Given the proposed offset works align with the definition of a conservation activity (refer above), the works are therefore permitted in the Wetland Conservation Zone, under Rule 24.1.

4.3 Waikato Regional Plan

The Waikato Regional Plan became operative on 28 September 2007. The general zoning and planning limitations that apply to the site are set out in Table 4.6 below. The permitted activities are identified below in Table 4.7.

Table 4.6: Zoning and planning notations under the Waikato Regional Plan

Zoning / Overlay or other planning limitation	Comment
Stock Exclusion Areas	Applies to the western boundary of the site and across the centre of the site.

Table 4.7: Permitted activities under the Waikato Regional Plan

Zoning / Overlay or other planning limitation	Comment
4.3 River and Lake Bed Disturbances	
4.3.6.1 Permitted Activity Rule – Extraction of Bed Material and Disturbance of River and Lake Beds Associated with the Maintenance of a Lawfully Established Structure.	As part of the works, the extraction of bed material is proposed for the purpose of clearing debris from the streams and also removing existing culverts that are currently preventing fish passage. These works will be

³ Defined in the Operative District Plan - Franklin Section as including 'Conservation for scientific or ecological value'. Conservation is separately defined to include preserving, maintaining or restoring to protect or enhance identified values.

Zoning / Overlay or other planning limitation	Comment
	undertaken in accordance with the permitted activity conditions, as follows: (a) The proposed works are primarily for the purpose of removing barriers to fish passage. Accordingly, safe passage for fish upstream and downstream will be enabled. (b) The bed disturbance and/or extraction of bed material shall be limited to the extent necessary to clear debris or bed material and, will not exceed a total length of 100 metres. (c) Should equipment be required within the river, it will be removed upon completion of the works. (d) It is anticipated that the debris will be able to be removed by hand. Should machinery be required for any material/culvert removal, it is expected to be located outside of the riverbed. Accordingly, no contaminants are expected to be discharged to water. (e) No known archaeological site or waahi tapu will be disturbed. (f) Should any waahi tapu site be identified works shall cease subject to approval from Waikato Regional Council. (g) The activity shall comply with the suspended solids discharge standards. Specifically, the restrictions under Section 4.2.21. (h) Any erosion shall be amended as soon as practicable. (i) The use of explosives is not proposed. (j) The bed of the river is not a Significant Geothermal Feature. Accordingly, the proposed debris and culvert removal is a permitted activity under Rule 4.3.6.1.
4.3.8.1 Permitted Activity Rule – Introduction and Planting of Plants on the Beds and Banks of Rivers and Lakes	The proposed offset planting is not a controlled activity under Rule 4.2.18.1 or prohibited under Rule 4.3.8.2. No planting is proposed within 10m of the Waikato River. The activity is for the purpose of streamside enhancement and complies with conditions under 4.3.8.1, as follows: (a) the riparian planting is not expected to result in adverse effects of flooding or obstruction. (b) any materials from the planting will be removed from the water body. (c) No known archaeological site or waahi tapu will be disturbed. (d) Should any waahi tapu site be identified works shall cease subject to approval from Waikato Regional Council. (e) No contaminants are expected to be discharged as a result of the works. (f) The activity is outside the flood and drainage control scheme areas.

Zoning / Overlay or other planning limitation	Comment
	(g) The activity shall comply with the suspended solids discharge standards in Section 4.2.21. (h) Any erosion shall be amended as soon as practicable. (i) Plants shall not replace indigenous flora or have the potential to smother indigenous flora (the relict planting is not proposed on the bank of any stream body). Accordingly, the proposed planting along the stream banks is a permitted activity under Rule 4.3.8.1.

The assessment above considers that the proposed ecological offset programme is a permitted activity under the relevant provisions Waikato District Plan – Operative in Part, Operative District Plan – Franklin Section and the Waikato Regional Plan.