

Earthworks / Quarrying and Mining

Issues

Earthworks play a key role in, and form a necessary part of, subdivision, land use and development but earthworks require management around issues such as land instability, sediment loss and natural hazards and effects on amenity and cultural values, strategic infrastructure and the natural environment.

Quarrying and mining is essential for development because construction requires aggregate to construct roads and service the needs of industry. The district contains aggregate and mineral deposits that are of considerable social and economic importance, but that extraction can be constrained by conflicting land uses and that it can have significant adverse effects on landscape, amenity and cultural values if not appropriately controlled.

Operative District Plan Approach

Earthworks is only managed in a few sub zones in the Operative District Plan. There is no integrated approach to the management of earthworks in all zones that recognises natural and cultural values and risks to land stability.

Quarrying and mining is not permitted in any zone.

Draft Plan Approach

Earthworks activity is permitted when it complies with standards, except when a layer in the Plan requires protection of cultural and natural environment values. The term earthworks is specifically defined by the National Planning Standards to refer to the alteration or disturbance of land but excluding gardening, cultivation, and disturbance of land for the installation of fence posts. Further exemptions are provided for within the proposed plan for activities such as tree planting, wells, maintenance of existing drains and ponds and where a building consent has been approved or where earthworks are regulated under a national environment standard.

Quarrying and mining is controlled by rules in the zone chapters.

Changes – Earthworks

Key changes include:

The district wide earthworks rules are designed to manage the scale, volume and location of earthworks through a series of thresholds. These include a permitted status of:

- 250m² per site in any 12-month period for earthworks in Residential zones and 2000m² in other zones which recognises the more sensitive nature of residential zones;
- a maximum depth or height of earthworks of 1.5m and a maximum gradient of 1 in 4; and
- filling and/or excavation of no more than 0.5m in depth or height within 1.5m of a boundary.

The rules also require specific consideration of rehabilitation, earthworks within a heritage setting and those within proximity of the National Grid and/or a 66kV electricity distribution line.

Beyond the generic rules more specific earthworks rules are contained within the Draft Plan to address impact on sensitive areas such as significant natural areas, outstanding natural features and landscapes, high naturalness water bodies, visual amenity landscapes, the coastal environment, and sites and areas of significance to Māori. Resource consent is required for earthworks in the Wāhi tupuna overlay that exceed a maximum area of 750m².

Changes – Quarrying and Mining

Key changes include:

Draft Plan provides for the expansion of existing quarries as a restricted discretionary, and new mining and quarrying activities as a discretionary activity in the General rural zone only, provided certain measures are met including:

- for existing mines or quarries, not increasing production or hours of operation;
- for all, a 500m separation distance from a sensitive activity or Residential zone, Settlement zone or Maori Purpose zone;
- for all, a 20m setback from a site boundary; or 100m from a riparian margin; and
- for all, not being within and outstanding natural landscape or feature, significant natural area, high naturalness water body, visual amenity landscape, the coastal environment, a site or area of significance to Māori and a heritage item or setting.

Provision is made for farm quarries as a permitted activity provided they do not exceed 2000m² and are not within an outstanding natural landscape or feature, significant natural area, high naturalness water body, visual amenity landscape, the coastal environment, a site or area of significance to Māori and a heritage item or setting, and are set back 20m from a boundary.

Reasons

The earthworks rules and standards recognise that earthworks not managed well in urban areas can impact on neighbours and cause discharge of sediment onto roads and into the stormwater system. Retaining of earth greater than maximum depth or height of 1.5m and on land of more than a gradient of 1 in 4 can cause potential effects on land stability. Filling and/or excavation of greater than 0.5m in depth or height within 1.5m of a boundary can cause instability of neighbouring sites.

The changes in regard to quarrying and mining give clearer direction for assessment of resource consent applications to minimise adverse effects on the environment.

What this Means in Practice

The majority of development requiring earthworks will not require a resource consent, or can be designed to avoid needing a resource consent. For example deep cuts and high retaining walls can often be avoided. In the Wāhi tupuna overlay resource consent will be needed only if a large homestead, curtilage and driveway is going to result in earthworks over more than 750m² of area; the threshold is intended to capture only large development where there is potential to disrupt ground that has been used historically by manawhenua for cultivation and habitation.

In the case of quarrying and mining the changes update provisions to align with best practice environmental management.

