

### 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.

### Proposed 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 in relation to area, depth/height, setbacks, duration, rehabilitation. There are several exclusions to the earthworks rules including earthworks for tree planting, natural hazard mitigation works and within the footprint of buildings.

Beyond the generic rules more specific earthworks rules are contained within the Proposed Plan to address impact on sensitive areas such as significant natural areas, heritage sites, 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 750m<sup>2</sup>.

### Changes – Quarrying and Mining

#### Key changes include:

Proposed 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.

## 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.

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 750m<sup>2</sup> 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.

